
PLANNING COMMITTEE 16/04/18

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

Councillors: Stephen Churchman, Simon Glyn, Sian Wyn Hughes, Berwyn Parry Jones, Huw G. Wyn Jones, Dilwyn Lloyd, Edgar Wyn Owen, Catrin Wager, Eirwyn Williams, Gruffydd Williams and Owain Williams.

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

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Planning Manager), Dafydd Gareth Jones (Senior Minerals and Waste Senior Officer), Medi Emlyn Davies (Development Control Officer), Gareth Roberts (Senior Transportation Development Control Officer), Rhun ap Gareth (Senior Solicitor) and Glynda O'Brien (Member Support Officer).

Apologies: Councillors Louise Hughes, Eric Merfyn Jones and E. Selwyn Griffiths (Local Member).

1. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- (a) Councillor Stephen Churchman declared an interest in item 5.4 on the agenda (planning application number C17/1094/36/LL) because he was a friend and neighbour of the applicant.

The Member was of the opinion that it was a prejudicial interest and he withdrew from the Chamber during the discussion on the application.

- (b) The Senior Solicitor declared a personal interest in item 5.6 on the agenda (planning application number C16/1430/44/LL) as he knew the applicant and his family.

The officer was of the opinion that it was a prejudicial interest and he withdrew from the Chamber during the discussion on the application.

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

- Councillor John Brynmor Hughes (not a member of this Planning Committee), in items 5.3 and 5.7 on the agenda (planning application numbers C17/1056/39/LL and C17/0967/39/LL);
- Councillor Stephen Churchman (a member of this Planning Committee), in item 5.4 on the agenda (planning application number C17/1094/36/LL);
- Councillor Dafydd Owen (not a member of this Planning Committee), in item 5.5 on the agenda, (planning application number C17/1266/16/LL);
- Councillor Peter Read, (not a member of this Planning Committee), in item 5.9 on the agenda, (planning application number C17/1181/38/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.

- (ch) No members noted that they had been lobbied by individuals in relation to any item.

2. MINUTES

The Chair signed the minutes of the previous meeting of this Committee, that took place on 19 March 2018, 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 policy aspects.

RESOLVED

1. Application number C17/0198/30/LL – Pwll Melyn, Rhiw, Pwllheli

Application to retain work of erecting a garage / store.

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that the application had been deferred at the Committee meeting held on 5 June, 2017 in order to reassess the application in terms of the design and need and that the description had now changed to "erecting a garage / store" rather than erecting an agricultural building. Some members had visited the site prior to the meeting and were therefore familiar with the context of the application within the landscape and the AONB. Amended plans were received on 9 February which showed that the building had been pushed further back from the listed house, and that the design had changed to become a pitched roof rather than a mono pitched roof, and the finish would be timber with a reduction in height.

Reference was made to the relevant local and national policies and the responses to re-consultation within the report. No objection to the amended plan had been received.

In terms of the assessment, the applicant noted that the building was necessary for multi-purpose use, which included storage and shelter for animals during occasional inclement weather.

In the context of visual amenities, it was not considered that the proposed development in its amended form would impact the AONB.

It was noted that the proposal was acceptable in terms of general and residential amenities, and matters relating to biodiversity, highways, conservation/listed building and that it was acceptable with regard to the relevant local and national policies for the reasons noted in the report. In terms of the concerns raised about the listed building of Pwll Melyn Cottage, a meeting was held with a Conservation Officer and an Enforcement Officer following the previous Committee's decision, and it was noted that the amended plans complied with the officers' observations, and policy PS20 of the LDP along with Planning Policy Wales.

The officers' recommendation was to approve the application subject to the conditions listed in the report.

- (b) It was proposed and seconded to approve the application.
- (c) A Member noted that the concerns he had had about a listed cottage had been alleviated after he attended the site visit and saw that the size of the listed building had been reduced and had been set farther back.

RESOLVED to approve the application.

Conditions:

1. In accordance with the amended plans received on 9 February 2018;
2. No caravan to be sited within the extended curtilage;
3. Stain the external timber board covering dark brown;
4. Building roof to be of a BS 18 B 29 dark grey colour;
5. Demolish the existing structure in its entirety and restore the land to its original condition before starting work on the building approved here.

2. Application number C17/0557/38/LL – Land adjacent to Beach Road, Llanbedrog, Pwllheli

Construction of an affordable house.

- (a) The Planning Manager reported that the Department had received amended plans regarding the appearance and design of the above proposed house and, consequently, the Planning Committee was therefore asked to defer the application in order to have a reassessment.

RESOLVED to defer the application.

3. Application number C17/1056/39/LL - Frondeg, Llanengan, Pwllheli

Application to site 10 touring caravans and a static caravan for site manager, shower and toilet block, acoustic fence, earth bank, new access drive and parking spaces for a nearby chapel

- (a) The Planning Manager elaborated on the background of the application, noting that the application had been deferred at the Committee held on 26 February 2018 in order to carry out a site visit. Some of the members had visited the site before the meeting, and the site was viewed from three different sites, namely the existing entrance, the proposed entrance and past the existing house. It was noted that the agent had confirmed that the static caravan for the manager was not part of the application. It was intended to create a parking area for 25 vehicles for visitors to the cemetery and users of the nearby chapel.

It was noted that the site was within a Conservation Area and the AONB, and the officers had stated a concern that it would impact the landscape and that landscaping would not reduce the proposal's impact on the landscape sufficiently to overcome concerns about the prominence of the site in the landscape. Attention was also drawn to the amendments and the further explanation received from the agent which were on the late observations form, but the only matter relevant to the application before the committee was the withdrawal of the static caravan for the warden from the application.

In terms of the principle of the development, it was noted that the site was of a limited size with caravans placed around the boundaries, and it was noted that an amenity area had not been indicated and there would not be enough room for such a provision due to the size of the plot.

The site was located on a slope with hedges surrounding the site, but the existing landscaping was insufficient to hide and integrate the proposed units into the landscape. Whilst it was noted that the plan stated the intention to plant a new hedge on the edges of part of the new track, it would not be sufficient to create an acceptable development.

The applicant stated that the existing entrance was dangerous and inconvenient and, consequently, part of the proposal involved substantial work to create a new track along with parking spaces for visitors to the cemetery and nearby chapel. It was considered that this element would have a substantial detrimental impact on the landscape and, during the site visit, the parking space and the track size was seen, and the proposed work would create a very urban element. Whilst noting that there was parking space nearby for visitors to the cemetery and chapel users, no real evidence was received to demonstrate the nature and scale of the problem. The road was considered wide enough for occasional parking use and it was likely that it would be very occasionally by the chapel and the cemetery, but the impact of creating such a large car park would be permanent.

Attention was drawn to the fact that many caravan sites were situated within the area and were not visible from the application site, and concern would have to be expressed in this case regarding the cumulative effect of existing sites. It was considered that the application did not comply with criterion TWR 5 relating to touring caravans.

The application involved the creation of a new touring caravan site, but the applicant stated that the site had been used for years and evidence was submitted in the form of one statutory declaration, a 2017 taxes statement and photographs in support of this. Nevertheless, no application to legalise this element through a Certificate of Legal Use was received in accordance with the usual procedure as had been done at other sites throughout the County in the past.

It was considered that the proposal was unacceptable in principle and on the grounds of local and national policies and guidance, substantial detrimental impact on nearby residents in addition to road safety concerns. It was recommended to refuse the application in accordance with reasons 1-4 listed in the report, as the fifth reason had been met as outlined above.

- (b) The Local Member (not a Member of this Planning Committee) supported the application, and he made the following main points:
- That there had been a caravan site on the site since 1957, and this was supported by a statutory statement letter and that the planning officers had received this
 - Based on the above, the applicant was not required to submit a Certificate of Lawful Use
 - That the existing site was in two fields, and there was a further intention to set up one site in one field
 - That many letters had been sent by families who had used the site and continued to do so
 - That the applicant had a tax invoice for the site for 2017/18 noting "Campsite and premises"
 - That the road was narrow and steep and not in good condition - a new road from Llanengan would be of advantage, especially for the emergency services. Also, it would include a road to the chapel and cemetery car park in an area where the road was busy in summer
 - There was no objection to the application locally, but there was strong support
 - The benefit of the plan was clear
 - Neither the new road nor the caravan site would be prominent, and a tree planting scheme had commenced
- (d) In response, the Senior Solicitor noted that the historic information had not been assessed on the grounds of the application before the Committee. To do this, the applicant would have to submit an application to consider the site's legal use and, if successful, the content of the report could change. However, it was currently impossible to give weight to a matter where the evidence had not been tested.

(ch) It was proposed and seconded to refuse the application.

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

- Whilst acknowledging what the officers were saying and, despite the cumulative impact it would have on neighbours and the views of the AONB, it was asked whether it would be possible to approve or defer the application and request that the applicant submit the relevant evidence mentioned above.
- That the Highways Department had stated that the access would create problems and that this should be taken into consideration
- Whilst accepting that there were concerns and no certificate of lawful use, again the Local Member was of the opinion that the site had existed for over 61 years.

(d) In response, the Planning Manager explained that the Planning Committee, at its meeting on 26 February 2018, had discussed the certificate of lawful use element and she added that the Planning Department was unaware of any further evidence submitted, or a request for a certificate of lawful use. It was further noted that the application for a certificate of lawful use would have to be given a separate consideration, and that there were complications to solve deriving from the evidence, such as information about the certified site which was a site that did not require planning permission. Whilst acknowledging the agent's statement that it was a different field and on a smaller scale, and even if this is correct, the application still had a detrimental impact on the amenities of two houses in addition to the AONB and the Conservation Area due to the scale and nature of the proposed track.

The Senior Solicitor added that there was a danger for the Planning Committee to approve the application based on doubt surrounding the evidence, and the need to receive firm evidence before considering the element of the certificate of lawful use was emphasised.

The Senior Planning Service Manager explained that the certificate of lawful use dealt with land use, and did not address the physical concerns in terms of the reasons for refusing the application. He also emphasised that there was no justification to approve it in terms of the evidence put forward, and he suggested that the Planning Committee refuse the application and he advised them to ask officers to provide appropriate advice to the applicant to submit an application for a certificate of lawful use.

(dd) A vote was taken on the proposal to refuse it, adding that the applicant should be invited for a further discussion with the planning officers on the certificate of lawful use.

RESOLVED to refuse the application.

Reasons:

1. The proposal, because of its location, setting and appearance in the landscape, would stand out as a prominent and intrusive feature in the countryside and would have a detrimental impact on the landscape and on the visual amenities of the Area of Outstanding Natural Beauty. The proposal is therefore contrary to policy AMG 1, PS 19 and TWR 5 of the LDP and Supplementary Planning Guidance: Holiday Accommodation Gwynedd Council.
2. The proposal, because of its location and setting, would stand out as a prominent and intrusive feature in the countryside and would have a detrimental impact on the Llanengan Conservation Area, contrary to policy AT 1 and PS 20 of the LDP.

3. The proposal is contrary to the requirements of Policy PCYFF 2 of the LDP, considering that it has a detrimental impact on the residential and general amenities of nearby residents on the grounds of noise and general increase in general activities.
4. The proposal would increase the use of an existing agricultural access which has sub-standard visibility splays and at a place where limited manoeuvres to enter and exit the main road would cause significant road risks, which is contrary to policy TRA 4 of the LDP.

4. Application number C17/1094/36/LL - The Cross Foxes, Garndolbenmaen

Change of use from public house to dwelling house.

- (a) The Planning Manager elaborated on the background of the application, noting that the application had been deferred at the Committee held on 26 February 2018 in order to give a local community group an opportunity to submit evidence of their intention to purchase the building in order to retain its use as a public house.

The Planning Committee's attention was drawn to the fact that the proposal would not involve any external structural change and the rest of the development's details were referred to in the report along with late observations on the form submitted to the Committee. In terms of the principle of the development, attention was drawn to paragraphs 5.1 and 5.2 which assessed the criteria of policy ISA2 and, having weighed up the evidence submitted against the policy and the fact that it was highly unlikely, based on the information to hand, that the building's use as a public house would be reinstated on account of the costs and nature of the community, it was believed that justification had been shown for the change of use.

An observation had been received from the Economic Development Service that this type of rural public house business faced a number of challenges, and that the information submitted had been assessed and that it confirmed that it was not viable in its current form.

It was noted that the relevant requirements in the policies had been adhered to, such as marketing the building as a public house since 2010 and that there was justification for changing the use as outlined in the assessment of the report. In addition, it was noted that the Community Group in Garndolbenmaen had submitted information regarding their intention to develop the public house, and reference was made to the information in point 5.14 of the report. It was noted that there was no doubt that the Group's intentions were genuine, but the Planning Authority had to determine the application based on policies that were current at the time the application was submitted and within a specified amount of time. An application could not be refused based on a third party wish rather than a genuine plan that could be realised; that is, a decision could not remain unresolved until such a wish had been realised.

It was explained that the information submitted referred to general information about the current situation, the history of the site and the Group's future aspirations. Despite being a worthy cause, it was noted that the evidence that this would happen in the near future was not indisputable.

After considering all relevant information submitted, it was recommended to approve the application with the conditions listed in the report.

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

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

- That nobody had been noted down on the form to speak, and the Community Group's spokesperson was here, therefore would it not be appropriate to receive an update?
- That the information received by the Community Group had been sufficient evidence that they were expressing an interest in the building along with the pledge of £10,000 which was a substantial sum for a village such as Garndolbenmaen.
- That the campaign by the Community Group seemed quite good and that it was a shame for the public house to close, and it was asked when the work of changing it into a house would commence.
- There was concern that there would be no resources left in rural areas since public houses and schools were closing, and that we should fight to help the Community Group.
- That the Committee had a duty to the Community Group and it was suggested to defer making a decision on the application for six weeks to enable the Group to make a statement to a meeting of the Planning Committee, considering that they also did not have a Local Member to support them as he had declared an interest and, consequently, it was asked whether it would be possible to nominate a member of a nearby ward to assist them.

- (c) In response to these observations, the Senior Planning Service Manager noted:
- That it was a matter for the owner and the Community Group to discuss the timing of converting the public house into a house if the application was approved
 - That the property had been for sale as a public house since 2011
 - In terms of evidence from the Community Group, an effort was made was to commence discussions and no firm proposal was put forward
 - Based on the evidence put forward, it would be difficult for the Planning Committee to justify refusing the officers' recommendation to approve it; it was also possible that the applicant would submit an appeal on the ground of non-determination that would ultimately be a decision for the Inspectorate and this had to borne in mind
 - That the Community Group had already had time to submit information

- (ch) In terms of speaking at a Planning Committee, the Senior Solicitor explained that a system had been established where if such an application would be approved, the arrangements would have to be changed and this would risk setting a precedent for the future. However, it was explained that there was an option for the Committee to change the arrangements for the future if they wished to do so but, in accordance with the current situation, the arrangements did not allow it.

In the context of nominating a Local Member, it was suggested that the Senior Solicitor would deal with this matter.

It was further suggested that if the Planning Committee decided to defer the application, the need for them to accept the findings of the Community Group was emphasised, namely:

- That they were submitting information for a realistic financial package to show that it was possible to fund the venture

- (d) An amendment to defer determination of application for nine weeks was proposed and seconded to give the Community Group time to submit evidence and further information as suggested in (ch) above, to the Planning Committee in June. There was a vote on the amendment and the original proposal and the original application to approve it fell, and the amendment to defer for nine weeks carried.

RESOLVED to defer making a decision on the application for nine weeks to give the Community Group time to submit evidence and further information about their intentions to fund the venture.

5. Application number C17/1266/16/LL – Land at Bryn Cul, 2 Tal Gae, Tregarth, Bangor

Erect a 17.5m high telecommunications mast, including three antennae, two broadcast satellites, two equipment sheds and one measuring cabinet and associated work.

- (a) The Planning Manager reported that based on concerns raised locally about the confusion with the site visit and the severe weather on the day of the visit, it was suggested that the Planning Committee defer making a decision on the application in order to revisit the site, to allow the Local Member to participate.
- (d) The following points were made by the Local Member (not a member of this Planning Committee):
- That the Planning Committee had not visited the correct site, namely on farm land and, therefore, how could the application be discussed?
 - That the Planning Committee should be taken by officers along Route number 12 towards the fountain site not on Bryn Cul land
 - That the site where it was intended to erect the pole was much higher than where the members had been standing during the site visit and, therefore, it was visually misleading because the trees and the brambles formed a boundary between the two sites
- (e) It was proposed and seconded to revisit the site.

RESOLVED to defer making a decision on the application and to ask the Senior Planning Service Manager to arrange another visit to the site.

6. Application number C16/1430/44/LL - Land of the former Moelwyn Dairy, Penamser Road, Porthmadog

Erection of a two-storey four bedroom residential dwelling in open countryside with the installation of a septic tank and creation of a new vehicular access and access road

- (a) The Planning Manager elaborated on the background to the application and noted that the application had been deferred at the Committee meeting held on 13 March 2017 in order to give the applicant an opportunity to submit further information about some specific aspects of the application.

It was explained that the applicant was asked for information associated with the rural enterprise in accordance with the requirements of the Technical Advice Note on three occasions, namely in March, May and October 2017, but no additional information was submitted for assessment.

Since the application's submittal, it was noted that a clear change had occurred in terms of the policy as a result of the adoption of the Gwynedd and Anglesey Joint Local Development Plan which had superseded the previous development plan.

Reference was made to the late observations form which noted a request from the applicant to defer discussing and making a decision on the application due to a lack of time in order to obtain specialist advice and have an opportunity to submit new evidence.

The Planning Manager noted that the Department was not supportive of the request to defer because it was considered that a year was an acceptable amount of time to submit information.

It was noted that the site was located outside the defined development boundary for the Porthmadog area and, as such, it was considered to be a site located in the countryside. It was noted that paragraph 4.3.1 of Technical Advice Note (TAN) 6 'Planning for Sustainable Rural Communities' noted that one of the few circumstances in which a new isolated residential development in the open countryside could be justified was when accommodation was required to enable agricultural or rural enterprise workers to live at, or close to, their workplace. It was noted further that the essential nature of this requirement would depend on the needs of the rural enterprise in question in each specific case, and that it would not depend on the personal choice or circumstances of any of the associated individuals. TAN 6 also noted that Local Planning Authorities should carefully assess applications for planning permission for new agricultural or rural enterprise dwellings to ensure that a departure from the usual policy of restricting developments in the open countryside could be fully justified by reference to robust supporting evidence.

It was highlighted that reference was made in the application, specifically within the Design and Access Statement, together with letters of support, to the current agricultural use of the land along with a proposed business plan to change the use of this land to a new sustainable business as well as a local mountain rescue service to use part of the land. It was noted that no information had been submitted to the Planning Service to confirm the exact type of business proposed. Attention was drawn to a concern about the size of the dwelling (225m²) which was significantly larger than normal rural enterprise houses which were usually quite similar to affordable houses.

Reference was made to the full assessment noted in the report, and it was reiterated that the main issue was that no further information had been received to support the rural enterprise house, despite having made an application for it a year ago and that this was essential in order to consider the application for a house in the countryside. Having considered all relevant planning matters, the planning officers were of the opinion that the proposal was unacceptable for the reasons noted in the report.

- (b) Taking advantage of the right to speak, the applicant made the following main points:
- A request was made to defer because he had not received sufficient warning that the application was to be brought before the Committee on this day, namely four days ago, and only by accident and he had not received direct correspondence
 - Whilst accepting that he had communicated with the Planning Department since previously discussing the application, on every occasion, he asked for a meeting with the officers and requests were made for direct phone numbers to be able to discuss further
 - After meeting with the officers, he found that he would be required to strengthen and possibly amend the plans / design of the house in order to submit an improved application in line with other policies
 - The intention was to discuss ideas with the officers to amend the application which would be acceptable for the Planning Department and even to withdraw it rather than continue and have the application refused
 - When the application was discussed at the previous meeting, statements were made about a specific TAN6 policy, which encouraged younger people to manage farm businesses and diversification
- (c) It was proposed and seconded to defer in line with the applicant's request.
- (ch) During the ensuing discussion, the following main observations were noted by members:

- It was understood that a number of individuals were unable to directly contact the planning officers but it was assumed that clear guidance was available for applicants to discuss applications with officers. However, although a year had gone by, it was understood that the planning officers were not to blame for this. However, it was felt that it would be beneficial to seek the opinion of the Local Member
 - Should the application be refused, the applicant could submit a new application
 - The application should be refused because it was outside the development boundary
 - The site abutted an industrial estate
 - That the decision should be deferred because the applicant had noted that he had not been given a fair chance due to a lack of communication and, if it was deferred, at least it would give the applicant an opportunity in accordance with his wishes
- (ch) In response to these observations, the Senior Planning Service Manager noted that:
- the planning officers had done their best to be reasonable in terms of the time and the Planning Committee had requested additional information and no such response had been received
 - that the application was entirely contrary to the planning policies and was a four bedroom open market house
 - that should the application be refused, the applicant could submit a new application
- (f) The Chair noted that the Local Member had apologised for his absence from the Committee but he supported the application, as noted on the late observations form.
- (dd) A vote was taken on the proposal to defer the application; however, this proposal fell. A vote was taken on a proposal to refuse the application for the reasons noted in the planning officers' report. This proposal carried.

RESOLVED to refuse the application.

Reasons:

1. This proposal for the erection of a new house in the countryside is not justified and is therefore considered to be unacceptable in principle and contrary to the requirements of Policies PCYFF 1 and PCYFF 2 of the Gwynedd and Anglesey Local Development Plan along with guidance in Supplementary Planning Guidance: Building New Houses in the Countryside, Technical Advice Note 6: Planning for Sustainable Rural Communities along with Planning Policy Wales, Chapter 9 on Housing.
2. The applicant has not provided sufficient and appropriate evidence to prove the need for an agricultural/rural enterprise dwelling on this site outside the development boundaries of Porthmadog. It is therefore considered that the proposal is contrary to that noted in paragraph 4.3.1 of Technical Advice Note 6 and paragraph 9.3.6 of Planning Policy Wales (Edition 9, 2016).

7. Application number C17/0967/39/LL - Land at Ty'n y Cae, Llangian, Pwllheli, Gwynedd

Creation of site for 12 safari tents

- (a) The Development Control Officer elaborated on the background of the application, noting that the application had been deferred at the Committee meeting held on 19 March 2018 in order to hold a site visit. Some members had visited the site prior to the meeting.

Attention was drawn to the proposal along with the considerations and responses to the public consultation within the report, and no late information was received in this case.

In assessing the application, the main consideration was policy TWR5 of the Local Development Plan which requested that camping sites be of high quality in terms of design, layout and appearance, and that they be sited in an unobtrusive location which was well screened by existing landscape features. Attention was drawn to the fact that the tents were of a significant size and were larger with the timber platform. From the site visit, it could be seen that the site was in open countryside and within the sensitive landscape of the AONB. Although the application contained proposed landscaping, it was considered that it was currently not screened well. It was not agreed with the visual impact assessment report submitted with the application which alleged that the impact of the proposal was limited. It was noted that the site could be seen clearly from the adjacent road, from the nearby public footpath and that there would be views of the tents across the AONB. Although it was not contrary to all the requirements of Policy TWR5, it did not meet with the policy's main aims which required that sites be unobtrusive in the landscape. Also, it was noted that the proposal was contrary to policy AMG1 and that the AONB Officer was concerned about the development's disturbance on the rural location. Although there was a connection with the Grade II listed building, it was not considered that it could be refused on this basis.

Although transportation and biodiversity matters were acceptable, the planning officers recommended to refuse it because it was contrary to policies TWR5, PS19 and AMG1 as it would create an obtrusive feature in the landscape and would have an unacceptable impact on the AONB.

- (b) The Local Member (not a Member of this Planning Committee) supported the application, and he made the following main points:
- That safari tents were the subject of the application and they would be dismantled at the end of the holiday season
 - Attention was drawn to the fact that there was one up on the site and that the canvas colour was in keeping with the background
 - That the application was a different new venture
 - Looking from the road, rows of caravans could be seen in the AONB and the tents would be in keeping with the landscape
 - In terms of biodiversity, the applicant had spent a great deal to landscape professionally with trees that would be suitable for the area
 - The landscaping would be carried out in autumn this year, and it was intended to erect the safari tents next year
 - In light of the above, the applicant received a statement of good practice

- (c) It was proposed and seconded to refuse the application.

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

- No reason to refuse this could be seen, as the tents were smaller in size than caravans
- Concern that the AONB Officer and the Community Council objected
- Concern that the economy depended on tourism for the AONB and, from the site visit, it could be seen that the proposed development would have an impact on the beauty of the area.

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

- The tents were substantial in size, of a brown / dark green colour
- The recommendation was firm in terms of the AONB as it was in an extremely sensitive location
- Whilst accepting that there were cases where such a venture had been supported in the past, those locations were acceptable

RESOLVED to refuse the application.

Reason:

The proposed site, owing to its location, setting and appearance in the landscape, would stand out as a prominent and intrusive feature in open countryside and would have a detrimental impact on the landscape and on the visual amenities of the Area of Outstanding Natural Beauty. Furthermore, the proposal would be located in a prominent site and would not be well screened by the existing landscape features. The proposal is, therefore, contrary to Policy PS 19, AMG 1 and TWR 5 of the Gwynedd and Anglesey Joint Local Development Plan (July 2017) and Supplementary Planning Guidance: Holiday Accommodation, Gwynedd Council.

8. Application number C16/1385/05/MW - Chwarel Garth, Minffordd, Penrhyndeudraeth

Application under the Environment Act 1995 for the determination of conditions under Periodic Review. Permission Ref 538, subject to Initial Review Ref 5/76/198C/IDO and Permissions Ref 5/76/198A & C10M/0116/05/MW.

- (a) The Senior Planning Manager - Minerals and Waste elaborated on the background of the application, noting that the purpose of the periodic report was to ensure that the conditions would not become irrelevant and to give an opportunity to respond to standards and requirements that had just been introduced if the conditions about working the quarry should be reviewed formally every 15 years. It was the responsibility of the operator to submit, for approval from the mineral planning authority, a detailed work plan and a list of planning conditions that showed how the development could be operated in an environmentally acceptable manner, and adhere to modern and environmental working standards and practices.

It was further noted that the quarry produced road surface material and it was important for the area to employ 16 local individuals and to contribute towards the local economy.

The development was acceptable in terms of relevant local and national policies for the reasons noted in the report.

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

RESOLVED to approve the application and authorise the Senior Manager, Planning and Public Protection Service to decide on a scheme of conditions under delegation.

- Duration of working and associated activities, up to 21 February 2042, restoration completed by 2044
- All plant and machinery to be removed upon cessation of operations
- Permitted Operations and Compliance with the Submitted Details / Plans
- Review of operations and scheme of progressive restoration every five years
- Hours of Working
- Scheme of groundwater monitoring within 12 months of determination, to be implemented prior to the commencement of Phase 3 of operations
- Water management plan for the quarry within 12 months of determination
- Storage of oils, fuels and lubricants on impervious bases and enclosures
- Scheme for the protection measures for adjacent habitats within 12 months of determination
- Invasive species survey and monitoring
- Updated habitat and protected species surveys 12 months prior to the commencement of extraction in Phase 3 of operations

- Restriction on vegetation clearance between March and July unless it can be proven in writing that the work will not disturb nesting birds
- Control of daytime and night-time noise limitations and temporary works and noise limits not to exceed 67dB LAeq for eight weeks in any 12 month period
- Noise monitoring
- White noise reversing alarms and appropriate sound deadening screens fitted to plant machinery
- Blast limitations and requirement for blast vibration monitoring
- Control of fugitive dust in accordance with the details of the application together with a log of complaints made available for inspection
- Sheeting of vehicles and use of wheel wash
- Archaeological recording and mitigation
- Progressive restoration and aftercare in accordance with the approved plans and final scheme to be submitted for approval prior to implementation
- Restoration scheme for the plant site by 31 December 2030
- Soils and restoration media storage.

9. Application number C14/0999/40/AM - Land near the former Ysgol Hafod Lon, Caernarfon Road, Y Ffôr, Pwllheli

Construction of 10 detached dwellings (with 20% being affordable), layout for an access road and creation of an entrance, with a parking and pick-up area for Ysgol Gynradd y Ffôr.

- (a) The Development Control Officer elaborated on the background of the application, noting that the appearance and landscape were reserved although the indicative plan of the appearance of the houses had been included. The application was originally submitted for 40 houses in 2014 and, at the time, it was based on the Gwynedd Unitary Development Plan, and it became apparent that Welsh Water had a lack of capacity to deal with the proposal's sewerage. A day before the Local Development Plan was adopted, information was received from the applicant stating that it would be possible, via a financial contribution from him to Welsh Water, to connect to the public sewer. Now, it was the Local Plan that was under consideration which showed that the site was outside the development boundary. As a result of this, the applicant amended the application for 10 houses rather than 40 and 20% of these would be affordable.

Reference was made to the relevant policies and the responses to the public consultations within the report and the observations on the late form.

In terms of the application's assessment, it was noted that the site lay outside the village development boundary and this was considered tantamount to erecting a new house in the countryside. Reference was made to policy TAI16 which involved proposals for affordable homes on rural exception sites, and that the proposal did not comply with the policy which required 100% affordable housing. The policy also required a proven local need for affordable housing. It was noted that three sites had since been noted within the development boundary and that the figures for Policy TAI 13 estimated that it would be possible to have 37 houses on the sites in question. In addition, it was noted that windfall houses were not required in the village of y Ffôr. Essentially, the proposal was contrary to Policy TAI 16.

Should the Planning Committee decide to approve the application, it would be required to ensure, as part of the reserved matters, that the size of the houses would be affordable and also an update would be required for the capacity of Ysgol y Ffôr to deal with the possible increase in pupil numbers. In addition, it was noted that there was a lack of open spaces in y Ffôr which meant that a financial contribution would be required towards such an additional provision.

In terms of road matters, the access would be suitable but a footpath was required to link the development with the village along with a new bus stop.

The Biodiversity Unit suggested relevant conditions.

Although elements of the proposal were acceptable, the planning officers' recommendation was to refuse the application as it was contrary to relevant planning policies and the reasons noted in the report.

- (b) The Local Member (not a Member of this Planning Committee) supported the application, and he made the following main points:
- That he supported the application for 40 houses in the village of y Ffôr under the previous Unitary Plan, considering that the number of pupils at the local school had fallen but the boundary had changed and there had been problems with the sewerage
 - Installation of private tanks for the houses was refused
 - Ysgol Hafod Lon closed, and 9 / 10 houses were agreed
 - That the road was dangerous and this application would give an opportunity for a secure access
 - Whilst accepting the need for 100% affordable housing, slightly larger houses were required at times for individuals to be able to move up the housing ladder and free up affordable housing for others
- (ch) It was proposed and seconded to refuse the application.

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

- That the cross-road was extremely dangerous, no visibility, and vehicles parked on the road
- It would be an over-development and many houses had been constructed in y Ffôr recently, and it was questioned whether 10 additional houses were required
- That three other sites had been designated in the Local Development Plan
- The houses should be 100% affordable
- Agreed with the recommendation, but support would be given if the application was for 100% affordable housing
- Extreme care had to be taken, and the difference between the previous Development Plan and the existing plan had to be understood. It was accepted that some individuals were winning and others were losing, but the Committee had done thorough research and had identified 37 houses for y Ffôr that were available to meet the needs of the school. The figure for building houses in the new development plan and the former plan had to be taken into consideration, and there was a need to be cautious of the risk of having more houses than what was required
- That it was unfortunate that the boundary had changed

RESOLVED to refuse the application.

Reasons:

1. The proposal would entail building new houses in the countryside where they are not needed for a rural enterprise. Therefore, the proposal is contrary to Strategic Policy PS 17 and Policy PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (31 July 2017) together with Planning Policy Wales (9th Edition, November 2016) and Technical Advice Note 6: Planning for Sustainable Rural Communities. Planning for Sustainable Rural Communities.

2. The proposal is not for 100% affordable housing, local need for affordable housing has not been proven and no details have been submitted to show that it would not be possible to provide this housing provision within the development boundary. The proposal is considered to be contrary to the requirements of Policy TAI 16 of the Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (31 July 2017).

10. Application number C17/1181/38/LL - Bryniau, Llanbedrog, Pwllheli

Retrospective application to extend a touring caravan site and retain the toilet block, a timber platform and undertake a landscaping plan.

- (a) The Planning Manager reported that the Department had received late amended plans and, consequently, it would be required to reassess the application, and the Planning Committee was asked to defer the application.

RESOLVED to defer the application because amended plans had been received and it was required to reassess and re-consult.

The meeting commenced at 1.00pm and concluded at 3.00pm

CHAIRMAN