
PLANNING COMMITTEE 19/03/18

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

Councillors: Stephen Churchman, Louise Hughes, Siân Wyn Hughes, Berwyn Parry Jones, Eric M. Jones, Huw Wyn Jones, Dilwyn Lloyd, Edgar Wyn Owen, Catrin Wager, Eirwyn Williams, Gruffydd Williams and Owain Williams.

Others invited: Councillors Dafydd Owen and John Brynmor Hughes (Local Members).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Keira Sweenie (Senior Development Control Officer), A. Rhys Roberts (Development Control Officer), Dafydd Gareth (Senior Planning Officer Minerals and Waste), Gareth Roberts (Senior Development Control Officer – Transport), Rhun ap Gareth (Senior Solicitor) and Lowri Haf Evans (Member Support Officer).

Condolences were expressed to the family of Beryl Ellis. Beryl was an officer who had served the Planning Service for many years. A minute's silence was held.

1. APOLOGIES

Councillor Simon Glyn and Councillor Sion Jones (Local Member)

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- (a) Councillor Catrin Wager declared a personal interest in item 5.1 on the agenda (planning application number C17/0903/16/LL), as she was a friend of the applicant.

The Member was of the opinion that it was a prejudicial interest, and she withdrew from the Chamber during the discussion on the applications noted.

- (b) The following members stated that they were local members in relation to the items noted:
- Councillor Dafydd Owen (not a member of this Planning Committee), in relation to item 5.1 on the agenda (planning application number C17/0903/16/LL)
 - Councillor John Brynmor Hughes (not a member of this Planning Committee), in relation to item 5.4 on the agenda (planning application C17/0967/39/LL).
 - Councillor Huw G. W. Jones (a member of this Planning Committee), in relation to item 5.5 on the agenda (planning application number C17/1086/11/LL).
 - Councillor Anne Lloyd Jones (a member of this Planning Committee), in relation to item 5.8 on the agenda (planning application number C17/1246/09/LL).

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

3. URGENT ITEMS

None to note

4. MINUTES

The Chair signed the minutes of the previous meeting of this Committee, that took place on 26 February 2018, as a true record.

5. 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 policy aspects.

6. APPLICATION NO C17/0903/16/LL - CARREG Y FEDWEN, SLING, TREGARTH, BANGOR, GWYNEDD,

Creation of sacred healing acoustic research and enterprise centre including the erection of four new buildings, the formation of parking areas and erection of 2.3m high boundary wall (revised application to one previously withdrawn - C16/1158/16/LL)

- a) The Development Control Officer highlighted that the Members had not managed to visit the site due to the weather, and the applicant had submitted additional information on the morning of the Committee which the officers had not had an opportunity to consider. Consequently, it was suggested that the application should be deferred.
- b) It was proposed and seconded to defer the application.

RESOLVED to defer

- need to rearrange a site visit

- need to consider late information received in order to include it in the report

7. APPLICATION NO C17/0330/14/LL - FORMER SITE MARINE HOTEL, NORTH ROAD, CAERNARFON,

Construction of five houses (including two affordable houses) together with creating an entrance to the trunk road.

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

- a) The Development Control Manager elaborated on the background of the application, noting that it was a full application to create five residential units on the site of a former hotel to the north of the Caernarfon town centre, and opposite the A487 trunk road. Following discussions with the developer, and in response to neighbours' concerns, it was added that amended plans had been submitted which included amendments to the external elevations and height of the houses, and

relocating number 5 to the rear of the site.

It was confirmed that the designs were still accurate and the re-consultation period on the amended plans was coming to an end on 23 March. It was reported that no objections had been received from the statutory consultants, but that local residents were objecting on the grounds of visual impact, highway safety, parking matters, impact on the amenities of neighbours from overlooking and creating a shadow.

In terms of policy matters, it was explained that the site was a windfall site within the Development Plan boundary. The principle of the development was supported, along with the provision that two affordable units within a development of five units was acceptable. It was added that amendments to the design had allayed the initial concerns and that the design of the houses was taking place appropriately without causing unacceptable harm to the amenities of neighbours. It was noted that access and parking arrangements were acceptable by the Transportation Unit and Welsh Government, and that the application satisfied the relevant policy requirements and guidelines.

It was highlighted that late observations had been received from the Local Member where it was noted that the amendments satisfied the objections and that he was in agreement with the recommendation, and that a 106 agreement should be imposed on the affordable units.

- b) Taking advantage of the right to speak, an objector noted the following points:
- There was a Preservation Order on a tree in the garden of Ynys Tudur (her home)
 - Quote: 'if a proposal has been made for work to develop a site that needs planning permission, every tree that has the potential to be affected should be assessed by an expert in accordance with the national standard.'
 - An expert assessment had not been completed and therefore she had measured it herself
 - The tree had a 5.5 radius canopy
 - The tree roots would be damaged during the construction period unless this had already happened as tractors had been on the site during the past months
- c) In response, the Senior Manager highlighted that there was a condition in the report to attempt to safeguard trees that have preservation orders on them, but that an assessment of what the impact of the development would be on the trees that had an order was not included. Although the tree under an order was on the site boundary, it was suggested that the decision needed to be deferred in order to have an opportunity to look at the issue in more detail.
- ch) It was proposed and seconded to defer the application.

RESOLVED to defer the application in order to assess the impact of the development on the tree with a preservation order.

8. APPLICATION NO C17/0372/30/LL - MUR MELYN, RHOSHIRWAUN, PWLLHELI,

Formalise the number of touring units on the site for the full season (March-October) for 20 touring caravans and 20 tents

- a) The Development Control Officer elaborated on the background of the application

and noted that it was a full application to formalise the number of touring units on the site for the entire season by locating a maximum of 20 touring caravans and 20 tents on the land between 1 March and 31 October. It was highlighted that the existing permission for the site was given as a certificate of lawful use and it permitted the siting of a total of 14 touring caravans and 30 tents during July, August and bank holidays, and 14 touring caravans and 20 tents during the other months of the season. It was noted that the application would reconcile the number of touring units that could use the site for the entire season and there would be a reduction of four in the total units for the months of July, August and bank holidays, and there would be an increase of six for the rest of the season.

It was added that as part of the application, it was intended to improve the toilet and washing facilities by adding two toilets in the existing toilet block and also constructing a toilet for the disabled. It was also intended to create a children's play area and to reinforce the landscaping by planting native species.

There were no objections to the application, but some original concerns were highlighted from the Caravans Officer. The plans were amended to allay these concerns and attention was drawn to the observations in the late observations form.

In terms of the principle of the development, it was highlighted that Policy TWR 5 of the Local Development Plan permitted proposals for extensions to existing sites provided they complied with all the criteria noted in the report. It was explained that this included that the proposed development was of high quality, was sited in an unobtrusive location which was well hidden by existing features in a way which would not significantly harm to the visual quality of the landscape. It was added that the application involved making amendments to an existing caravan and camping site. Although there were differences in terms of the number and type of units for periods of the season, the proposal would reconcile the situation and would make it easier to manage. It was considered that the proposal was acceptable in terms of visual amenities, transportation, access and biodiversity matters, and complied with relevant planning matters, and local and national policies and guidance.

- b) It was proposed and seconded to approve the application.
- c) During the ensuing discussion, the following points were highlighted by individual Members:
 - There was a need to consider carrying out the landscaping work firstly - impose a condition to ensure this
 - That the size of the site was acceptable - happy with the additional observations
 - Needed to ensure that the applicant complied with the licensing requirements
 - That there was a need to ensure that the toilet and washing facilities were adequate
- (ch) In response, the Senior Planning Service Manager explained that it was reasonable to consider that the landscaping would be completed as proposed. In addition, it was highlighted that a standard condition about landscaping had been included in the report.

RESOLVED to approve the application

Conditions:

1. Commencement 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 20 touring caravans and 20 tents.
4. Restrict the season to between 1 March and 31 October.
5. Holiday use only.
6. A register to be maintained.
7. No storing of touring caravans on the site.
8. Carry out the landscaping plan.
9. The roof and walls of the toilet to be finished in-keeping with the existing toilet / shower building.

9. APPLICATION NO C17/0967/39/LL - LAND AT TYN Y CAE, LLANGIAN, PWLLHELI, GWYNEDD,

Creation of site for 12 safari tents

Attention was drawn to the late observations form and the additional objection.

- (a) The Development Control Team Leader elaborated on the background of the application, noting that this was an application to set up a site to place 12 safari tents, 12 wet-room pods next to each safari tents, and to create footpaths, barbecue areas and a children's play area. It was noted that this was a site in open countryside which abutted a class three county road from Llanengan to Llangian and which was within the Llŷn Area of Outstanding Natural Beauty designation, and within the Landscape of Outstanding Historical Interest.

It was highlighted that Policy TWR 5 of the Local Development Plan permitted proposals for touring or camping sites, or alternative temporary camping accommodation sites provided they would comply with all the criteria noted in the report. It was explained that this would mean that the proposed development was of high quality in terms of design, layout and appearance, and was sited in an unobtrusive location which was well screened by existing landscape features and/or where touring units could be readily assimilated into the landscape in a way which would not significantly harm the visual quality of the landscape.

It was noted that the tents would mainly be sited around the boundaries of the field and the wet-room pods would be installed next to each tent. The applicant confirmed that the safari tents and their foundations, along with the wet-room pods, would be removed from the site outside the operating season. Consequently, the proposal was considered under policy TWR 5, which involved touring caravan and camping sites, and alternative temporary camping accommodation.

Attention was drawn to the fact that the visual and landscape impact assessment had also referred to LANDMAP assessments in the area (especially the visual and sensory reports) which had come to the conclusion that the landscape's value was moderate. Although the landscape's value was moderate, it was expressed that the assessment also noted that it was a small, enclosed, rural valley with some buildings detracting from the attraction, specifically the build-up form on the outskirts of Abersoch. The further recommendations in the LANDMAP assessment stated that caravan developments within the valley should be restricted in the long-term. In addition, as part of the visual and landscape impact assessment submitted as part of the application, photographs were submitted showing the site from various places where it would be visual from the landscape and across the

AONB. It was argued that the site would continue to be visible from these places even when the proposed landscape matures.

The Planning Department were not convinced that the site complied with the principles of policy TWR 5. It was considered that the proposal would be an obtrusive feature within the landscape and would cause substantial harm to the visible quality of the landscape which had an AONB designation.

- b) Taking advantage of the right to speak, the applicant's agent noted the following comments:
- That the site would be clear throughout the winter; tents would only be on the site during the tourism season
 - That the site was designed with a low visual impact in mind, by using the site's shadowy side and mature shrub boundaries
 - That a full assessment of the impact of the development on the landscape had been approved by an Officer of the AONB as a thorough and using the correct methodology
 - That the Officer accepted that the design of the plan and the tents were of quality and complied with policy TWR 5
 - That there was an allegation that this small scale development had created a detrimental impact
 - The Natural Resources Wales report noted a moderate landscape value - no more than that
 - That the Officer's report had taken elements of this application out of context - an allegation that the planting plan around the site would not be successful. It would be possible to impose a condition to ensure that landscaping would take root and thrive
 - That the views into the site were very scarce and 'only from afar' - an allegation again that it was obvious to everyone around it. This was not true.
 - Summary of the assessment - '*... Wider visual impact is limited by the presence of existing vegetation due to the very small scale of the development ... the impacts on the AONB are negligible and neutral*'.
 - A request for the Committee to approve. The application complied with local and national policies
- c) Taking advantage of the right to speak, the Local Member (not a member of this Planning Committee), noted that he had no objection to the application
- He agreed completely with the agency's words
 - The applicant had carried out detailed work to research native trees to the area along with biodiversity requirements
 - The area was a tourism area - needed to consider the area's welfare in terms of local economy
 - The pods would not be on the site throughout the year
 - They were referred to as safari tents, but they were actually pods
 - The site was within the Local Development Plan
- ch) It was proposed and seconded to refuse the application in accordance with the recommendation.
- d) During the ensuing discussion, the following points were highlighted by individual Members:
- The biggest stumbling block was the likely impact on the AONB
 - When considering policies, this usually was a matter of opinion, and this application might be one of these cases. It was a matter of opinion whether

there would be an impact on the AONB

- It must be endeavoured not to spoil the area, and these were the reasons that visitors were encouraged to come to the area
- The site was unfamiliar - propose a site visit
- Needed information on the size of the pods

An amendment to the proposal was made to arrange a site visit.

RESOLVED to arrange a site visit.

10. APPLICATION NO C17/1086/11/LL - FORMER DICKIES BOATYARD, BEACH ROAD, BANGOR, GWYNEDD,

Application under Section 73 to vary condition 2 on permission number C15/1081/11/LL to extend the timescale to complete the development in accordance with the application's plans.

Attention was drawn to the late observations forms

- a) The Senior Planning Manager – Minerals and Waste expanded on the background of the application, noting that approval had already been given on the application in December 2016. It was highlighted that this application was subject to planning conditions and one of these were to work within a period of nine months. It was noted that this was an application to change the condition to ensure sufficient time to complete the development in accordance with the application's plan. It was explained that the work of raising the land levels had taken place and the purpose of this was to raise the land above the C2 flood level so that engineering work could be considered to provide the land for further development. Any future application on the site would be a new application.

It was noted that the work of raising the land level had taken place between April and July 2018 within a period of 8 - 10 weeks. The next step would be to place stones around the site which would create a defence so that the slate waste would not wash away. It was reported in the original application that some of the foreshore needed to be excavated in order to place the stones as a firm foundation.

It was highlighted that some of the late objections and observations were concerned about leachate that would pollute fisheries. It was added that this had been considered in the original application. In addition, attention was drawn to observations from Public Protection which noted that it must be ensured that the work of placing the stones around the site would not create a detrimental impact on the amenities of nearby residents. It was reported that 7,000 large stones needed to be moved to the site in a period of 14 weeks. Noise impacts would be more likely than the dust impacts.

It was noted that the applicant had submitted water sample results to the Authority and that the results currently noted that it would be likely for leachate to pollute the marine environment. It was added that the Biodiversity Unit and Natural Resources Wales had received concerns about the birds that were hibernating on the site during high tide. It was noted that the applicant had conducted two surveys (either in 2016 and one was ongoing) showing that there was an increase in the number of birds that were gathering, but this would reduce as the season would come to an end.

It was noted that Japanese knotweed had come to the site, and it was expressed that the applicant had to deal with this plant before beginning on any development work. It was added that it would be the responsibility of Natural Resources Wales to monitor this.

- b) Taking advantage of the right to speak, an objector noted the following points:
- That she was representing the opinion of residents of 22 nearby properties
 - It was disappointing that the applicant had not completed the work within the timescale
 - Bangor City Council had been highlighting concerns about what was buried under the land since the 80's.
 - During the work in summer 2017, there was dust everywhere, lorries drove at a speed faster than 5mph. The majority of the conditions had been breached - a request had been made to the Authority to hold a meeting with the applicant. What certainty was there that the applicant would conform to the conditions this year?
 - Reference was made in the report that the work's timescale was 'quite short' - 14 weeks was not short!
 - It was disappointing that working hours included Saturday mornings - a request for the Committee to abolish this
 - Traffic and access matters - the Beach Road roundabout was very dangerous, and there was concern that there would be accidents here in the near future, especially with additional traffic movements
- c) Taking advantage of the right to speak, the applicant's agent noted the following points:
- The original application had been approved in December 2016
 - Work had been carried out to raise the site's current level. Consequently, Natural Resources Wales had re-categorised the site by moving it out of a flood zone and a step forward towards creating a site with a potential to develop it
 - Rip rap needed to be placed in order to complete the work to protect the site
 - No application for a marine licence could be made until the land had been re-categorised. Awaiting a licence in spring 2018 which would allow this work to move forward
 - The applicant had worked closely with Natural Resources Wales to address the environmental and architectural matters
 - Permission for the work had already been approved
 - Recommendations and conditions would ensure management of the work
- ch) Taking advantage of the right to speak, the Local Member (a member of this Planning Committee) made the following points:
- The area was contentious in Bangor
 - Concerns about Japanese knotweed. There was a moral duty to destroy the plant
 - The plant would have an impact on the site's value
 - Needed to ensure that the plant was destroyed before beginning any work on the site
 - There was a suggestion to include a condition
- d) In response to the Local Member's observation, it was noted that the implications of imposing a condition would need to be considered. First of all, evidence would be required that the plant existed and then consider how to deal with the plant. It appeared that it would be possible to consider the agreement's timescale and

duration, and a condition to deal with the Japanese knotweed.

- dd) It was proposed and seconded to defer the application.
- e) During the ensuing discussion, the following points were highlighted by individual members:
- Needed to deal with the Japanese knotweed before taking further steps
 - Needed to call an expert in to seek a professional opinion and ensure that the plant was destroyed correctly
 - Needed to ensure that it would be treated with a chemical that would not have an impact on the mussels
 - A request was made for proof / a certificate that the plant had been destroyed before beginning on the development
 - If the application would be approved in future - work Monday to Friday only
- no Saturdays

RESOLVED to defer the application

- need more information and evidence on how the developer would deal with the plant

11. APPLICATION NO C17/1143/18/LL - PARC NANT Y GARTH, SEION, LLANDDEINIOLEN, GWYNEDD

Change of use of forestry shed and compound into a storage and maintenance unit for portable site offices and toilet units together with creating a new access

The Members had visited the site.

Attention was drawn to the late observations forms

- a) The Development Control Team Leader elaborated on the background of the application, noting that this was a part-retrospective full application to use the site and existing structures to keep and repair mobile site offices along with toilet units in the form of portaloos and portcabins. The application would result in closing the existing access. The existing building would be used for an office, storage area and open space to undertake maintenance work to the mobile structures. The open area to the north would be used for staff parking requirements (x4), a turning space for heavy vehicles and for keeping the structures outdoors. A part of the site is already being used for outdoor storage purposes.

It was expressed that the previous application (C15/1362/18/LL) to change the use of a barn/forestry mill building to be used as a storage area and enclosure for industrial use with an internal office and associated land to be used as a storage area for portacabins refused in February 2016. It was refused on the grounds that the scale of use was too large and incompatible with existing present uses, without proving the special local needs as well as the potential of increasing traffic that could cause harm to the amenities of the occupiers of Rhos y Wylfa. An appeal had been lodged against this decision and the appeal had been dismissed on the grounds that the proposal would harm the character and appearance of the countryside, failure to justify that the proposal is sustainable, along with its detrimental impact on the amenities of the occupiers of Rhos y Wylfa based on disturbance and noise.

Since then, the Local Development Plan had been adopted, and policies had changed. It was noted that the requirements and the considerations were different

and that the applicant had responded to the concerns of Rhos y Wylfa by moving the entrance and planting the existing track which would consequently mitigate the impact. It was added that the principle of reusing and adapting rural buildings for business and industry use was based in Policy CYF6 which stated that proposals would be approved to convert rural buildings for business use provided that a number of criteria listed in the report could be complied with.

It was accepted that the site would have an impact but, having weighed up the impacts, it was considered that the application was now acceptable. Heavy vehicles would not pass Rhos y Wylfa and by imposing relevant conditions, it would be possible to manage how movements would be operated in order to minimise the impact on the residents. It was noted that the Transportation Unit had accepted the proposal.

- b) It was proposed and seconded to approve the application.
- c) During the ensuing discussion the following points were highlighted by an individual Member:
 - That there was a need to ensure that a long-term forestry management plan would be included with the conditions

RESOLVED to approve the application

Conditions

1. In accordance with the plans.
2. Restrict maintenance activities within the building and restrict the outdoor storage areas.
3. Highway Conditions in relation to closing the existing access to vehicles and create the new access and driveway.
4. Condition for measures to mitigate for the loss of trees as included in the Trees Survey.
5. Hours of operation restricted to 8:00-18:00, Monday to Friday; 8:00 - 13:00 Saturday and no working at all on Sundays and Bank Holidays.
6. Restrict the use of the site to B2 use (general industry) and B8 (storage and distribution) only.
7. Withdrawal of permitted development rights regarding extensions to the existing building.
8. The installation of more than one level of mobile structures on the site will not be permitted.
9. Agreement to be reached on the details of the surface and foul water drainage system within the site with the Local Planning Authority before the building is used for any purpose.
10. Long-term forestry management plan.

12. APPLICATION NO C17/1196/03/LL - LAND AT CWM BOWYDD, BLAENAU FFESTINIOG, GWYNEDD

Provision of eight wooden cabins and provision of boardwalk and installation of sewage treatment plant and associated tree planting

Attention was drawn to the late observations forms

- a) The Development Control Team Leader elaborated on the background of the application, and noted that this was a full application with an intention to provide

eight timber cabins for holiday use, and to create a wooden boardwalk and associated tree planting. It was added that there was also an intention to provide a parking space on the outskirts. It was noted that the site was located within a valley on the outskirts of an unclassified road that runs past the woodland with a farm further on. It was added that there was also an intention to site the cabins on wooden poles, in order that the units are not built on the woodland floor, and it will be possible to reach them on foot by using the wooden boardwalk, which is also raised on wooden poles. It was proposed to connect the cabins with water pipes, electricity and a sewer system.

In terms of principle, it was noted that the application intended to set up an alternative camping site to site eight self-contained timber cabins for holiday use. Due to the nature of the buildings and the form of the units, as well as their size, it was explained that this type of development was considered to be permanent alternative camping accommodation and was considered under the relevant requirements of policy TWR 3 of the Local Development Plan. It was reported that policy TWR 3 rejected proposals to develop permanent caravan sites, holiday chalet sites or permanent alternative camping accommodation in the Llŷn AONB and in Special Landscape Areas. In this case, the proposed development was not within the AONB, and was not close to any Special Landscape Area designation.

It was considered that the units that would be sited in the trees would be of a natural design and therefore would not be intrusive to the landscape. It was explained that minimum clearing work would need to be done but that the site would still be of a natural landscape. Reference was made to biodiversity matters and the late observations received. In terms of principle, it could be considered that the impact of the proposal was acceptable, but that the mitigation measures had not been agreed. Although there would not be any loss of woodland, it was highlighted that the applicant was willing to mitigate the impact and had identified a parcel of land where they could mitigate the impact of the development. It was noted that the Biodiversity Unit had responded by noting that they had not appropriately assessed the suggested site and they did not know the value of the ecological land. Consequently, an amendment to the recommendation was highlighted, to delegate the powers to approve the application subject to reaching an agreement on the mitigation measures.

- (b) It was proposed and seconded to approve the application.
- c) During the ensuing discussion, the following points were highlighted by individual Members:
- Needed to ensure that indigenous trees would be planted
 - A suggestion was made to carry out the mitigation work before commencing the development
 - There was a need to consult with the Fire Service

In response to the observation about the mitigation work, the Senior Manager highlighted that a compensation plan, which would make up for the clearing work, would be addressed in the management plan. In response to an observation regarding the Fire Service, it was emphasised that discussions would take place as the applicant applied for a licence.

RESOLVED to delegate powers to approve the application subject to reaching agreement on mitigation measures.

Conditions:

1. Time
2. Compliance with plans
3. Landscaping
4. Biodiversity
5. Restrict the number of units on the site to eight at any given time
6. Holiday use only.
9. Keep a register
10. Welsh Water
11. Contaminated land

13. APPLICATION NO C17/1246/09/LL - MAES CARAFANAU PANT Y NEUADD, FFORDD ABERDYFI, TYWYN

The Vice-chair chaired this item.

Extension to existing caravan site, relocation to amenity area. Site eight additional static caravans, relocate four caravans to the extension and remove planning condition which restricts use of site to amenity area.

Attention was drawn to the late observations form which noted a request from the applicant to defer the application to reconsider the development in the context of the new policies and to prepare amended plans.

- a) It was proposed and seconded to defer the application.

RESOLVED to defer the application.

The meeting commenced at 1.00 pm and concluded at 2.35 pm

CHAIRMAN