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## PLANNING COMMITTEE 11/02/19

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**Present:**                    **Councillor Elwyn Edwards – Chair**  
                                  **Councillor Eric M. Jones - Vice-chair**

**Councillors:** Stephen Churchman, Louise Hughes, Anne Lloyd Jones, Elin Walker Jones, Huw G. Wyn Jones, Dilwyn Lloyd, Edgar Wyn Owen, Gareth A. Roberts, Cemlyn Williams, Eirwyn Williams a Gruffydd Williams

**Others invited:** Councillors Aeron M. Jones, Peter Garlick, Charles Jones, Elfed Williams (Local Members).

**Also in attendance:** Gareth Jones (Senior Planning Manager), Cara Owen (Planning Manager), Gwawr Hughes (Development Control Officer), Gareth Roberts (Senior Development Control Officer - Transport), Dafydd Gareth Jones (Senior Planning Officer - Minerals and Waste) (Rhun ap Iarll) (Senior Solicitor) and Lowri Haf Evans (Member Support Officer).

### 1. APOLOGIES

An apology was received by Councillor Berwyn Parry Jones

### 2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

- Councillor Gruffydd Williams, in relation to item 5.8 on the agenda (planning application number C18/0722/41/LL) as his partner owned land with permission to construct 18 houses in Chwillog.

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

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

- Councillor Aeron M. Jones (not a member of this Planning Committee) in relation to item 5.1 (application number C14/0386/24/LL) and 5.6 (application number C18/1125/17/LL) and 5.7 (application number C18/1126/17/LL) on the agenda
- Councillor Peter Garlick (not a member of this Planning Committee) in relation to item 5.2 on the agenda, (planning application number C16/1412/19/LL)
- Councillor Huw Gruffydd Wyn Jones (a member of this Planning Committee) in relation to item 5.3 on the agenda (planning application number C18/0084/11/LL)
- Councillor Charles Wyn Jones (not a member of this Planning Committee) in relation to item 5.4 on the agenda, (planning application number C18/0942/23/LL).
- Councillor Elfed Williams (not a member of this Planning Committee), in

relation to item 5.5 on the agenda (planning application number C18/0977/18/LL);

- Councillors Dilwyn Lloyd and Edgar Owen (members of this Planning Committee), in items 5.6 (planning application C18/1125/17/LL) and 5.7 (application number C18/1126/17/LL) on the agenda

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, held on 14 January 2019, as a true record, subject to amending bullet point 2: paragraph b; item 6, which noted: *'that land on the site was a link to the Coastal Path'* to *'that the road used near the site was a link to the Coastal Path'*.

### 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.

#### RESOLVED

### 6. APPLICATION NO C14/0386/24/LL LAND TO REAR OF TAN Y CELYN, SWN Y MOR AND TALARDD, LLANWYNDY, CAERNARFON, LL54 7YN

Renewal of planning application number C08A/0568/24/LL and C09A/0532/24/LL for the erection of 24 dwellings, to include 12 affordable houses, alterations to the existing entrance and the creation of estate roads (amended plan to the plan originally submitted).

- (a) The Planning Manager elaborated on the background of the application, noting that the application had been deferred at the Committee held in January 2018 in order to discuss the concerns of the Members with the applicant, relating to the location of the open space within the site. In addition, further consultations were held with Welsh Highland Railway, Wales and West Utilities (gas) along with the Building Control Unit on the basis of the suitability of locating the open space in the proposed site. The opinion of the Council's Health and Safety Advisor was received in terms of safety assurance. It was noted that the application still included 24 houses, with 12 of these being affordable houses, and it was highlighted that the need for housing had been confirmed.

The concern about the distances between the houses was highlighted, and reference was made to the response in paragraphs 5.9 to 5.11 of the report. In terms of affordable housing, although registered landlords would be managing the

development, there would be a need to ensure that the 12 houses would be affordable in perpetuity, and therefore an appropriate condition would be required for this. It was noted that the proposal was unusual, but the development included a suitable mixture of housing that would meet the need for various houses in the area. It was added that such a development was to be welcomed.

In response to the main concern, namely the location of the open space, it was reported that further discussions had been held with the applicant. It was added that officers had re-consulted with Welsh Highland Railway, Wales and West Utilities (gas) and the Building Control Unit and the Council's Health and Safety Advisor and the responses still confirmed that the development complied with all requirements of the bodies and that they had no objection to the location of the open space. It was added that, therefore, it would be difficult to refuse the application because the evidence was contrary to this. It was added that an appeal had been lodged by the applicant based on a lack of decision by the Committee, and therefore attention was drawn to the short period of time that the Committee had to make a decision in order to avoid an appeal (this was in accordance with the arrangements of the Planning Inspectorate).

The officers remained of the opinion that the proposal was acceptable in terms of relevant local and national policies for the reasons noted in the report.

- (b) The local member (not a member of this Planning Committee) noted the following main points:
- That he did not disagree with the principle that houses were needed on the site, but not in its present form. The location of the play area was a cause for concern
  - The applicant had had an opportunity to modify the plans in accordance with the comments and concerns of the Committee and the local community, but had chosen to ignore this.
  - That the open space was located near the railway, and although the agent noted that an anti-climb fence would be installed, children would find a way of going over or around the fence;
  - That the open space was near a gas sub-station - the location endangered the safety of children
  - That a protest had been held locally, stating that the safety of children was more important than building houses
  - New plans had been created by the local community but the applicant had not accepted the invitation to discuss with them
  - That the location of the bungalow for the disabled needed to be changed, as it was far from the main road
  - That it was possible to change the layout of the site to correspond to the wishes of the local community and ensure the safety of children which was an important priority;
  - Asked that the Committee object the application as the location of the open space was certainly in the incorrect place, and the location of the bungalow for the disabled.
- (c) It was proposed and seconded to refuse the application as the open space was in an unsuitable site near the railway and gas pipe
- (ch) In response to the above observations, the Officers noted:
- That they accepted that there was support for housing in the area and the need for affordable housing
  - The main aspect of the objection was the open space. Additional

consultation had been carried out with Wales and West Utilities, Welsh Highland Railway, the Building Control Unit and the Council's Health and Safety Advisor. Their observations were acceptable and they had not objected to the development

- That the appeal had already been lodged due to the delay in the decision
- Should an application be refused, the proposer and the seconder would be required to defend the Council in an appeal
- That the application in question was being discussed and the information / plans submitted by objectors should not be considered. It was emphasised that the plan in question complied with local and national planning policies.
- That the open space was more than what was required, therefore there was an option to get a buffer and a fence in addition to the fence proposed by the applicant;

(d) In response to an observation that the applicant had not reassessed the plan in accordance with the requirements of the Committee, it was noted that they were not required to assess their plans as no policy matters asked them to modify

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

- That the element of affordable housing was to be welcomed and the development would help to safeguard schools and the Welsh language;
- That housing ensured a future for local children and people
- That it was possible to mitigate the reasons for refusal in reasonable methods
- Another location in the village could be considered for the playing field
- That children could be taught about the railway concerns
- That the community plan needed to be considered and priority needed to be given to the safety of children
- A suggestion to impose a condition to move the playing field
- It could not be accepted that it was acceptable to have children in an area of risk

(ff) A proposal was made and seconded to hold a registered vote  
A registered vote was called on the recommendation and over a quarter of the Members present voted in favour of this.

In accordance with the Procedural Rules, the following vote was recorded:

**RESOLVED to refuse the application as the layout of the site was unsuitable with the open space in the incorrect location due to its proximity to the gas sub-station and the railway, and the associated risk to children.**

**In favour (7) : Councillors Louise Hughes, Elin Walker Jones, Eric Merfyn Jones, Dilwyn Lloyd, Gareth A. Roberts, Eirwyn Williams, Gruffydd Williams**

**Against (4) : Councillors Stephen Churchman, Anne Lloyd Jones, Edgar Wyn Owen, Cemlyn Williams**

**Abstaining (1) : Councillor Huw Wyn Jones**

**7. APPLICATION NO C16/1412/19/LL TY GLAN MENAI, FFORDD YR ABER, CAERNARFON**

Demolition of existing dwelling and erection of 12 bedroom hotel (three storeys) with parking spaces, sewage treatment tank and alterations to existing access, the existing Summer House and Gatehouse to be used as ancillary buildings to the proposed hotel.

The Members had visited the site.

- (a) The Planning Manager elaborated on the background of the application, reminding the members that it was deferred at the Committee in January to allow a third party to talk at the Committee.

When considering the principle of the development, attention was drawn to the Planning History, and specifically to the refusal of application C10A/0556/19/LL due to its similarity to the application in question. An appeal was lodged against the refusal and the appeal was approved in January 2012. It was highlighted that the only difference between both applications was the inclusion of a swimming pool in the application approved on appeal in 2012. It was noted that the Planning Inspector had allowed costs against the LPA as they had behaved unreasonably in coming to a determination to refuse the application, as current policies supported the type of development on the site in question.

It was noted that the policies listed in the report were consistent, on the whole, with the objectives and requirements of the Unitary Development Plan policies that were in force when the appeal was determined. After adopting the Local Development Plan, it was added that the relevant policies reflected each other, and that there was no basic change in the type of policies used in 2012. In considering the decision of the appeal, it was believed that the application complied with current policies and planning guidance that continued to support the principle of situating new, high quality holiday accommodation in the countryside by using a suitable previously developed site and a site that was accessible to different types of commute. It was noted that the Planning Inspector, in his appeal decision, did not have any objection to the appearance, setting or scale of the proposal and in that the plan had received the approval of the Wales Design Commission.

In response to the statutory consultation, the Transportation Unit had no objection to the development on the grounds of road safety and parking facilities, subject to the inclusion of appropriate conditions. It was also noted that matters relating to transportation did not cause concern to the Planning Inspector and therefore there was no change here.

In the context of floods, an Access Report was submitted (on the grounds of flooding risk) as parts of the adjacent county highway serving the site was located within a C2 flood zone. In response to the report, it was expressed that Natural Resources Wales (NRW) confirmed, within the context of the advice included within TAN 15: Development and Flood Risk, that the applicant had satisfied their concerns regarding flooding risk to the road serving the site. It was added that NRW were satisfied that the hotel and parking spaces were higher than the exceptional flood outline and therefore the proposal is acceptable on the grounds of flooding risk.

Reference was made to Policy TWR2, noting that high quality hotels could bring substantial economic benefits to the area of the plan. It was noted that the policy

aimed to support the principle of providing high quality holiday accommodation in sustainable locations. It was elaborated that the Planning Wales document stated that planning authorities should adopt positive approaches to proposals that used previously developed land, and that such accommodation would add to the variety of hotels that existed in Caernarfon.

Reference was made to the response to the public consultation that had been included in the report.

Members were reminded that the planning history of the application was key to the decision based on the fact that the latest proposal reflected the details submitted with the original application in 2012. It was noted that the Inspector had determined that the principle of siting the development on the land was acceptable and had further approved an application to award costs against the Local Government in accordance with local and national planning policy requirements.

Although these policies were operational under the joint development plan, it was noted that the principle and objectives of the previous policies were incorporated within the Local Development Plan policies and Welsh Government national guidance. It was emphasised that substantial pressure would need to be given to the decision of the Inspector to approve an appeal, and although there had been a change in the Development Plan since the appeal was approved, the nature of the policies for such applications were still very similar, and it would be difficult to come to a different conclusion.

It was considered that this development was acceptable and complied with current relevant local and national planning policies and guidelines.

- (b) Taking advantage of the right to speak, an objector noted the following main points:
- That the development was located within rural village of Llanfaglan, and not Caernarfon Town
  - An extensive part of the road lied within a C2 Flood Zone, as defined in TAN15 - the Inspector had not investigated flooding concerns sufficiently
  - Approving would create a dramatic impact on people's lives - additional demands on the emergency services
  - The applicant had not commenced the work. Years had gone by, legislation had changed in the field of climate change - sea impact, greenhouse gas mitigation, managing coastal erosion, reduce and mitigate the effects of climate change and adapting to them, sustainable transport, etc.
  - A vast majority of the road had eroded and no restoration work had been completed. In periods of high tide, residents were unable to leave their houses - this created serious problems
  - The Inspector had not considered how workers would travel to work. No bus service and therefore depended on a car
  - Ty Glan Menai was referred to as a house on brownfield site. That was not true. This was a domestic house, not a hotel. This opened the door to anyone from Wales to convert their house into a hotel.
- (c) The local member (not a member of this Planning Committee) noted the following main points:
- Many considerations had changed since the appeal period.
  - There was substantial damage to the wall, and this seemed to be deteriorating - an investigation into this was required.

- Although the Coastal Path did not run through the development, the path was in poor condition and was damaged. Consequently, pedestrians would have to walk on the road, which would create a dangerous situation
- No public transport. Aber Bridge was open at certain times only. It was presumed that the hotel users would walk along the road, which was not an ideal situation, and although a one-mile journey was noted from the town, it could mean a journey of approximately three miles if Aber Bridge was closed, which often was the case. This created a problem.
- This was a development in a rural parish. The development was substantial which would cause concerns for local residents
- It was completely clear that the site had been noted within a flood zone. Regular flood incidents in the area
- Suggested that the application should be refused

(ch) It was proposed and seconded to refuse the application on the grounds of TAN 15, that 'access and egress at all times' was required. It was suggested that the road was impacted by floods, and therefore it was difficult to ensure access to residents and the emergency services. A similar application by a local family in Felinheli had been refused for similar circumstances.

(d) In response to a question regarding a significant deterioration in the condition of the road and who was responsible for maintaining it, the Senior Development Control Officer - Transport noted that Gwynedd Council's Highways Department was responsible for the road, but in terms of the deterioration of the seawall, there was no certainty unless the road was holding the wall up or not.

In response to a question about the differences between both applications, and if the decision was to refuse an application that had previously won on appeal with costs, the Planning Manager noted that the only difference was that the swimming pool was included in the original application.

In response, a member noted that the Local Development Plan had been adopted in the meantime, which was also a 'difference'.

In response to a question, whether this part of the coast was included in the Shoreline Management Plan, it was noted that there was no information.

The Senior Planning Manager added that care needed to be taken when considering the decision, as the previous application was approved on appeal. It was emphasised that the context of the application in question needed to be considered along with the differences in policy context. It was accepted that the new Local Development Plan had been adopted within this time, but there had been no changes in the context of the policies in question. In terms of flood concerns, NRW had no objection because the flood element was one tide that would impact parts of the road at times, which would be possible to manage. It was also noted that two roads led in and out of the site. Nevertheless, he added that it would be wise to obtain a firm interpretation from NRW of the TAN 15, and for the Committee to consider deferring the decision in order to ensure clarity.

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

- No change to the plan apart from a swimming pool, but that the condition of the road had deteriorated
- Policies had not changed, the plan was the same, therefore it would be dangerous to refuse since the Council had already paid costs on appeal

- Request for information and observations from NRW on the Shoreline Management Plan
- Floods were a cause for concern
- More information was required about who was responsible for the wall
- Knowledge of climate change had changed since 2012 - what were the implications of the plan in terms of carbon footprint?

(e) It was proposed and seconded to defer the decision

**RESOLVED to defer the decision in order to receive further information from Natural Resources Wales about flood concerns**

**8. APPLICATION NO C18/0084/11/LL FORMER DICKIES BOATYARD, BEACH ROAD, BANGOR**

- (a) Full application for engineering operations, including cut and fill, to deliver an extended rip-rap embankment on the northern development parcel of phase II, in addition to further works to reinforce the old sheet piling around the dock wall.

The Senior Planning Manager – Minerals and Waste expanded on the background of the application, reminding the members that there had been two previous applications on the site to raise the land level in order to develop it further. These included providing rock armour around the site, and rip-rap (sea defence). The purpose of this existing application was to extend the rip-rap further, along with the installation of sheet piling around the quay - the most intrusive elements of the application.

Following the submission of vibration and noise assessment, Gwynedd Council's Public Protection Unit was consulted. It was concluded to recommend approving the application with specific noise monitoring conditions during the work, along with vibration monitoring; and due to the proximity of houses to the site, restrict working hours to four hours a day, and only two hours in **one** specific location.

Following an assessment under the Habitats Act 2017, as part of the beach in front of the

site would be impacted by the work, it was not considered that there would be any impact on the international conservation sites of Traeth Lafan and the Menai Strait. Nevertheless, it was noted that there would be mitigation measures when installing the sheet piling to work no later than two hours prior and half an hour after high tide.

With regard to sheet piling installation matters, it was highlighted that as the dock walls were deteriorating, it would be mandatory to carry out salvage work for the future. With housing within 25m to the setting, the applicant's attention was drawn to less intrusive techniques of installing sheet piling into the ground, proposing the silent sheet piling technique. Although the applicant was willing to adopt this technique, the need for assurance of further mitigation measures was expressed, therefore additional conditions would be needed so that the applicant could confirm the exact technique and methodology used to install the sheet piling before commencing the work. The applicant would also need to confirm a vibration monitoring plan, the work site along with the type of equipment that would be used.

- (b) Taking advantage of the right to speak, an objector, who represented the residents of the bay and nearby houses, noted the following main points:
- That a previous application was refused due to the presence of Japanese knotweed. Evidence that the plant had been removed was required. The problem was the same with this site, and therefore there was a need to ensure that there was no Japanese knotweed on the site before commencement.
  - That the nearest house was approximately 20m from the site
  - Accepted that the applicant had agreed to change his method of working, but the report did not reflect working methods. The statistics were inaccurate, therefore a new application was required
  - The applicant did not have any commitment to the wishes of nearby residents. There was poor faith and trust in the applicant. They did not keep to their word and therefore, strict conditions were required to control the situation
- (c) Taking advantage of the right to speak, the applicant's agent noted the following main points:
- That an application to extend the work was warranted in November 2016
  - That the applicant was collaborating with the Planning Authority to seek solutions
  - That the applicant would adhere to the strict rules
  - That a habitats assessment had been completed
  - That there would be no adverse impact
  - Every concern had been satisfied
  - That the technical reports had been evaluated by the Planning Officers
- (ch) The local member (a member of this Planning Committee) made the following main points:
- That noise from the vibration level was very loud
  - Using silent vibration-free equipment would be better than what was originally proposed, although it was not confirmed whether this machine would be used. If a condition was included to highlight this, the residents would be satisfied.
  - Accepted the need to protect the site from the sea
  - If the agent gave confirmation of the action plan, this would give residents assurance and the application would be considered acceptable.
- (d) It was proposed and seconded to approve the application along with imposing an additional condition, detailing the type of equipment that would be used.

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

- Had the Japanese knotweed been removed in accordance with the requirement?

**RESOLVED - To authorise the Senior Planning and Public Protection Service Manager to approve the application subject to the range of conditions noted below, and additional conditions to agree on the type of equipment used to install the sheet piling, and a condition to monitor vibration and, where noted to submit specific information in accordance with the conditions prior to the commencement of the development;**

- **Commence the development within five years,**
- **Temporary operations involving sheet piling operations and the import**

of 7,500 tonnes of rock armour (rip-rap) material to be implemented within a twelve-month timescale of the date of notification to the Local Planning Authority,

- Permitted operations and compliance with submitted Details / Plans,
- Transport of materials restricted to 150 tonnes a day, between 08.00 and 17.00 Monday to Friday, or a total of eight loads a day,
- Sheet piling operations restricted to four hours per day in any 08.00 – 18.00 period with no operations being continuous for more than two hours at any given location
- Recommended noise limit of 65dBA LAeq, 10 hours and requirement for noise monitoring,
- Recommended vibration limit of 10 PPV mm-e -1 at the nearest residential property and requirement for vibration monitoring,
- Notification of the commencement and completion of sheet piling operations,
- Where noise and vibration levels (both airborne and structure-borne) exceed the predicted levels, the Local Planning Authority and Public Protection Department shall be notified as soon as practicable by telephone or by electronic means.
- Mitigation measures to reduce the impact on redshank, and other features of local biodiversity interest, including:
  - Prohibit sheet piling installation work two hours prior to high tide and an hour and a half after high tide between September and March i.e. a no work period of 3 hours encompassing high tide,
  - Any other work (constructing rip-rap and preparing the site) to be prohibited one and a half hours on either side of high tide between September and March i.e. a no work period of 3 hours encompassing high tide,
  - Monitoring surveys should be undertaken during the construction period to check that birds are continuing to use the site and that measures to minimise disturbance are being implemented successfully,
  - applicants to produce and operate a detailed work schedule detailing the daily restricted work times encompassing high tide as stated in the condition
- Removal of surplus civil engineering equipment, structures and plant machinery upon completion of the development,
- Control dust released and provide wheel washing equipment on site as a planning condition,
- Use restricted to the disposal of rock armour and installation of sheet piling,
- Detailed design of the rip-rap material, maximum size of stone to be used and any future maintenance requirements to be in accordance with the details previously approved under a condition,
- Pollution control measures, site monitoring and ecological mitigation to be implemented in accordance with the Construction Environment Management Plan to be submitted for approval by the Local Planning Authority prior to the commencement of the development to ensure good practice and mitigation measures have been established to protect the aquatic environment, including: working conditions on the site and measures to control environmental impacts such as HGV movements, wheel washing facilities, vehicle sheeting, safe storage areas, air quality, working hours, noise/vibration, waste and pollution control. Also,

monitor potential run-off from silt and waste materials to mitigate for the potential environmental impact of the development and spill procedures,

- The applicant to undertake a water sampling and analysis plan during the period of the development to discover whether any pollutants are present in any leachate
- Fuel or lubricants to be stored in a location to be agreed in writing with the Local Planning Authority. Bunding to be at least 110% of the fuel tank capacity,
- Before the commencement of the development on the site, evidence will be submitted for approval by the Local Planning Authority to confirm that the Japanese knotweed treatment programme has been successful and that an independent consultant confirms that all invasive plant matter has been eradicated. The amended plan requires that the contractor continue to inspect the land for any regrowth for a 10 year period and provides any photographic and monitoring documentation, any remedial work to eradicate any regrowth and any case of Japanese knotweed in the vicinity of the site,
- The use made of on-track plant on site should be restricted as much as possible, until the areas containing Japanese knotweed have been cleared or separated. If it is deemed necessary to use on-track plant in areas where Japanese knotweed is present, a geo-textile layer must be used as a surface upon which vehicles may travel,
- Note to the applicant referring to the consultation response of Natural Resources Wales, Gwynedd Council Flood Risk Management and Coastal Erosion Service, and the location of Welsh Water equipment that require safe access at all times,
- Note to applicant that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner,
- Note to applicant that the application has been assessed in accordance with the seven sustainability goals of the Well-being of Future Generations (Wales) Act 2015.

**9. APPLICATION NO C18/0942/23/LL LAND AT CAE'R EGLWYS, FFORDD LLANBERIS, LLANRUG, CAERNARFON**

Erection of seven bungalows (including an affordable unit), two two-storey dwellings, new access and associated works (amended scheme to that withdrawn under application number C18/0132/23/LL)

Attention was drawn to the late observations forms that had been received

- (a) The Development Control Manager elaborated upon the background of the application, noting that this was a full application for the erection of seven single-storey dwellings to include one affordable home and an open market two-storey house and also to create a new access, estate road, parking spaces, driveways and associated infrastructure. It was noted that the site would be served by a class I county road which included a nearby bus shelter.

It was highlighted that the applicant had submitted a Design and Access statement as part of the application. Attention was drawn to the responses, and it was noted that no responses had been received from the public. It was also noted that information about the price of the affordable house had been received since the

time of writing the report. It was added that confirmation had been received that a public sewer crossed beneath a parcel of empty land on the site, and that it would not be possible to build on it. The intention was to offer the land to the nearby GP surgery or to the Community Council at the end of the development work,

The site was located within the development boundary of the Llanrug local service centre, and it has been appropriately designated for housing development. Although the site could accommodate 10 houses, it was explained that due to extreme circumstances involving the safeguarding of a public sewer that crossed the site, nine houses was appropriate.

It was decided to defer the previous application in order to receive further evidence of the demand for these types of houses in the community of Llanrug. It was noted that the applicant had submitted a housing mixture statement which responded to the local demand, and that erecting single-storey houses on the site would release two-storey 3/4/5 bedroom houses in the village for families with a desire to live locally.

It was reported that the proposal involved creating a standard access off the nearby class I county highway along with extending the existing footpath into the site. It was explained that the latest plan was the result of discussions between the applicant, the Local Member and the Transportation Unit and, consequently, road safety had been ensured on the grounds of visibility and the number of houses that would be served by the access.

It was explained that the Placement Data of Gwynedd Primary Schools confirmed that there was adequate capacity in Ysgol Gynradd Llanrug to be able to cope with the number of pupils that could derive from this development and to this end, no educational contribution would be required from the applicant.

It was considered that the current proposal was acceptable and that it satisfied the requirements of the relevant policies.

- (b) The local member (not a member of this Planning Committee) noted the following main points:
- That many discussions had been held locally
  - That the application in question responded to the requirements of the local community
    - Accepted that the applicant was willing to hold discussions about the empty space after the services had been installed
    - Welcomed that the applicant had considered a suitable housing mix according to the demand in the village
    - That the plan now responded to parking concerns
    - Although a request had been made for a linked path, the applicant was unwilling to change the plan further as he did not have to install a path.
    - Having considered the amendments, willing to approve the application
- (c) It was proposed and seconded to approve the application in accordance with the recommendation

**RESOLVED to delegate powers to the Senior Planning Manager to approve the application subject to the applicant completing a Section 106 agreement in order to ensure that one of the nine houses is an affordable home and to the following conditions::**

1. **Five years.**
2. **In accordance with the plans.**
3. **Natural slate.**
4. **External materials.**
5. **Conditions of the Transportation Unit.**
6. **Welsh Water condition regarding the disposal of foul water from the site.**
7. **Removal of permitted development rights for the affordable unit.**
8. **Landscaping.**
9. **Drainage plan to be completed before any residential dwelling is occupied.**

**10. APPLICATION NO C18/0977/18/LL LAND BY MAES GWYLFA, CLWT Y BONT, DEINIOLLEN, CAERNARFON**

Residential development for nine affordable dwellings and new accesses

The Members had visited the site.

- (a) The Planning Manager elaborated on the background of the application and noted that it was a full application to erect nine affordable houses on a sloping green-field site abutting the development boundary of Deiniolien. The development would have six two-bedroom units and two three-bedroom units and a five-bedroom bungalow designed to meet the needs of a specific local family.

The intention to provide nine affordable houses on the site (100%) was noted, and it was mentioned that the Council's Strategic Housing Unit had confirmed that this number of houses along with the type of house addressed the needs in the area. It was added that a Registered Social Landlord would provide the houses and the current housing needs register (October 2018) showed a need in the community for two-bedroom and three-bedroom houses, and there were 33 applicants on the waiting list for these types of units.

Reference was made to Policy TAI 6 (Exception Sites), which noted that development directly abutting development boundaries must be 100% affordable. It was also noted in the Policy that it was a requirement to show that affordable housing cannot be supplied within a reasonable time-scale on an open market site within the development boundary where there is demand for affordable houses. It was highlighted that no affordable housing units had been constructed in Deiniolien between 2011 and 2018 and although two sites had been approved where an element of affordable housing had been included, the construction work had not commenced on any of the proposals thus far. Reference was made to an explanation from the agent, noted under paragraph 5.6 in the report, explaining the reason that they were unable to provide the housing.

Reference was made to an observation by objectors that the affordability of the existing houses available within the development boundary must be considered before determining the application before the Committee. However, in considering that the houses within the boundary were open market houses, they would not meet the same needs as the houses proposed here, namely social rent houses that had been designed to meet Design Quality Requirements (DQR). Since this plan abutted a development boundary, it was considered that the development addressed local need for social rental housing, as confirmed by the Council's Strategic Housing Unit. It was believed that the principle of the plan met the requirements of Policy TAI 8 and TAI 16 of the Local Development Plan and would

contribute toward the target set in Policy PS 18.

It was emphasised that other aspects of the proposal were acceptable and, although there had been some confusion amongst the local community regarding the traffic collision assessment, it was highlighted that an internal assessment had been carried out, rather than an assessment for the purposes of this application. It was added that the Transportation Unit has no objection to the proposal.

In the context of drainage matters, a response was received from the Land Drainage Unit/Gwynedd Consultancy, enquiring about some elements of the Drainage Strategy before they can provide a firm opinion on the plan. It was noted that these discussions were ongoing and that the Land Drainage Unit/Gwynedd Consultancy had confirmed that they were confident that a potential solution was available on the site.

- (b) Taking advantage of the right to speak, an objector noted the following main points:
- That he accepted the need for housing, but that the site was unsuitable
  - That the roads leading to the site were unsuitable and insufficient - poor condition and very narrow
  - That there was no response to a traffic collision assessment in the report, therefore the process had not been transparent
  - That a previous application from a private applicant had been refused, therefore why was a Registered Social Landlord receiving permission?
  - The underground tanks were unreliable - needed a full assessment of the capacity due to flood risks. The water system was insufficient for the existing infrastructure
- (c) Taking advantage of the right to speak, the applicant's representative noted the following main points:
- That the development on an exception site offered 100% affordable housing
  - In response to transportation concerns, long-term improvements would be made to the road, with the creation of a new footpath
  - That each property would have two parking spaces - this met the statutory requirements
  - That the development had a good mixture of housing
  - It would enable tenants to move so that they were not penalised with empty bedroom taxes
- (ch) The local member (not a member of this Planning Committee) made the following main points:
- That a similar application had been refused for a housing development due to the condition of the road. Therefore, why was there a recommendation to approve here. Accepted amendments, but the road was still narrow
  - An application for nine houses - there would clearly be further applications in future, therefore there was a need to improve transportation issues. That the number was low in order to offer the development in two phases
  - Why was the site not included within the development boundary when the Local Development Plan was adopted in 2017?
  - Two other sites were designated (the total of live housing approvals was 53) - this would increase to 62, which would be too much for the village
  - A previous application was refused in Clwt y Bont for 12 houses as it was outside the boundary - no justification or consistency
  - The general statement was 'need housing locally' - there was no confirmation that the people of Deiniolen and Clwt y Bont would receive the houses - needed information that would confirm the need

- Houses were already for sale at an affordable price in the village
- No evidence that the applicant had discussed with the other two sites - no excuse that development was required outside the boundary
- That the layout of the houses were out of character - some were overlooking
- That there were land drainage problems
- Disappointed with the application and therefore refused

(d) It was proposed and seconded to approve the application

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

- That this was a good opportunity for local people, and it had been submitted in response to the need for social housing
- Although it was outside the development boundary, the development satisfied the need
- A new exit would be created to mitigate infrastructure concerns
- The site was unsuitable
- Deiniolen had been the subject of a number of housing applications; live applications had not been developed
- That overlooking matters needed to be considered further

**RESOLVED to delegate powers to the Senior Planning Manager to approve the application, subject to confirmation from the Land Drainage Unit that the arrangements for land drainage are acceptable, and also to ensure that there is no unacceptable overlooking between Plot 1 and the nearby Tan y Caerau:**

1. **The commencement time of the development**
2. **Development in strict accordance with the plans**
3. **Slate roofs**
4. **Welsh Water Condition**
5. **The landscaping plan must be implemented and trees must be protected in the long term**
6. **The houses must be affordable in perpetuity**
7. **Withdrawal of permitted development rights**
8. **Drainage conditions as required**

**11. APPLICATION NO C18/1125/17/LL CHWAREL MOEL TRYFAN/ALEXANDRA QUARRY, RHOSGADFAN, CAERNARFON**

Application under Section 73 to vary condition 10 on planning permission C18/0125/17/MW to allow 5 HGV loads per day, Monday to Friday with no HGV movements on a Saturday.

(a) The Senior Planning Manager – Minerals and Waste expanded on the background of the application, noting that the operator was proposing to vary the relevant condition on each extant permission on site to remove the facility for HGVs access on Saturdays and, in turn, allow one extra movement per day Monday through Friday. This would result in a total of 21 HGVs accessing the site per week which represented an increase of only one extra movement per week.

It was reported that the main advantages of the proposal would be to prevent vehicles from travelling through Penyffridd, Rhosgadfan and Rhostryfan on

Saturdays, when it would be more likely that residents parked on the road, and more local traffic.

- (b) The local members (one a member of this Planning Committee; one not a member of this Planning Committee) noted the following main points:
- Since establishing a Liaison Group over three years ago, there had been good collaboration between the quarry operator and the local community. By holding discussions, problems and concerns were resolved.
  - The application was proposing improvements to the existing system. This should be welcomed.
  - Supported the application.
- (c) It was proposed and seconded to approve the application.
- (ch) When discussing the application, one of the members noted that the company was managed well, did good work locally and employed local people.

**RESOLVED to approve the application subject to the following amendment to conditions 4 and 10 of planning permission C18/0125/17/MW:**

- 4.** *Except in cases of emergency to maintain safe quarry working (which shall be notified to the Mineral Planning Authority as soon as practicable) or unless the Mineral Planning Authority has agreed otherwise in writing:*
- i) *operations associated with the removal of material from a mineral working deposit, soils and overburden removal, restoration works, servicing, maintenance and testing of fixed and mobile plant shall not be carried out at the site, with the exception of the following times:*
    - *07.30hrs to 18.00hrs Monday to Friday and 07.30hrs to 13.00hrs on Saturdays,*
  - ii) *Crushing and screening operations shall not take place other than during the following hours:*
    - *10.00 to 15.00 hours Monday to Friday*
  - iii) *No HGVs shall enter or leave the site except between the following times:*
    - *08.00hrs to 16.00hrs Monday to Friday*
  - iv) *No operations other than those related to emergency or environmental monitoring or water pumping shall take place at the site on Sundays or on Public or Bank holidays.*
- 10.** *Except with the prior written agreement of the mineral planning authority, quarry output, alone or in combination with any other extant minerals planning permission at the site, shall not exceed a maximum rate of no more than five HGV loads per day Monday to Friday, with no HGV movements on a Saturday. Figures of the output from the site over any specified period shall be made available to the local planning authority within 21 days of request.*

**Development to be subject to the same schedule of conditions under the previous planning permission granted C18/0125/17/MW to control noise, dust, vibration, hydrology, protection of the water environment, sequence of operations, compliance with the application plans, archaeology, ecological mitigation, review of operations and progressive restoration.**

**12. APPLICATION NO C18/1126/17/LL CHWAREL MOEL TRYFAN/ALEXANDRA QUARRY, RHOSGADFAN, CAERNARFON**

Application under Section 73 to vary condition 6 on planning permission C16/0063/17/MW to allow 5 HGV loads per day, Monday to Friday with no HGV movements on a Saturday.

- (a) The Senior Planning Manager – Minerals and Waste expanded on the background of the application, noting that the operator was proposing to vary the relevant condition on each extant permission on site to remove the facility for HGVs access on Saturdays and, in turn, allow one extra movement per day Monday through Friday. This would result in a total of 21 HGVs accessing the site per week which represented an increase of only one extra movement per week.
- (b) The Local Members noted that they supported the application
- (c) It was proposed and seconded to approve the application.

**RESOLVED to approve subject to the following amendment to conditions 6 and 11 of planning permission C16/0063/17/MW:**

- 6. *Except with the prior written agreement of the mineral planning authority, quarry output, alone or in combination with any other extant minerals planning permission at the site, shall not exceed a maximum rate of no more than five HGV loads per day Monday to Friday, with no HGV movements on a Saturday. Figures of the output from the site over any specified period shall be made available to the local planning authority within 21 days of request.*
- 11. *Except in cases of emergency to maintain safe quarry working (which shall be notified to the Mineral Planning Authority as soon as practicable) or unless the Mineral Planning Authority has agreed otherwise in writing:*
  - i) *operations associated with the removal of material from a mineral working deposit, soils and overburden removal, restoration works, servicing, maintenance and testing of fixed and mobile plant shall not be carried out at the site, with the exception of the following times:*
    - *07.30hrs to 18.00hrs Monday to Friday and 07.30hrs to 13.00hrs on Saturdays,*
  - ii) *Crushing and screening operations shall not take place other than during the following hours:*
    - *10.00 to 15.00 hours Monday to Friday*
  - iii) *No HGVs shall enter or leave the site except between the following times:*
    - *08.00hrs to 16.00hrs Monday to Friday*
  - iv) *No operations other than those related to emergency or environmental monitoring or water pumping shall take place at the site on Sundays or on Public or Bank holidays.*

**Development to be subject to the same schedule of conditions under the previous planning permission granted C16/0063/17/MW to control noise, dust, vibration, hydrology, protection of the water environment, sequence of operations, compliance with the application plans, archaeology, ecological mitigation, review of operations and progressive restoration.**

- 13. **APPLICATION NO C18/0722/41/LL FFERM AFONWEN, CHWILOG, PWLLHELI, GWYNEDD**

Application to provide a site for 15 touring units including a recreation room and toilets.

- (a) The Development Control Manager elaborated on the background of the application, noting that it was a full application to create a touring caravan site. It was explained that the proposal involved creating an independent site to locate 15 touring caravans, and planting native hawthorn, blackthorn and holly trees with a timber fence to provide a boundary between the site and the existing silage pit.

It was noted that the site lied in open countryside and within the boundaries of an existing farm with holiday units. It was reported that an agricultural shed with existing facilities bordered the site and it was proposed to use this building to provide toilet and shower facilities. It was highlighted that the site had been hidden by a hedge and trees on the boundary between it and the highway, which would ensure that the site was hidden quite well from the wider landscape. It was explained that the plans submitted as part of the application include additional landscaping along the site's southern boundary, that separates the site from the nearby silage pit. It was added that these plans included mitigation measures for the proposed development that would reinforce the existing landscaping work. It was considered that the design, layout and appearance of the proposal were acceptable and they would not cause substantial harm to the visual quality of the landscape.

In respect of proximity to the road network, it was noted that the site had direct access to a first class highway, the A497, and there had been recent improvements to the access as a result of a scheme to improve the road. It was not considered that further alterations would need to be undertaken to the access in order to serve the proposal, and it was added that the Transportation Unit had confirmed that the proposal would not cause a detrimental impact in terms of road safety.

Attention was drawn to the consultation in the report, and it was highlighted that no responses were received from the public. In response to the objection received from the Community Council that there were too many sites within one confined area, it was noted that paragraph 6.3.81 followed Policy TWR 5 within the Local Development Plan which requested to ensure that no excess of touring units within one area would add to problems for services, and would not harm the natural character or resources of the area. As the site was located outside the AONB, it was not considered that it would add to the problem for services or harm the character of the area, therefore the proposal was acceptable.

- (b) It was proposed and seconded to approve the application.  
 (c) When discussing the application, one of the members noted that the Community / Town Councils had refused the application on the grounds of excess

**RESOLVED to approve the application in accordance with the recommendation.**

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 15.**
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. **Septic tank to be installed and be operational prior to site use**

**10. The units to be set out in accordance with plan 1515/03 (amended 26/11/2018)**

**14. APPLICATION NO C18/1055/41/LL BRYN HYFRYD, CHWILOG, PWLLHELI**

Variation of condition 2 of C14/0113/41/AM to extend the time allowed to submit reserved matters.

- (a) The Development Control Officer elaborated on the background of the application, noting that this was an application to vary a condition in order to extend the time period to submit reserved matters on an outline application to construct 21 houses (including 7 affordable houses) on a site on the outskirts of Chwilog village.

Attention was drawn to the consultation in the report, and it was noted that no responses were received from the public. Reference was made to the additional comments from where it was noted that the Community Council had confirmed that they had no objection to the proposal.

As this was an application to vary condition 2 of the outline permission in question in order to extend the time granted to submit reserved matters, there was no change to the plan, or to the plan previously approved. It was added that the application had already been accepted, but that there was a need to consider whether the circumstances or the situation in terms of compliance with the planning policies had changed since the application was originally approved.

It was noted that the outline application had been determined based on the policies of the Gwynedd Unitary Development Plan. By now, it was noted that the Gwynedd and Anglesey Local Development Plan has been adopted by Gwynedd Council, and there had therefore been a material change in the policies since the previous application was determined. It was reported that the site was still a designated site for development within the new plan and that the proposal complied with the requirements of current policies with regard to affordable housing, linguistic matters, transportation, biodiversity and trees, floods, open spaces, education facilities and amenities. It was therefore considered that the proposal was acceptable and complied with local and national policies.

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

**RESOLVED to approve the application in accordance with the recommendation, subject to the existing 106 agreement and educational contribution**

- 1. Time**
- 2. Submit reserved matters within three years**
- 3. Re-list all the conditions from the previous permission.**

The meeting commenced at 1.00 pm and concluded at 3.15 pm

**CHAIRMAN**