
PLANNING COMMITTEE 4/07/16

Present: Councillor Anne Lloyd Jones - Chair
Councillor Elwyn Edwards - Vice-chair

Councillors: Simon Glyn, Gwen Griffith, Eric M. Jones, June Marshall, Michael Sol Owen, W. Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, John Wyn Williams and Owain Williams (substitute).

Others invited: Councillors Anwen Davies, Lesley Day, Sian Wyn Hughes, Hefin Underwood and Elfed W. Williams (Local members).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Medi Emlyn Davies (Development Control Officer), Dafydd Gareth Jones (Senior Planning Officer – Minerals and Waste - for item 5.3 on the agenda), Aneurin Môn Parry (Enforcement Manager - for Item 5.4 on the agenda), Gareth Roberts (Senior Transportation Development Control Officer), Rhun ap Gareth (Senior Solicitor) and Bethan Adams (Member Support Officer).

Apologies: Councillor Endaf Cooke.

1. DECLARATION OF PERSONAL INTEREST

(a) The following members declared a personal interest for the reasons noted:

- Councillor Gwen Griffith, in item 5.3 on the agenda (planning application number C15/1081/11/LL) - because she was a member of the Traeth Lafan Local Nature Reserve Management Committee;
- Councillor Gruffydd Williams, in relation to item 5.7 on the agenda (planning application number C16/0281/42/LL) - because his father owned a caravan park located less than six miles from the site;
- Councillor Owain Williams, in relation to item 5.7 on the agenda (planning application number C16/0281/42/LL) - because he owned a caravan park located less than six miles from the site.

Members were of the opinion that they were prejudicial interests and they left the Chamber during the discussion on the applications noted above.

(b) The Senior Development Control Manager declared a personal interest in relation to item 5.8 on the agenda (planning application number C16/0329/18/LL) - because her cousin, who lived opposite the site, had objected to the application.

The officer was of the opinion that it was a prejudicial interest and she left the Chamber during the discussion on the application.

(c) The following members declared that they were local members in relation to the items noted:

- Councillor Lesley Day (not a member of this Planning Committee), in relation to item 5.3 on the agenda (planning application number C15/1081/11/LL);
- Councillor Anwen Davies (not a member of this Planning Committee), in relation to items 5.5, 5.6 and 5.9 on the agenda (planning application numbers C16/0243/33/CR, C16/0246/33/LL and C16/0410/33/LL);
- Councillor Sian Wyn Hughes (not a member of this Planning Committee), in relation to item 5.7 on the agenda (planning application number C16/0281/42/LL);

- Councillor Elfed W. Williams (not a member of this Planning Committee), in relation to item 5.8 on the agenda (planning application number C16/0329/18/LL);
- Councillor Hefin Underwood (not a member of this Planning Committee), in relation to item 5.10 on the agenda (planning application number C16/0140/45/LL).

The members withdrew to the other side of the Chamber during the discussions on the applications in question and did not vote on these matters.

2. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 13 June 2016, as a true record.

3. PLANNING APPLICATIONS

The Committee considered the following applications for development.

Details of the applications were expanded upon and questions were answered in relation to the plans and aspects of the policies.

RESOLVED

1. Application number C15/0828/11/LL - Former Post Office, 60 Deiniol Road, Bangor

Change of use of existing building to create a café and restaurant and create 29 self-contained student living units, together with the partial demolition of rear buildings and erection of new building to create 116 self-contained student living units with ancillary facilities.

- (a) It was reported that it had become apparent that the figures in a section of the report needed to be corrected. In addition, due to the nature of the plan before the committee, it was noted that it was recommended that a site visit should be held. Therefore, a request was made to defer the application until the Committee meeting to be held on 25 July.

In response to a member's comment in relation to receiving information regarding the need for student accommodation and the number of empty bedrooms in purpose-built student accommodation, it was noted that such information would be sought from the applicant.

RESOLVED to defer the application.

2. Application number C15/0844/11/CR - Former Post Office, 60 Deiniol Road, Bangor

Change of use of existing building to create a café and restaurant and create 29 self-contained student living units, together with the partial demolition of rear buildings and erection of new building to create 116 self-contained student living units with ancillary facilities.

- (a) It was noted that a request was made to defer the application in accordance with the report on the above-mentioned application.

RESOLVED to defer the application.

3. Application number C15/1081/11/LL - Former Dickies Boat Yard, Beach Road, Bangor

Re-submission of a previous application to import inert material in order to raise existing ground levels.

- (a) The Senior Planning Officer - Minerals and Waste elaborated on the background of the application noting that the site had been designated for development in the Gwynedd Unitary Development Plan (GUDP). It was explained that residential development was about to be completed on nearby land and that this application was for the undertaking of engineering work and raising the land levels to provide a site for further development. It was noted that it was proposed to raise the land level by placing material deriving from excavation works associated with the development on adjacent land and transporting a further 19,000 tonnes of inert material to the area in order to raise the land levels.

It was noted that a number of specialist assessments had been received as part of the application.

It was reported that discussions had been held with Natural Resources Wales (NRW), the Biodiversity Unit and the Public Protection Unit and they had no objection to the application. It was noted that there would be a temporary increase in traffic movements but the Transportation Unit did not have any objection to the proposal provided that relevant conditions were imposed.

Attention was drawn to the additional observations received noting that the RSPB had withdrawn its objection, provided that the mitigation measures would be implemented.

The development complied with the GUDP for the reasons noted in the report.

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That he was speaking on behalf of the Bangor Civic Society;
 - That they did not object to the principle of developing the site;
 - That the land would continue to be located near a flood zone, even after raising the land levels;
 - That the plan before the committee would not be undertaken to provide protection against flooding in the Hirael Bay Area but rather it would be done to prepare the site for development;
 - Matters regarding land contamination and the nature of the materials previously deposited on the site should be resolved before considering developing the land, bearing in mind the legal risks of building on contaminated land;
 - Concern regarding the stability of the land and the impact on the Traeth Lafan Site of Special Scientific Interest;
 - Should the application be approved, a request was made for a much stricter regulatory process.
- (c) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That the site had been restricted as it was located within a C2 Flood Zone;
 - That this work was preparatory work for the purpose of further developing the site;
 - That the proposal would involve improving the sea defences and enabling the flood category of the site to change;
 - That the proposal would not have a detrimental impact on the designations;
 - That the proposal would contribute to the re-development of this empty site.
- (ch) The local member (not a member of this Planning Committee) noted the following main points:-
- That she, the local community and specialist bodies had concern in connection with the proposal;
 - That officers had been informed that waste had already been tipped on the site and that a section of the application site was retrospective as a result;

- That the site was open to erosion and her concerns regarding the stability of the land;
- That the proposal was contrary to policies B28, B29 and B30 of the GUDP;
- That the land was contaminated and that there was a risk for the contaminated material to move to Hiraal Bay;
- Concern regarding the development's impact on designated shellfish waters;
- Should the application be approved, there was a need to ensure a suitable design and for a strict monitoring process to be in place with a clear, independent audit trail;
- That the proposal would not prevent flooding in Hiraal Bay;
- That there was a risk to human health as the site included asbestos, mercury, lead and Polycyclic Aromatic Hydrocarbons in potentially hazardous concentrations. Therefore, a condition should be imposed to deal with the contaminated land now, rather than when an application for housing is considered in the future;
- That the lorry hours condition should be amended to between 09:00 - 16:00 Mondays to Fridays to avoid peak hours;
- That there was a need to tidy the site of the Former Dickies Boat Yard.

(d) In response to the observations of the local member, the Senior Planning Officer - Minerals and Waste noted:-

- That it was intended to enclose waste on the site to prevent the pollution from escaping from the site;
- The land had not been recorded on the register of contaminated land;
- That it was intended to create an embankment around the site and place rip-rap material on top to protect the site;
- That any application for development in the future would be decided on its own merits and that the aim was to provide a site for development.

(dd) A member noted that the application should be refused because NRW required further information. In response, the Senior Planning Service Manager drew attention to the late observations received from NRW noting that they were willing to deal with the matters regarding the details of the practical environmental measures and the seawall by means of a planning condition.

It was proposed to defer the application in order to receive further information in terms of the concerns presented by the local member. The proposal was seconded.

(e) During the ensuing discussion, the following main observations were noted:

- Concern regarding the risk of pollution escaping from the site as there were mussel beds nearby and this would affect the food chain;
- NRW's observations had not convinced a member that no concerns derived from the proposal;
- Had the waste being tipped on the site received permission already or was it extending the site?
- Had the applicant contacted the Crown Estate?
- That considerable information had been submitted as part of the application;
- Concern regarding the waste tipped on the site;
- Would the developer be able to appeal based on a failure to reach a decision should the application be deferred?
- That there was a need to ensure that the information presented was firm scientific evidence.

(f) In response to the above observations, the officers noted:-

- That detailed technical reports had been submitted as part of the application, including an environmental assessment in accordance with the habitats regulations;

- A request was made for further confirmation from NRW that they were convinced that the proposal was acceptable as a result of the concerns;
- A request was also made for the Public Protection Unit to confirm its standpoint;
- That any building site had development rights, including, a temporary builders yard and materials storage. The intention of the application was to receive permission to retain the materials on the site and add additional materials in order to raise the land levels and to extend the site;
- That the application before the committee was a re-submission of an application that was withdrawn and that the applicant had given notice to the Crown Estate, Penrhyn Estate, on the site and in the press before submitting the application;
- Carrying the material from the site could cause dust and disturbing the material could cause pollution. Residents would be disturbed due to lorry traffic if this would be done.
- The proposal was to carry inert material there to cap the materials currently on the site;
- In terms of the mussel beds, the Public Protection Unit did not have concerns about the methodology and no objection had been received from the Menai Straits Fishery Order Association;
- That NRW had requested the details of the Construction Environmental Management Plan by means of a condition;
- That there was a risk that the applicant could appeal based on the failure to reach a decision; however, the applicant had to provide further information, and outside the planning system he needed to obtain an environmental licence from NRW and a marine licence before the development could commence. Therefore, it was unlikely that he would not agree to the time extension;
- That the information received would reiterate the scientific information included in the report before the committee.

RESOLVED to defer the application.

4. Application number C16/0183/32/LL – Gwrych y Dryw, Botwnnog

An application to retain an extension to an agricultural building.

- (a) The Enforcement Manager elaborated on the background of the application, noting that the application had been deferred at the Committee meeting held on 25 April 2016 in order to hold a site visit. Members of the Committee had visited the site prior to the meeting.

It was reported that the Planning Service was aware that a further objection had been sent to members. It was noted that material planning matters had been referred to in the report and that observations on other matters in terms of animal welfare had been referred to the appropriate services.

The development complied with the GUDP for the reasons noted in the report.

- (b) It was proposed and seconded to approve the application.

A member noted that it appeared that civil matters had been raised as a further objection and that a decision should be made on the application by considering material planning matters.

RESOLVED to approve the application.

Condition - Agricultural use only.

5. Application number C16/0246/33/LL - St Ceidio Church, Ceidio

Change of use of a former Church into a holiday unit

- (a) The Development Control Manager elaborated on the background of the application and noted that the church had been empty for some time and that it had already changed ownership from the Church in Wales to private ownership.

Attention was drawn to the additional details that had been received from the agent at the officers' request.

It was noted that the proposal was acceptable in principle and in accordance with policies B3, C4 and D15 of the GUDP. It was explained that the proposal mainly intended to restore the building and due to the site's location in open countryside, it was not considered that the proposal would disrupt the amenities of the site or the area.

Attention was drawn to the concern raised during the public consultation that the proposal would disrupt access to the cemetery. It was noted that confirmation had been received from the Church in Wales that they still owned the cemetery and that it would continue to be open to the public.

It was noted, after receiving additional information from the agent, that the recommendation had changed to what was noted in the report and that it was now recommended to delegate powers to the Senior Planning Manager to approve the application subject to receiving plans relating to the bat roost and to the receipt of favourable observations from the Biodiversity Unit to those plans, receipt of the details regarding the provision/installation of services in the building along the path and to relevant conditions.

- (b) The local member (not a member of this Planning Committee) noted the following main points:-
- That the families of those who had been buried in the cemetery were concerned that the graves would be disrespected;
 - That a fence should be installed around the building and for that to be done before the house could be let;
 - That there was a need to secure official confirmation that public access to the cemetery would continue.
- (c) In response to the local member's observations, the Development Control Manager noted:-
- The only guarantee that could be accepted in terms of access to the cemetery was the confirmation received from the Church in Wales noting that it would continue;
 - That there was a duty to protect the listed building and prevent its deterioration;
 - Concern regarding the installation of a solid fence as the Church was a grade II listed building and agreement would be needed from CADW in terms of how to define the boundaries. Consideration could be given to the installation of chains on poles to mark the boundaries and a condition could be imposed to this end.
- (ch) It was proposed and seconded to approve the application in accordance with the recommendation and to add the condition to agree on a method of defining the boundaries.

During the ensuing discussion, the following main observations were noted:

- Chains would not prevent children from entering the cemetery; therefore, a fence should be used as it would create a barrier;
- There was a need to be pragmatic in terms of using such buildings and the attractive architecture of the Church should be protected;

- Something low-lying would be an acceptable boundary treatment so as not to take away from the listed element;
- What would be the period for letting the holiday accommodation?
- Glad that work was being done to retain the building;
- The applicant should be requested to give the building a Welsh name.

(d) In response to the above observations, the Development Control Manager noted:-

- That there was a need to bear in mind that it was a public cemetery and that nothing prevented children from entering the cemetery at present;
- As it was an application for a one-bedroom holiday accommodation property, that it was highly unlikely to attract families with children there to stay;
- That the Committee was requested to allow officers to decide on the boundary treatment;
- That the holiday accommodation would be available to let throughout the year and that a register would be kept to prove the use and it would not be the primary residence of any person;
- That the applicant could be requested to give the building a Welsh name.

RESOLVED to delegate powers to the Senior Planning Officer to approve the application subject to the receipt of plans relating to the bat roost and to receive favourable observations from the Biodiversity Unit regarding those plans, to receive the details of providing/installing the services in the building along the path and to relevant conditions relating to:

1. 5 years
2. In accordance with the plans and recommendations in the bat report
3. Conditions relating to the first floor
4. Conditions relating to work on the roof
5. New timber door
6. The original door to be retained within/as part of the building at all times
7. Conditions relating to the secondary glazing
8. Lime render and plaster work
9. Some of the original pews must be retained within the building at all times (to be agreed with the LPA before commencing the work)
10. Conditions relating to archaeological work
11. Photographic record
12. Bat conditions
13. Holiday use only/keep a register
14. To reach agreement on the boundary treatment.

6. Application number C16/0243/33/CR - St Ceidio Church, Ceidio

Convert a former Church into a holiday unit

(a) The Development Control Manager elaborated on the background of the application and noted that it was a listed building application. Attention was drawn to the late observations received from the agent where it was confirmed that there was no intention to install secondary glazing by now.

It was noted that it was considered that the proposal was acceptable and a way of securing long-term use for the listed building and was suitable use of the building. The adaptations were a fair and suitable compromise for the building in order to secure use and they were also of a type that could be installed and removed without damaging the building.

It was added that it was considered that the original features would be kept and protected and that the proposal as a whole would not disrupt the historical or architectural character of the listed building. The development complied with the GUDP for the reasons noted in the report.

It was noted, after receiving additional information from the agent, that the recommendation had changed to what was noted in the report and that it was now recommended to delegate powers to the Senior Planning Manager to approve the application subject to receiving plans relating to the bat roost and to the receipt of favourable observations from the Biodiversity Unit to those plans, receipt of the details of providing/installing services in the building along the path, to the receipt of confirmation from CADW that the proposal was acceptable and to relevant conditions along with the additional condition of reaching agreement on the boundary treatment.

- (b) The following main points were made by the local member (not a member of this Planning Committee):-
- That the majority of those concerned were now of the opinion that it was better to preserve the building's condition.
 - That she was not happy to see chains being installed as boundary treatment following incidents with children and chains;
 - She asked to be a part of the discussions regarding the boundary treatment.
- (c) It was proposed and seconded to approve the application.

A member noted that it was important to include the local member in the discussions regarding the boundary treatment.

RESOLVED to delegate powers to the Senior Planning Manager to approve the application subject to the receipt of details regarding the provision/installation of services in the building along the path in terms of the archaeological impact, receiving confirmation from CADW that the proposal is acceptable and to relevant conditions relating to:

1. 5 years
2. In accordance with the plans
3. Conditions relating to the first floor
4. Conditions relating to work on the roof
5. New timber door
6. The original door to be retained within/as part of the building at all times
7. Conditions relating to the secondary glazing
8. Lime render and plaster work
9. Some of the original pews must be retained within the building at all times (to be agreed with the LPA before commencing the work)
10. Archaeological condition relating to services' work
11. Photographic record
12. To reach agreement on the boundary treatment.

7. Application number C16/0281/42/LL – Cefn Edeyrn, Edern, Pwllheli

Amended application to create a touring caravan site for 18 caravans along with the construction of a toilet/shower block, access improvements and installation of septic tank.

- (a) The Development Control Officer elaborated on the background of the application and noted that the site was in the countryside and within a Landscape Conservation Area and a Landscape of Outstanding Historical Interest with the Llŷn Fens Special Conservation Area

and the Cors Geirch Site of Special Scientific Interest located approximately 400 metres to the east of the site.

It was noted that despite the relatively level site and the fact that its current form was relatively concealed, a condition was recommended to secure suitable landscaping on the boundaries and sporadically within the site to improve its appearance. It was considered that the building was acceptable in terms of its scale, size, form and location.

It was explained, as a result of reducing the touring unit numbers from 27 to 18, since the previously withdrawn application, that there was no objection to the proposal on highway grounds, subject to conditions relating to access improvements.

The development complied with the GUDP for the reasons noted in the report.

- (b) The local member (not a member of this Planning Committee), supported the application and she made the following main points:
- That the application would contribute to the local economy;
 - That the applicants had agreed to highways improvements;
 - That they would collaborate with Hunaniaith in the context of promoting the Welsh language.
- (c) It was proposed and seconded to approve the application.

In response to a member's observation in relation to biodiversity, the Development Control Manager noted that should the application be approved, it was recommended to impose the Biodiversity Unit's condition in terms of safeguarding the trees and hedges from being felled on the site without written permission.

RESOLVED to approve the application.

Conditions:

1. Commence within five years.
2. In accordance with submitted plans.
3. The number of units on the site at any one time to be restricted to 18.
4. Conditions on the timeframe for siting caravans/holiday period/moving the caravans when not in use.
5. No storing on the land.
6. Records list.
7. Landscaping.
8. Highways Conditions - to provide an access with a 6 metre radius on either side, reduce the height of the *clawdd* and cap it and widen the first 15m of the access track.

Notes:

1. It is suggested that alleviating measures are taken to protect and promote the Welsh language, such as a Welsh name for the site/ Welsh and/or bilingual signage and opportunities to provide information about the history and culture of the area. It is suggested that the Site Manager contacts the Local Language Initiative (Hunaniaith) to have a discussion regarding other measures which could add value to the business.
2. A caravan site licence is required.

8. Application number C16/0329/18/LL - Land adjacent to the Post Office, Clwt y Bont, Caernarfon

Construction of three two-storey detached dwellings and associated developments.

- (a) The Development Control Officer elaborated on the background of the application and noted that the application site was brownland within the development boundary of the village of Clwt y Bont. It was noted that it was proposed to construct three two-storey houses with four bedrooms on the site for the open market with a separate access to the three properties and each one would lead to an unclassified road that served a number of dwellings.

Attention was drawn to the additional observations that had been received.

It was noted that the main consideration was Policy CH4 which approved proposals for the construction of new dwellings on unallocated sites located within village development boundaries, provided they conformed to all the relevant policies of the Plan and the three criteria which formed part of the Policy. Attention was drawn to the fact that criterion 1 related to having a proportion of all units on the site as affordable units, unless it would be inappropriate to provide affordable housing on the site. The Supporting Planning Statement (supported by the Viability Calculations) explains that it was not viable to offer an affordable element as part of the scheme.

It was noted that several allegations had been made that the land had been contaminated by waste such as old cars and Policy B30 suggested that applications on contaminated land should be refused in the absence of information showing acceptable treatment of the site. However, no firm evidence had been submitted to support the allegations of unstable land or any contamination hazards and none of the official agencies that had been consulted had raised these issues. Should the application be approved, it was recommended to impose an additional condition to ensure that a desk-top study was undertaken to assess the risk of contamination on the site and that any further action required should take place prior to the development of the site. In addition, a condition was recommended requesting agreement on the details of any engineering work involving changing the levels of any part of the site, especially the boundary treatments.

It was confirmed that the objections received did not outweigh relevant policy considerations or material planning issues. The development complied with the GUDP for the reasons noted in the report.

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That it was an inappropriate development on inappropriate land;
 - Concerns regarding land stability;
 - That noting that the site was not contaminated was deliberately misleading considering that materials such as cars, batteries and asbestos had been tipped on the land;
 - That Japanese knotweed grew on the site;
 - Concern that the development would ruin the heart of the historical village;
 - That a legal question arose in terms of the neighbours being joint-signatories to any application for developing this site considering that tipping had taken place on their land also.
- (c) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That the applicant had received pre-application advice from officers and that the observations had been considered;
 - That the houses would be located a suitable distance from nearby houses and that the design and setting of the proposal would ensure that there would be no impact on general or residential amenities;
 - That the development would only create a few additional vehicular movements and that the Transportation Unit did not have any objection based on the safety of roads and streets;

- That the concerns of nearby residents in terms of land stability was associated with nearby property rather than the site itself;
- That there was no evidence in terms of land stability and that appropriate steps had been set out in the design to safeguard the slope on the outskirts of the site that would be managed by the Building Control process;
- That there was no evidence that the land was contaminated; however, the applicant was prepared to accept a condition in terms of dealing with any contamination if required.

(ch) The local member (not a member of this Planning Committee) noted the following main points:-

- That the proposal was contrary to policy B23 and B28 of the GUDP;
- No affordable element had been included in the proposal and insufficient evidence had been submitted to justify not including an affordable house;
- The prices of the houses would be higher than what local people could afford;
- Concerns in terms of road safety and suggested that the road should be widened;
- That other applications for houses that had been approved in the area had remained undeveloped.

(d) In response to the observations, the Senior Planning Service Manager noted that:-

- There was no evidence that the land was unstable;
- The figures provided by the applicant had been the subject of analysis by the Joint Planning Policy Unit using Gwynedd Council's standard methodology for assessing the viability of proposed developments and it was concluded that this development would not be economically viable if it included an element of affordable housing;
- The Transportation Unit did not object to the proposal.

(dd) A proposal to undertake a site visit was made and seconded.

During the ensuing discussion, the following main observations were noted:

- That the roads were narrow and that the concerns of the local people should be considered when visiting the site;
- Could the plausibility of the house prices be confirmed?
- That the houses would not be affordable to local people considering the average salaries in the local area;
- That it should be considered that difficulties were being experienced when attempting to sell new houses in Deiniolen.

(e) In response to these observations, the Senior Planning Service Manager noted that:-

- That the Joint Planning Policy Unit had used a computer package used nationally to assess the viability of proposed housing developments and it had been concluded that the development would not be economically viable should it include an element of affordable housing;
- That the Property Section had noted that the building costs shown by the applicant were appropriate in this case and consistent with other developments in the locality;
- That it would be very difficult to justify refusing the application on the grounds that there was no need for housing as there was no evidence of that.

RESOLVED to undertake a site visit.

9. Application number C16/0410/33/LL – Tir Glanrhyd, Mynydd Nefyn

Construction of shed for storing materials and machinery in connection with construction business.

- (a) The Development Control Officer elaborated on the background of the application and noted that the application site was located in the countryside and within the Landscape Conservation Area designation and near the Llŷn Area of Outstanding Natural Beauty (AONB).

Reference was made to a previously refused application for an agricultural shed, it was noted that officers had not been convinced that an actual agricultural need for a new shed on the site had existed, considering the activity and the builders' use made of the existing agricultural shed and yard. It was noted that should the existing shed and yard be established and authorised, by means of a certificate for the existing use as a builder's yard (as suggested in correspondence and pre-application advice which is noted above), an application for a new shed would then be considered under a different policy namely policy B8, Expansion of Existing Enterprises, of the GUDP. Under current circumstances, it would be difficult to justify a new shed on the site at present.

It is considered that the proposal is tantamount to erecting a new industrial building in the countryside, where there is no justification or exceptional location needs in existence to justify a new builder's shed on the site. The proposal was contrary to policies D5, D7 and C1 of the GUDP.

- (b) Taking advantage of the right to speak, the applicant noted the following main points:-
- That he came from an agricultural background but that the construction business had taken over in the past 15 years;
 - That he employed local people;
 - That he needed a suitable place to keep machinery;
 - That the business depended on a shed near his home;
 - That relocating the business would have a negative impact on him and his employees.
- (c) The application was supported by the Local Member (who was not a Member of this Planning Committee), and she made the following main points:
- That the business had existed for years and that the agricultural activity had reduced over the years;
 - That he employed local people;
 - Moving the business to another location would be unsuitable and would increase traffic;
 - That he needed a suitable place to keep machinery;
 - That the proposal would allow a business in the countryside to remain in its locality and would keep money local.
- (ch) In response to these observations, the Senior Planning Service Manager noted, in line with the advice provided before submitting the application that the applicant should take steps to legalise the use made of the existing shed.
- (d) It was proposed and seconded to defer the application so that the applicant submitted an application to legalise the use made of the existing shed.

In response to a question by a member, the Development Control Manager noted that the applicant had noted that he would be able to prove its use for a period of 9 years and that this would be close enough to the need to justify use over 10 years so that an application to legalise use could be considered.

A member noted that it was important for the business to remain in this location.

RESOLVED to defer the application.

10. Application number C16/0140/45/LL – 37, Cardiff Road, Pwllheli

Change of use of the former shop to an A3 Unit (restaurant/hot food to take away)

- (a) The Development Control Officer elaborated on the background of the application, and noted that the site was located within the development boundary of Pwllheli. It was noted that it was not considered that the proposal would be on a scale which was likely to cause an additional detrimental impact to the amenities of the area or any local residents, nor was it located in an area which would add to or create an unacceptable concentration of this type of development.

Attention was drawn to the recommendation to impose a condition to restrict the hours and that the Public Protection Unit had now confirmed that they were satisfied with the new design of the extraction system.

The development complied with the GUDP for the reasons noted in the report.

- (b) Taking advantage of the right to speak, the applicant noted the following main points:-
- That the Public Protection Unit was satisfied with the proposal;
 - That there would be no increase in noise or traffic compared to that should a shop be located on the site;
 - That the building had been renovated;
 - That it would allow the tenant to earn a living.
- (c) The application was supported by the Local Member (who was not a Member of this Planning Committee), and noted that the conditions proposed responded to the concerns of the local neighbourhood.
- (ch) It was proposed and seconded to approve the application.

In response to a question from a member, the Senior Solicitor noted that the applicant would also be required to comply with any requirements covered by the licensing system.

RESOLVED to approve the application.

Conditions:

1. The development to commence within 5 years of the date of the permission.
2. In line with the submitted plans.
3. Opening hours 11:00 – 22:00 (Sunday – Thursday); 11:00 - 23:00 (Friday and Saturday).
4. Installation of grease trap.
5. Ensure that the extraction system is operational prior to the commencement of use.

The meeting commenced at 1.00pm and concluded at 3.40pm.

CHAIR