



Complete Agenda

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

PLANNING COMMITTEE

Date and Time

1.00 pm, MONDAY, 13TH JANUARY, 2020

NOTE

This meeting will be webcast

https://gwynedd.public-i.tv/core//en_GB/portal/home

Location

Siambr Dafydd Orwig, Council Offices,

Caernarfon, Gwynedd, LL55 1SH

Contact Point

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(DISTRIBUTED 03/01/20)

PLANNING COMMITTEE

MEMBERSHIP (15)

Plaid Cymru (8)

Councillors

Elwyn Edwards
Berwyn Parry Jones
Elin Walker Jones
Gareth A. Roberts

Simon Glyn
Huw Gruffydd Wyn Jones
Edgar Wyn Owen
Gruffydd Williams

Independent (4)

Councillors

Eric M. Jones
I. Dilwyn Lloyd

Anne Lloyd Jones
Eirwyn Williams

Llais Gwynedd (1)

Councillor
Owain Williams

Gwynedd United Independents (1)

Councillor
Louise Hughes

Individual Member (1)

Councillor
Stephen W. Churchman

PROCEDURE FOR SPEAKING ON PLANNING APPLICATIONS IN THE PLANNING COMMITTEE

The Council has decided that third parties have the right to speak on planning applications at the Planning Committee. This leaflet outlines the normal operational arrangements for speaking at the committee.

1.	Report of the Planning Service on the planning application including a recommendation.	
2.	If an application has been received from a 3 rd party to speak the Chairman will invite the speaker to come forwards.	
3.	Objector or a representative of the objectors to address the committee.	3 minutes
4.	Applicant or a representative of the applicant(s) to address the committee.	3 minutes
5.	Local Member(s) to address the committee	10 minutes
6.	Committee Chairman to ask for a proposer and seconder for the planning application.	
7.	The committee to discuss the planning application	

AGENDA

1. APOLOGIES

To accept any apologies for absence.

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

To receive any declaration of personal interest and to note protocol matters.

3. URGENT ITEMS

To note any items that are a matter of urgency in the view of the Chairman for consideration.

4. MINUTES

6 - 14

The Chairman shall propose that the minutes of the previous meeting of this committee, held on 9th December 2019, be signed as a true record.

5. PLANNING APPLICATIONS

To submit the report of the Head of Environment Department.

5.1. APPLICATION NO C19/0027/39/LL LAND NEAR DRWS Y LLAN, LLANENGAN, PWLLHELI, LL53 7LH 15 - 54

Construction of 2 affordable houses (revised application)

LOCAL MEMBER: Councillor John Brynmor Hughes

[Link to relevant background documents](#)

5.2. APPLICATION NO C18/1183/08/LL CAR PARK, PORTMEIRION, PENRHYNDEUDRAETH, LL48 6ER 55 - 78

Application to create a camping site to site 23 motor homes together with alterations to services building previously approved under C17/0116/08/LL together with associated landscaping works

LOCAL MEMBER: Councillor Gareth Thomas

[Link to relevant background documents](#)

**5.3. APPLICATION NO C19/0988/42/LL BWTHYN BRIDYN, LON 79 - 87
BRIDIN, MORFA NEFYN, PWLLHELI, LL53 6BY**

Creation of balcony and access door from house along with the installation of two heat pumps

LOCAL MEMBER: Councillor Gareth Jones

[Link to relevant background documents](#)

**5.4. APPLICATION NO C19/0443/11/CR 196-200, HIGH STREET, 88 - 104
BANGOR, LL57 1NU**

Internal and external alterations to convert rear part of former Debenhams shop into 6 living units

LOCAL MEMBER: Councillor Steve Collings

[Link to relevant background documents](#)

**5.5. APPLICATION NO C19/0444/11/LL 196-200, HIGH STREET, 105 - 124
BANGOR, LL57 1NU**

Conversion and change of use of rear part of former Debenhams shop into 6 living units (5 x 1 bedroom and 1 x 2 bedroom)

LOCAL MEMBER: Councillor Steve Collings

[Link to relevant background documents](#)

**5.6. APPLICATION NO C19/0995/11/LL 233-235, HIGH STREET, 125 - 130
BANGOR, LL57 1PA**

Removal of condition 3 re planning permission C19/0323/11/LL which states 2 units out of 8 to affordable units

LOCAL MEMBER: Councillor Steve Collings

[Link to relevant background documents](#)

PLANNING COMMITTEE 09/12/19

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

Councillors: Councillors Stephen Churchman, Anne Lloyd Jones, Berwyn Parry Jones, Elin Walker Jones, Huw G. Wyn Jones, Edgar Wyn Owen, Gareth A. Roberts, Eirwyn Williams, Gruffydd Williams and Owain Williams

Also in attendance: Gareth Jones (Assistant Head of Environment Department), Cara Owen (Planning Manager), Rhun ap Gareth (Senior Solicitor) and Lowri Haf Evans (Democratic Services Officer).

1. APOLOGIES

Apologies were received from Councillors Simon Glyn, Louise Hughes, Dilwyn Lloyd

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) Councillor Berwyn Parry Jones (who was a member of this Planning Committee), in item 5.5 on the agenda, (planning application number C19/0398/11/LL), as he was an Adra Board member.

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 following member declared that he was a local member in relation to the item noted:

- Councillor Gareth A Roberts (who was a member of this Planning Committee), in item 5.2 on the agenda, (planning application C19/0398/11/LL)

3. URGENT ITEMS

None to note

4. MINUTES

The Chair signed the minutes of the previous meeting of this Committee, held on 21 October 2019, as a true record.

5. PLANNING APPLICATIONS

The Committee considered the following applications for development.

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

RESOLVED

5.1. Application Number C19/0027/39/LL LAND NEAR DRWS Y LLAN, LLANENGAN

Construction of two affordable dwellings (amended application)

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

The members had visited the site

- a) Reference was made to the additional observations sheet where it was noted that a request had been received from the applicant to defer discussion on the application until the Committee meeting in January 2020 so they could have an opportunity to discuss the options referred to in the report. It was added that the Planning Department had no objection to defer the application.
- b) It was proposed and seconded to defer the application
- c) **RESOLVED to defer the application until the meeting on 13 January 2020**

5.2. Application Number C19/0398/11/LL – BLAKEMORE CASH AND CARRY, CAERNARFON ROAD, BANGOR

- a) An application to demolish a building (Use Class B8) and erect a supermarket (Use Class A1), create 113 parking spaces, soft landscaping work, reconfiguration of the site access including the creation of a roundabout and alterations to the existing parking arrangement in front of Dunelm Store, together with changes to the service access. (Although the application was for an A1 food retail store the evidence and documentation submitted as part of the application referred specifically to Aldi Stores Ltd)

The Members had visited the site

- b) The Planning Manager elaborated on the background of the application, and noted that it had been deferred from the committee meeting on 21.10.19 following receipt of comments submitted by the Agent in response to the committee report. It was noted that it was an application to demolish an existing building that was formerly a cash and carry and to erect a supermarket and associated developments on a site located off Caernarfon Road, Bangor, outside the defined town centre but within the development boundary.

There was reference in the report to the many planning policies that were relevant to the proposal along with a full assessment of any impact on town centre vitality and viability. The report also addressed the Evidence of need, the Quantitative Need; the Qualitative Need and the Sequential Need. On the whole, it was not considered that the relocation of the Aldi store would have a substantial impact on city centre viability and vitality. It was explained that section 5.16 - 5.18 of the report noted that policies MAN1 and MAN3 stated that retail and commercial proposals outside the defined town centres would need to be supported by evidence of the need for additional provision.

In the context of qualitative need, the applicant had demonstrated that there was a qualitative need for additional floor space in an enlarged Aldi store and it was considered that the proposal would improve the overall qualitative choice within the immediate area and the wider catchment area serving Bangor, enhancing its position as a regional shopping centre.

The Local Planning Authority had engaged in pre-application discussions with Aldi for some time and it was referred in the report that pre-application discussions had also allowed the Authority to have input into the site selection process and officers were satisfied with the

conclusions of the sequential assessment and were not aware of any sequentially preferable sites. It was recognised that it was not possible to extend the shop in its current location.

It was acknowledged that there were economic and social benefits to be derived from the proposal and that it would be likely to make a positive contribution to the area's economy in accordance with the aims of the JLDP. Attention was drawn to the observations of the Language Unit which had concluded that risk to the language was neutral as the new jobs created would be available to the local population.

In terms of visual improvement, it was reported that there were no concerns in terms of the visual impact of the proposal - the comments received following the advertising period were positive, with several acknowledging that the scheme would secure a much needed visual improvement to this part of Bangor. It was noted that consideration should be given to the unrestricted lawful use of the site as a cash and carry, where goods could be received and dispatched at any time of the day and night.

It was highlighted from the assessment that the proposed situation would be an improvement on the current site in many ways. Reference was made to observations received from the Public Protection Department acknowledging that the development would have some impact on surrounding properties, and that if approved, the construction phase and the running of the store should be controlled by planning conditions to ensure the impacts were kept to acceptable levels. It was reiterated that such conditions included construction hours, noise conditions for plant and machinery, details of ventilation systems, delivery and store opening times and air quality/dust mitigation measures. No concerns or objections had been received from local residents.

It was noted that the site was served by an existing access off Caernarfon Road which was one of the main thoroughfares into and out of Bangor. There was also a bus stop on the highway to the front of the site. The proposal included the reconfiguration of the site access currently shared with the Dunelm store to include the construction of a new roundabout and alterations to the parking arrangements. It was highlighted that the Transportation Unit had no objections to the proposal and it was added that the design for the new access was acceptable. It was also noted that land drainage and flooding matters were acceptable.

It was confirmed that the conclusions summarised the assessment. It was considered that the public benefit arising from the proposal was both economic and social, and it was possible to give weight to the importance of developing this vacant site for a beneficial use and the environmental benefits associated with that. In this case, there was no significant objection in terms of retail policy and the proposal had achieved a measure of local support. On this basis, and having given full consideration to all material planning considerations, it was considered that the proposal was acceptable and should be approved.

- c) Taking advantage of the right to speak, the applicant's representative noted the following main points:
- The site was being developed as the current Aldi site was no longer fit for purpose.
 - The company had been searching for a suitable site for nearly four years. No suitable site in the city centre.
 - The proposal offered additional benefits for customers.
 - Following a public consultation, customers had expressed the need for a new, modern store.
 - No objections had been received.
 - Bus shelters would be provided - this was a general requirement - increased the frequency of bus journeys.
 - Signage in the shop would promote the Welsh language.

- The relocation would offer an investment of £5m; it would protect 27 current posts and create 10 new posts.
 - The development was a sustainable one.
- d) Taking advantage of the right to speak the Local Member (who was a member of this Committee) noted the following main points:
- He supported the proposal.
 - The development was an improvement and tidied up the area - the existing building was now an eyesore -
- dd) It was proposed and seconded to approve the application in accordance with the recommendation.
- e) In response to the discontent of some Members after receiving correspondence regarding the application, the Solicitor noted that the company had the right to lobby and that it was a matter for Members to declare that.

In response to a concern regarding the demolition of the building on the current site and the need for assurance that no asbestos dust would spread, the Planning Manager noted that the Building Control department and relevant bodies would manage the work and that appropriate laws were in place to ensure the compliance of the developer.

In response to an observation that the Welsh language should appear first on any sign / correspondence, the Planning Manager highlighted that it would be possible to manage external signs by means of planning arrangements; the developer could be encouraged to operate in the same manner with internal signs. It was suggested that Menter Iaith Bangor could be part of the discussions.

In response to a concern that the current Aldi store would become an eyesore in the city centre after its relocation, it was noted that the store would remain available for retail use. It was added that Aldi owned the site and they had stated that the site would not be made available to a competitor selling convenience goods. As Aldi was the owner, it was also suggested that it would be likely to keep the site tidy.

- dd) During the ensuing discussion, the following main observations were noted by members:
- Need to praise that a German company was giving priority to the Welsh language - setting a good example
 - The area would be tidied up substantially
 - Welcomed a new roundabout to facilitate and slow traffic flow
 - Protected employment in the area
 - The improvement was to be welcomed
 - Welcomed the proposal to increase the bus service - this encouraged people to not use their cars
- Would it be possible to consider keeping the current Aldi store open in the short term?

RESOLVED to approve the application subject to the following conditions:

1. **Timescales**
2. **In accordance with the approved plans**
3. **Materials**
4. **Welsh Water / SUDS**

5. **Retail conditions to restrict floor space area, no subdivision into smaller units**
6. **Shop opening times and deliveries**
7. **Construction times**
8. **Finished floor levels**
9. **Highways access conditions and the provision of two bus shelters**
10. **Landscaping**
11. **Welsh language improvement/mitigation measures**
12. **Air quality (Construction Environment Management Plan)**

Need to send a letter with the decision encouraging the developer to contact the Local Language Initiative.

5.3 Application Number C19/0858/45/LL – FRONDEG, UPPER ALA ROAD, PWLLHELI

Demolition of existing building and construction of a 3 storey residential building comprising of 28 extra care flats (16 two-bedroom flats and 12 one-bedroom flats, ancillary ground floor uses including communal facilities, office, plant room, bin store and buggy store) and associated car parking and landscaping.

- a) The Planning Manager elaborated on the background of the application and noted that the site was located within the town of Pwllheli and within a Conservation Area. It was explained that the proposal was described as extra care flats for those aged over 55 years, and the floor plans showed that all the flats were self-contained with a bedroom(s), bathroom, lounge and kitchen, as well as a communal lounge and relatively small kitchen attached to it.

It was highlighted that the Adults, Health and Well-being Department had confirmed that they were supportive of the application and that the demand for this type of provision was likely to increase over the next 20 years, with Pwllheli identified as a growth area. It was noted that ADRA was the applicant and that the information submitted with the application highlighted that 100% of the units would be affordable, which meant that the proposal satisfied the requirements of policy TAI 15. It was reported that the Housing Strategic Unit had also confirmed that the proposal met the requirements of the area, and that the Housing Association was a partner for this development. The property also met Development Quality Requirements and had been included within a programme to receive a Social Housing Grant.

In the context of general and residential amenities, it was highlighted that the rear elevation of the new building was partly two-storeys and partly three-storeys and faced the rear of the Penlon Llŷn housing terrace. It was explained that amended plans related to windows and the relationship between the development and existing houses as well as some of the distances between them and any impact on the amenities of nearby residents. It was noted that it was proposed to use the area between the new building and the boundary of the housing terrace as a communal garden with a car park located to the east of the building being retained for parking uses.

In the context of open spaces, it was highlighted that policy ISA5 confirmed the need to assess the area's needs for providing appropriate open spaces as a result of the proposed development (more than 10 living units). However, in accordance with the wording of the Supplementary Planning Guidance, there was no need to request a contribution towards an open space in this context.

In considering biodiversity matters, it was noted that a Habitats Survey had been received with the Biodiversity Unit confirming that the report had dealt with the majority of biodiversity concerns on the site. In order to be able to support the proposal, it was added that there was a need to confirm the recommendations and mitigation measures within the Mitigation

Statement which was to include details regarding the demolition and roof removal method to reduce the impact on bats and birds. Timing and specific details regarding the type of bat and nesting boxes to be included in the new building and their location would need to be included, along with amended plans. The Mitigation Statement would be included as a condition.

It was considered that the proposal was acceptable and that it complied with the requirements of the relevant local and national policies. As acceptable amended plans had been received, it was noted that the recommendation had been amended to approve subject to relevant conditions.

- b) Taking advantage of the right to speak, an objector to the application noted the following main points:
- The amended plan did not respond to the concerns in full. It was accepted that a reasonable solution had been submitted, but a further improvement was possible, especially to both floors overlooking houses in Stryd Llyn.
 - Some principles were unacceptable - the plan was oppressive, an over-development of the site
 - Overlooking concerns - some houses within 17m of the development
 - The plan could be more sympathetic
 - Insufficient parking provisions - although the report had noted that parking for 22 would be sufficient, the figure, in reality, could be approximately 56
 - A request to the Committee to defer the application in order to hold further discussions with the developer to seek solutions.
- c) Taking advantage of the right to speak, the applicants' agent noted the following main points:
- The development offered 28 affordable units
 - Adra had responded strategically to the increasing demand for such units - similar models had been developed in Bangor and Porthmadog - an opportunity now for Pwllheli to receive provision
 - Considerations had been given to relieving the concerns of objectors in terms of matters relating to overlooking and visual amenities - it was added that it was an urban development and, therefore, overlooking was likely
 - There was an intention to improve and widen the pavements in order to facilitate safe access to the town / shops
- ch) It was proposed and seconded to defer the decision for the following reasons:
- the principle and the project was acceptable but further discussions needed to be held with the agent to resolve the concerns of Stryd Pen Llyn residents
 - a further response was required to overlooking and parking concerns
 - an opportunity to seek further information and to make further enquiries
 - need to ensure that every element was fully considered and that there was no need for haste
- d) In response to the observations, the Planning Manager expressed that a low number of local concerns had been received given that the proposal was an urban scheme. It was added that a distance of 17m was acceptable (between the boundaries of Stryd Llyn houses) for a town centre and that some overlooking would be unavoidable. It was highlighted that the Highways Department had no objection to the proposal and that the design included parking on an appropriate level for the proposed use. It was also noted that the developer had been requested to improve the pedestrian links between the site and the town centre.

In response to the proposal to defer, the Assistant Head of Environment expressed that there was no advantage to deferring the application as the application satisfied planning matters

and met the requirements. It was added that discussions had been held between the Planning Service and the applicant, along with a public consultation.

- dd) During the ensuing discussion, the following main observations were noted by members:
 - Welcomed the fact that the units were 100% affordable
 - The site was a suitable location for this type of development - convenient to the town and, therefore, negated the need to have a car
 - The actual existing building was oppressive
 - The proposal responded to the need for extra care housing
- e) A vote was taken on the proposal to defer the application in order to hold further discussions with the applicant
The proposal fell
- f) It was proposed and seconded to approve the application in accordance with the recommendation

RESOLVED to approve the application subject to relevant conditions:

1. **Five years**
2. **In accordance with the amended plans**
3. **Slate**
4. **External materials to be agreed**
5. **Removal of rights to install new windows**
6. **External lighting plan and plan for internal stairwell areas**
7. **Obscured windows**
8. **Drainage Plan (SUDS)**
9. **Biodiversity mitigation statement and location of bat and nesting boxes**
10. **Affordable housing condition for individuals aged over 55 years**
11. **Highway conditions**
12. **Hours of demolition/working**
13. **Public Protection Conditions (if needed)**
14. **Demolition management plan**

5.4 Application Number C19/0847/22/LL – LAND AT TAL Y MAES MAWR, NEBO, CAERNARFON

Application to site four safari tents, one sauna building and retention of children's play area and associated works

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

- a) The Planning Manager elaborated on the background of the application, and noted that this was a full application to site four safari tents, construct an associated building to be used as a sauna along with other associated work including creating parking spaces and a turning area for vehicles, landscaping, connections to utilities and installing sewage treatment works. In addition to this, a children's play area which had already been created within the same site would be retained. It was explained that the application was a re-submission of a previously refused application, with amendments to certain aspects, including the relocation of the site to a location nearer to the applicant's residence. It was also explained that a new location plan had been received that morning which changed the red/blue line which outlined the application site.

Attention was drawn to policy TWR 5 which stated that proposals for touring sites, camping or alternative temporary camping accommodation sites would be permitted provided they comply with all the relevant criteria.

It was argued in the Planning Statement submitted with the application that policy TWR 5 should be considered as the tents would not be permanent, because they would only have a limited connection with the land. However, the planning officers were of the opinion that the most relevant policy was policy TWR 3, as in the case of the previously refused application, as more permanent elements were being proposed as part of the development.

Attention was drawn to confirmation in the information submitted with the application, that the tents' frames and canvas covers would be removed, as well as the timber deckings which would now be laid on the ground and secured with a series of pegs. Despite the information, officers were of the opinion that creating other permanent elements to remain on the site at all times, namely electricity/water/sewerage connections for the four individual tents, in addition to the stone foundations under the sauna building, was contrary to criterion 3 of policy TWR 5. Officers also questioned the practicality of dismantling the tents and ancillary equipment (namely the bathroom and kitchen areas) and fully removing them from their site at the end of the season.

In addition, part of paragraph 6.3.85 of the explanation for policy TWR 5 noted: *"They should only provide basic facilities for sleeping, seating and eating without installation of water services or provision of drainage facilities for WC, showers and washing. This ensures that such structures do not generate a level of permanence that could increase the level of landscape impact and site restoration should removal of the structures be required."* It was considered that the proposal to install electricity, water and sewerage connections and a stone base at the start of a holiday season, and then to remove them at the end of the season, complied with the requirements of criterion 3 of Policy TWR 5 and the explanation of it. Officers were therefore of the opinion that the relevant requirements of policy TWR 3, regarding 'Static caravan and chalet sites and permanent alternative camping accommodation' must be considered as a result of this.

Consideration was given to the relevant requirements of Policy TWR 3, which stated: *"proposals to develop new static caravan sites (i.e. a single or double caravan), new holiday chalet sites or permanent alternative camping accommodation will be refused in...Special Landscape Areas"*. It was noted that Policy TWR 3 did not permit developing a permanent alternative camping accommodation site on sites within Special Landscape Areas. Given that the proposal was for the creation of a new permanent site, it did not therefore comply with the basic requirements of Policy TWR 3 in terms of creating new sites within a Special Landscape Area.

In the context of flooding matters, it was highlighted that the only access to the application site was located within a C2 flood zone. It was noted that this had not been accurately highlighted in the previously refused application. It was explained that the revised plans, which had been submitted that morning, would take the access out of the red line which showed the application site but that this did not change the situation. It was explained that Technical Advice Note 15 states that only developments defined as less vulnerable to harm should be considered suitable within C2 zone areas. In this case, it was considered that the proposed development fell within the definition of use which was highly vulnerable to harm'. Therefore, as part of the site was within a C2 zone, the proposal could not be supported on the grounds of flood risk and therefore, the proposal could not comply with the relevant requirements of TAN 15 or part 4 of Strategic Policy 6.

Having considered all relevant planning matters, including local and national policies and guidance, as well as the observations received, it was considered that this proposal was unacceptable as it was unable to satisfy the requirements of the relevant policies.

- b) It was proposed and seconded to refuse the application in accordance with the recommendation.
- c) In response to a question regarding a similar application that had been approved in Llanengan following an appeal, the Planning Manager noted that there was no comparison between both applications and that there were no costs against the Council as a result of the appeal.
- ch) During the ensuing discussion, the following observations were noted by members:
- A concern that the Transportation Unit had no objection to the application given that there were very narrow roads in the area in question which were unsuitable to cope with an increase in traffic in and out of the site.

RESOLVED to refuse - reasons

1. The proposal involved the creation of a new static alternative camping accommodation site with permanent aspects within a Special Landscape Area. Policy TWR 3 of the Gwynedd and Anglesey Joint Local Development Plan did not permit the development of new alternative camping sites within Special Landscape Areas. The proposal was, therefore, contrary to the requirements of policy TWR 3 of the Anglesey and Gwynedd Joint Local Development Plan (July 2017).
2. The proposal involved the installation of a new glamping site in open countryside and some distance outside a development boundary, on an unsustainable site where the majority of visitors would be dependent on the use of their private vehicles. It was therefore considered that the proposal was contrary to part 12 of policy PS5 of the Gwynedd and Anglesey Joint Local Development Plan (July 2017).
3. Criterion 7 of policy PCYFF 2 stated that proposals would be refused if they had a significant detrimental impact on the amenities of occupants of local residences due to an increase in activity, disturbance, noise or other forms of nuisance. The Local Planning Authority was of the opinion that the proposal was likely to lead to unacceptable disturbance to the amenities of local houses and that this would be contrary to the requirements of policy PCYFF 2 of the Gwynedd and Anglesey Joint Local Development Plan (July 2017).
4. The general requirements of policies PCYFF 3 and PCYFF 4 note that developments are expected to respect the context of the site and its place in the landscape and integrate with its surroundings. It was believed that the proposal, based on the presence, form and scale of the tents were unacceptable features that were contrary to the relevant requirements of criteria 1 and 2 of policy PCYFF 3 as well as criteria 3 and 4 of policy PCYFF 4 of the Gwynedd and Anglesey Joint Local Development Plan (July 2017).
5. The proposed development involved the use of land considered to be 'highly vulnerable' to harm, and part of the site was within a C2 flooding zone. As a result, the proposal was contrary to the requirements of TAN 15: Development and Flood Risk, and part 4 of PS 6 of the Gwynedd and Anglesey Joint Local Development Plan.

The meeting commenced at 2.00pm and concluded at 3.10pm.

CHAIR

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

Number: 1

Application Number: C19/0027/39/LL

Date Registered: 23/10/2019

Application Type: Full - Planning

Community: Llanengan

Ward: Llanengan

Proposal: Construction of two affordable dwellings (amended application).

Location: Land near Drws y Llan, Llanengan, Pwllheli, Gwynedd, LL53 7LH

Summary of the Recommendation: TO REFUSE

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

**REPORT TO THE PLANNING COMMITTEE
REFER TO A COOLING-OFF PERIOD**

DATE OF THE PLANNING COMMITTEE:	13 January 2020
DESCRIPTION AND LOCATION OF APPLICATION:	C19/0027/39/LL - Construction of two affordable dwellings (amended application) - Land near Drws y Llan, Llanengan
REPORT BY:	Assistant Head, Environment Department
RECOMMENDATION:	To refuse the application on the grounds of reasons 1-4 as submitted in the committee report on 1 July 2019.

1. PURPOSE

- 1.1 A decision on this application was deferred at the Planning Committee on 9 December 2019 following a request from the applicant to postpone discussing the application at that committee in order to give her an opportunity to give observations on the report/receive further opinion on the content of the report. However, the site visit was held on the morning of the committee on 9 December 2019. Originally, this application was reported to the Planning Committee on 1st July 2019, the recommendation of that committee was to approve the application, contrary to officers' recommendation, on the grounds that it would satisfy the local need for housing.
- 1.2 In the opinion of the Assistant Head, Environment Department, there is a significant risk to the Council in respect of the decision to approve the application contrary to officers' recommendation, therefore, the matter was referred to a cooling off period in accordance with the Committee's standing orders. The purpose of reporting back to the Committee is to highlight planning policy issues, the possible risks and options for the Committee before it reaches a final decision on the application.

2. DESCRIPTION AND BACKGROUND

- 2.1 This is a full application to erect two affordable dwellings. The site is located in the countryside, on the outskirts of the Llangenan cluster of houses.
- 2.2 As referred to above, the application was submitted to committee on 1 July 2019 with the officers' recommendation to refuse the application. Based on the information and the evidence submitted and the responses received, it was considered that the application was unacceptable and did not comply with the requirements of the relevant local and national policies and guidance. A copy of the report, plans and minutes of the application as submitted to the Planning Committee on 1 July 2019, are enclosed in Appendix 1, which further explain the background of the application.
- 2.3 Following referring the application to a cooling off period at the planning committee on 1 July 2019, correspondence was sent to the applicant on 9 July 2019 requesting confirmation / clarity on matters concerning:
 - Need to submit the correct ownership certificate as the applicants were not currently the landowners. This was encouraged as a result of the applicant noting

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

when addressing the Committee on 1 July 2019 that land had been received from family in order to self-build.

- Update information in terms of Tai Teg assessment as it became evident that there had been changes in employment circumstances and the need to assess the applicants as couples and not as individuals.
- Biodiversity matters in terms of the time-schedule to present information / reptile report.

2.4 A response had been received from the applicant dated 9 July 2019 noting:-

- Unfairness of affordable housing conditions.
- That a letter had been presented regarding land ownership.
- Unfairness of the Tai Teg assessment system.
- Prices of other affordable housing in the area.
- The biodiversity measures taking more time than expected but this should not affect the committee date.

2.5 A reply to the applicant's letter was sent on 19 July 2019 confirming the following:-

- Confirming that Tai Teg usually assess applicants for various types of affordable housing and that it is not unusual for them to assess people who are landowners and wish to self-build.
- Written confirmation was requested regarding if it was intended to ask Tai Teg to re-assess the situation.
- Need to ensure that a correct Ownership Certificate is in place and this was required to ensure that the application was valid.
- That it was a statutory requirement for information about biodiversity to be presented prior to consideration if the application is acceptable or otherwise regarding this aspect, and the assessment was required before the Biodiversity Unit can confirm their viewpoint.
- Confirmed that it was not possible to re-submit the application to a Planning Committee until the relevant information had been received.

2.6 A response was received from the applicant dated 29 July 2019 stating:-

- Enclosing a copy of a letter from Liz Saville supporting the application.
- Confirming that they would complete the appropriate Certificate of Ownership.
- Confirming that they were in the process of updating the Tai Teg assessment.
- Asking if it would be possible to undertake the biodiversity assessment if their application was successful.

2.7 A reply was sent to the applicant on 29 July 2019 stating:-

- Thanking the applicant for confirming that it was proposed to present a new Certificate of Ownership and also to get an update to the Tai Teg assessment.
- In terms of biodiversity matters, it was explained that it would be necessary to receive the information requested prior to reaching a decision on the application and this information was material to the assessment and if the application was acceptable or not from this aspect.
- It was also explained that the time-schedule in terms of re-submitting the application to the Planning Committee was dependent on when the information was submitted and the need to re-consult once the information was to hand.

2.8 Correspondence dated 23 October 2019 from the applicant submitting:-

- Certificate of ownership B.
- Ecological report

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- Update of the Tai Teg assessment stating that the applicants of house 1 had failed (i.e. not eligible in terms of need for an affordable house) due to the new post of one of the applicants but applicants for house 2 had been successful and were therefore eligible and in need of an affordable house.
- 2.9 Correspondence dated 28 October 2019 to the applicant confirming the receipt of the information and the file would be updated and a consultation period would take place. It also noted that it was intended to submit the application to Committee on the 13th of January 2020 and to hold a site visit on that morning. It was explained that it was not possible to submit the application to the December committee as it was to take place in Caernarfon and a site visit had already been arranged for that morning.
- 2.10 Further correspondence was sent to the applicant on 11 November 2019 explaining that it was now possible to submit the application to the Planning Committee on the 9th of December 2019, as the number of items on the agenda had been reduced. It was also explained that it was proposed to conduct a site visit on the morning of the Committee but due to the need to visit the application site and another site in Bangor that the Committee would not commence until 2pm.
- 2.11 From the committee report on 1 July 2019, it can be seen that five reasons were given in the recommendation for refusing the application and information is submitted responding specifically to the following matters:-
- Lack of need proven for a local need affordable house.
 - The location of the houses is not an infill site between highlighted buildings, and it is not located directly opposite a curtilage of a highlighted building.
 - The size of the houses do not reflect the size of affordable housing.
 - The value of the houses do not make them affordable.
 - Lack of reptile survey.

3 POLICY CONTEXT

National Planning Guidance

- 3.2 Paragraph 1.21 of Planning Policy Wales (Edition 10, December 2018) clearly states that "Up-to-date development plans are the basis of the planning system and set the context for rational and consistent decision making. Plans at all levels of the development plan hierarchy must be prepared in accordance with national planning policies. Planning applications must be determined in accordance with the adopted plan, unless material considerations indicate otherwise."
- 3.3 It is also noted that the following are relevant:
- Technical Advice Note (TAN) 2 Planning and Affordable Homes (2006).
 - Technical Advice Note 6 Planning for Sustainable Rural Communities (July 2010)
 - Technical Advice Note 12 Design (2016)

Local Planning Arrangements

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3.4 The adopted Local Plan is the Anglesey and Gwynedd Joint Local Development Plan and the relevant policies in this case are policy PS17 (Settlement strategy), TAI 6 (Housing clusters), TAI 15 (Threshold of affordable housing and their distribution) and AMG 5 (Local Biodiversity Conservation).

3.5 It is also noted that the following Supplementary Planning Guidance (SPG) are relevant:

- Affordable housing (2019)
- New dwellings in Rural Villages (2010)

Lack of need proven for a local need affordable house.

3.6 Criterion 1 Policy TAI 6 requires that the need for an affordable house for local community need (in accordance with the list of terms) has been proven. Furthermore, SPG: Affordable Housing states that when the initial occupiers of intermediate accommodation are known, they need to be registered with Tai Teg and to have been the subject of a Tai Teg Assessment in order to confirm their eligibility for an affordable house.

3.7 Since deferring the application the applicants have been re-assessed in terms of if they need an affordable house. There was a need to re-assess as a result of the fact that one of the applicants had received a new post as Headteacher of a primary school and also that originally the applicants had been assessed as individuals rather than as couples. You will remember that when the application was submitted to Committee on 1 July 2019, that the applicant of house 1 had proven successful with regard to confirming that they need an affordable house, whilst the applicants of house 2 were unsuccessful. These results are now different with the applicants of house 2 following their assessment as a couple having proven successful and their need for an affordable house, however, the applicants of house 1 have failed to show that they are in need of an affordable house. Therefore, although there has been a change in terms of who is eligible for an affordable house the need for an affordable house has not been fully proven and therefore reason 1 for refusal remains as in the 1 July 2019 report.

The location of the houses is not an infill site between highlighted buildings, and it is not located directly opposite a curtilage of a highlighted building.

3.8 Criterion 2 of policy TAI 6 requires that the site is an infill site between buildings highlighted on the relevant inset map, or is a site immediately opposite a highlighted building's curtilage. Nothing has changed in terms of the location of the houses since preparing the report to committee on 1 July 2019, and as explained in that report the site is not an infill site between highlighted buildings, and it is not located directly opposite a curtilage of a highlighted building. Policy PS 17 also supports this viewpoint, stating that only highlighted sites adjacent to a dwelling (on the infill maps) will be considered. The proposal therefore continues to be contrary to criterion 2 Policy TAI 6 and also to Policy PS17.

The size of the houses do not reflect the size of affordable housing.

3.9 Criterion 5 of policy TAI 6 requires that the size of the property reflects the specific need for an affordable dwelling in terms of the size of the house in general and the number of bedrooms. There is also guidance regarding the size of affordable housing in the Supplementary Planning Guidance – Affordable Housing. The circumstances in terms of the size of the housing continues as noted in the Committee report on 1 July

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2019. They are three bedroom houses, with an internal floor surface area of 116 square metres, and SPG Affordable Housing recommend an internal floor area of 94 square metres for 5 person, three bedroom housing. The houses that are the subject of this application are therefore larger than what is designated in the Affordable Housing SPG. The proposal therefore continues to be contrary to criterion 5 Policy TAI 6 and also to SPG Affordable Housing.

The value of the houses do not make them affordable.

- 3.10 Criterion 7 of Policy TAI 6 requires that mechanisms restrict the occupancy of the dwelling both on first occupation and in perpetuity to those who have a need for an affordable dwelling. If all matters were acceptable, it would be possible to bind both proposed houses as affordable homes through a 106 agreement. Policy TAI 6 along with Policies PS 17 and TAI 15 promote affordable housing only within clusters such as Llanengan. This means that the house should not only be affordable to the applicants (first owners), but they should continue to be affordable for any future prospective occupiers. The price of the houses is therefore material to ensuring that the houses will continue to be affordable in the future.
- 3.11 As noted in the committee report on 1 July 2019, a valuation was received for the proposed houses and this was prepared for the applicant by Beresford Adams who gave an open market price for the houses at £325,000 each.
- 3.12 Since submitting the application to the 1 July 2019 committee, the Council has consulted with the District Valuer to get an unbiased opinion regarding the open market value of the houses. This is in accordance with the requirements of the SPG Affordable Housing where it is noted in paragraph 3.7.7 in cases where dispute remain over the open market valuation, the services of the District Valuer Service will be sought to resolve such disputes. The District Valuer's report takes into account the proposal, site, together with the value of other local houses of a similar size which have been sold recently. The District Valuer is of the opinion that value of the houses is £370,000 each on the open market. This is £45,000 higher than the valuation received from the applicants.
- 3.13 Paragraph 3.3.7 of the SPG Affordable Housing states that affordable housing provided as intermediate housing must be for an affordable price in the area of the proposal and Councils will use the median income of a household, multiplied by 3.5, along with the 5% or 10% deposit, based on the required level by mortgage providers. The SPG Affordable Housing therefore sets out the formula to calculate the value of the affordable unit. However, when the open market value of a house is available it is better to use that to calculate the value of the affordable unit. In order to get an opinion on this the Strategic Housing Unit were asked for their observations.
- 3.14 The Strategic Housing Unit's observations were received regarding the value of the affordable units and they note that the proposal is in Llanengan ward, which has a median household income of £31,386 (Caci Paycheck 2018) and in accordance with the Affordable Housing SPG, the price of affordable property in an area is calculated by multiplying the median income by 3.5 and adding 10% deposit of the open market value. In the observations it is also noted that the open market value should comply with the 'Red Book' valuation method, namely those that meet with the criteria noted by the Royal Institution of Chartered Surveyors. It is understood that there are two valuations in question, namely:

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- Valuation received from Beresford Adams who state the value of the housing as £325,000.
- District Valuer's (DV) valuation namely £370,000.

3.15 The DV's valuation confirms that they have followed the Red Book arrangements. In this case it is not clear if Beresford Adams have used the 'Red Book' valuation method. As a result of both valuations the Strategic Housing Unit have given an analysis in terms of the discount on both valuations as follows:

3.16 **Beresford Adams Valuation:**

To be affordable the property's price should be $£31,386 * 3.5 + £32,500 = £142,351$
 To ensure that the property is affordable, a discount of 55% on the open market value of £325,000 should be requested giving the sum of £146,250.

3.17 **DV Valuation**

To be affordable the property's price should be $£31,386 * 3.5 + 37,000 = £146,851$
 To ensure that the property is affordable, a discount of 60% on the open market value of £370,000 should be requested giving the sum of £148,000.

3.18 The Strategic Housing Unit also notes that 83% of households have been priced out of the market on this ward.

3.19 In accordance with the observations of the Strategic Housing Unit the affordable price of the houses should be £146,851 based on the District Valuer's open market price. If a discount of 60% is given on the DV's open market price then the affordable price for the houses would be £148,000.

3.20 In an area such as Llanengan, where house prices are usually high, it is customary when preparing a 106 agreement to provide a discount of approximately 40% or 45% in the house price when they are sold on to ensure that they continue to be affordable. The table below shows what the proposed prices of the proposed housing would be with such an income:

Open market price	Price with a 40% discount	Price with a 45% discount
£325,000 (Beresford Adams)	£195,000	£178,750
£370,000 (District Valuer)	£222,000	£203,500

3.21 These prices are significantly more than the affordable price of £146,851 noted by the Strategic Housing Unit. In order to ensure that the price of the houses is affordable it would be necessary to give a significant discount on the houses in question of about 55% - 60% to get a comparative price to the affordable price noted and as seen in the following table.

Open market price	Price with a 55% discount	Price with a 60% discount
£325,000 (Beresford Adams)	£146,250	£130,000

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£370,000 Valuer)	(District	£166,5000	£148,000
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- 3.22 Therefore it can be seen from the above to have any chance of getting the houses down to an affordable price a discount of about 60% would be required. Historically we are aware that giving such a high discount causes problems and lenders are not willing to give a loan on this basis.
- 3.23 Although applications should be determined according to their own merit, it is also necessary to ensure that planning policies are consistently implemented and therefore consideration given to similar cases if they have implications to the fundamental principle of the proposal. An important case in this area is application C15/1349/39/RC to remove a section 106 affordable need agreement at Ocean Crossing, Bwlchtocyn. In this case the applicants presented a case that the price of the property would not be affordable even with a discount of 50% as noted in the section 106 agreement. A valuation was provided as part of the application with an open market price of £475,000 for the property and therefore with a discount of 50% the price of the house would be £237,500. This application went to appeal when the Inspector resolved on 9 January 2017 to approve the removal of the section 106 agreement as the property's price was not affordable in the first place. In light of the appeal decision officers had no choice but to allow the removal of the section 106 agreement for a similar affordable need at Awel Neigwl, Sarn Bach on 21 November 2017, once again as the price of the house with a discount of 50% was not affordable.
- 3.24 This appeal decision has been important in terms of the consideration that should be given to the open market price of a house when determining applications for new affordable housing. We should also ensure that we are consistent in the way we deal with such cases. The Committee may recall the case of application C17/0557/38/LL at Beach Road, Llanbedrog, where the affordability of the proposed house was also an important matter and one of the reasons recommended in the application's refusal. With that application the applicant submitted a valuation from a Chartered Buildings Surveyor who valued the proposed dwelling on the open market at £250,000. However, when the District Valuer was approached for an independent, impartial opinion the DV gave an open market value of £340,000 for the house. In the end, the application was withdrawn by the applicant.
- 3.25 When dealing with the application attention was drawn to sites where the sale prices of affordable housing were high, such as the site of the former Harbour Hotel and Riverside in Abersoch and also affordable housing near Llanegan Church. It should be noted that these three sites have received planning permission prior to the Ocean Crossing appeal resolution in January 2017. These permissions were also under alternative development plans and not under the current development plan namely the Anglesey and Gwynedd Joint Local Development Plan. Also, since granting the above applications the Affordable Housing SPG has been updated. We therefore realise that affordable values on the above three sites are higher and if these applications were submitted now these would also be required to show that the houses would be affordable with a suitable discount in a section 106 agreement. However, it should be noted that the above applications were determined on the grounds of the evidence that was to hand at the time in terms of open market and affordable housing prices and in terms of policy and relevant planning guidance requirements then. Since these applications have already received planning permission it is not possible to change the circumstances of these sites, however, we can try to ensure that similar situations do

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not occur again when dealing with current applications. We have learnt from the resolutions to remove the affordable housing 106 agreement that detailed consideration needs to be given to the open market value of affordable housing to ensure that these approved houses are really affordable not just to the applicant or first (occupier) but also to any future occupiers and to ensure that the houses continue to be affordable in perpetuity.

- 3.26 Therefore, having considered the above it is considered that the price of the affordable housing in question is too high for them to be really affordable even for a reduced price and therefore it is considered that the housing would not contribute to the aims of providing affordable housing on the site in question and therefore the proposal continues to be contrary to Policy TAI 6, PS 17, TAI 15 and the Affordable Housing SPG.

Lack of reptile survey.

- 3.27 Since submitting the application to the Planning Committee on 1 July 2019, an Ecological Survey has been submitted for the application. This report states that there is potential for birds to be nesting in nearby scrubland and the site supports a population of breeding slow-worms. Mitigation measures are proposed within the survey for nesting birds and reptiles. The Biodiversity Unit was consulted on the proposal and their observations were received. Observations confirm that the report has been undertaken to an acceptable standard. As a result of receiving the ecological report the Biodiversity Unit has no objection to the proposal and recommend if the application is approved that a number of conditions are imposed to safeguard wildlife when undertaking the work and also to have mitigation measures as part of the development. As a result of receiving the observations, if the Committee wish to approve the application it would now be possible to impose ecological mitigation measures on the permission. Therefore, reason number 5 for refusal in the committee report on 1 July 2019, is not now relevant.

In summary

- 3.28 In light of the above, it is now considered that this proposal is not acceptable and the application as submitted does not comply with the requirements of local and national policies and guidance.
- 3.29 Members should present firm reasons and evidence to approve and reverse the officers' recommendation on an application for local need affordable housing that are not in compliance with the relevant policies of the Gwynedd Unitary Development Plan as well as the Welsh Government's specified planning policies. In this particular case it is not believed that there are sufficient reasons and evidence to support the reasons to approve given by the Planning Committee on 1 July 2019, which would reverse the officers' recommendation.

4 RISKS TO THE COUNCIL OF APPROVING THE APPLICATION

- 4.1 As has been outlined above, approving this application would undermine policies on a national and local level. The site is located on the outskirts of the Llanengan cluster, as denoted in the Anglesey and Gwynedd Joint Local Development Plan, where only local need affordable housing can be approved. As the above assessment shows together with the assessment in the Committee report on 1 July 2019, the proposal would not satisfy the need for local need affordable housing, the location is not suitable,

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the size of the house is beyond the size of affordable housing as stated in SPG - Affordable Housing and therefore the houses because of their price would not be affordable.

- 4.2 Approving the application would create inconsistency in terms of implementing the Council's adopted planning policies in reaching decisions on applications regarding affordable housing developments.
- 4.3 There is a risk that the application may called in by the Welsh Government for determination. As well as the risk of individual applications being called in, the Welsh Government has powers to intervene formally in the way the Council provides the Planning Service. This would ultimately be the greatest risk to the Council.

5 OPTIONS FOR THE COMMITTEE

- 5.1 The options available to the Committee in determining the application are noted below with the options increasing in terms of risk to the Council as you go down the list:
- a) Refuse the application in accordance with the recommendation - The above assessment assesses the merits of the application against the requirements of relevant policies and guidance and reaches the conclusion that the proposal does not comply with the policies of the Anglesey and Gwynedd Joint Local Development Plan or the guidance in the SPG - Affordable Housing This is the only possible resolution without any risks to the Council.
 - b) Approve the application with a Section 106 Agreement - The only way to make the houses affordable is if a high discount such as 60% is given on them. However, historically we are aware that giving such a high discount causes problems and lenders are not willing to give a loan on this basis. Also, even if permission can be given with a high discount one couple is not eligible for an affordable house. Therefore, one couple will not be eligible to live in any of the houses if the application is approved. In addition, there is a need to control the size of the houses and for them to comply with affordable housing standards. Approving the application would therefore undermine local policies and guidance concerning affordable housing with a risk of not consistently implementing relevant policies and guidance.
 - c) Approving two open market houses outside the boundary - This is the greatest risk to the Council as it would approve two open market houses in the countryside without any control in terms of occupancy or price. This would completely undermine local and national policies as well as the Council's credibility. Once more it is noted that the Welsh Government has powers to intervene formally in the way the Council provides the Planning Service.
- 5.2 **In order to ensure that the Council avoids the risks outlined above and as the application's merits have been assessed thoroughly by Council officers it is deemed that the proposal does not conform to the requirements of the adopted policies of the Anglesey and Gwynedd Joint Local Development Plan, local and national guidance and national planning policies. Therefore it is recommended that the application is refused as submitted in accordance with the reasons for**

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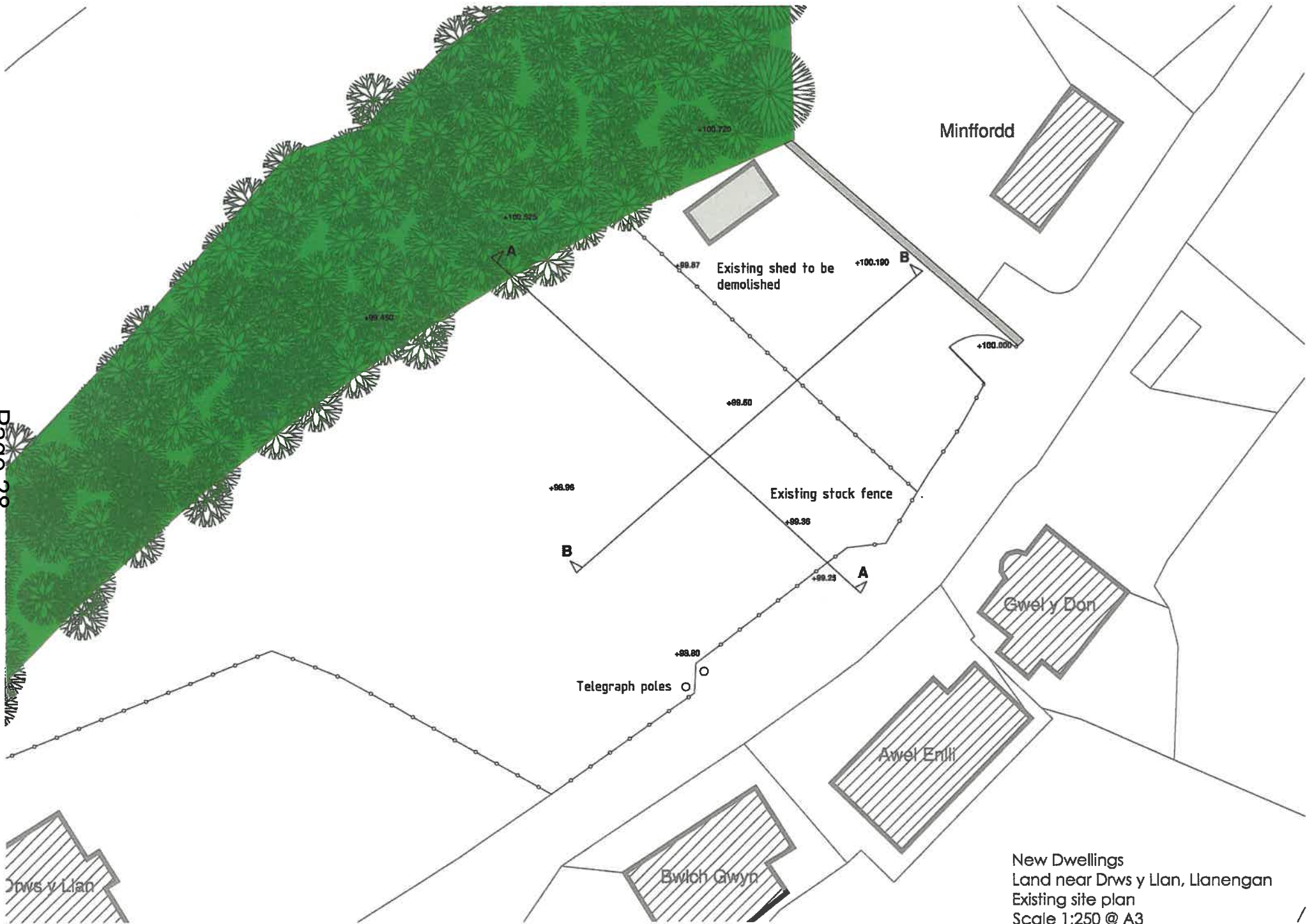
refusal numbers 1 - 4 in the report submitted to Committee on 1 July 2019 and reproduced below to avoid any doubt.

5.3 To refuse - reasons

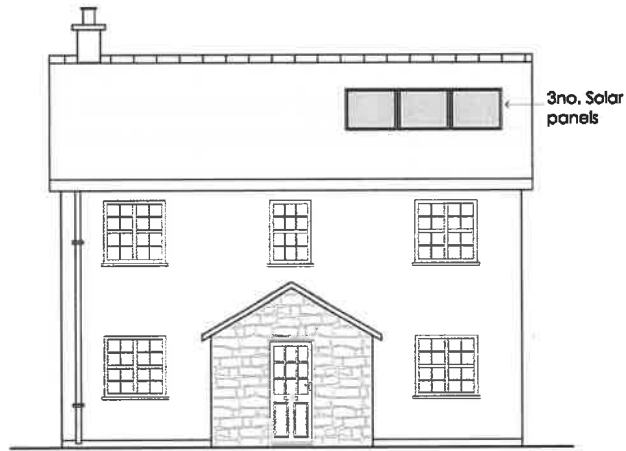
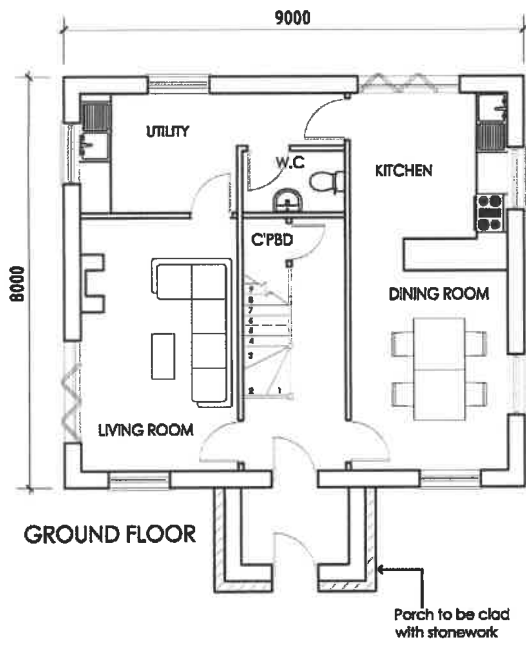
1. In accordance with the Supplementary Planning Guidance: Affordable Housing (2019), when the initial occupiers of intermediate accommodation are known, they need to be registered with Tai Teg and they need to have been the subject of a Tai Teg Assessment in order to confirm their eligibility for an affordable house. Both applicants have not been successful in being assessed by Tai Teg and, therefore, it is not considered that the local need for an affordable house has been fully proven. The proposal is, therefore, contrary to criterion 1 of Policy TAI 6 of the Anglesey and Gwynedd Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019).
2. The site is not an infill site between highlighted buildings, and it is not located directly opposite a curtilage of a highlighted building; therefore, it is contrary to the requirements of Criterion 2 of Policy TAI 6 of the Anglesey and Gwynedd Joint Local Development Plan.
3. The size of the houses does not reflect the size of affordable houses as noted in the Supplementary Planning Guidance: Affordable Housing; therefore, it is considered that the proposal is contrary to criterion 5 of Policy TAI 6 of the Anglesey and Gwynedd Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019).
4. In light of the open market price of the houses, they cannot be justified as an affordable development as the value of the houses, even at a reduced price, would be too high to satisfy any affordable need. It is considered that the proposal is, therefore, contrary to criterion 7 of Policy TAI 6, Policy PS 17 and Policy TAI 15 of the Anglesey and Gwynedd Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019).

6. APPENDICES

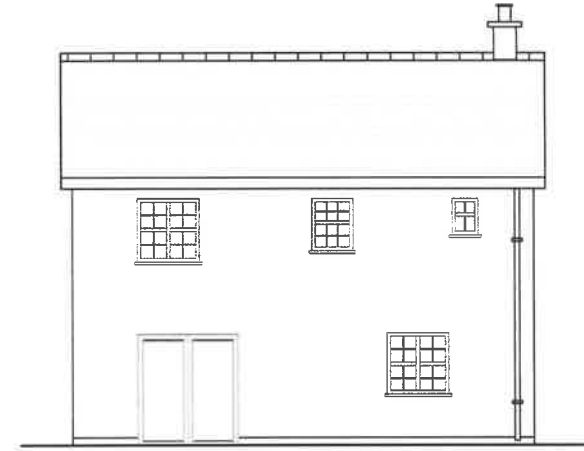
- 6.1 Appendix 1 – A copy of the previous report, plans and records submitted to the Planning Committee dated 1 July 2019.



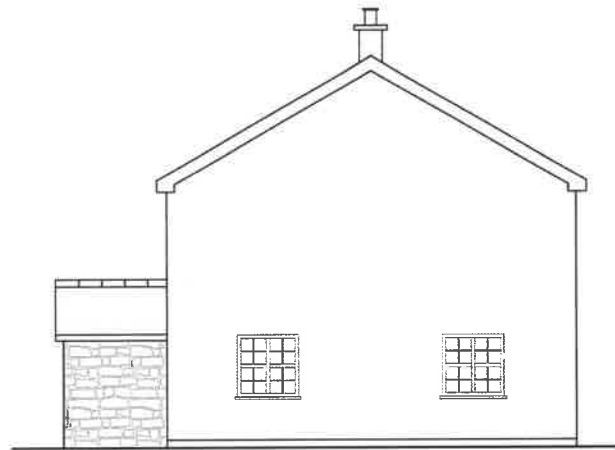
New Dwellings
Land near Drws y Llan, Llanengan
Existing site plan
Scale 1:250 @ A3



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

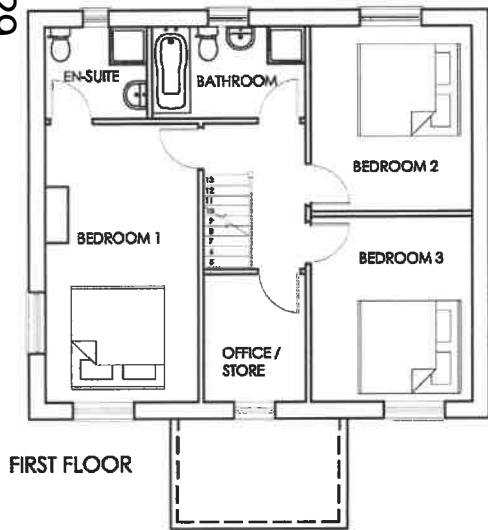
Walls - Walls to be finished with Weber Polymer render system, colour to be white. Stone cladding to porch.

Roof - Slate roof, spanish slates or similar approved.

Windows and doors - uPVC, colour to be anthracite grey.

Rainwater goods - White uPVC.

Fascias - White uPVC.

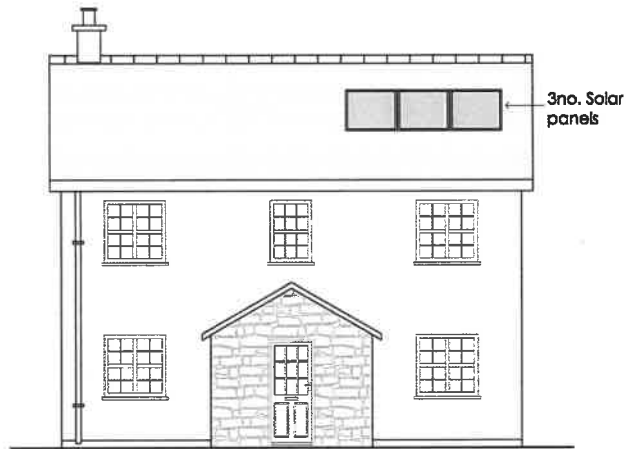


HOUSE 1

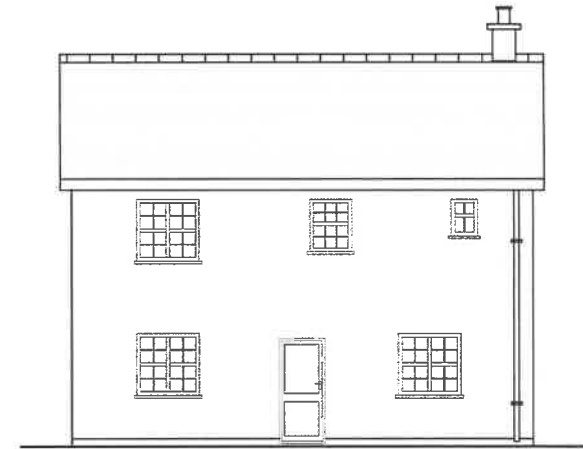
New Dwellings
Land near Drws y Llan, Llanengan
Proposed floor plans and Elevations
Scale 1:100 @ A3



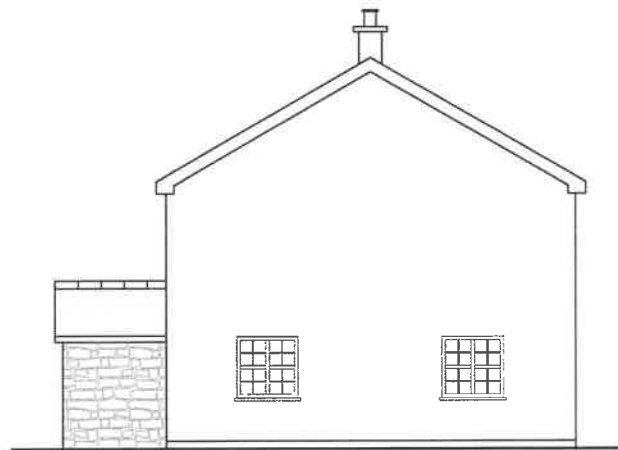
GROUND FLOOR



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION

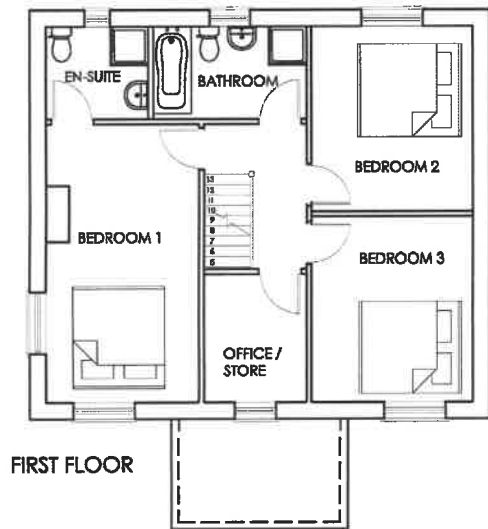


SIDE ELEVATION

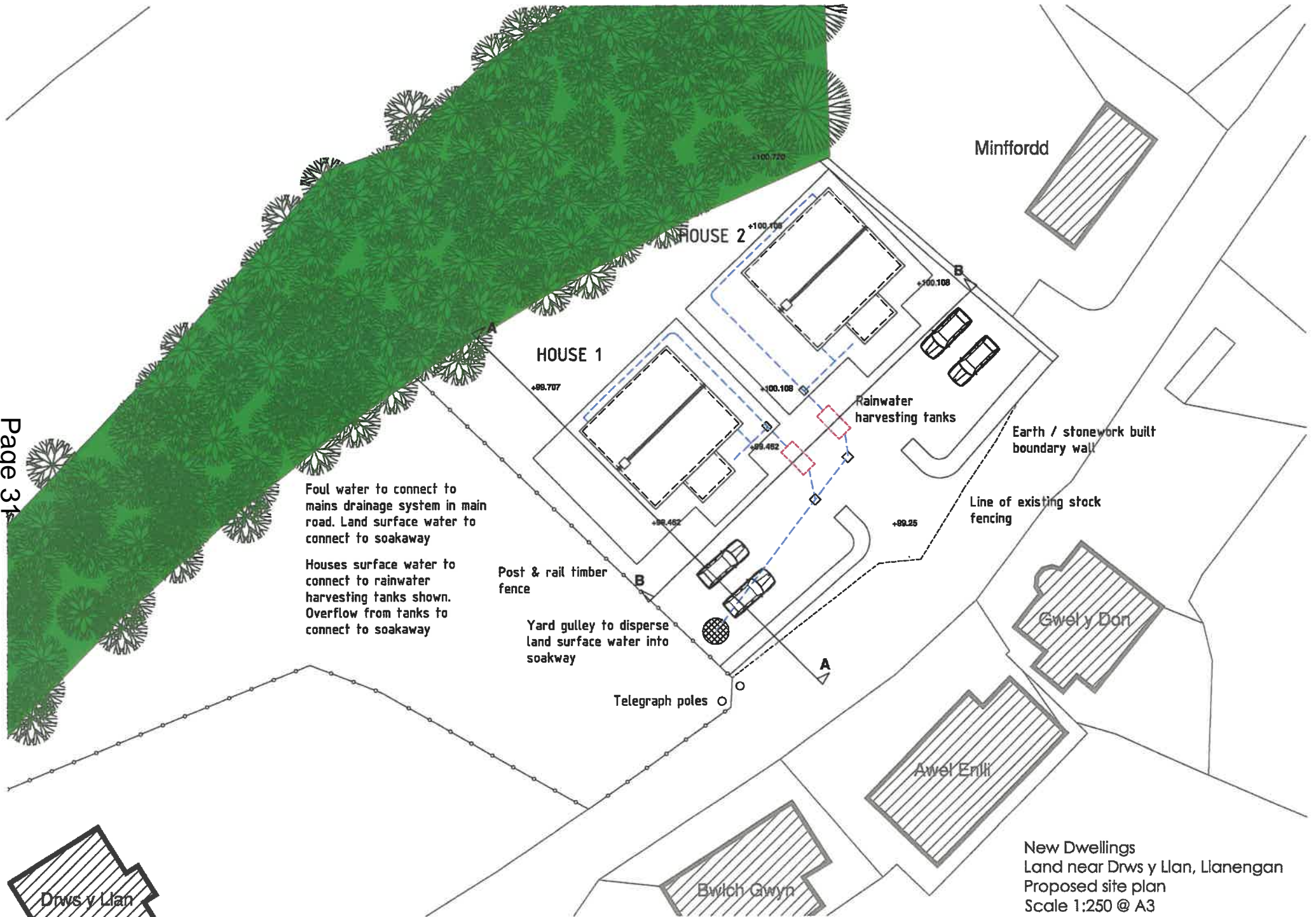
- Walls - Walls to be finished with Weber Polymer render system, colour to be white. Stone cladding to porch.
- Roof - Slate roof, spanish slates or similar approved.
- Windows and doors - uPVC, colour to be anthracite grey.
- Rainwater goods - White uPVC.
- Fascias - White uPVC.

HOUSE 2

New Dwellings
 Land near Drws y Llan, Llanengan
 Proposed floor plans and Elevations
 Scale 1:100 @ A3



FIRST FLOOR



Foul water to connect to mains drainage system in main road. Land surface water to connect to soakaway

Houses surface water to connect to rainwater harvesting tanks shown. Overflow from tanks to connect to soakaway

Post & rail timber fence

Yard gully to disperse land surface water into soakaway

Telegraph poles

Rainwater harvesting tanks

Earth / stonework built boundary wall

Line of existing stock fencing

Minffordd

Gwel y Dan

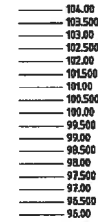
Awel Enlli

Bwlch Gwyn

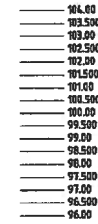
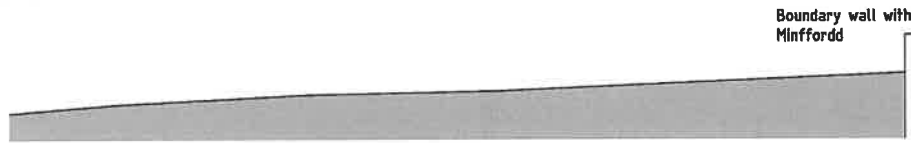
New Dwellings
Land near Drws y Llan, Llanengan
Proposed site plan
Scale 1:250 @ A3

Drws y Llan

EXISTING SECTION A-A

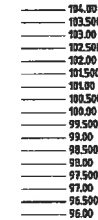
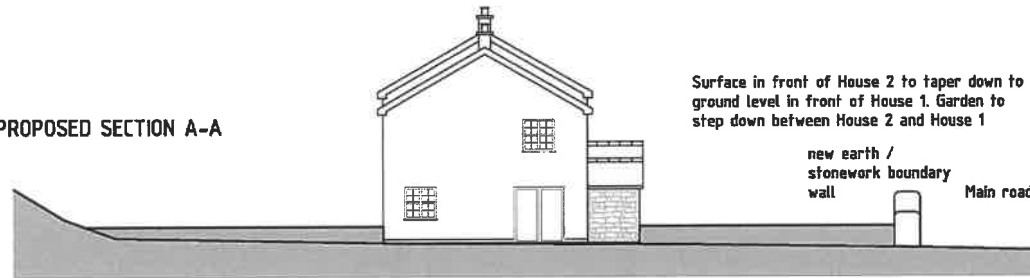


EXISTING SECTION B-B

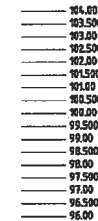
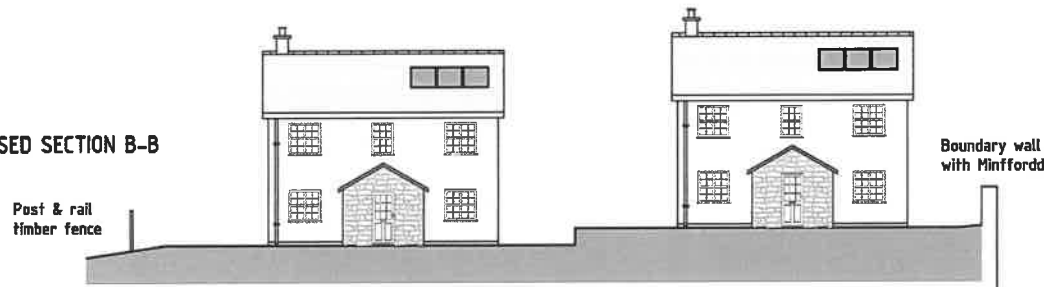


EXISTING SECTIONS

PROPOSED SECTION A-A



PROPOSED SECTION B-B



PROPOSED SECTIONS

PLANNING COMMITTEE	DATE: 01/07/2019
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Number: 3

Application Number: C19/0027/39/LL

Date Registered: 23/01/2019

Application Type: Full - Planning

Community: Llanengan

Ward: Llanengan

Proposal: Construction of two affordable dwellings (revised application)

Location: Land near Drws y Llan, Llanengan, Pwllheli, Gwynedd, LL537LH

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 The application concerns the construction of two affordable houses. The houses would be detached and finished with slate roofs and the external walls would be finished with white render and a stone surface at the main entrance. Three solar panels would be installed on the roof of the front elevation of the houses. The houses would include a kitchen, dining room, living room, an utility room and a toilet on the ground floor; and three bedrooms (one of which would be en-suite), a bathroom and an office / store room on the first floor. Both properties would be served through one central access and the parking spaces and turning space would be located to the front of the houses. Externally, the houses measure approximately 9 metres by 8 metres, with a height to the apex of approximately 7.5 metres. The houses are measured internally with a floor area of approximately 116 square metres.
- 1.2 There are prospective occupiers for both houses in question. As part of the application, details were received on the prospective occupiers, as follows:
- House number 1 - the two people who intend to construct this house have lived in Lleifior, Llanengan with a parent for nine years, and the parents of the applicants have lived in Llanengan for over 14 years. They are a young couple, one of whom is a local builder and the other is a new Headteacher at a local school.
 - House number 2 - Both work locally as a builder and a dental nurse; one of them has lived in the village of Llanengan for over 15 years, and the applicant's parents and other family members still live in the area.
- 1.3 The applicants consider that due to house prices in the area, building a house of their own is the only option to live in the village and become part of the community. It is understood that they have kept an eye on the local housing market, but that prices in the area are high, with a two bedroom cottage in Llanengan for sale for £285,000, the chapel house was sold for £255,000 and the cheapest three bedroom houses in Abersoch and Mynytho were on the market for £395,000 and £299,500 respectively. It was noted that all houses on the affordable housing estate near the Church in Llanengan were sold; however, even if they were for sale, it would not have been a wise step to construct a house on other land when land had already been given to the applicants by family. It was noted that the affordable houses by the Harbour Hotel were for sale for £192,500 but that these were much too small and unsuitable to raise a family. As the applicants of both proposed houses worked in the construction field, it is considered that with construction costs, it would be possible to construct the houses for a maximum of between £70,000 and £90,000.
- 1.4 At the time of submitting the application, the prospective occupiers of neither house had been assessed by Tai Teg to find out whether they were in need of an affordable house. This was mainly due to the fact that they had seen some of the criteria for the Tai Teg assessment, and that an annual gross income of between £16,000 and £45,000 should be deserving, and if £45,000 was exceeded, the application would not be considered. The applicants noted that, therefore, due to their income, the Tai Teg assessment would not prove their need for an affordable house but due to house prices in the area, the only option would be to construct a house and the houses would certainly be affordable. Since submitting the application, the prospective occupiers of both properties have submitted details to Tai Teg for assessment, and the occupiers of one of the houses have proven successful with regard to confirming that they need an affordable house.

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- 1.5 As part of the application, an estimation was given for the proposed houses from Beresford Adams. This notes that the open market price of the houses would be £325,000.
- 1.6 The site itself is relatively level, however the land to the north-west of the site is on a slope and is mainly covered in gorse and ferns. From the plans that were submitted, this slope does not form part of the site. There is currently a boat and a shed made of corrugated sheets on the site.
- 1.7 The site is located in the countryside, on the outskirts of the Llangenan cluster of houses. The site lies within the Llŷn Area of Outstanding Natural Beauty, the Llŷn and Bardsey Landscape of Outstanding Historic Interest and the Llanengan Conservation Area. The site is located adjacent to a third class road. There is a house directly to the north-east of the site. There are also houses on the opposite side of the county road to the south, and another house is located further towards the south-west.
- 1.6 The application is submitted to Committee at the Local Member's request.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017**

TRA 2 - Parking standards
 TRA 4 – Managing transport impacts
 PCYFF 1 - Development boundaries
 PCYFF 2 - Development criteria
 PCYFF 3 - Design and place shaping
 PCYFF 4 - Design and Landscaping
 PCYFF 6 - Water conservation
 PS 17 - Settlement Strategy
 TAI 6 - Housing Clusters
 PS 18 - Affordable housing
 TAI 15 - Threshold of Affordable Housing and their Distribution
 PS 19 - Conserving and enhancing the natural environment
 AMG 1 - Areas of Outstanding Natural Beauty Management Plans
 AMG 5 – Local Biodiversity Conservation
 PS 20 - Conserving and enhancing cultural assets
 AT 1 - Conservation Areas, World Heritage Sites and Lanscapes, Parks and Registered Historic Gardens.

Supplementary Planning Guidance – Affordable Housing (2019)

Supplementary Planning Guidance – New Houses in Rural Villages

2.4 National Policies:

Planning Policy Wales (Edition 10, December 2018)

Technical Advice Note (TAN 2) Planning and Affordable Homes (2006).

TAN 12 Design (2009)

3. Relevant Planning History:

3.1 C15/0158/39/AM – Construction of a three bedroom dwelling and garage – Refused 21 May 2015.

3.2 Y18/000176 – response to a pre-application enquiry for the construction of two houses on 6 March 2018. The following main points were noted:

- Note the policy context of the LDP.
- The prospective occupiers must be assessed by Tai Teg to find out whether they are in need of an affordable house. The prospective occupiers will also be expected to comply with the definition of local need.
- Need to demonstrate that there is demand for affordable housing, and the reason that the demand cannot be satisfied through the housing stock and / or an existing site for affordable housing.
- An estimate of the housing's open market price is required.
- That the site is not located near a highlighted house on the maps, and therefore would not comply with criterion 2 of Policy TAI 6 or Policy PS 17.
- A development of two houses of a scale that could be in-keeping with the settlement.
- Note the maximum internal size of affordable housing and any attached garage.
- Boundary treatments that comply with the rural character of the area are required.
- Repeat the fact that officers would not be able to support the application as the site was not located directly adjacent to a building highlighted in the LDP maps.

3.2 C18/0926/39/LL – Construction of two affordable houses – Withdrawn by the applicant.

4. Consultations:

Community/Town Council: Support. Full support was expressed for two young local couples to construct affordable houses for themselves, which would enable them to contribute to, and stay in their community.

Transportation Unit: No objection to the proposal but more details are required in relation to the finish of the site's forecourt. The application includes adequate parking provision for both units, with satisfactory space for turning within the curtilage. A proposal to provide one central entrance is

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demonstrated, which is presumed to be the best design for this site, and I recommend including suitable conditions regarding the design of the entrance in accordance with the plans, and to keep the height of the boundary wall to no higher than 1m. I note that the boundary wall has been placed away from the highway, but the application does not include details regarding the finish or the boundaries intended for this plot. Is it intended to tarmac along the boundary wall, or to landscape the verge?

Biodiversity Unit: An ecological report has not been submitted with the application.

Habitat

The proposed site is 0.1 hectares and is grassland. The site abuts the road and has a slope which contains gorse and fern. This grassland habitat is likely to be of moderate biodiversity value, but the loss of 0.1 hectares would not be significant.

Species

The field has a record of a slow-worm and another one 150 metres from the site. There are reports of lizards and adders within 100 metres of the site. The site is likely to contain reptiles that are safeguarded under the Wildlife and Countryside Act 1981. Reptiles are listed as a species of high biodiversity value in Wales under section 7 of the Environment Act 2016. It is likely that there are three different reptile species on the site. This would be significant to local biodiversity. Therefore, I recommend that a reptile report be completed.

This report should assess the population and its significance for Gwynedd's biodiversity. It should propose a method for excluding reptiles while construction takes place and a programme of trapping and translocation. It should also include mitigation methods, such as winter hibernation sites that could be incorporated into a *clawdd*. A reptile assessment can only be completed during the summer months when reptiles are active.

I recommend that the new houses include bat and bird boxes in their eaves.

Welsh Water: It is intended to dispose of foul water into a sewer located on the road, and it is intended to discharge surface water into a soakaway through water harvesting tanks. On this basis, there is no objection to the proposal.

Housing Strategic Unit: Not received.

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AONB Unit: The site in question is in the highest part of the Llanengan village, and is within the AONB. The site is also within a Conservation Area. The principle of constructing affordable housing to meet real local need is supported. In this case, the intention is to construct two houses side by side. There are many elements that are similar to other houses in the vicinity - they are two-storey, with a symmetrical front elevation, a slate roof, a chimney stack and use of stone. The intention to create an earth / stone *clawdd* as a boundary with the road is noted, which would be in-keeping with the rural location. It is not believed that the development would affect the AONB.

Drainage Unit: Not received.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and a letter of objection / items of correspondence have been received on the following grounds:

- House number 2 is too close to the boundaries of the nearby property, Minffordd, which would cause overshadowing and loss of light.
- A previous application for a house was refused on the site.
- The site is within a Conservation Area and an Area of Outstanding Natural Beauty.
- Overlooking and loss of privacy.
- The access is adjacent to an existing access, and there are three accesses within approximately 25 metres. This will, therefore, create a hazard for house occupiers and road users in general.
- Concern that the proposal would disturb protected species.
- A lack of consultation by the applicant with neighbours.

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

- Loss of views
- A historical agreement in terms of providing a parking space for the Bwlch Gwyn property (a property located adjacent to the site) on a parcel of the application site.

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A letter / correspondence was received, supporting / giving comments on the application based on:

- An opportunity for two local Welsh couples to construct houses in the area where they live and were brought up.
- Housing in the area is too expensive.
- The houses are in-keeping with the area.
- There is an argument over having houses of a larger size.
- They adhere to policies.

5. Assessment of the material planning considerations:

The principle of the development

5.1 Llanengan has been designated as a cluster in the LDP. Policy TAI 6 is the relevant housing policy for clusters, and this can enable the construction of houses in clusters if compliance can be secured with all criteria contained in the policy.

5.2 ***Criterion 1 - The need for an affordable house for local community need (in accordance with the list of terms) has been proven.***

At the time of submitting the application, the prospective occupiers of neither house had been assessed by Tai Teg to find out if they were in need of an affordable house. This is mainly due to the fact that they had seen some of the criteria for the Tai Teg assessment, and that an annual gross income of between £16,000 and £45,000 should be deserving, and if £45,000 was exceeded, the application would not be considered. The applicants noted that, therefore, due to their income, the Tai Teg assessment would not prove their need for an affordable house but due to house prices in the area, the only option would be to construct a house and the houses would certainly be affordable. Since submitting the application, the prospective occupiers of both properties have submitted details to Tai Teg for assessment, and the occupiers of house number 1 have proven successful with regard to confirming that they need an affordable house. The applicants of house number 2 were unsuccessful. Details were received from one of the applicants, referring to the fact that the Tai Teg assessment methods related to a mortgage to buy rather than to construct, and that this, therefore, did not assess the true situation with regard to the affordable need. The applicant's point is acknowledged; however, in accordance with section 8.2.1 of the Supplementary Planning Guidance: Affordable Housing (2019), when the initial occupiers of intermediate accommodation are known, they need to be registered with Tai Teg and they need to have been the subject of a Tai Teg Assessment in order to confirm their eligibility for an affordable house. Therefore, the need for an affordable house for the initial occupiers of house number 1 has been proven; however, the need for an affordable house for the occupier of house number 2 has not been proven. In light of this, the proposal does not fully meet criterion 1 with regard to proving the need for affordable housing.

5.3 The new Affordable Housing SPG was adopted relatively recently, and with regard to proving the local need in the context of criterion 1, it requires the submission of a supporting statement, noting how the individual satisfies the relevant local connection requirements, and that this should be submitted as a form, which is available as an attachment to the Affordable Housing SPG. Local need for clusters is defined as people in need of an affordable house who have resided within the cluster in the surrounding

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rural area for a continuous period of 5 years or more, either immediately before submitting the application or in the past. In paragraph 8.1.3 of the Affordable Housing SPG, 'nearby rural area' is defined as a 6km distance from the application site and the entire area of any Community Council divided by the 6km distance, excluding properties within the development boundary of any settlement with the exception of the settlement where the application was located. Although the relevant form referred to was not completed in the Affordable Housing SPG, details were received as part of the application from the background of the prospective occupiers. These details refer to the fact that the applicant for house number 1 has lived with his/her parent for 9 years in Llanengan, and that one of the applicants for house number 2 had lived in the village of Llanengan for over 15 years. Therefore, it is reasonable to accept that they comply as they have lived within the cluster or in the surrounding rural area for a continuous period of 5 years or more, either immediately before submitting the application or in the past.

5.4 In light of the above, it is therefore considered that the proposal does not fully meet the requirements of criterion 1 of Policy TAI 6, or fully meets the requirements of the Affordable Housing SPG.

5.5 ***Criterion 2 - The site is an infill site, between buildings highlighted on the relevant Inset Map, or a site directly opposite the curtilage of a highlighted building.***

This criterion requires that the site is an infill site between buildings highlighted on the relevant inset map, or is a site immediately opposite a highlighted building's curtilage. The site in question is not an infill site. Although the Drws y Llan property, located to the south-west, is highlighted in red, the property to the north-east, Minffordd, is not highlighted and, therefore, the site cannot be an infill site between highlighted buildings. Otherwise, only sites directly opposite the highlighted building's curtilage are acceptable. Strategic Policy PS 17 also supports this viewpoint, stating that only sites near a dwelling which are highlighted (on the infill maps) will be considered. The site in question would not be located directly near the property's curtilage to the south-west of the site (Drws y Llan), and the property to the north-east (Minffordd) is not highlighted on the plans. The houses are highlighted in red on the other side of the county road. However, as the road is located between these buildings and the site, the site in question would not be located immediately adjacent to the curtilage of a building that has been highlighted in red. The New Houses in Rural Villages Supplementary Planning Guidance gives an idea of the type of sites which are acceptable in relation to this part of the policy, and that sites where there is a road between the building that is highlighted in red and the site are not suitable. It is, therefore, not considered that the proposal of developing the site in question would conform to criterion 2 of Policy TAI 6 or to Policy PS 17.

5.6 ***Criterion 3 - The scale of the development is consistent with the character of the settlement.***

It is reasonable to accept that a development of two houses on a scale consistent with the character of the settlement would be acceptable with regard to criterion 3. Additionally, some of the characteristics seen in the design of the houses reflect housing in the vicinity and are considered acceptable.

5.7 ***Criterion 4 - That the proposal would not create an intrusive feature in the countryside, and would not create a piecemeal development pattern, or create a ribbon development contrary to the general development patterns of the settlement.***

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Additionally, it is not considered that the proposal is contrary to criterion 4 of Policy TAI 6 as it is not considered that developing the site would create an obtrusive feature in the countryside and that developing the site would appear to follow the general pattern of development found in Llanengan.

5.8 ***Criterion 5 - The size of the property reflects the specific need for an affordable house in terms of the size and the number of bedrooms.***

From the information submitted, it appears that couples are interested in the house, but couples who do not currently have any children. Whilst the applicants do not have a current need for three bedrooms, it is considered that constructing three bedroom houses is reasonable in terms of size. The houses in question are two-storey, and the internal surface area is approximately 116 square metres. At the time of dealing with the previous application (C18/0926/39/LL) which was withdrawn, along with the pre-application advice, reference was made on many occasions to the maximum size of affordable houses as noted in the relevant SPG at the time, namely the Affordable Housing SPG (2009). At the time, the size of affordable three bedroom houses was measured internally as 100 square metres. Since the application was submitted, a new SGP Affordable Housing has been adopted. From looking at this SPG, it can be seen that the size of the affordable houses have been reduced in comparison to the previous Affordable Housing SPG; now, the size for a two-storey, 5 person, three bedroom house is 94 square metres. Therefore, the houses that are the subject of this application are larger than what is designated in the Affordable Housing, SPG and it is not considered that the size reflects the size of an affordable property. The applicants have referred to an affordable housing site in Mynytho, and have alleged that the houses on this site are larger than what is currently noted in the Affordable Housing SPG. These houses were three bedroom dormer houses. This means that the bedrooms are partially located in the roof space. On paper, these houses measure 116 square metres internally, but having considered the useful floor space on the first floor, the internal floor surface area of these houses came down to 99 metres square, which was in-keeping with the Affordable Housing SPG, which was currently active. It is considered that the houses in the existing application have an internal floor surface area of approximately 116 square metres, which is contrary to the requirements of criterion 5 of Policy TAI 6 of the LDP, along with the requirements of the Affordable Housing SPG.

5.9 ***Criterion 6 - Due to the more sensitive rural location than usual, the development will be required to make the best use of the natural features of the site and retain any natural features on the site or on the site boundary which are worth retaining.***

The site is currently surrounded by a fence, and there is elevated land towards the rear of the site, which is mainly covered with gorse and fern. The proposal would not extend into the elevated land to the rear of the site and, therefore, the natural features there would be retained. It is intended to construct a stone wall / *clawdd* on the boundary with the county road, and it is considered that this would be in-keeping with the area. It is intended to have a post and wire fence on the other boundaries, and this is relatively rural in nature. It would also be possible to impose a condition to agree on the landscape details for the proposal. As a result of the above, it is considered that the area's features would be retained, and it is intended to include suitable features for the other boundaries. It is considered that the proposal is acceptable in relation to criterion 6 of Policy TAI 6 of the LDP.

5.10 ***Criterion 7 - There are mechanisms to restrict the occupancy of the house initially and in perpetuity to those who have a need for an affordable house.***

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If all matters were acceptable, it would be possible to bind both proposed houses as affordable homes through a 106 agreement. However, policy TAI 6 along with Policies PS 17 and TAI 15 promote affordable housing only within clusters such as Llanengan. The houses should not only be affordable for the applicants (first owners), but they should also be houses that continue to be affordable for any future prospective buyers. As part of the application, an estimation was given for the proposed houses from Beresford Adams. This notes that the open market price of the houses would be £325,000. In an area such as Llanengan, where house prices are high, it is customary when preparing a 106 agreement to provide a discount of approximately 40% or 45% in the house price when they are sold on. In this case, a 40% reduction would create a development worth £195,000 and even by issuing a 45% discount, the price would still be £178,500. The Gwynedd and Anglesey Joint Local Development Plan 2011-2026 in para. 6.4.99 states: "In 2015 median house price in Anglesey and Gwynedd stood at approximately £156,000 and £144,000, respectively. While this is not considered high by national standards, when compared to average household income they are considered unaffordable. At entry level the problem is more pronounced and many local people, especially younger people, often find themselves priced out of the market". It is stated in paragraph 3.3.7 of the Affordable Housing SPG that affordable houses provided as intermediate houses must be affordably priced for the proposal area. The Councils use the median income of a household, multiplied by 3.5, along with the 5% or 10% deposit, based on the level required by mortgage providers. It can be seen in appendix 4 of the Affordable Housing SPG for the Llanengan area, which includes Sarn Bach, Llangian, Mynytho and Llanengan, that the median income for a household is £29,127 and that 3.5 x the income of the household is £101,944. From these figures, it can therefore be seen that the value of the houses that are the subject of the existing application, even with a 45% discount in the 106 agreement, would be substantially higher than what the mortgage of families in the area could obtain, should the houses be sold in future. Within the parish of Llanengan, there have been cases in the past where affordable houses have been approved and, as in the case of this application, the applicants have noted that they would be affordable housing for them for life, where house prices are high, and therefore they are not affordable houses in reality, which means that a 106 agreement has been withdrawn, and the houses then become open market housing. It is, therefore, considered that this proposal is not in-keeping with the requirements of criterion 7 of Policy TAI 6 and that it does not adhere to Policies PS 17 and TAI 15, as the proposal would not be able to ensure that the houses continue to be affordable forever in light of their price.

- 5.11 The comments of the applicants regarding house prices in the area are recognised, and that there are a lack of suitable houses for affordable prices. However, it can be seen that houses have been approved in the area as affordable housing and that they remain empty. The applicants themselves have referred to the fact that houses on the site of the former Harbour hotel in Abersoch are still for sale, but that they are too small in their opinion. When the applicants were looking, the affordable houses near the Church in Llanengan had not been taken. However, whilst preparing this report, it was seen that one of these affordable houses on the site was for sale. Therefore, houses that have received permission as affordable houses are available in the area.
- 5.12 Therefore, in light of the above, it can be seen that this proposal does not meet a number of the criteria of Policy TAI 6, and that it is also contrary to the requirements of Policies PS 17 and TAI 15 as the proposal would not provide affordable housing.

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Visual amenities

- 5.13 The design of the houses is relatively traditional, with slate pitched-roofs and the external walls being of render and stone on the porches. It is considered that the design of the houses is suitable with regards to their size and scale, and that they would be in-keeping with the surrounding houses. It is considered that the proposal would not cause significant harm in terms of the visual amenities of the area. It is not considered that it would have a detrimental impact on the character of the Conservation Area nor that it would have more than a local impact on the Area of Outstanding Natural Beauty. The site lies within the Llŷn AONB and the observations of the AONB Unit on the proposal were received. These observations note that there are many elements that are similar to other houses in the vicinity - they are two-storey, with symmetrical front elevations, slate roofs and chimney stacks and use of stone. The intention to create an earth / stone *clawdd* as a boundary with the road, which would be in-keeping with the rural location, is noted; and, the AONB Unit does not consider that the development would disrupt the AONB. There is agreement with these observations. It is considered that the proposal would be acceptable in terms of Policies PCYFF 3, AMG 1, PS 20 and AT 1 of the LDP. Should the application be approved, it would be possible to impose conditions with regard to agreeing the exact materials and also in terms of agreeing on a full landscape plan for the site to ensure that the proposal is in-keeping with its rural background.

General and residential amenities

- 5.14 There are residential dwellings situated near the site. The closest, namely Minffordd, is located to the north-eastern boundary. There are two ground floor windows on the side of the houses that would face this property. As they are ground floor windows, it would be possible to construct a fence / shrub up to 2 metres high on this boundary without any planning permission, which would overcome any overlooking concerns. As other houses are located further away or on the other side of the county road, it is also not considered that the proposal would cause overlooking for any other houses. The houses that are the subject of the application are located at the rear of the site compared to the property to the north-east, and it is not considered that they would cause substantial overshadowing in terms of the nearby property or its garden. It is not considered that the proposal would cause significant harm to the amenities of the local community. The proposal is considered to be acceptable with regard to the amenities aspect of Policy PCYFF 2 of the LDP.

Transport and access matters

- 5.15 There is an existing vehicular entrance to the site, and the proposal would involve having one access to serve both properties. It is intended to prepare a turning space within the curtilage, along with parking spaces for four cars (two for each property). The Transportation Unit had no objection to the proposal, but should the proposal be approved, it would be required to include highways conditions relating to the access, parking and turning spaces, agreement on surfacing methods near the highway, and also the height of the boundary walls. The proposal is considered to be acceptable in relation to Policies TRA 2 and TRA 4 of the LDP.
- 5.16 Correspondence was received, which submitted observations on the application by a third party, which referred to a historical agreement for having a parking space for the Bwlch Gwyn property, which is located opposite the site. Such agreements are not a planning matter, and therefore this would be a matter to be settled between the land owners and the owner of Bwlch Gwyn.

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Biodiversity matters

- 5.17 Observations were received from the Biodiversity Unit on the proposal, which noted that there was a record of slow-worm in the field, and another record on a site 150 metres away. There are also reports of lizards and adders within 100 metres of the site. Therefore, the Biodiversity Unit is of the opinion that the site is likely to contain reptiles that are safeguarded under the Wildlife and Countryside Act 1981, and recommends that a reptile report is completed for the proposal. As the proposal is unacceptable in principle for more than one reason, a reptile report was not requested, as this would involve additional costs for the applicants on a proposal that is entirely contrary to policies, which are not possible to overcome by amending the application. Therefore, as it stands, it is considered that the proposal is also contrary to the requirements of Policy AMG 5 as it currently cannot be ensured that the proposal would avoid substantial detrimental impact to the area's biodiversity.

6. Conclusions:

- 6.1 From the above assessment, it can therefore be seen that the proposal is contrary to many criteria within Policy TAI 6. The need for an affordable house for local need has not been proven for both houses, contrary to criterion 1; the site is not on an infill site between buildings or a site that is directly opposite a building's highlighted curtilage, which is contrary to criterion 2; the size of the houses is larger than what is noted in the Affordable Housing SPG, therefore it is contrary to criterion 5; and, the price of the houses, even with a discount, would not ensure that they are affordable houses forever, contrary to criterion 7. In addition to the final point, the proposal would not comply with the requirements of Policies PS 17 and TAI 15, which require affordable housing to be placed only in the housing clusters identified in the LDP. The proposal is, therefore, also contrary to the requirements of Affordable Housing SPG (2019). Also, the proposal is currently contrary to Policy AMG of the LDP as it cannot be ensured, in the absence of a reptile survey, that the proposal would avoid substantial detrimental impact on the area's biodiversity. Therefore, in light of the above, it must be recommended to refuse the application.

7. Recommendation:

- 7.1 To refuse – reasons:
1. In accordance with the Supplementary Planning Guidance: Affordable Housing (2019), when the initial occupiers of intermediate accommodation are known, they need to be registered with Tai Teg and they need to have been the subject of a Tai Teg Assessment in order to confirm their eligibility for an affordable house. Both applicants have not been successful in being assessed by Tai Teg and, therefore, it is not considered that an affordable house for local need has been fully proven. The proposal is, therefore, contrary to criterion 1 of Policy TAI 6 of the Gwynedd and Anglesey Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019).
 2. The site is not an infill site between highlighted buildings, and it is not located directly opposite a curtilage of a highlighted building; therefore, it is contrary

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to the requirements of Criterion 2 of Policy TAI 6 of the Gwynedd and Anglesey Joint Local Development Plan.

3. The size of the houses does not reflect the size of affordable houses as noted in the Supplementary Planning Guidance: Affordable Housing; therefore, it is considered that the proposal is contrary to criterion 5 of Policy TAI 6 of the Gwynedd and Anglesey Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019).
4. In light of the open market price of the houses, they cannot be justified as an affordable development because the value of the houses, even at a reduced price, would be too high to satisfy any affordable need. It is considered that the proposal is, therefore, contrary to criterion 7 of Policy TAI 6, Policy PS 17 and Policy TAI 15 of the Gwynedd and Anglesey Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019).
5. In the absence of a reptile survey, it cannot be ensured that the proposal would avoid substantial detrimental impact on the area's biodiversity. The proposal was, therefore, contrary to Policy AMG 5 of the Gwynedd and Anglesey Joint Local Development Plan.

PLANNING COMMITTEE 1/7/19

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

Councillors: Stephen Churchman, Anne Lloyd Jones, Berwyn Parry Jones, Huw G. Wyn Jones, Edgar Wyn Owen, Gareth A. Roberts, Eirwyn Williams, Gruffydd Williams and Owain Williams.

Others invited: Councillors Annwen Daniels and John Brynmor Hughes (Local Members).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Planning Manager), Keira Sweenie (Development Control Team Leader), Rhun ap Gareth (Senior Solicitor) and Bethan Adams (Member Support Officer).

Apologies: Councillors Simon Glyn, Louise Hughes, Elin Walker Jones and Dilwyn Lloyd.

1. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

- Councillor John Brynmor Hughes (not a member of this Planning Committee), in relation to item 5.3 on the agenda (planning application no. C19/0027/39/LL);
- Councillor Annwen Daniels (not a member of this Planning Committee), in relation to item 5.4 on the agenda, (planning application number C19/0154/03/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.

2. MINUTES

The Chair signed the minutes of the previous meeting of this Committee, that took place on 10 June 2019, 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 C19/0149/46/LL - Congl y Cae, Llangwnnadi, Pwllheli

Demolish existing outbuilding and construct a single-storey extension to dwelling and conversion of outbuilding into two holiday units

- (a) The Planning Manager elaborated on the background of the application, noting that this application was deferred at the Committee meeting on 20 May 2019 in order to have an opportunity to consider the context of appeal number (C18/0023/42/LL), which was refused for reasons relating to an excess of second homes in the area. It was noted that as a result of the figures noted in the appeal decision, it was considered necessary to re-assess the application against the relevant figures.

It was noted that an application for the 'Demolition of outbuilding attached the house and erect a single-storey extension in its place', which formed part of the submitted application, had been approved on 28 June 2019.

It was reported that an appeal for a lack of decision had been registered with the Planning Inspectorate. It was explained that should the application be refused or deferred, the appeal would continue.

Attention was drawn to additional comments received, which included the observations of the Business Support Unit of the Economy and Community Department on the robustness of the business plan.

It was noted that Policy TWR 2 of the Gwynedd and Anglesey Joint Local Development Plan (JLDP) permitted proposals to convert existing buildings such as agricultural buildings into holiday accommodation as provided they complied with five criteria. Reference was made to criterion 'v', which required that 'The development does not lead to an excess of such accommodation in the area.'

It was revealed that the applicant, in accordance with the requirements of Policy TWR 2, had submitted a comprehensive business plan that included investment figures, costs and projected letting figures, and it was considered that its content was realistic and demonstrated the viability as holiday use. The Business Support Unit of the Economy and Community Department agreed with these findings, and were satisfied that it was a suitable business plan for the application.

It was noted that over-concentration had been assessed in the context of the Supplementary Planning Guidance: Holiday Accommodation and the appeal decision on Tŷ'n Pwll, Nefyn. It was revealed that the assessment had confirmed that 14% of the domestic units in the area of Tudweiliog Community Council were second homes, therefore this was higher than the 10% threshold used by the Inspector on the appeal in Nefyn. It was explained that the applicant did not agree with the figures, and noted that the majority of second homes were not let, and that he disagreed with the grounds to which the over-concentration was assessed.

It was noted that despite the applicant's arguments and although all the other TWR 2 matters were acceptable, on the basis of the current above figures and in light of the Inspector's decision and assessment on the Ty'n Pwll, Nefyn appeal, a recommendation to refuse the application had to be made on the grounds of an over-provision of such accommodation and contrary to criterion 'v' TWR 2 of the LDP and the threshold of Supplementary Planning Guidance: Holiday Accommodation (2011).

- (b) Taking advantage of the right to speak, the applicant noted the following main points:-
- That substantial alterations had been made to the proposal in order to make the development acceptable;
 - That the recommendation of the officers had been amended, and the figure of 14% of domestic units being second homes in the area of Tudweiliog Community Council was the basis to the recommendation to refuse the application;
 - That the Supplementary Planning Guidance: Holiday Accommodation (2011) was outdated. The Supplementary Planning Guidance – Tourist Facilities and Accommodation, which was to be adopted, considered the strength of the business case rather than specific percentages. The planning officers and the Business Support Unit confirmed the robustness of the business case;
 - That the current average of second homes in Gwynedd was 8.5%, with Tudweiliog at 14% and Nefyn at 33%;
 - Extensive research had been conducted, which had demonstrated that there were no more than 25 self-service units in the ward, and none of them were at a 5* level, namely the intention for this development;

- That Nefyn's situation was different to the Tudweiliog area, with five times more second homes in Nefyn;
- The proposal would mean keeping the same footprint and external characteristics;
- A local person would be employed to supervise the site, and the intention was for the applicant and his family to settle in Congl Cae after his children completed their education.

RESOLVED to refuse the application.

Reason:

Since 14% of second homes were within Tudweiliog Community Council the proposal would lead to an over-concentration of self-serviced holiday accommodation in the area and was therefore contrary to criterion v of Policy TWR 2 of the Gwynedd and Anglesey Joint Local Development Plan (2017) and Supplementary Planning Guidance: Holiday Accommodation (2011).

2. Application no C18/1133/14/LL – Cwm Cadnant Valley, Ffordd Llanberis, Caernarfon

Replace 32 touring caravan pitches with 25 holiday lodges for year round holiday use.

- (a) The Planning Manager elaborated on the background to the application, and noted that the proposal involved locating 25 holiday units within a concealed site and within the built environment and it was considered that this proposal would not lead to an over-concentration of similar static caravan/chalet sites in the vicinity of the application and that, in itself, it would not have a substantial and significant impact on the character and amenities of the local landscape. It was explained that the proposal would reduce the density of the use of the current site, by replacing 32 touring caravans.

Given its concealed location within the townscape; its scale which was less dense than the current use and the fact that it appeared that the holiday accommodation and the overall site would provide high quality facilities, the proposal was acceptable.

It was revealed that there were flooding issues on parts of the site, and that the applicant had moved the chalets from the part that suffered flooding, and that there was no access within the flood zone. It was noted that Natural Resources Wales was satisfied with the proposal.

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.

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

- There were many static unit sites in the area, and the number of static units in the area was way above the threshold of over-concentration. Of the opinion that converting a static caravan site into a permanent static units site was a step too far;
- With regard to the Tourism Unit's concern regarding the overprovision of static units and the lack of touring sites in the Caernarfon area, what assessment had been made? The number of touring caravan sites in the area needed to be protected;
- The proposal would mean less transport, and would not be visible from anywhere;
- The development was better than the existing development. Would the applicant sell or let the chalets?
- The proposal would be an improvement to the site, with a reduction in the number of units. The Town Council did not object the proposal, it was not possible to restrict the

use of the site to 11 months in accordance with their wish, but imposing a holiday use condition only/keeping a register would ensure that the chalets would not be occupied as permanent homes.

- (c) In response to the above observations, the officers noted:
- In the context of Policy TWR 3 of the JLDP, over-concentration was assessed in terms of the capacity of the local landscape for additional holiday chalet or caravan developments. The development would not be visible in the landscape;
 - That the Tourism Unit's wish was to have more touring sites. That there were touring sites in the area and there was potential in the landscape for new touring sites. The proposal did not undermine any planning policies;
 - The Anglesey, Gwynedd and Snowdonia National Park Capacity and Sensitivity Study - (Gillespies, 2014), noted that there was capacity for small developments;
 - The applicant's intention to sell or let the chalets was unknown, but there was no requirement to receive this confirmation.

RESOLVED to approve the application.

Conditions:

1. Time (five years)
2. In accordance with the plans
3. Submit and agree a detailed Environmental Construction Method Statement for the period of developing the site.
4. Must adhere closely to the submitted Ecological Survey recommendations
5. Condition of holiday use only/keep a register
6. Welsh Water Condition
7. A lighting plan must be submitted

Notes

1. Welsh Water
2. Natural Resources Wales

3. Application no C19/0027/39/LL – Land near Drws y Llan, Llanengan, Pwllheli

Construction of two affordable dwellings (amended application).

- (a) The Planning Manager elaborated on the background of the application and noted that the site was in the countryside on the outskirts of the housing cluster of Llanengan. It was explained that Policy TAI 6 of the JLDP was the relevant housing policy for clusters, and this could enable the construction of houses in clusters if compliance could be secured with all criteria contained in the policy.

Details were given on the criteria:

- Criterion 1: 'The need for an affordable house for local need (in accordance with the List of Terms) has been proven' - That the need for an affordable house for the initial occupiers of house number 1 had been proven, but the need for an affordable house for the occupiers of house number 2 had not been proven. In light of this, the proposal does not fully meet criterion 1 with regard to proving the need for affordable housing.
- Criterion 2: 'The site is an infill site, between buildings highlighted on the relevant Inset Map, or a site directly opposite the curtilage of a coloured building' - The application site was not an infill site as it was not located directly adjacent to the curtilage of a coloured building with the county road between the road coloured in red and the site. The New Houses in Rural Villages Supplementary Planning Guidance gave an idea of the type of sites which were acceptable, and that sites where there was a road between the building coloured in red and the site were not suitable.

- There was no concern with regard to criterion 3 and 4.
- Criterion 5: 'The size of the property reflects the specific need for an affordable house in terms of the size and the number of bedrooms' - The houses in question were two-storey with an internal floor surface area of approximately 116m². Since the application was submitted, a new Supplementary Planning Guidance (SPG) Affordable Housing has been adopted. It could be seen that the size of the affordable houses had been reduced in comparison to the previous Affordable Housing SPG; now, the size for a two-storey, 5 person, three bedroom house was 94 square metres. It was not considered that the size of the houses reflected the size of affordable properties.
- There was no concern with regard to criterion 6.
- Criterion 7: 'There are mechanisms to restrict the occupancy of the house initially and in perpetuity to those who have a need for an affordable house' - As part of the application, an estimate was received for the proposed houses, which was prepared by Beresford Adams. The estimate noted that the open market price for the houses would be £325,000. A 45% discount linked to the Affordable Housing 106 agreement would not make the houses affordable for other families in the area. There had been instances in the parish of Llanengan in the past, where house prices were high and, therefore they were not really affordable houses. Consequently, 106 agreements were removed from the houses, thus making them open market houses.

It was recommended to refuse the application as the proposal was contrary to many criteria in Policy TAI 6. The need for an affordable house for local need had not been proven for both houses, the site was not in an infill site between buildings or a site that was directly adjacent to the curtilage of a coloured building, the size of the houses were larger than what was noted in the Affordable Housing SPG, and the price of the houses, even with a discount, would not ensure that they were affordable houses forever. The proposal was also contrary to Policy AMG 5 of the JLDP, because a reptile survey had not been submitted.

- (b) Taking advantage of the right to speak, the applicant noted the following main points:
- They had lived in the area for years, and that they felt passionate about the village and the location;
 - The proposal would enable both couples to stay in the area to raise a family;
 - The applicants worked in the area and contributed to the community; two of the applicants were builders, one worked in the medical field locally, and she was a new Headteacher at a local school;
 - As part of her work as a Headteacher, she worked in accordance with the Language Charter and Welsh Government's Cymraeg 2050 report, which aims to have a million Welsh speakers by 2050. Welsh Government's document noted: 'In Welsh communities, the challenge is to ensure that people have high quality jobs, attractive careers and homes in order for them to be able to stay or return to these communities';
 - That house prices in the area were extremely high, and the only option to settle there was to build a house. Land had been received from family in order to self-build, which was affordable in the true meaning of the word;
 - The prospective occupiers of house number 2 were not eligible under Tai Teg, because Tai Teg processes did not provide for self-builds;
 - The development would infill appropriately;
 - An attempt had been made to reduce the size in order to get closer to the criteria, but this was an attempt to develop homes for life;
 - Completely accepted the conditions of the Biodiversity Unit, and intended to follow the guidelines in order to avoid harm to the area's biodiversity.
- (c) The local member (not a member of this Planning Committee) noted the following main points:

- That he had received a letter of support to the application from Liz Saville Roberts, Member of Parliament for Dwyfor Meirionnydd. He agreed with the observations in the letter, and therefore, he would read the content of the letter;
- That the application site was an appropriate infill site;
- That the propriety of the authority's affordable housing policies needed to be scrutinised in communities such as Llanengan;
- The situation of Llanengan could not be compared with the situation of other communities in Gwynedd as Llanengan was an extension of Abersoch, and the open market housing in the area were not affordable;
- The way the affordable housing policy was interpreted for the market housing situation in Llanengan should be revised; unless this was done, the affordable housing policy would not be implemented in accordance with the aspirations of the people of Gwynedd;
- The specific circumstances of the applicants had not been considered in the context of self-builds;
- That the size of the houses had been somewhat reduced, and the applicants were prepared to sign a 106 agreement;
- In terms of the value of the houses in future, in order to satisfy the need, a sub-standard design would need to be agreed. The specification of affordable houses on a housing estate in Mynytho was different, therefore there was no consistency;
- That the applicants had the means and the skills, and something was amiss in the interpretation of the policy if they were not worthy of affordable houses;
- That the applicants had received advice from an officer that an application for two houses would be more acceptable in terms of infill;
- That two small cottages were for sale near the site; one for over £300,000 and another for £250,000;
- That the houses would only be served by one access, with the boundary being set back to widen the road;
- Should the Committee believe that the application be refused, a site visit should be considered, because an appeal would be submitted should the application be refused;
- Support for the application had been received from councillors and former councillors;
- That the Community Council were surprised that their views had not been accepted.

(ch) It was proposed and seconded to approve the application contrary to the officers' recommendation.

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

- That the application in question was unique, and would provide homes for life for professional Welsh people, enabling them to stay in Llanengan;
- The policy did not take into consideration the situation of the nearby areas of Abersoch in terms of market prices;
- Sympathy for the applicant's situation, but the proposal was contrary to too many policies, therefore the application could not be supported;
- Full sympathy was given to the applicants, but a similar application had been refused in Llanbedrog. There was a need for consistency;
- That the Welsh language and culture was under threat, and the economy of the area was fragile. It was a difficult decision, and that refusing the application would shatter the hopes of young families to stay in Pen Llŷn. Welsh Government's ambition of achieving a million Welsh speakers would not be realised if this application be refused;
- A difficult application to determine. If the application be approved, it would go against policies and the policies would need to be reviewed; consequently, there would be an influx of such developments;

- Sympathy with the applicants' situation, but the houses would be there forever. Tai Teg should look at the affordability of self-builds. The policies did not support the application;
- Self-building was the only way to obtain an affordable house. In the context of infill, the houses were dispersed in Llanengan, and the land opposite was no better. That house prices in the Abersoch area were out of reach for young people and that they moved out of the area. The only way to keep Welsh speakers in the area was to approve the application. In accordance with what was noted in the Supplementary Planning Guidance, that the size of an affordable house was 94m², which is too small to raise a family, therefore the size aimed for should be revisited;
- The houses should be bound to an Affordable Housing 106 Agreement.

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

- Whilst understanding that it was a difficult decision for the Committee, the policy set the circumstances in the context of affordable housing. The houses had been valued at £325,000, therefore the houses were not affordable, and there was no purpose to creating a 106 agreement. Approving the application would mean approving open market housing in the countryside;
- That there were firm reasons to refuse, therefore approving the application would be contrary to the recommendation and contrary to policy. It was understood that members wished to support local people, but there were many properties for sale nearby. Although the houses would be affordable to build due to the skills of the applicants and land ownership, the houses would not be affordable in future. An intention to refer the application to a cooling-off period, should the application be approved, was noted;
- The houses would not be affordable, even with a 45% discount linked to a 106 agreement. There had been a successful appeal to lift an Affordable Housing 106 agreement from a site near the application site, as it was not an affordable house. There was no doubt about the motivation of the applicants, but the houses would not be affordable. Similar applications had been refused not so long ago, and the application in question was contrary to policies relating to developments in the countryside. That there was a need to be aware of the implications of approving the application;
- Although applications were considered on their own merits, consistency was necessary in relation to implementation. The application in Llanbedrog was refused on the grounds of affordability. There was a need to be cautious of the impact of a decision to approve the application on other applications. The reasons for refusing were robust and, of course, the applicants had a right to appeal;
- That the Gwynedd and Anglesey Joint Local Development Plan was being monitored, and the plan would be reviewed in 2021, which could mean amendments, but the decision had to be made on the basis of existing policies;
- Should the application be approved, it should be noted that it would be subject to receiving a reptile survey in order to comply with the requirements of legislation;
- The houses could be bound to an Affordable Housing 106 agreement, but this would mean additional costs for the applicants. The agreement could be lifted on appeal as the houses would not be affordable.

RESOLVED to approve the application, contrary to the officers' recommendation, subject to receiving a reptile survey report.

Reason:

Satisfies the local need for housing.

The Senior Planning Service Manager noted his intention, in accordance with the Procedural Rules of this committee, to refer the application to a cooling-off period and

to bring a further report before the committee highlighting the risks associated with approving the application.

4. Application no C19/0154/03/LL – Market Hall, Church Street, Blaenau Ffestiniog

Conversion of building into 14 flats.

- (a) It was reported that late observations had been received from the Language Unit, which noted that they did not feel that sufficient information had been submitted by the developer in order to be able to form a full opinion on the impact of the development on the Welsh language; and, due to a lack of clarity in the developer's documents, the standpoint that there would be no impact could not be supported. The Committee was requested to defer the application in order to discuss with the applicant, and to understand the linguistic situation in the context of what was being offered as part of the proposal.

A proposal to undertake a site visit was made and seconded. A vote was taken on the proposal, but it fell.

RESOLVED to defer the application.

5. Application no C19/0323/11/LL – 233-235, High Street, Bangor

Alterations to the first and second floors to create eight self-contained living units, along with modifications to the front elevation of the building.

- (a) The Planning Manager elaborated on the background of the application, and it was noted that Policy TAI 9 of the Gwynedd and Anglesey Local Development Plan (JLDP) permitted the subdivision of existing properties into self-contained flats, provided they complied with the relevant criteria.

It was noted that the Housing Mix Statement submitted by the applicant stated that there was a lack of provision with regard to one-bedroom units in Bangor. The information received from the Housing Strategy Unit confirmed a lack of provision with regard to this type of accommodation, stating that there were 940 applicants on the Council's Housing Options Team register who wished to obtain one-bedroom units in the Bangor area; and that approving this application would go some way toward responding to the demand for social housing of this kind.

It was confirmed that although the proposal did not provide more units than the indicative housing provision, the applicant had voluntarily submitted a Language and Community Statement. It was noted that the Language Unit had concluded that the development itself would not have a significant impact on the character and linguistic character of the community.

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

It was recommended to impose an additional condition to what was stated in the report, in order to ensure a waste bin/storage provision to satisfy the needs of the units permitted.

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

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

- There was an increasing number of applications to modify buildings into residential units in Bangor, and that there was a need to question whether there was any demand for these types of units;

- 940 applicants who were on the Council's Housing Options Team register wished to obtain one-bedroom units in the area;
- Many applications of this kind were being approved, but not being developed; A concern that the applications would be implemented at the same time, leading to an influx of new one or two bedroom units at the same time;
- There was no parking provision on the site - although there were public transport links, car parks and streets were full as employees parked all day, meaning that there were no parking areas for visitors. The situation needed to be monitored.

(c) In response to the above observations, an officer noted:

- Monitoring work would be undertaken and consideration would be given to planning permissions and those that were being implemented in the context of the JLDP in its entirety.

RESOLVED to approve the application.

Conditions:

1. Five years.
2. In accordance with the plans.
3. Ensure that two of the units are affordable by submitting an affordable housing scheme.
4. A waste/bin storage provision to satisfy the needs of the units.

6. Application no C19/0414/18/LL – Rhiwlas Waste Water Treatment Works, Rhiwlas, Bangor

Extension of existing water treatment works site to install appliances, equipment and landscaping

(a) The Planning Manager elaborated on the background of the application, and it was noted that the principle of approving developments for utilities' infrastructure such as water supply was based on Policy ISA 1 of the Gwynedd and Anglesey Local Development Plan. Considering the scale and nature of this development in mind, it was considered that the proposal was acceptable in principle.

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

(b) In response to an enquiry from a member, the Planning Manager noted that although the application was submitted by Welsh Water, observations were submitted as part of the statutory consultation from a different Unit from within Welsh Water.

RESOLVED to approve the application.

Conditions:

1. Five years.
2. In accordance with the plans.
3. Landscaping.
4. Comply with the mitigation measures of the Preliminary Ecological Report.

The meeting commenced at 1.00pm and concluded at 2.30pm.

CHAIR

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

Number: 2

Application Number: C18/1183/08/LL

Date Registered: 20/08/2019

Application Type: Full - Planning

Community: Penrhyndeudraeth

Ward: Penrhyndeudraeth

Proposal: Application to create a camping site for up to 23 camping vehicles as well as changes to a services building approved under C17/0116/08/LL together with associated landscaping work.

Location: Car Park, Portmeirion, Penrhyndeudraeth, LL48 6ER

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

1. Description:

- 1.1 The application before you is to create a camping site for up to 23 camping vehicles as well as changes to the services building approved under C17/0116/08/LL together with associated landscaping work.
- 1.2 The application site is located on the outskirts of the spectacular village of Portmeirion where an established car park is located. Various uses can be seen nearby including areas to store materials, bins, visitor and staff parking etc. An existing building has been constructed to the side of the application site for biomass use, whilst the landscaping work has been generally maintained within the adjacent area. Planning consent has been granted to erect a maintenance services building nearby under reference C17/0116/08/LL and the application before you entails making changes to this development and to incorporate this as part of the camping site development. There are a number of mature trees within the site and generally in the surrounding area. The site is within a Conservation Area and an area designated as a Special Landscape Area and the Aberglaslyn Area of Outstanding Historic Interest. Part of the site lies within the Portmeirion Historic Park designation.
- 1.3 The proposal involves changing the land use to create a camping site for up to 23 camping vehicles and includes the following:
- Provide slate waste for the floor including the entrance and access track.
 - Provide 23 camping pitches set on pitches treated with a Geocell system and covered with grass.
 - Provide multi-use areas built on the Geocell system around the sections of the services building used by camping site occupants.
 - Demolish the existing timber building and provide toilet and shower facilities, office, storage and reception.
 - Changes to the internal layout and external openings of the services building approved under C17/0116/08/LL. It is intended that the extension will be finished with grey slate coloured corrugated panels on the roof and sections of the wall together with natural patterned sawn timber on the walls.
 - Provide a litter storage area 5m by 4m on the boundary in the form of a wooden fence between the camping area and the rest of the services building.
 - Provide a new formal footpath from the existing car park along the side of the proposed camping site.
 - Provide an underground electricity supply for each camping pitch.
- 1.4 The following documents have been submitted as part of the application:
- Landscape Statement (Version C August 2019)
 - Planning statement (August 2019)
 - An Arboriculture Impact Assessment (August 2019)
 - Heritage Impact Assessment Addendum (August 2019)
 - Initial Ecological Assessment - Bats (August 2019)
 - Heritage Impact Assessment
 - Lighting Scheme
 - Landscaping Scheme
- 1.5 Since registering the application, a series of amended plans have been submitted and the above description of the proposal and the relevant documents reflect the application contents now.

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Unitary Development Plan.

2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act, and in making the recommendation the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

2.3 Anglesey and Gwynedd Joint Local Development Plan July 2017.

PS1: The Welsh Language and Culture

TRA 4: Managing transport impacts

PS 5: Sustainable Development

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS14 : The Visitor Economy

TWR 3: Static Caravan and Chalet Sites and Permanent Alternative Camping

TWR 5: Touring caravan, camping and temporary alternative camping accommodation

PS19: Conserving and where appropriate enhancing the natural environment

AMG 2: Special Landscape Area

AMG 3: Protecting and improving features and qualities that are unique to the character of the local landscape

PS 20: Protecting and where appropriate enhancing heritage assets

AT 1: Conservation Areas, World Heritage Sites and Landscapes, Registered Historic Parks and Gardens

Supplementary Planning Guidance: Holiday Accommodation

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities

2.4 National Policies:

Planning Policy Wales, version 10 2018
 Technical Advice Note 5: Nature Conservation and Planning
 Technical Advice Note 12: Design
 Technical Advice Note 13: Tourism
 Technical Advice Note 20: Planning and the Welsh Language
 Technical Advice Note 23: Economic Developments
 Technical Advice Note 24: The Historic Environment

3. Relevant Planning History:

- 3.1 The Portmeirion site as a whole has a considerable planning history; the following are relevant due to their position which is adjacent to the site of this current application:
- 3.2 Application C15/0040/08/LL - Erect a building for biomass use together with associated track and access - approved 14/07/15
- 3.3 Application C17/0116/08/LL - Full application to erect a new services building to include stores, workshops, laundry room and offices as well as planting a new woodland on adjacent land - approved 22/05/17
- 3.4 C17/0351/08/DA - Application for an insignificant amendment to planning application number C15/0040/08/LL - approved 11/05/17
- 3.5 C17/1193/08/LL - Application for the creation of a camping site for 18 vehicles and the erection of a building for reception, shop and washing facilities - Application withdrawn - 26.02.2019

4. Consultations:

Community/Town Council: Comments 10/01/2019

No objection

Transportation Unit: Comments 04/09/2019

I refer to the above application and confirm that I have no objection to the proposal as it is assumed that it will have no impact on the local adopted roads network.

Natural Resources Wales: Comments 13/09/2019

Reply 13.02.2019 remains valid.

Comments 13.02.2019

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The foul drainage appears to be connected to the existing pump on the current site drainage system. If the sewerage operator, Welsh Water, is satisfied with this arrangement we have no further comments on this matter. The surface water arrangement is also satisfactory.

Comments 04/01/2019

General comments

Welsh Water: Comments 24/09/2019

No observations to offer

Caravans Officer: Comments 18/10/2019

Refer to the amended application received dated 20/08/19.

Health and Safety - We see that hook ups will be placed within the site, their location will need to be considered carefully to ensure that no electricity cable will have to run on the ground surface that will cause Health and Safety risks to members of the public through tripping or falling.

Licensing - In terms of the licence requirements, it appears that the application details are acceptable and there is sufficient measurements between the units as noted on the 5377-18 pitch dimensions plan.

However, with pitches 7 & 8 and 5 & 15, the space between the units appear to be limited, but there is a possibility to relocate units within these pitches.

Consideration must also be given to any possible difficulties for inflexible motor units to park in confined spaces in each corner.

Emergency vehicles - Sufficient width for emergency vehicles has to be ensured in the area between the tree near the site access and the two temporary parking spaces.

This development must comply with the requirements of the following Acts and Standards:

- Caravan Sites and Control of Development Act 1960
- Model Standards 1983 (Permit Conditions Touring Caravans / Tents)
- The Health and Safety at Work etc. Act 1974

Public Protection
Unit:

Not received

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Footpaths Unit: Not received

Biodiversity Unit: Comments 28/11/2019

I am satisfied with the preliminary ecological report. My only concern is that the ancient wood directly behind the shed will not be lighted. As the email states, this can be controlled with a condition

Trees Unit: Comments 05/12/2019

I am still of the view that arboriculture supervision is required on the work that is occurring in relation to section 5 of the report, namely the Construction Exclusion Zone and the procedure outlined in the Tree Protection Method Statement attached to the report has to be followed.

In my previous comments I noted that the report identified that RPZ T23 would be cut through, and there was a discussion regarding the impact. Although there is a right from a previous application to cut the tree, this has not happened. The amenity value of the tree is important for the site and work needs to be done to retain it. Therefore, it is essential that the mitigation measures outlined in the report - Sec 8:3 are followed, in the hope that this will enable the tree to be retained.

Conservation Officer: The site is located within the Portmeirion Conservation Area, Scheduled Historic Park and Garden designation and several listed buildings surround the site. In this case, it is considered that the site is far enough away from any listed building so as it is unlikely to have any impact on the setting, and also it is considered that there would be no impact on the setting and character of the Conservation Area as the proposal would be within a wooded and hidden area in the context of the Portmeirion site as a whole. There is no objection to this proposal.

Welsh Historic Gardens Trust: Comments 17.10.2019

On behalf of the Welsh Historic Gardens Trust I would like to reiterate our objections to the development of part of the car park at Portmeirion, revised planning application C18/1183/08/LL. This application for a camping area with service buildings is inappropriately close to the listed garden of Portmeirion and will erode

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the atmosphere of the village, increasing the noise levels in the closed hours and putting pressure on the fragile wilder area of the gardens. The alterations included in this application do not change our objections to the development.

At peak times and during events the car park is already overflowing with, in the case of the recent craft fair, cars queued back to the main road. Reducing the space can only compound this problem.

It would be much more appropriate to site this facility further away from the gardens and closer to Penrhyndeudraeth.

Gwynedd
Archaeological
Planning Service :

Not received

CADW:

Comments 19.09.2019

Having carefully considered the information provided with this planning application we have no objections to the proposed development. Our assessment of the application is given below.

This application is to create a campsite to site 23 motor homes together with alterations to services building previously approved under C17/0116/08/LL together with associated landscaping works at Portmeirion. The current proposal is a revised scheme to a previously submitted application for the creation of a campsite for 20 motor homes and service building.

The supporting Planning Statement by Cadnant Planning refers to a previously consented application for a services building C17/0116/08/LL. It appears that Cadw did not receive consultation on planning application C17/0116/08/LL.

The current proposal is for the creation of 23 campervan pitches, amendments to the service maintenance building to accommodate toilets, showers and washing facilities for the pitches, and new landscaping and planting. The previously submitted scheme included the construction of a separate toilet, shower and laundry building but the current scheme houses these facilities within an existing services building. This reduces the amount of new built development within the setting of the registered park and garden and therefore in our view is an improvement to the previously submitted scheme. It is proposed to locate three additional campervan pitches in the location of the previously proposed shower and laundry building. The proposals include a considerable amount of tree, shrub and ornamental planting within the

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development to soften the impact of the proposed campervan site and screen it from surrounding areas.

Therefore in our view, the proposed development is unlikely to have a significant impact on the setting of the registered historic park and garden at Portmeirion. As stated in our comments on the previous consultation, we encourage the production of a Conservation Management Plan for Portmeirion as advised in the offsetting measures of supporting document, Heritage Impact Assessment by Kirsty Henderson Conservation.

Drainage Unit:

Comments 16/09/2019

Since the 7th of January 2019, sustainable drainage systems (SuDS) will be required to control surface water for every new development of more than one dwelling or where the building area with drainage implications is 100m² or more.

Drainage systems have to be developed and constructed in accordance with the statutory standards for sustainable drainage published by Welsh Ministers.

These systems have to be approved by Gwynedd Council in its role as an SuDS Approval Body (CCS) prior to the commencement of the building work.

Since a new planning application has been submitted and due to the size and nature of the development, it is likely that an application will need to be provided to the SuDS Approval Body for approval before construction work commences.

The plans submitted with the application show that the developer intends to control surface water through infiltration, however, until an application is made to the SuDS approval body, there is no assurance that the site plan would enable compliance with the full suite of national SuDS standards.

Public Consultation:

A notice was posted on site and in the local paper and nearby residents were informed. The advertising period has elapsed and at the time of writing the report the following observations objecting to the application had been received.

- Noise impact
- Visual impact

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5. Assessment of material planning considerations:

The principle of the development

- 5.1 The Village of Portmeirion is an important site in terms of its cultural, economic, historic, heritage and environmental features and has parts which are sensitive in terms of these different aspects. The site is extensive and includes a number of different existing developments including buildings and open spaces, woodlands and picturesque structures; and it is inevitable that developing parts of the site can affect other parts with the potential of impacting the value of the site in its entirety. Whilst there is clear support for general plans in order to improve, expand and strengthen the business, and the Local Planning Authority certainly recognises the importance of the site in terms of benefit for the local area as well as its cultural importance, it is essential that any plans conform to current local and national development policies.
- 5.2 The existing site forms part of the established car park used by visitors to the village, together with a car park to the rear that has been used recently by staff. The area surrounding the site has recently been used to store containers etc.; and there is extant planning permission to erect a 999 square metre building for the nearby village's maintenance services under ref. C17/0116/08/LL. The application now includes this building with modifications to be included as part of the camping site development, together with providing 23 camping pitches within the boundaries of the car park, as well as providing underground electricity to each pitch and associated landscaping work.
- 5.3 It is noted that the majority of the application site (including the proposed services building) is on the site of an existing car park, which has been covered with hard standing of slate waste, with rows of trees between the rows of parking spaces and surrounded by groups of trees. The information submitted as part of the application confirms that there is an intention to install a slate floor on the access roads between the camping pitches and a Geocell system with a grass covering on the pitches themselves, and Geocell on the multi-use areas.
- 5.4 In addition to national and local policies relating to site sensitivity (which will be discussed later in this report), policy TWR 5 of the Local Development Plan considers the principle of the proposal. The policy notes that it is possible to consider approving applications for new touring sites provided the proposal complies with the criteria as noted in the policy. Those criteria are as follows:
1. That the proposed development is of high quality in terms of design, layout and appearance, and is sited in an unobtrusive location which is well screened by existing landscape features and/or where touring units can be readily assimilated into the landscape in a way that does not significantly harm the visual quality of the landscape;
 2. Avoids too many hard standing areas;
 3. Its physical connection with the ground is limited and can be moved from the site during the closed season;
 4. Any associated facilities, if possible, should be located in an existing building or as an extension to existing facilities. If there are no suitable buildings available, the need for additional facilities must be clearly shown, and they must be commensurate to the scale of the development.
 5. That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features.

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6. The development's occupancy is restricted to holiday use only.
 7. That the site is used for touring purposes only and that any units are removed from the site during periods when not in use.
- 5.5 In the context of the first criterion, the impact the proposal would have on the natural landscape must be considered and specifically as a result of its location within the sensitive designations noted above. The layout of the site as well as appropriate screening are important considerations when considering this application in the context of Policy TWR 5 and policy PCYFF 4: Design and Landscaping Based on the proposal before you, its location within the site, its current use as a car park and the existing buildings and those that have received planning permission surrounding the site, it is considered that the site is unobtrusive, with existing natural and built landscaping and that it is possible to landscape it sufficiently and acceptably to ensure that it does not cause significant harm to the visual quality of the landscape.
- 5.6 The Licensing Officer has confirmed that the development can comply with the licence requirements for a touring site, and the provision of toilets etc. is sufficient.
- 5.7 It is noted that the site is located close to the existing biomass building, Portmeirion visitors parking provision together with a services building for the Portmeirion site which has not been built and has now been included in the application before you. It is noted that there are opportunities for situations where these uses will conflict with the camping use (e.g. HGV lorries delivering to the Biomass building and deliveries to the services building). The services building is included within the application before you now in order to change its internal design and external openings to reduce any possible conflict; and since Portmeirion own the land and is responsible for all movements and activities around the site, the responsibility of dealing with any conflict will fall on the applicant
- 5.8 On this basis, therefore, it is considered that the proposal complies with the requirements of criterion 1 of TWR 5 and policy PCYFF 4 of the LDP.
- 5.9 The second criterion specifically states that proposals should avoid excessive areas of hard standing. In this case the majority of the site is currently covered with hard standing, and the proposal adds Geocell areas and grass within the site that will improve the current situation in terms of hard standing. On this basis, it is considered that the proposal complies with criterion 2 of policy TWR 5 in this case.
- 5.10 Criteria 3, 6 and 7 are associated with ensuring that only touring units would be used on the site for holiday use only and to ensure that units would be moved from the site when they are not used and during the closed season. It is noted that before you is an application for touring units, and to this end it is required that travel sites restrict the period the site is in use to between March 1 and October 31 of the same year; therefore, any planning consent would be subject to a condition to this end. In addition, the entire site is located within a Special Landscape Area and criterion 1 of policy TWR 3 states: Proposals for the development of new static caravans, holiday chalet sites or permanent alternative camping accommodation will be refused within Special Landscape Areas. It is therefore considered that the proposal, with a period restriction condition, would comply with criteria 3, 6 and 7.
- 5.11 By now the proposal entails the provision of toilet, shower and reception facilities etc. within the services building that was originally permitted under C17/0116/08/LL, and the proposal before you provides an amended floor plan and openings for this building in order to provide the facilities. Criterion 4 notes that any associated facilities, if

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possible, should be located in an existing building or as an extension to existing facilities, and it is considered that this has been achieved in this case and therefore the proposal complies with the requirements of criterion 4.

- 5.12 The proposal is located on a site where a private road network already exists, and is unlikely to have a substantial impact on this network; therefore, it is considered that the proposal complies with the requirements of criterion number 5.

Landscape

- 5.13 The site is partially located within the Portmeirion Grade II* Listed Park and Garden, and is partially within its setting. The site also lies within the Conservation Area and Landscape of Outstanding Historic Interest and a Special Landscape Area. The Welsh Historic Gardens Trust and the Gwynedd Archaeological Planning Service express grave concerns about the proposal and its impact on the Listed Park and Garden and its setting and the historic environment.

- 5.14 The proposal would entail the loss of some parking spaces for visitors and staff. It is noted that an additional car park has recently been created, north of the existing car park, and although the development has been undertaken without planning permission initially, planning permission was approved under C18/0525/08/LL for an extension to the car park and it is considered that this would be sufficient to compensate for general loss of parking. It is noted that there are specific times when Portmeirion hosts occasional seasonal events that mean there is huge pressure on parking within the site, however, it is noted that these are occasional and it is considered that this in itself would not have a detrimental impact on the landscape.

- 5.15 Policy AMG 2: Special Landscape Areas, confirms that when considering a proposal within Special Landscape Areas (SLA), there will be a need to give appropriate consideration to the scale and nature of the development ensuring that there is no significant adverse detrimental impact on the landscape. It proceeds to note that the proposal should give due attention to the relevant 'Statement of Value and Significance' and, where appropriate, a Landscape and Visual Impact Assessment will be required to be able to consider the development's impact on the designated area. Bearing in mind the observations of the Welsh Historic Gardens Trust, CADW and that the quality of the land surrounding Portmeirion scores as 'Outstanding' in terms of the LANDMAP Visual and Sensory Element, it is considered entirely reasonable to expect a Landscape and Visual Impact Assessment to be carried out for the proposal in question. An assessment has been received and it is considered that in terms of location, scale, landscaping and relevant conditions attached to any planning permission would ensure its seasonal use would safeguard the landscape, and that the proposal therefore complies with the requirements of policy AMG 2 of the LDP.

- 5.16 Policy AMG 3: Protecting and improving features and qualities that are unique to the character of the local landscape, ensures that developments that would substantially affect the landscape character, as defined by Landscape Character Areas included in the Landscape Strategy, would indicate how the landscape character has influenced the design, size, nature and the process of selecting the site of the development. The application site is within Area number 9 Porthmadog and material planning matters include tourism impact, noting that any new development involved with tourism should be considered in relation to the wider visual impact on the landscape as well as specific impacts locally; the scale of developments should reflect the form and scale of the local landscape; and landscape treatment should reflect existing vegetation pattern in the area by noting that special care should be taken when selecting and using species, and

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perhaps the appearance of the proposal would improve by changing the location and planning details, instead of extensively new planting. In the same manner, on the grounds of the proposal before you, the assessments that have been received, and the planning conditions that would ensure suitable landscaping and seasonal use of the site, it is considered that the proposal complies with the requirements of policy AMG 3 of the LDP and criterion 1 of Policy PCYFF 4.

- 5.17 Policy PS20: Protecting and where appropriate enhancing heritage assets, in relation to policy AT1: Conservation Areas, world heritage sites and landscapes, registered historic parks and gardens, ensure that proposals protect, and where appropriate, enhance the relevant heritage assets by giving appropriate consideration to the character of the Conservation Area and the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. The policy confirms that a Heritage Impact Assessment will need to be submitted where appropriate, and paragraph 6.5.39 goes on to state that the Assessment will be required for developments within the setting of Conservation Areas and a registered Park or Garden. An assessment has been received and CADW and the Conservation Officer have confirmed that there is no specific objection to the proposal before you, therefore, it is considered that the proposal complies with the requirements of policies PS20 and AT1 of the LDP.

Visual amenities

- 5.18 Visual matters of the site in its entirety have been discussed above, and as already noted, the site is located on a sensitive site in the village of Portmeirion. By now the proposal includes the services building permitted under C17/0116/08/LL, and the proposal has amended internal and external alterations to the building in order to include it as part of the camping site development. This building will remain at the same site and its general design is the same as what has already been approved. The alterations to the openings and the internal floor plan are minor considering what has been previously approved. Based on this, it is considered that the proposal is acceptable in terms of its visual impact and complies with the requirements of policies PCYFF 2, 3 and 4 of the Local Development Plan.

Transport and access matters

- 5.19 Policy TRA 4 of the Local Development Plan assesses proposals in terms of the impact on road safety. A private road network leads from the site to the highway in Minffordd. The Transportation Unit has confirmed that varied traffic flows already use the road network and that it would be unlikely to have a substantial detrimental impact.
- 5.20 On this basis, it is considered that the proposal is acceptable in terms of road safety, and complies with the requirements of policy TRA 4.

Trees and Biodiversity

- 5.21 The site is located within a Conservation Area, and there are many trees on and surrounding the application site. The information submitted as part of the application confirms that there is an intention to undertake work to some trees and to cut others. It is noted that planning permission C17/0116/08/LL for the services building also includes undertaking work to and cutting trees, however, any planning permission approved here would supersede any previous permission.
- 5.22 Permission C17/0116/08/LL specifically means cutting trees and the provision of a hard standing yard / turning area in an area situated south east of the services building,

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and forms part of the camping site by now. The application to hand entails retaining these trees and landscaping the area. Concerns have been raised regarding the suitability of the proposed work within the tree roots conservation area, and the impact of the proposed work on the future of the trees; however, in considering that a previous permission was approved to fell them completely, it is considered that the situation proposed as part of this current application is an improvement in terms of retaining trees and landscaping.

- 5.23 The initial report regarding the suitability of the trees for bats has been submitted as part of the application, and its contents is acceptable in terms of tree work and lighting proposed as part of the development.
- 5.24 It is noted that the Biodiversity Unit have proposed conditions to ensure that the development is completed in accordance with the requirements of the specific assessments and additional lighting. Based on the submitted information and subject to specific conditions, it is considered that the proposal complies with the requirements of policies PS19 and AT 1 of the LDP.

Language Matters

- 5.25 Policy PS1 of the LDP promotes and supports the use of the Welsh language in the Plan area and this will be achieved by asking for a Welsh Language Statement for specific developments. The development before you does not fall within any of the criteria and this means that a Welsh language statement does not have to be provided for the development. On this basis, it is considered that the proposal complies with the requirements of policy PS1 and Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities.

Economy Matters

- 5.26 The Village of Portmeirion is an important site and contributes significantly to the local area's economy. The site is extensive and includes a number of different existing developments which comprise buildings and open spaces, woodlands and stunning structures; and it is considered that the proposal before you would support what is already available. Policy PS14 The Visitor Economy, supports the development of a tourist industry that will contribute towards the local economy and there is clear support for general schemes to enhance, extend and strengthen business. The Local Planning Authority recognises the importance of the site and the proposal before you in terms of benefit for the local area as well as its cultural importance, and to this end it is considered that the proposal complies with the requirements of policy PS14 of the LDP.

Response to the public consultation

- 5.27 The following comments were received as a result of the public consultation:
- Noise Impact
 - Visual Impact
- 5.28 The observations from a neighbour of the site, refer specifically to the additional noise and visual impact that will derive from the development as a result of more intensive use of the site compared to its existing use as a car park. The neighbour suggests that it would be possible to mitigate these impacts by significant and suitable landscaping between his property and the application site.

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5.29 The Portmeirion site is not subject to opening and closing hours that stem from any planning permission, and although the site is currently run to general opening and closing hours 9:30am until 7:30pm daily, with restaurants open until 9pm with holiday accommodation, rooms and the hotel within Portmeirion open throughout the year; extending these hours would not be subject to a planning application. It is therefore likely that the car park currently has varied use throughout the year from hotel guests and restaurant users until late at night, and it is considered that the proposal before you would not have a detrimental or significant additional effect on the neighbour compared to the current situation.

5.30 It is noted that the neighbour has also referred to the impact of noise and nuisance due to late night events e.g. barbecue, fires etc. This type of activity is typical of camping sites, however, it is considered that the distance between the site and the neighbour's property, together with the buildings and the car park and existing landscaping between them as well as the landscaping scheme to be agreed will mitigate any significant impact.

5.31 In the same manner, based on current use of the site as a car park, the distance between the site and residential property and the buildings and existing landscaping on the site together with the landscaping scheme to be agreed and a seasonal condition for the camping site, it is considered that it would be unlikely to have a detrimental visual impact any more than currently exists.

6. Conclusions:

6.1 Having considered the above and all material planning matters fully including local and national policies and guidance, it is deemed that this proposal is acceptable and complies with the requirements of the relevant policies as noted above.

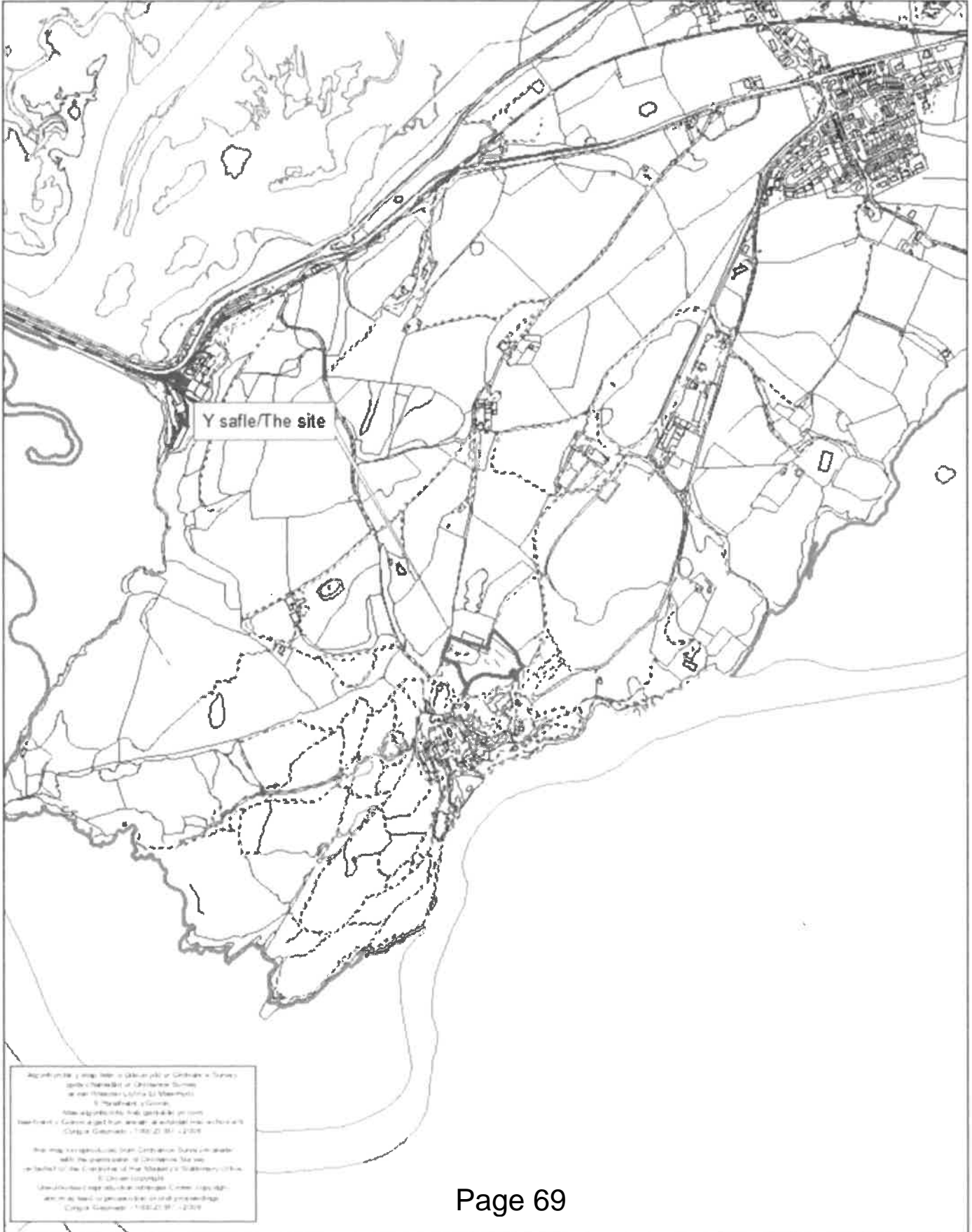
7. Recommendation:

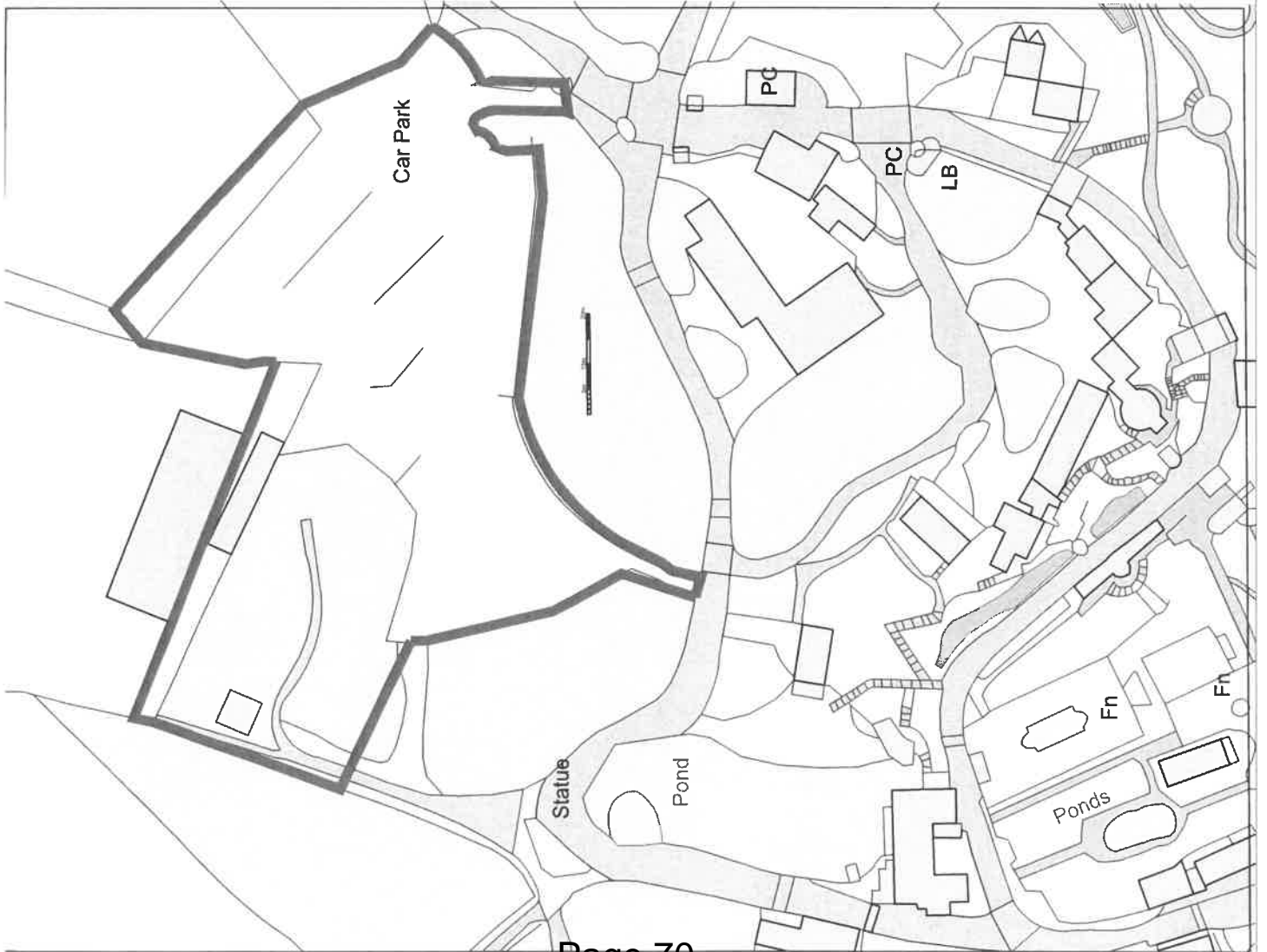
7.1 To approve – conditions

1. Five years
2. In accordance with the plans, tree report and bat report
3. Holiday Units Condition
4. Seasonal condition March to October
5. Landscaping scheme
6. Lighting scheme
7. Use of building in accordance with the floor plan
8. Construction hours 8-6 Monday to Friday and 8-11 Saturday
9. Litter storage to be operational prior to using the camping site
10. Toilet facilities etc, to be operational prior to using the camping site
11. Tree work
12. Agree on work step by step in advance.



Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.





Rev	Details	Date
.		



environmental associate
 landscape architects urban designers environmental planners

Client: .

Project: **Portmerion**
touring camper site

Title: **location plan**

Project No: EA/5377
 Drawing No: 5377/15
 Revision: .
 Scale: 1:1250@ A4
 Date: 23-10-18

Chapel House, City Road, Chester, CH1 3AE
 Tel: 01244 311666
 email: ea@environmentalassociates.ne
 web: www.environmentalassociates.ne

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Cynllun Diwygiedig Amended Plan

- main car entrance
- waste & recycling
- proposed riven slate paving
- new arch & pleached lime
- proposed grass
- existing retained
- main car park with roped off ends
- double sided hit & miss fence; see fig 1
- crushed slate waste roads
- MB - under all paving: washed granite sub-base to be used i.e. ...
- re-used bollard end railing
- proposed native tree
- proposed ornamental tree
- proposed structural / screen planting
- proposed ornamental shrub planting
- pitch boundary end number 15
- camper pitch built on 'TerraM Geocell' Tree Root / load protection / load platform / Geocell (75mm cell dimension) with grassed surface
- shared surface built on Geocell Tree Root Protection / Load Platform / Geocell (75mm cell dimension) with fleebly laid setts/pavers see fig 2
- painted in planters

- notes:
- 23 camper spaces
 - structural/screen planting consisting of native and/or evergreen species
 - dense screen planting at north entrance route
 - arched yews over slate/stone paved visitor entrance route
 - 45 specimen trees planted
 - ornamental planting at prominent locations

Rev	Desc	Date	Drawn
F	Setts added to 1:2500000	11/11/16	LS
E	camper pitch removed, 23 camper van spaces added; shared pedestrian/vehicle space added	11/11/16	POB
D	pitch boundaries added in pink dashed line	11/11/16	POB
C	camper van park layout added	11/11/16	POB
B	removed all bolts to achieve 6m between each	11/11/16	POB
A	north west corner amended for access to business store	11/11/16	POB

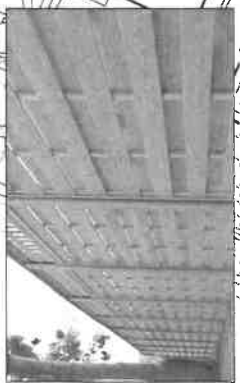
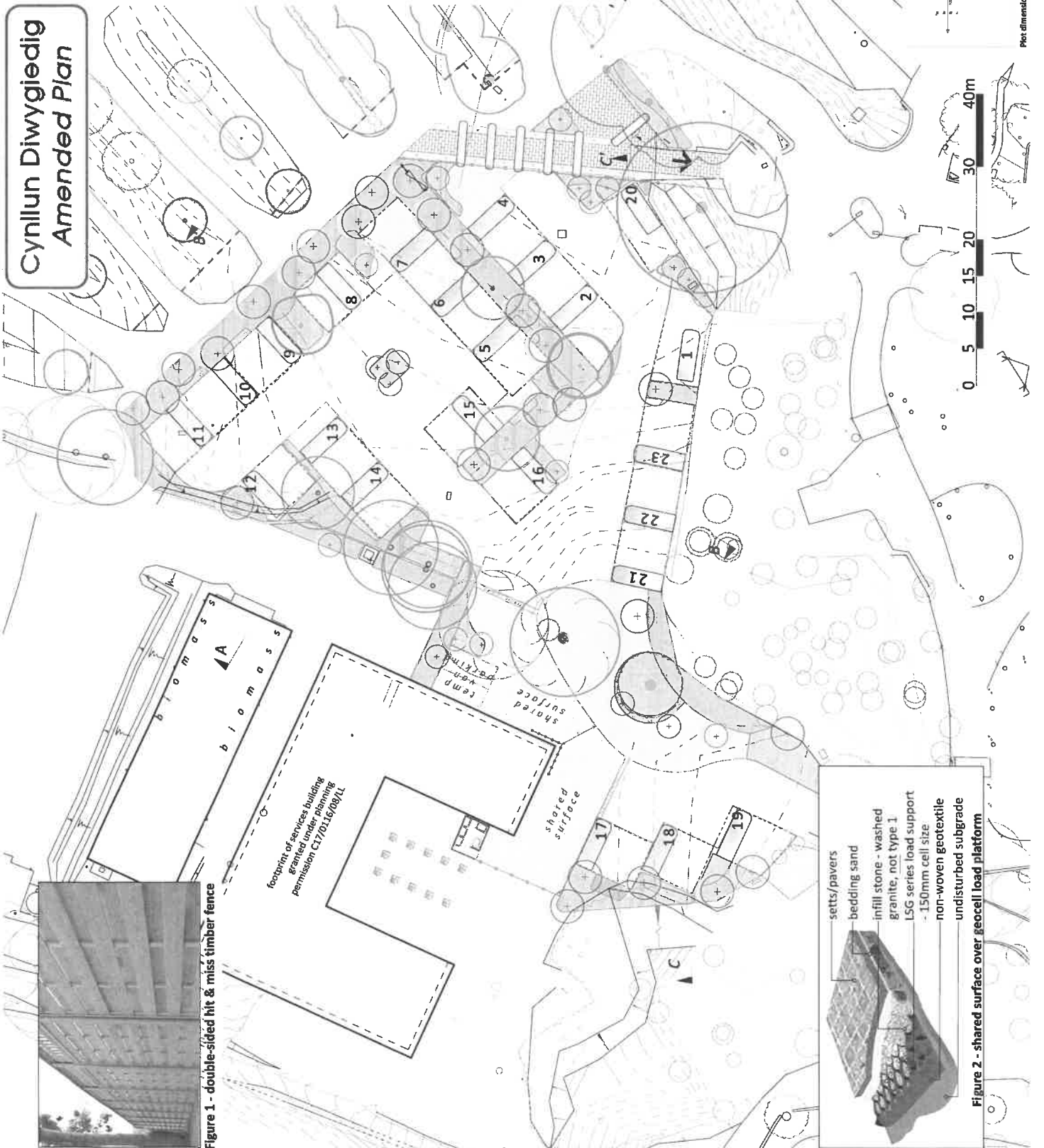


Figure 1 - double-sided hit & miss timber fence

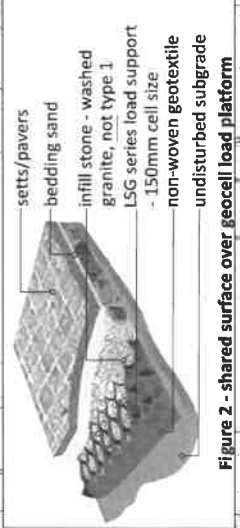

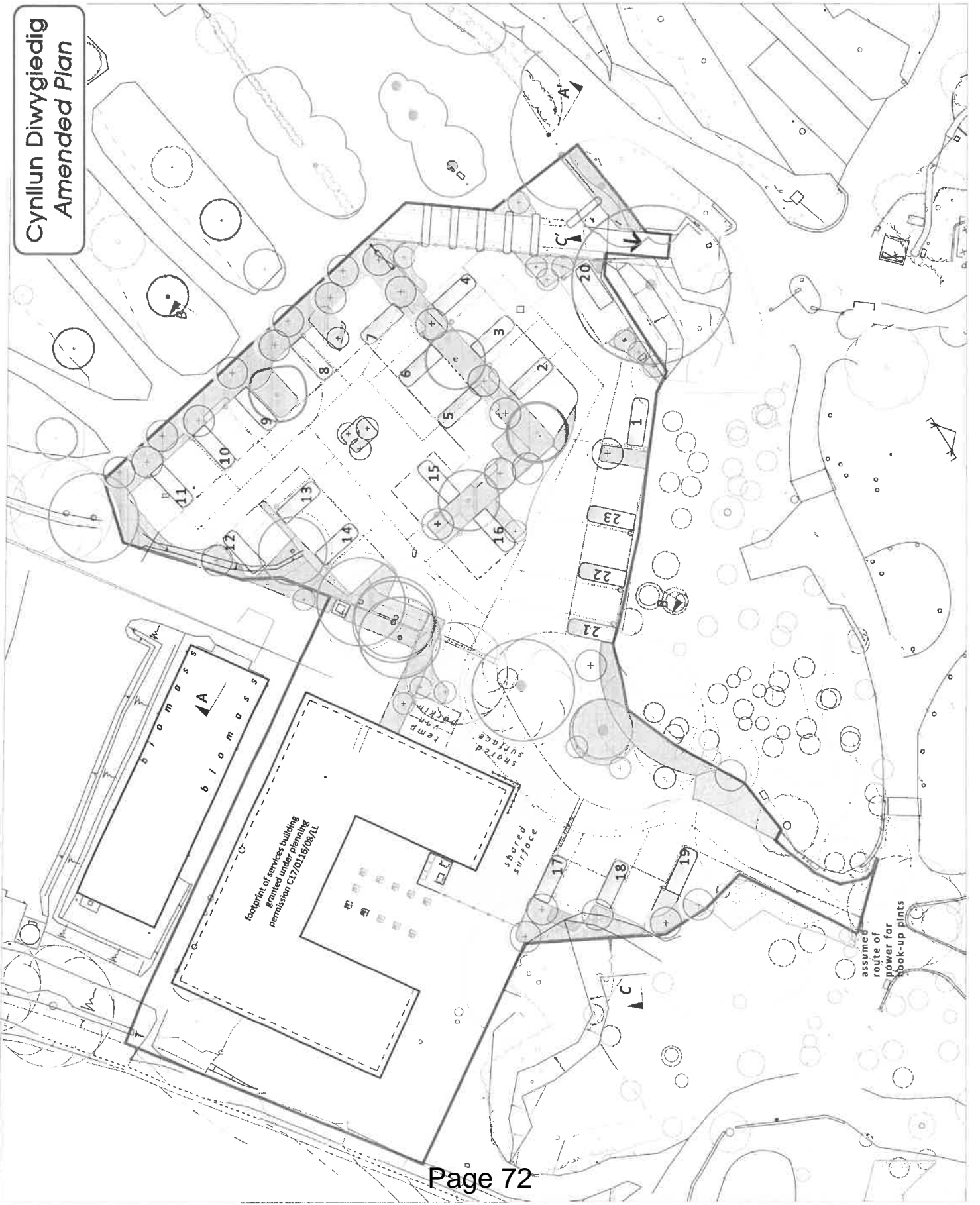


Figure 2 - shared surface over geocell load platform

key
 hook-up point for cable route

Cynllun Diwygiedig Amended Plan

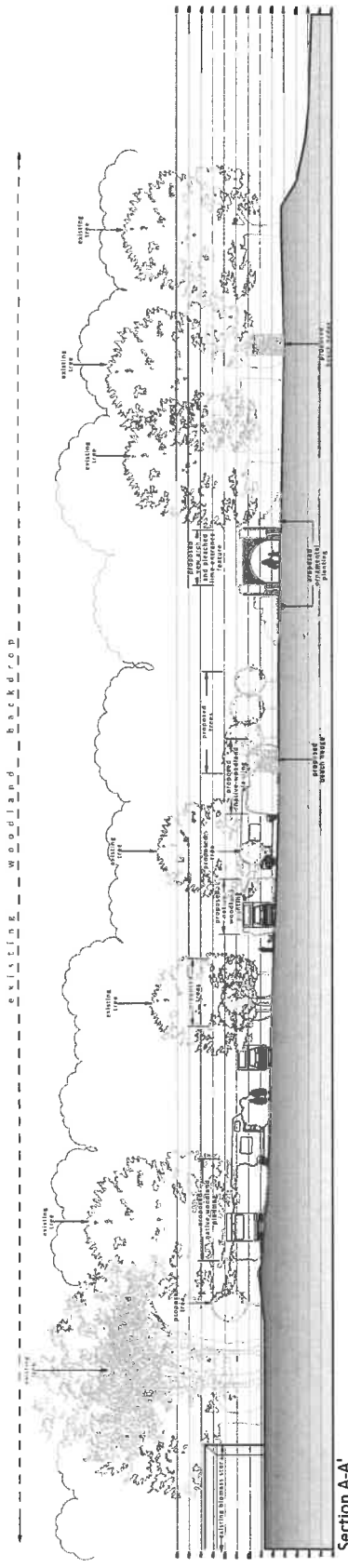


C	Scale revised to 1:5000	LS
B	Units 21, 23 added	90% S
A	Some hook-up points moved from protection street 18m	90% S
Rev	South	Date
Drawn	By	Drawn

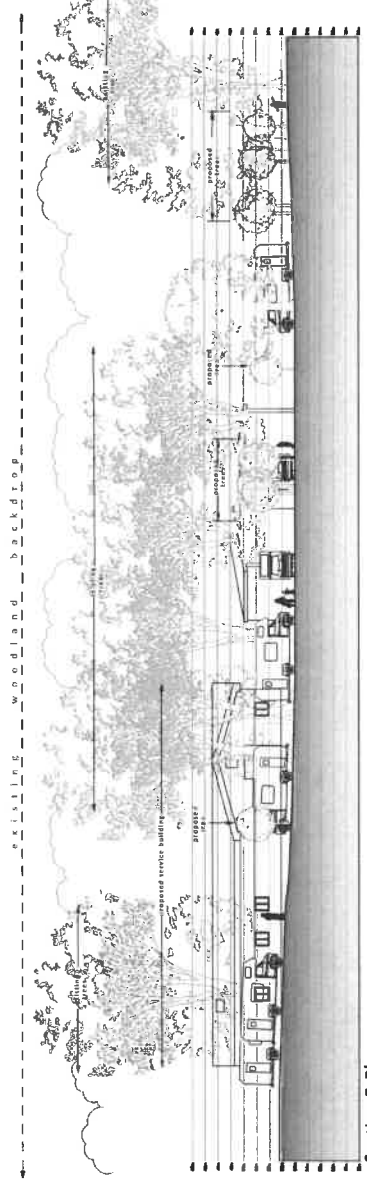
environmental
 environmental
 environmental

Permitted
 touring camper site
 hook-up points & cable route

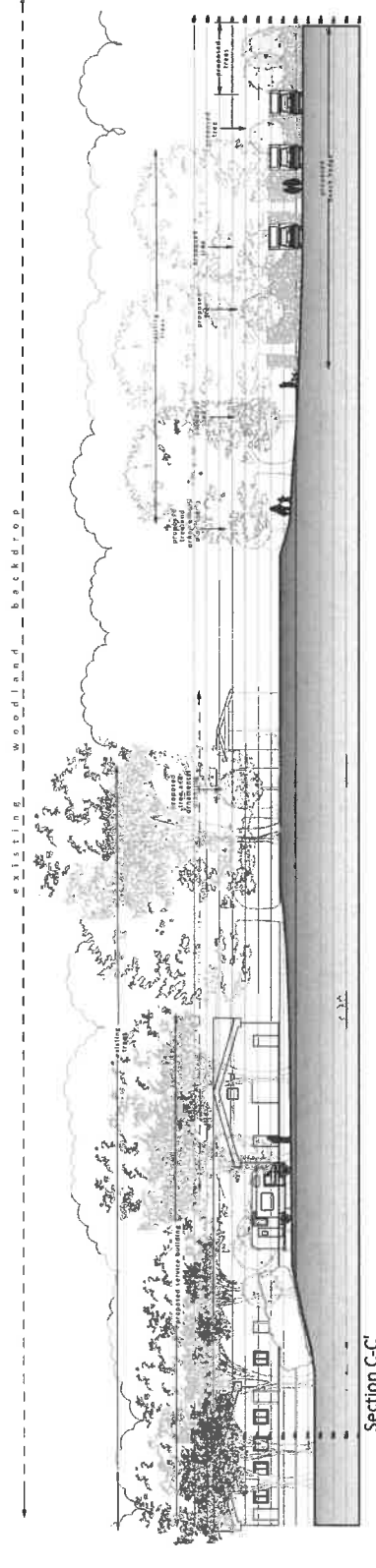
Project No: 5377/17
 Drawing No: 23-10-18
 Client: City of Cardiff
 1328 @ A1
 www.environmental.com



Section A-A'

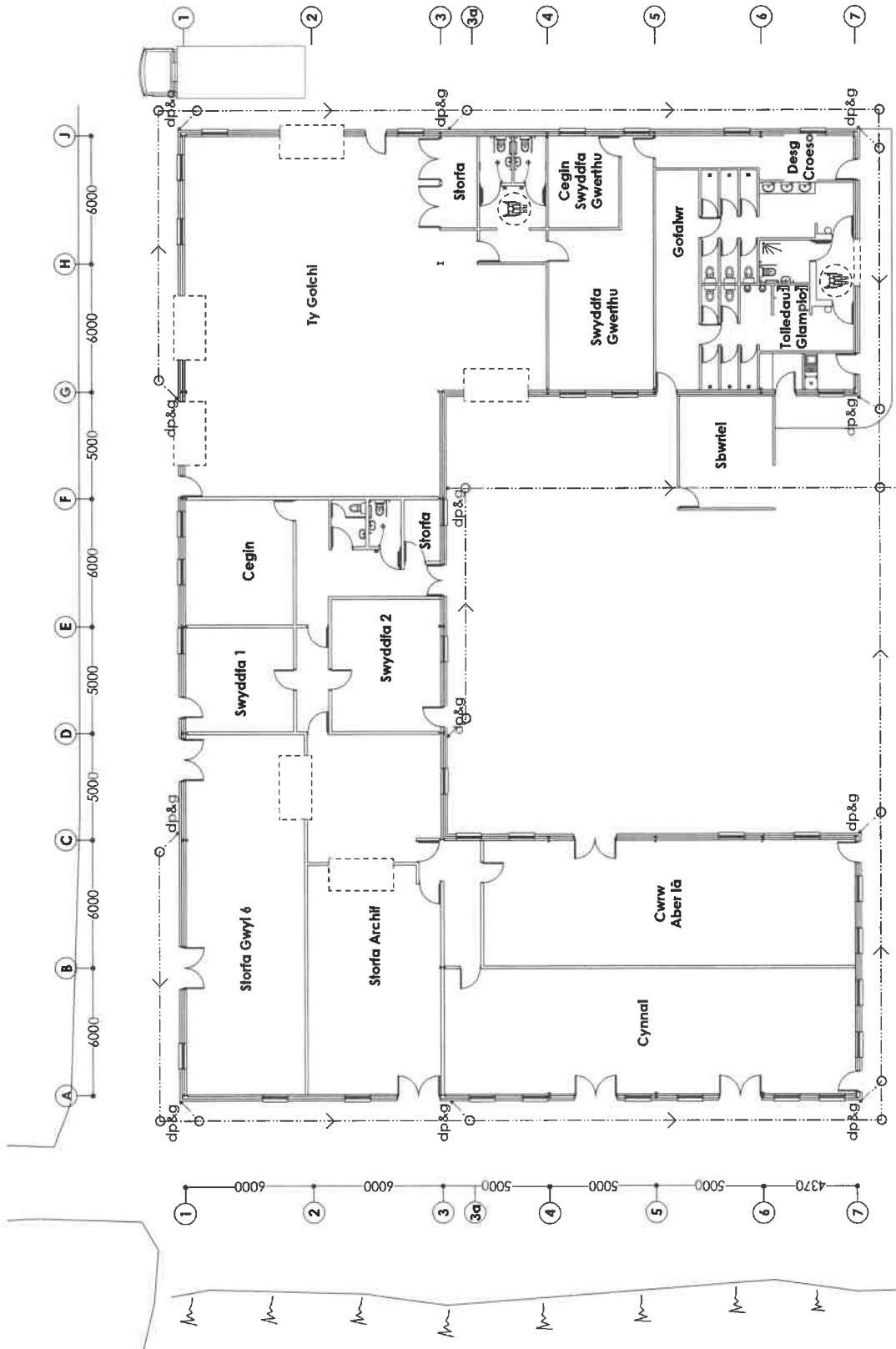


Section B-B'



Section C-C'

changes to service block and planting	6/10/20	PO/9
Rev	Date	Drawn
 environmental plus <small>landscape architects, urban designers & planning partners</small>		
Client: Portmerion		
Project: touring campsite		
Title: sections		
Project No	Drawn by	Approved
EA/8377_5377/14	A	A
Scale	Date	Drawn
1:200 @ A1	25/10/18	PO/9
Chapel House, City Road, Chester, CH1 3AQ, UK email: info@environmentalplus.co.uk web: www.environmentalplus.co.uk		
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Dwr wynab a dwr aifan i
system gyfunol presennol

Cynllun Llwr Gwaelod Bwrleddig

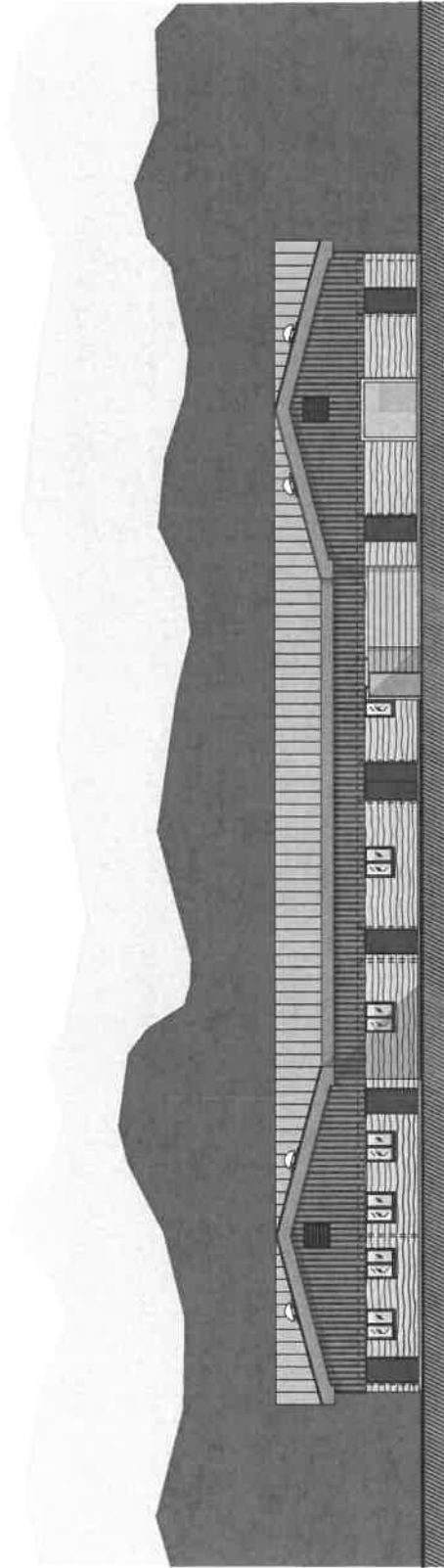
Cyfanswm arwynebedd llwr - 999m²

Ap Thomas, Cyf.
 144, 146, 148
 Llyn Gwynn
 Parc Merthyr
 Gwynedd
 LL57 4DF
 01248 670353
 www.ap-thomas.com
 info@ap-thomas.com

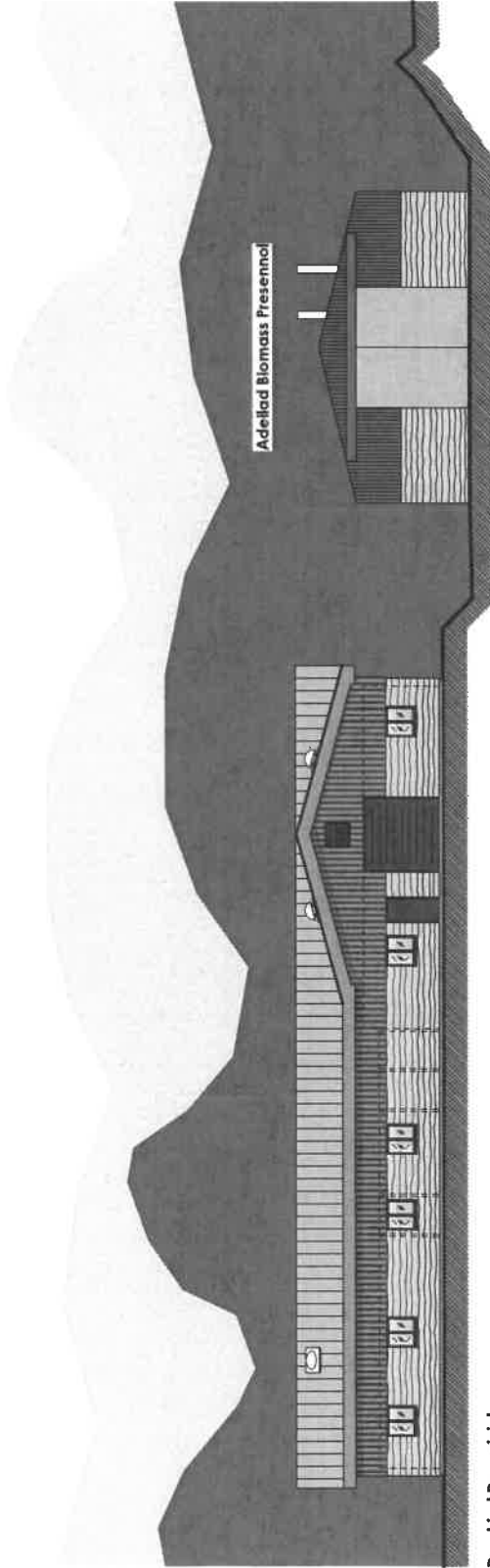
CAIS CYNLLUNIO

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 A 28.09.2016 Cynllun dwygyddig: LAG
 B 18.11.2016 Cynllun dwygyddig: LAG
 C 29.11.2016 Cynllun dwygyddig: LAG
 D 01.05.19 Cynllun wedi ddyrio yn eiddo
 E 13.06.19 Ffynhonnol gwaelod lloeddau cyfwrdd
 F 17.07.19 Newidolau ffynhonnol
 G 18.08.19 Newidolau ffynhonnol
 H 01.05.19
 I 01.05.19
 J 01.05.19

DATE : 23.09.2016	SCALE : 1:200
DRAWN: TE	CHECKED: AMJ
JOB: Adedid Gwasanaethau Cynnal, Portmeirion, Gwynedd	
DRG. Cynllun Llwr Gwaelod Bwrleddig	
JOB NO. 5168	DRG. REF. (20)01
	REV. G



Drychriad Deheuol



Drychriad Dwyreiniol

Gorffennelladau:

- T6 - Panelli rhychiog lliw 'slate grey'.
- Cylarpar awyru a pibau gwasanaethu.
- Muriau - Panelli rhychiog lliw 'slate grey'.
- Ffenestri - Llywd tywyll.
- Drysau - Coch tywyll.

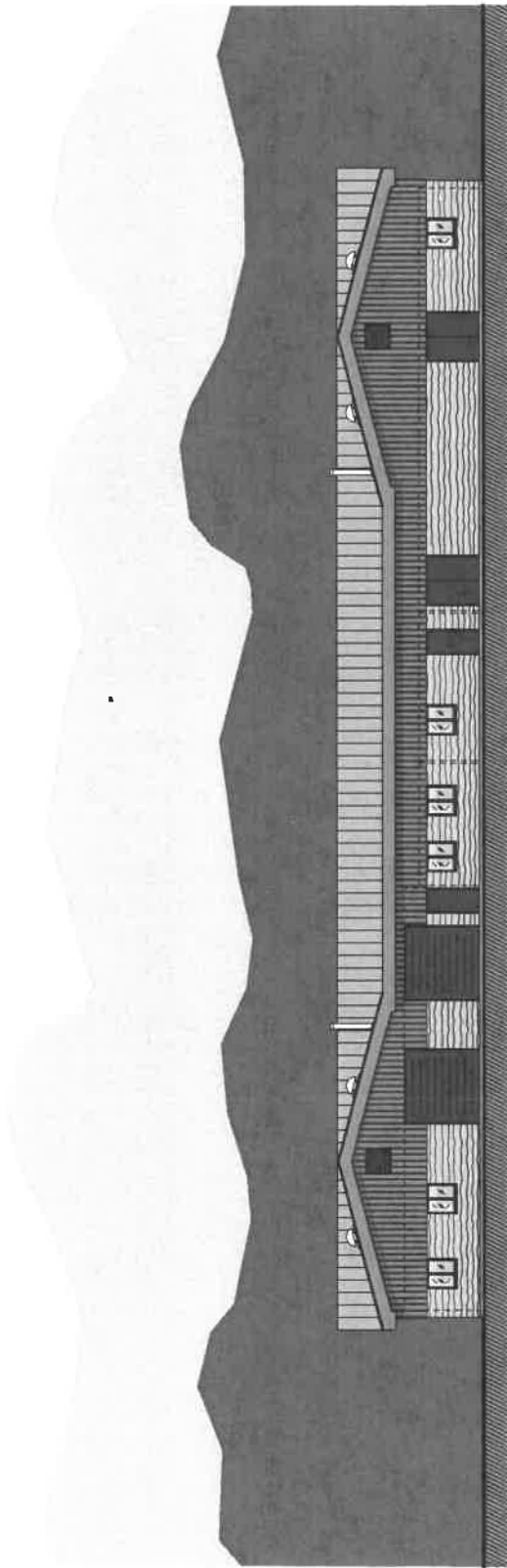
CAIS CYNLLUNIO

Ap Thomas Cŵf
 Unit 10b
 Llyc Cymen
 Parc Cymen
 Parc Penrhos
 Cwynedd
 LL57 4DF
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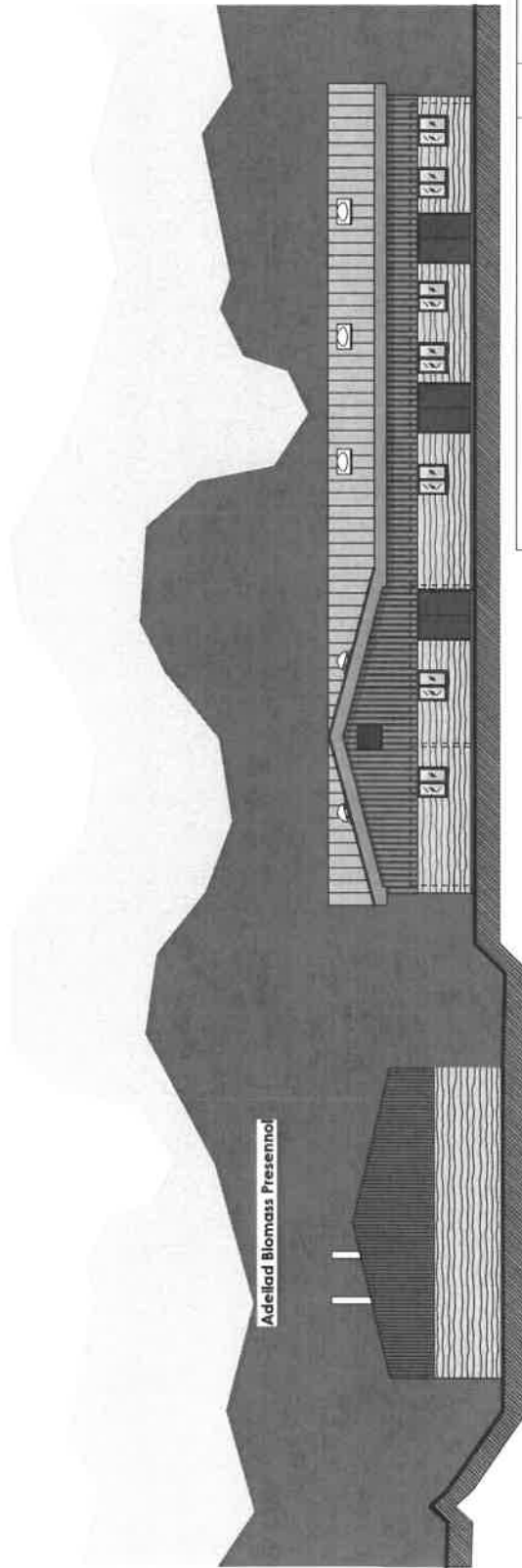
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A 29.11.2016 Cynllun ddywylliedig: LAG
 B 04.01.2017 Cynllun ddywylliedig: LAG
 C 01.05.19 Drychriad Dwyreiniol wedi diwygu: LAG
 D 02.07.19 Ffensiilia a drysau wedi'u diwyddu: TE
 E 18.07.19 Gorffennellau wedi eu coddennu: TE

DATE	: 11.10.2016	SCALE	: 1:200
DRAWN:	LAG	CHECKED:	AMJ
JOB:	Adeilad Gwasanaethau Cynnal, Portmeirion, Gwynedd		
DRG.	Drychriadau Bwrlededig		
JOB NO.	5168	DRG. REF.	(20)03
REV.			E



Drychiad Gogleddol



Drychiad Gorllewinol

Goffniadau:

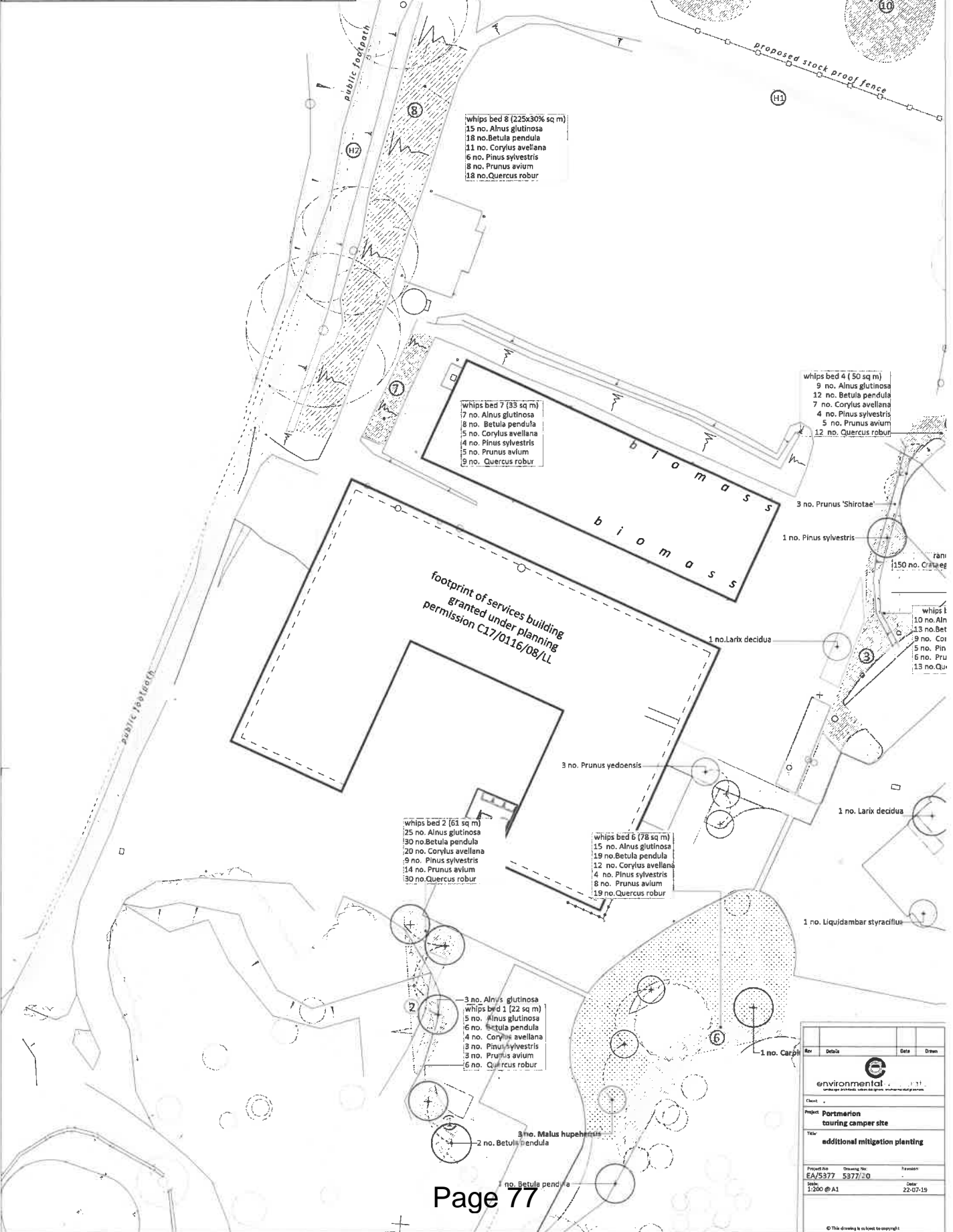
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- Muriau** - Panelli rhychiog llw 'slate grey'.
Panelli coed naturiol wedi eu llifio yn batfymog.
- Ffensiâ** - Llwyd fywyll.
- Drysau** - Coch fywyll.

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DATE : 11.10.2016	SCALE : 1:200
DRAWN: LAG	CHECKED: AMJ
<p>JOB: Adelid Gwasanaethau Cynnal, Portmeirion, Gwynedd</p>	
<p>DRG. Drychiadau Bwlededig</p>	
JOB NO. 5168	DRG. REF. (20)04
REV. D	

<p>CAIS CYNLLUNIO</p>	
<p>Ap Thomas Cof. Arlwydd Llyr Oshen Parc Menni Gwynedd LL57 4DF 01248 670353 www.ap-thomas.com info@ap-thomas.com</p>	<p>18.07.19 Goffnoddau wedi eu codio'nau 15</p> <p>02.07.19 Ffensiâ a drysau wedi'u ddiweddu</p> <p>04.01.2017 Cynllun ddiwydiol: LAG</p> <p>29.11.2016 Cynllun diwydiol: LAG</p>

Hedging (H 1 & 2)				
Name	Common name	Qty	Spec	Plant
<i>Crataegus monogyna</i>	Hawthorn	125	min. 2 shoots	20x C
<i>Fagus sylvatica</i>	Beech	75	min. 2 shoots	20x C
<i>Ilex aquifolium</i>	Holly	25	min. 7 shoots	20x C

Trees - whips @ 1.4m centres (beds 7, 8, 9 & 10)				
Species	Common name (% of mix)	Qty	Size (height)	Specification
<i>Alnus glutinosa</i>	Alder (20%)	57	40-60cm	BR; min 3 brks
<i>Betula pendula</i>	Birch (25%)	69	40-60cm	BR; min 3 brks
<i>Corylus avellana</i>	Hazel (15%)	42	40-60cm	BR; min 3 brks
<i>Pinus sylvestris</i>	Scots Pine (5%)	23	20 CG	min 5 brks
<i>Prunus avium</i>	Wild Cherry/Gean (10%)	31	40-60cm	BR; min 3 brks
<i>Quercus robur</i>	Oak (25%)	68	40-60cm	BR; min 3 brks



whips bed 9 (70 sq m)
 15 no. *Alnus glutinosa*
 18 no. *Betula pendula*
 11 no. *Corylus avellana*
 6 no. *Pinus sylvestris*
 8 no. *Prunus avium*
 16 no. *Quercus robur*

whips bed 10 (61 sq m)
 20 no. *Alnus glutinosa*
 25 no. *Betula pendula*
 15 no. *Corylus avellana*
 6 no. *Pinus sylvestris*
 10 no. *Prunus avium*
 25 no. *Quercus robur*

whips bed 8 (225x30% sq m)
 15 no. *Alnus glutinosa*
 18 no. *Betula pendula*
 11 no. *Corylus avellana*
 6 no. *Pinus sylvestris*
 8 no. *Prunus avium*
 18 no. *Quercus robur*

whips bed 7 (33 sq m)
 7 no. *Alnus glutinosa*
 8 no. *Betula pendula*
 5 no. *Corylus avellana*
 4 no. *Pinus sylvestris*
 5 no. *Prunus avium*
 2 no. *Quercus robur*

whips bed 4 (50 sq m)
 9 no. *Alnus glutinosa*
 12 no. *Betula pendula*
 7 no. *Corylus avellana*
 4 no. *Pinus sylvestris*
 5 no. *Prunus avium*
 12 no. *Quercus robur*

whips bed 2 (61 sq m)
 25 no. *Alnus glutinosa*
 30 no. *Betula pendula*
 20 no. *Corylus avellana*
 9 no. *Pinus sylvestris*
 14 no. *Prunus avium*
 30 no. *Quercus robur*


whips bed 6 (78 sq m)
 15 no. *Alnus glutinosa*
 19 no. *Betula pendula*
 12 no. *Corylus avellana*
 4 no. *Pinus sylvestris*
 8 no. *Prunus avium*
 19 no. *Quercus robur*

whips bed 1 (22 sq m)
 5 no. *Alnus glutinosa*
 6 no. *Betula pendula*
 4 no. *Corylus avellana*
 3 no. *Pinus sylvestris*
 3 no. *Prunus avium*
 6 no. *Quercus robur*

3 no. *Malus hupehensis*
 2 no. *Betula pendula*
 1 no. *Betula pendula*

Rev	Details	Date	Drawn
 environmental landscape architects and planners			
Client: _____			
Project: Portmerion touring camper site			
Title: additional mitigation planting			
Project No: EA/5377	Drawing No: 5377/20	Revision:	
Scale: 1:200 @ A1	Date: 22-07-19		

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Ref	Detail	Date	Drawn
 environmental solutions <small>Environmental Solutions Ltd. 10000 10th Street, Edmonton, Alberta T5A 0A6, Canada</small>			
Project: Portmorton Location: touring campsite			
Title: Survey plan			
Plan No.: 10000-10-001		Date: 18/12/18	
Scale: 1:500 @ A1		Client:	
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PWYLLGOR CYNLLUNIO	DYDDIAD: 13/01/2020
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO A GWARCHOD Y CYHOEDD	CAERNARFON

Number: 3

Application Number: C19/0988/42/LL

Date Registered: 23/10/2019

Application Type: Full - Planning

Community: Nefyn

Ward: Morfa Nefyn

Proposal: Creation of a balcony and access door from the house along with the installation of two heat pumps

Location: Bwthyn Bridyn, Lôn Bridin, Morfa Nefyn, Pwllheli, LL53 6BY

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

PWYLLGOR CYNLLUNIO	DYDDIAD: 13/01/2020
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO A GWARCHOD Y CYHOEDD	CAERNARFON

1. Description:

- 1.1 This application is for a scheme separate to a previously approved application for a front porch extension, roof alterations and the extension of an outbuilding to create an annexe (C19/0338/42/LL). This application relates to creating a first-floor balcony along the front of the house above existing sections of flat roof and installing two heat pumps to serve the property.
- 1.2 The property is adjacent to the access to Morfa Nefyn beach but at a slightly higher level than the beach, with a high boundary wall surrounding the front and sides. A vehicular track runs with the back wall which serves three other properties. The site is situated in the countryside. Lôn Bridyn is an unclassified road that is adjacent to the site and Coastal Path number 19 Nefyn runs along the cliff to the rear of the site. The site is outside the designated Llŷn Area of Outstanding Natural Beauty, but is within 240m to it and is within the Llŷn and Bardsey Island Landscape of Outstanding Historical Interest. The beach to the front and sections of the cliff at the back are within the Pen Llŷn a'r Sarnau Special Area of Conservation (SAC), and the Porthdinllaen to Porth Pistyll Site of Special Scientific Interest (SSSI). The site is within the Coastal Change Management Area and nearby but outside a C2 Flood Zone.
- 1.3 The application is submitted to Committee at the Local Member's request.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (31 July 2017)

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

AMG 1: Areas of Outstanding Natural Beauty Management Plans

PS 20: Preserving and where appropriate enhancing heritage assets

AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.

2.4 National Policies:

Planning Policy Wales (Edition 10) 2018

Technical Advice Note (TAN) 12: Design

Technical Advice Note (TAN) 14: Coastal Planning

Technical Advice Note (TAN) 15: Development and Flood Risk

Technical Advice Note (TAN) 18: Transportation

PWYLLGOR CYNLLUNIO	DYDDIAD: 13/01/2020
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO A GWARCHOD Y CYHOEDD	CAERNARFON

3. Relevant Planning History:

C19/0338/42/LL – Front porch extension, alterations to the roof and extension of an outbuilding to create an annexe: Approved 02/09/19.

4. Consultations:

Community/Town Council: Not received

Public Consultation: A notice was posted on the site and the neighbours were consulted. The advertising period has expired and correspondence was received objecting to the development on the following material planning grounds:

- Creating the balcony would constitute an overdevelopment of the site.
- The development would ruin a well-known and impressive vista

The following observations were received; these are not material planning considerations:

- Installing a heat pump outside the walls surrounding the site would be dangerous for the public.
- The Planning Committee has already stated its objection to the proposal for a balcony

Correspondence was also received in support of the proposal.

5. Assessment of the material planning considerations:

Visual amenities

- 5.1 It is a requirement that planning applications are determined based on the attributes of the specific scheme in question and in accordance with the adopted development plan, unless other material planning considerations state otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case.
- 5.2 Policy PCYFF 3 of the Joint Anglesey and Gwynedd Local Development Plan (LDP) is the policy to be considered when assessing design, materials and the visual impact of any development. Bearing in mind that only a light glazed screen would be at the front of the balcony and that the building's shape would not change significantly, officers do not consider that this change would impact significantly on the appearance of the property. Similarly, the heat pumps would be very small and considering their

PWYLLGOR CYNLLUNIO	DYDDIAD: 13/01/2020
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO A GWARCHOD Y CYHOEDD	CAERNARFON

concealed locations, it is not believed that they would have any significant impact on the built quality of the site. Since the alterations to the house are relatively minor, it is considered that they are acceptable additions in terms of appearance, scale and the treatment of elevations and comply with the requirements of policy PCYFF 3 of the LDP.

- 5.3 The property is adjacent to the access to Morfa Nefyn beach, and is therefore visible to the public. An objection was received expressing concern about the proposal's impact on the character of the Area of Outstanding Natural Beauty, however, the property is not located within this designation, which is approximately 240m west of the property in the direction of Porthdinllaen. Whilst we appreciate the concern regarding the sensitivity of the coastline in this area, officers are not of the view that the creation of this balcony would introduce an inappropriate feature to the site and it is unlikely to harmfully affect the character of the property. The property has been set back at an angle from the adjacent housing with higher ground to the back and a high boundary wall to the front, which means that the vistas of it are comparatively local. We realise that views of the property and the nearby cottages can be seen from Porthdinllaen, which is within the AONB, however, bearing in mind the small scale of the development, it is not considered that the proposal would significantly impact on the setting of the AONB or the views out of it from this distance. Therefore we do not believe that refusal of the application can be justified on the grounds of the impact on the AONB and the proposal is not considered to be contrary to policies PS19 and AMG1 of the LDP.
- 5.4 The site lies within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest. The proposal involves making alterations to the existing house, and in terms of the position and scale of the proposed changes, it is considered that the impact of the proposal would only be local and would not have a wider impact on the historical landscape. Therefore, the proposal is considered acceptable in respect of Policies PS20 and AT 1 of the LDP.

General and residential amenities

- 5.5 There is a cluster of four houses in this location near the beach, but given their setting the only property that is likely to be affected by the proposal is Tŷ Newydd which is adjacent. Tŷ Newydd is set further forward in the direction of the beach than Bwthyn Bridyn, with a lean-to extending out to the back. There are windows in the western gable-end of the lean-to which would be relatively close to the balcony, however the plans submitted include a solid 1.8m high screen at the eastern end of the balcony in order to reduce potential overlooking towards the neighbour's windows. Having assessed the application against the requirements of policy PCYFF 2 officers do not believe that the development would have an intrusive or detrimental impact on the neighbour's amenities, therefore the proposal is acceptable under policy PCYFF2 of the LDP which deals with amenity matters.

Other matters

- 5.6 Correspondence was received expressing concern about potential danger to the public from installing a heat pump outside the walls of the property. Although acknowledging the validity of this concern, there are health and safety regulations already in place under separate legislation to control the safety of such structures, therefore this in itself is not a planning consideration.

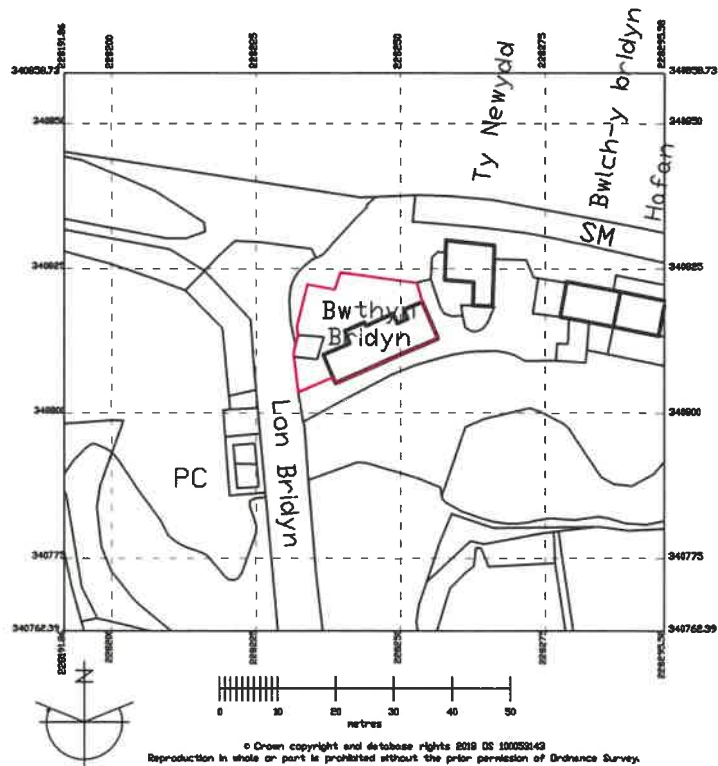
PWYLLGOR CYNLLUNIO	DYDDIAD: 13/01/2020
ADRODDIAD UWCH REOLWR GWASANAETH CYNLLUNIO A GWARCHOD Y CYHOEDD	CAERNARFON

6. Conclusions:

- 6.1 Having evaluated the application and the revised plans against the requirements of the above policies, and having considered the observations and objections received, we conclude that the proposal is acceptable to be approved subject to the conditions listed below.

7. Recommendation:

- 7.1 To approve subject to conditions:
1. Five years
 2. In accordance with the revised plans
 3. The high screen as shown in the submitted plans on the eastern side of the balcony must be retained permanently.



Amendments:

28.08.18

WRAY architects

RIBA Chartered Architect

project - Bwthyn Brudyn

title - Location Plan

drawn - 28th August 2018

number - 18.007.00A

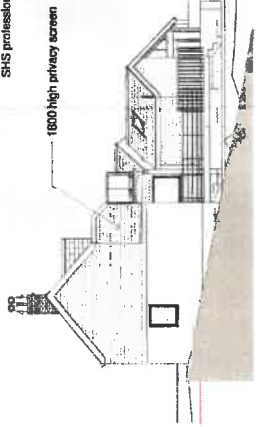
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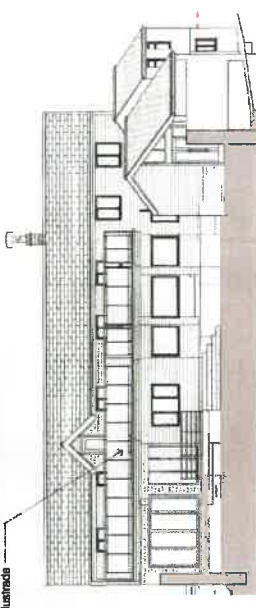
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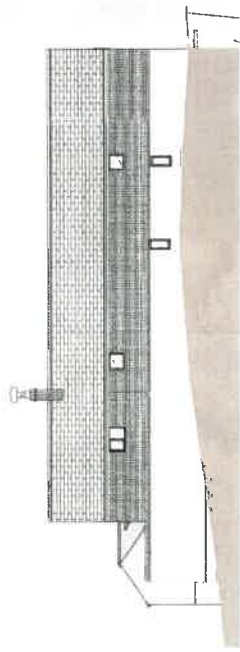
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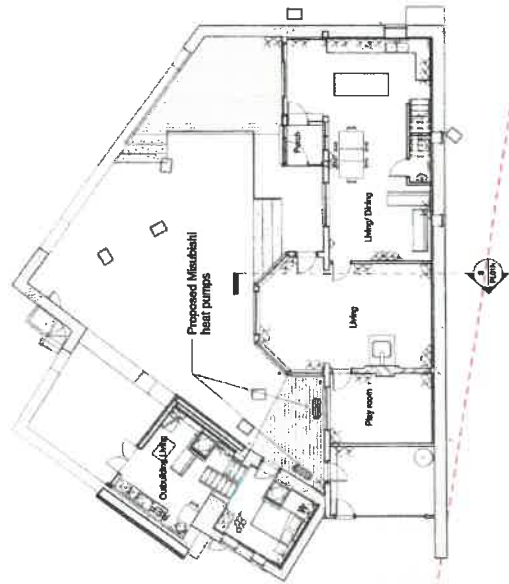
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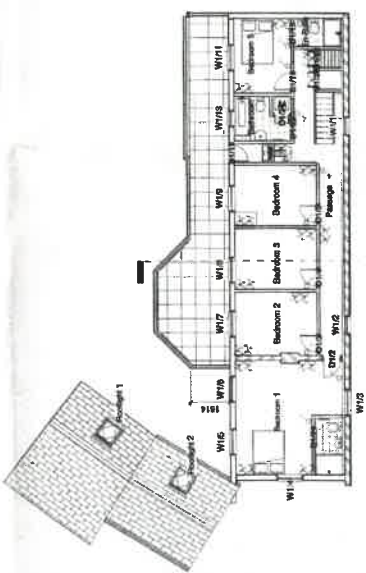
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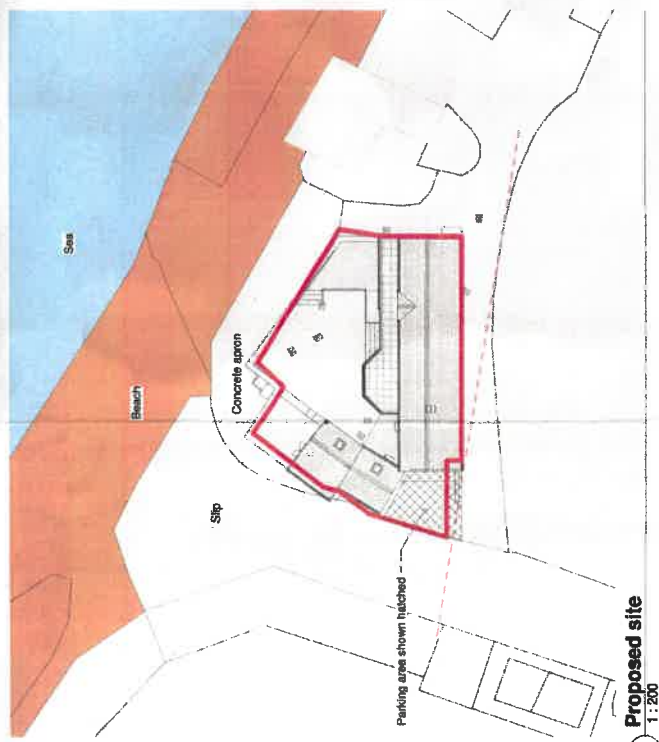
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1:100



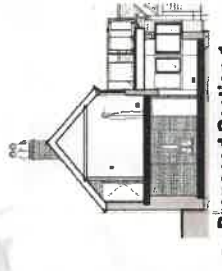
2 Proposed Ground Floor
1:100



3 Proposed First Floor
1:100



1 Proposed site
1:200



8 Proposed Section 1
1:100



- Amendments
- B Key added
 - C Balcony added, WC enlarged
 - D Balcony and roof changed
 - E Balcony extended
 - F Screen added to end of balcony
 - G Changes to see wall removed
 - H Balcony and ramping
 - I Balcony extended
 - J Dormer removed
 - K Dormer and balcony reinstated
 - L Spiral Stair removed
 - M Heat pump relocated
 - N

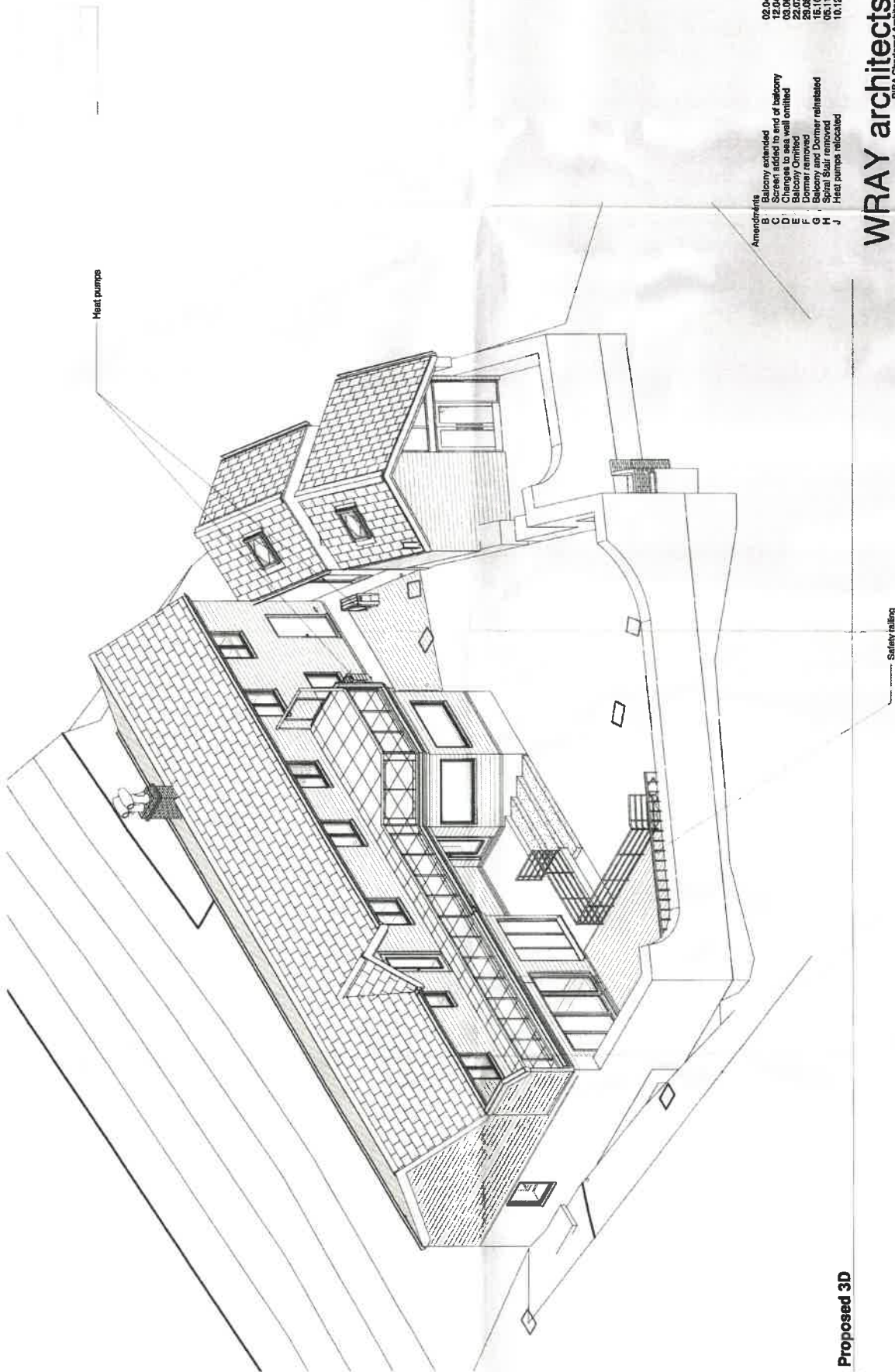
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22.07.18
23.08.18
15.10.18
05.11.18
10.12.18

WRAY architects
RIBA Chartered Architect

Project - Bethyl Bldg
Title - Proposed Plans, Section and Elevations
Drawn - 10.06.18
Number - 18.007.PLD/IN
Scale - As Indicated

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- Amendments
- 02.04.19 B Balcony extended
 - 12.04.19 C Screen added to end of balcony
 - 03.06.19 D Changes to sea wall omitted
 - 03.06.19 E Balcony extended
 - 29.08.19 F Dormer removed
 - 15.10.19 G Balcony and Dormer rehabilitated
 - 06.11.19 H Spiral Stair removed
 - 10.12.19 J Heat pumps relocated

WRAY architects
RIBA Chartered Architect

Project - Bwllyn Brydyr
Title - Sketch 3D View (not to scale)
Drawn - 08.09.18
Number - 18.007.5K2U
Scale -
Do not scale from this drawing : Original printed at A1
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CYHILLUN DWYGYDDIG
REVISED PLAN
18/12/18
Llofnoddyddys
P.W.R.

1 Proposed 3D

Agenda Item 5.4

PLANNING COMMITTEE	DATE: 13/01/2020
SENIOR PLANNING AND PUBLIC PROTECTION MANAGER'S REPORT	CAERNARFON

Number: 4

Application Number: C19/0443/11/CR

Date Registered: 21/06/2019

Application Type: Listed Building Consent

Community: Bangor

Ward: Deiniol

Proposal: Internal and external alterations to convert rear part of former Debenhams shop into six living units.

Location: 196-200, High Street, Bangor, Gwynedd, LL57 1NU.

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

PLANNING COMMITTEE	DATE: 13/01/2020
SENIOR PLANNING AND PUBLIC PROTECTION MANAGER'S REPORT	CAERNARFON

1. Description:

- 1.1 A listed building application for the change of use of the rear section of building which was formerly the Debenhams site in Bangor to form six self-contained residential units, along with minor alterations to the building, namely the installation of new windows and eight rooflights. Internally, it is proposed to create six living units which will include five units with one double bedroom, and one unit with one double bedroom and one single bedroom. The units will vary in size from 50m² to 98m² for the two-bedroom unit. There is no intention to build any extensions to the building and there will be no increase in the current floor area of the building.
- 1.2 The site is located within the development boundary, off the High Street in Bangor City Centre and within the Conservation Area. The main building, located on the High Street, is listed; and this substandard extension, which is modern and to the rear, forms part of the building and is therefore listed by connection.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**
- PS20 Preserving and, where appropriate, enhancing heritage assets

2.4 National Policies:

Planning Policy Wales (Edition 10, December 2018)
 Technical Advice Note 24: The Historic Environment
 Managing change to listed buildings in Wales

3. Relevant Planning History:

- 3.1 C18/1087/11/LL 196-200 High Street, Bangor - Conversion and change of use of first and second floors to form four living units in addition to the existing living unit, and the creation of new shop frontages - Approved - 14-6-19.
- C18/1092/11/CR 196-200 High Street, Bangor - Interior and exterior alterations to create three shops and five living units - Approved 23-7-19.

4. Consultations:

Community/Town Council:	Not received
British Archaeological Council:	Not received
Royal Commission on the Ancient and Historic Monuments of Wales:	Not received
Ancient Monuments Society:	Not received
The Georgian Group:	Not received
The Twentieth Century Society:	Not received
Gwynedd Archaeological Planning Service:	Not received
The Victorian Society:	Not received
The Society for the Protection of Ancient Buildings:	Not received
Senior Conservation Officer:	No consultation - The Conservation Unit dealt with this application, and therefore the Conservation Unit's professional opinion has been included in the report and is therefore not reported separately.

PLANNING COMMITTEE	DATE: 13/01/2020
SENIOR PLANNING AND PUBLIC PROTECTION MANAGER'S REPORT	CAERNARFON

Public Consultation: A notice was posted on site and in the press, and nearby residents were informed. The advertising period has expired and correspondence was received offering the following observations:

- Access for builders and machinery
- Noise issues will affect our business

5. Assessment of the material planning considerations:

The impact of the development on the setting and character of the Listed Building

5.1 Paragraph 5.13 of Technical Advice Note (TAN) 24: The Historic Environment states that Local Planning Authorities should look at the following matters when considering applications of this type:

- The importance and grade of the building and its intrinsic architectural or historic interest
- The physical features of the building which justify its listing and contribute to its significance, including any features of importance such as the interior, which may have come to light after the building's inclusion on the list
- The contribution of curtilage and location to the significance of the building, as well as its contribution to its local streetscene
- The impact of the proposed works on the significance of the building
- The extent to which the proposed works would bring substantial community benefits; for example, by contributing to the area's economy or the enhancement of its local environment

Policy PS20 of the LDP reiterates this in addition to the requirements of chapter 6, Planning Policy Wales.

5.2 The application involves the adaptation of a building was previously used as the rear part of a Debenhams shop to create six self-contained living units. This part is a modern addition to the main building which faces the High Street, and is not noted on the listing description; however, it still forms part of the listing due to the connection between both buildings. This extension has no historic or architectural value, and it is also located to the rear of the High Street where it is invisible to the public. The proposed work includes the construction of internal partitions to split the first floor into six units, in addition to the installation of eight rooflights, six new windows and a new side door made of wood with double-glazed units. Due to the building's location and the fact that it is a modern addition, it is not believed that the conversion of the building would have any impact on the historic or architectural value of the front building, and that it would comply with the requirements of policy PS20 along with national guidance and policies.

5.3 A letter was received expressing concerns around matters regarding noise and builders' access to the site. These matters have been given full consideration within the planning application and are not matters to be discussed in terms of the listed building application, which only assesses the impact on the character of the listed building.

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SENIOR PLANNING AND PUBLIC PROTECTION MANAGER'S REPORT	CAERNARFON

6. Conclusions:

- 6.1 It is not considered that the work outlined above would affect the integrity, the appearance or the character of the listed building in terms of its architectural and historic features, bearing in mind the nature of the building, and it is considered that it would be acceptable to approve the proposal in accordance with the assessment and the above policies.

7. Recommendation:

- 7.1 To approve in accordance with the following conditions:-
1. Five years
 2. In accordance with the plans/external materials to be agreed
 3. New painted timber framed windows



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Newiddeu - Amrednennu

Cyflwyn - Job
**DEBENHAMS,
 BANGOR**
 Dyluniad - Drawing
LOCAL PLAN

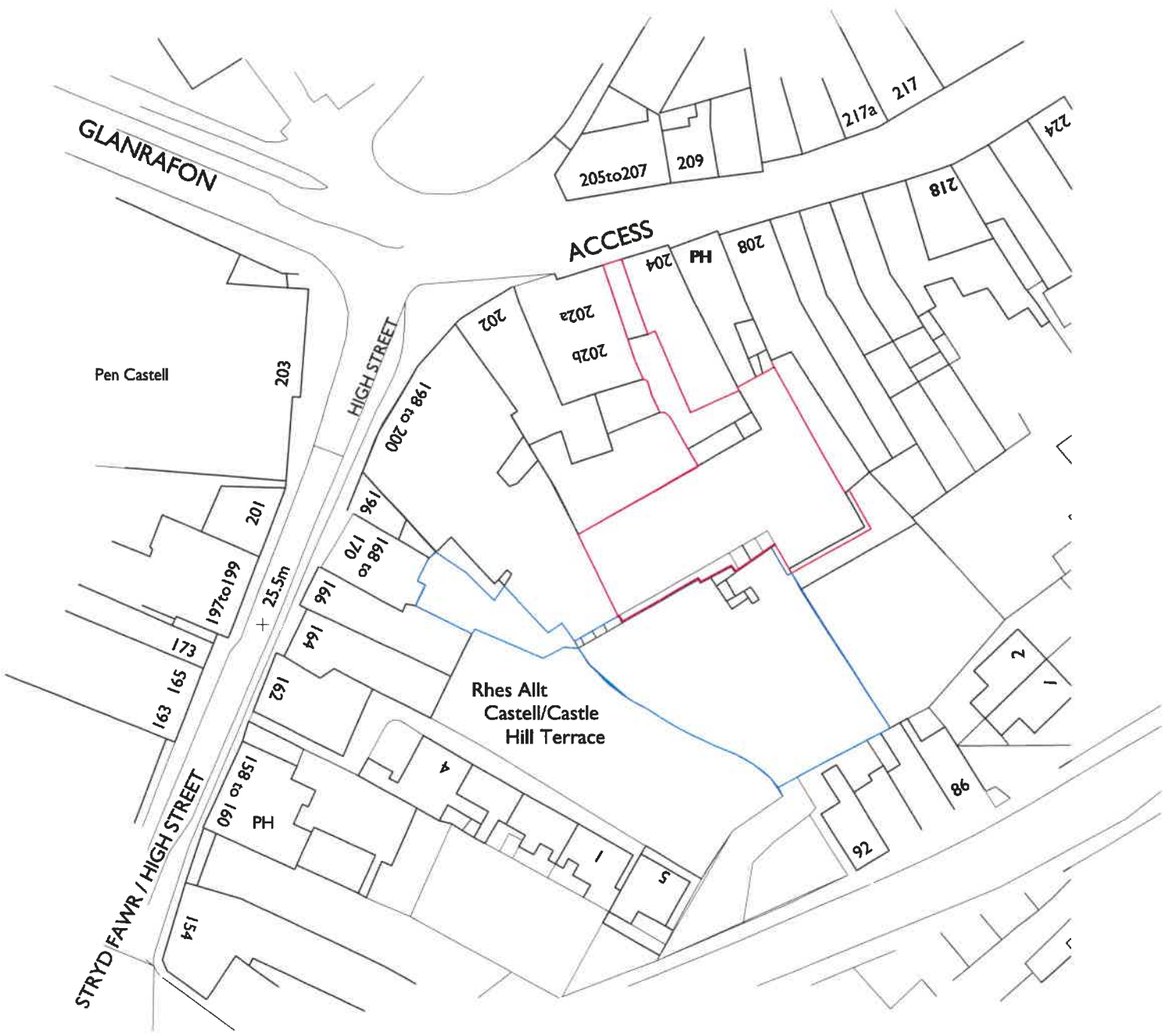
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EXISTING SITE PLAN

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EXISTING ACCESS FROM
MAIN HIGH STREET



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Cyfeir - Job
**DEBENHAMS,
BANGOR**
Dyddiad - Drawing
PROPOSED SITE PLAN

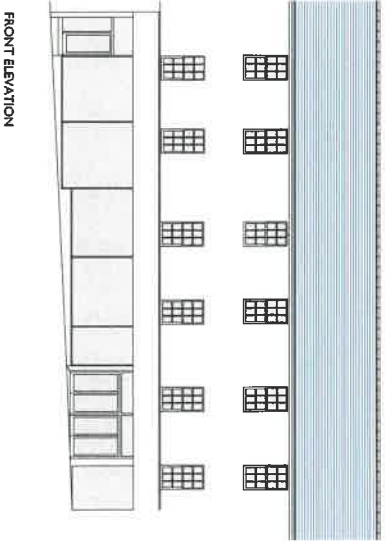
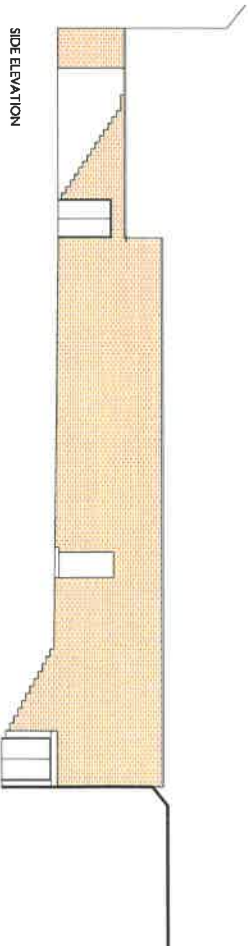
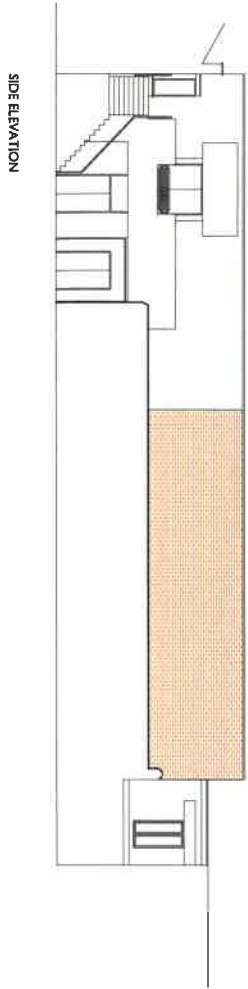
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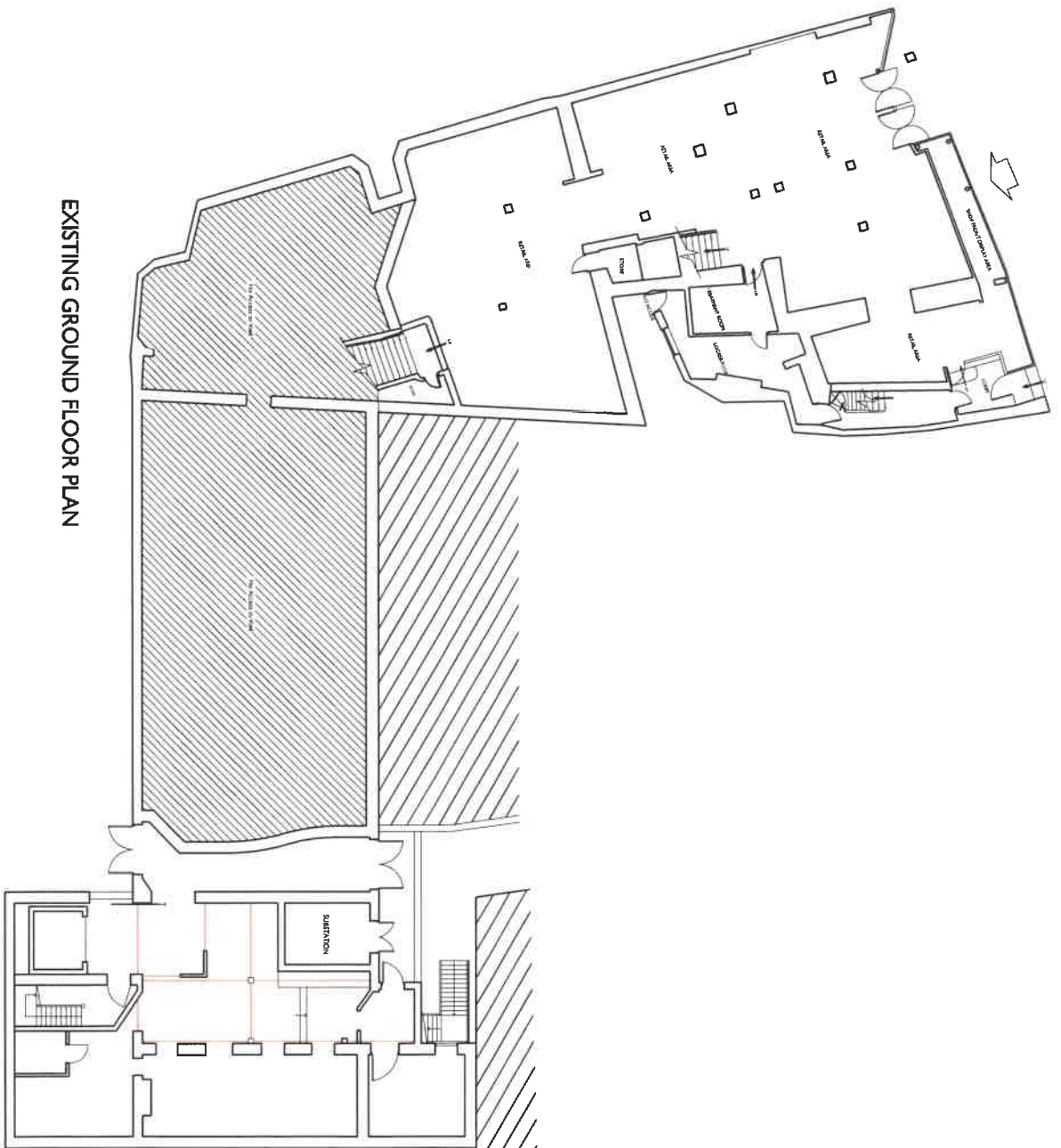
Neudidau - Amendments

Cynllun - Job
**DEBENHAMMS,
 BANGOR**
 Dyfyniad - Drawing
EXISTING ELEVATIONS

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EXISTING GROUND FLOOR PLAN

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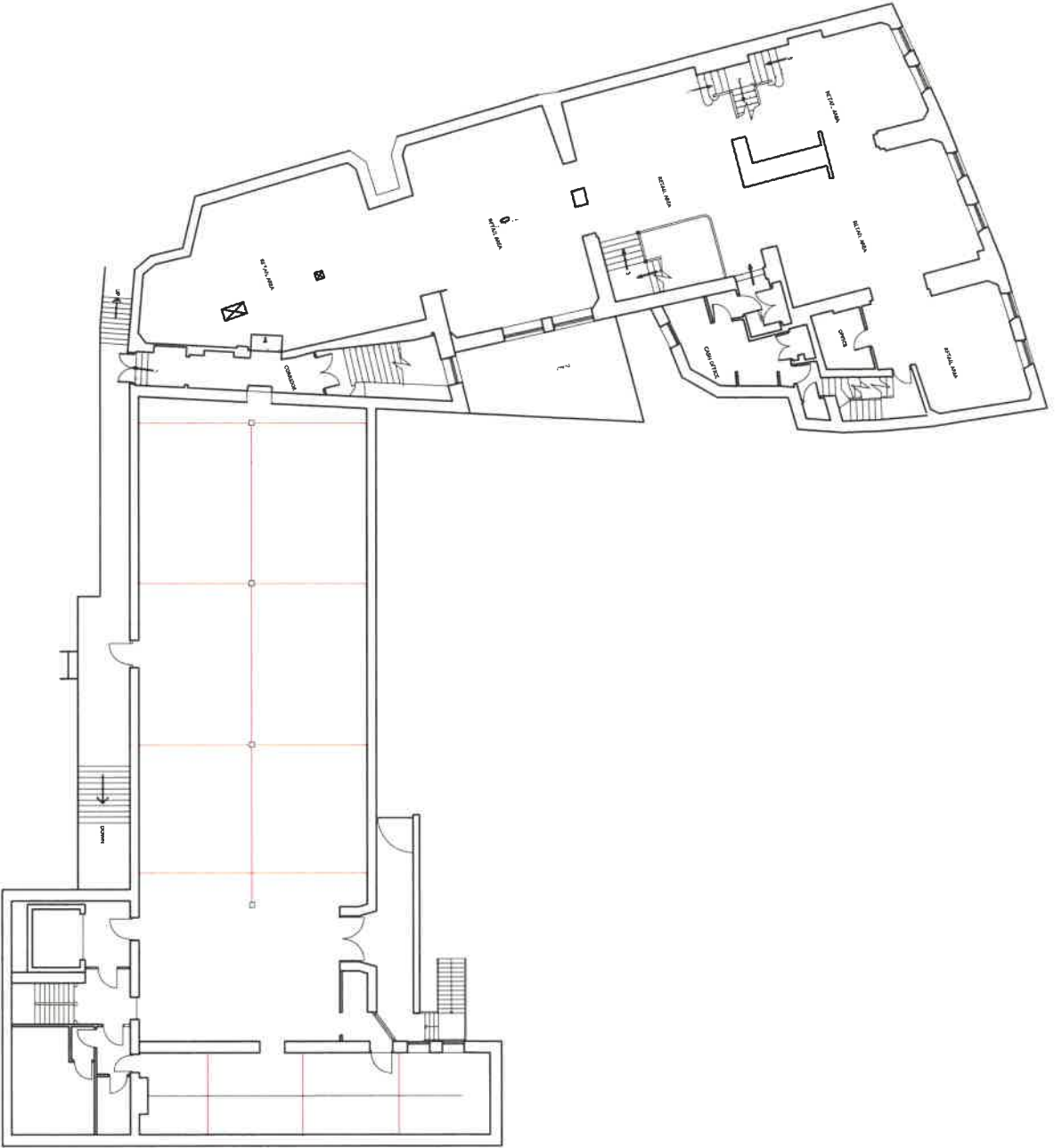
Newidolau - Amendments

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DEBENHAM,
BANGOR
 Dyfyniad - Drawing
EXISTING GROUND FLOOR PLAN

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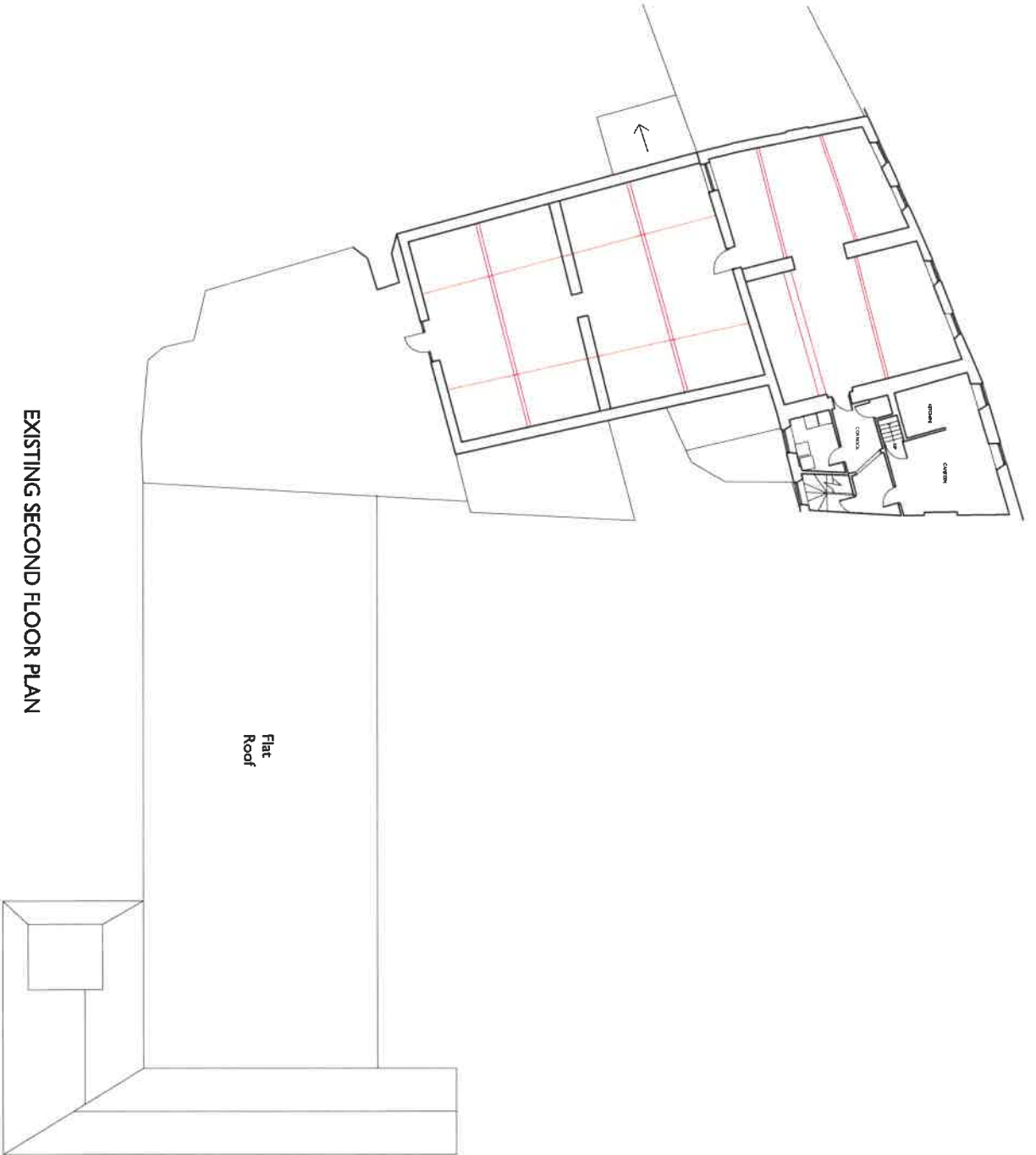
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**DEBENHAMMS,
 BANGOR**
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EXISTING FIRST FLOOR PLAN

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EXISTING SECOND FLOOR PLAN

Flat
Roof

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 Mae'r ddiwyd hon yn hyspysu'r Ffynhonnau a'r gwybodaeth
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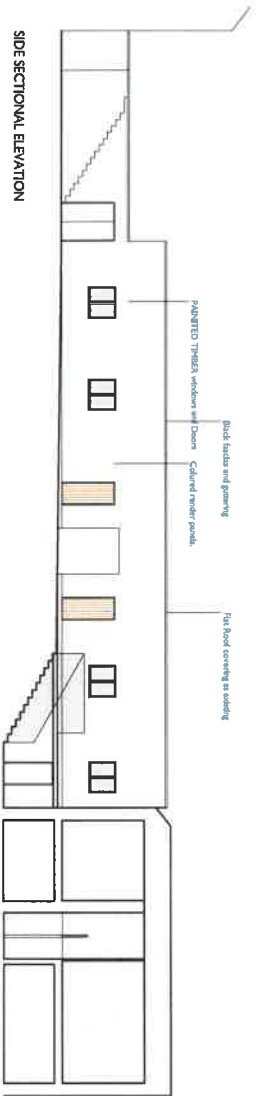
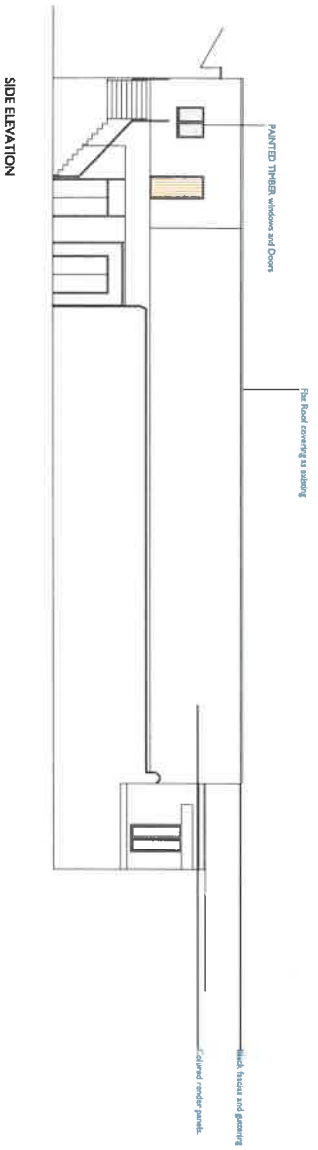
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**DEBENHAMMS,
 BANGOR**
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EXISTING SECOND FLOOR PLAN

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Plwyddys a chyfnewidiadau graffig aeddf ar y ddiwedd hon
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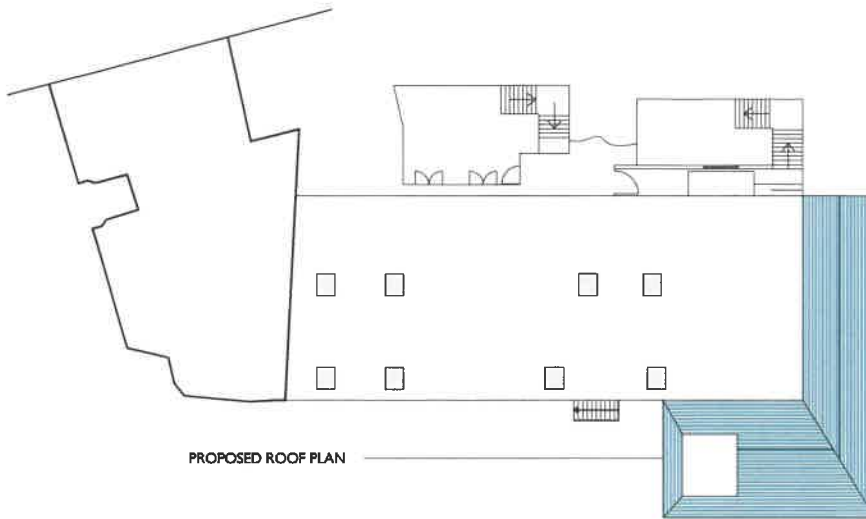
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PROPOSED ELEVATIONS

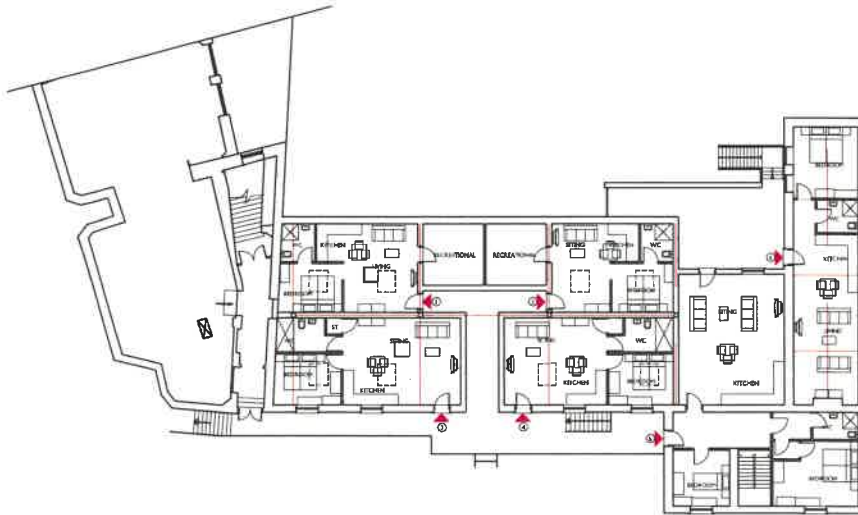
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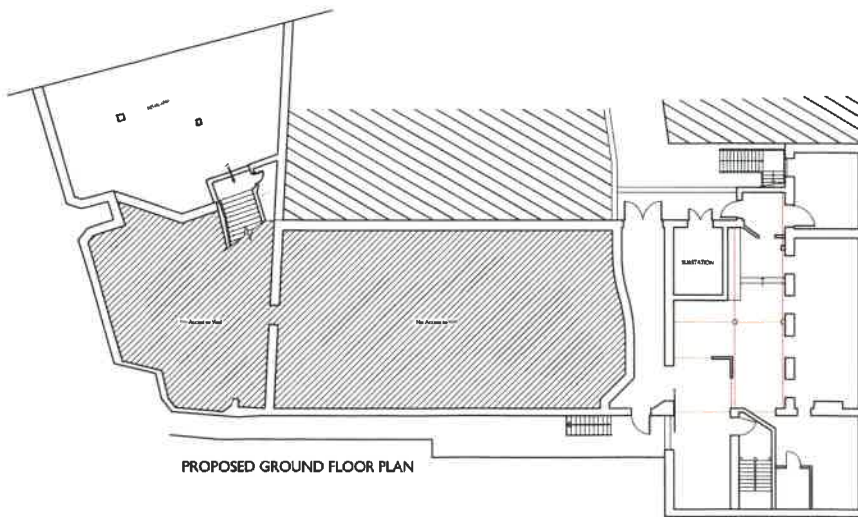
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PROPOSED ROOF PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

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Cyflun - Job

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PROPOSED FLOOR PLANS

Page 102

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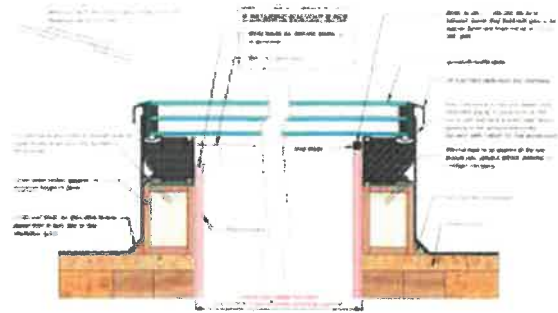
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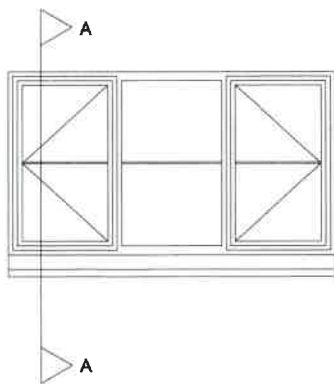
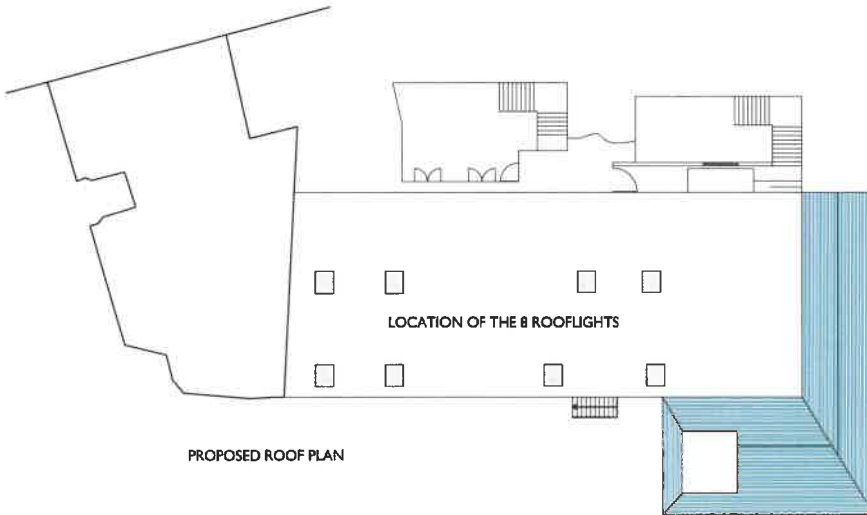
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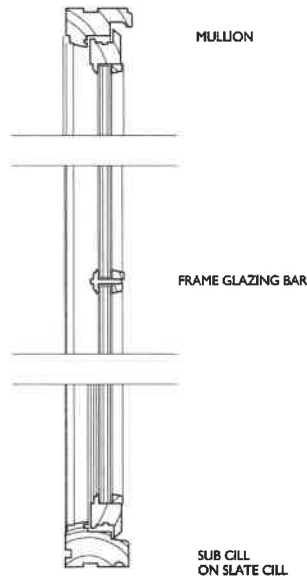
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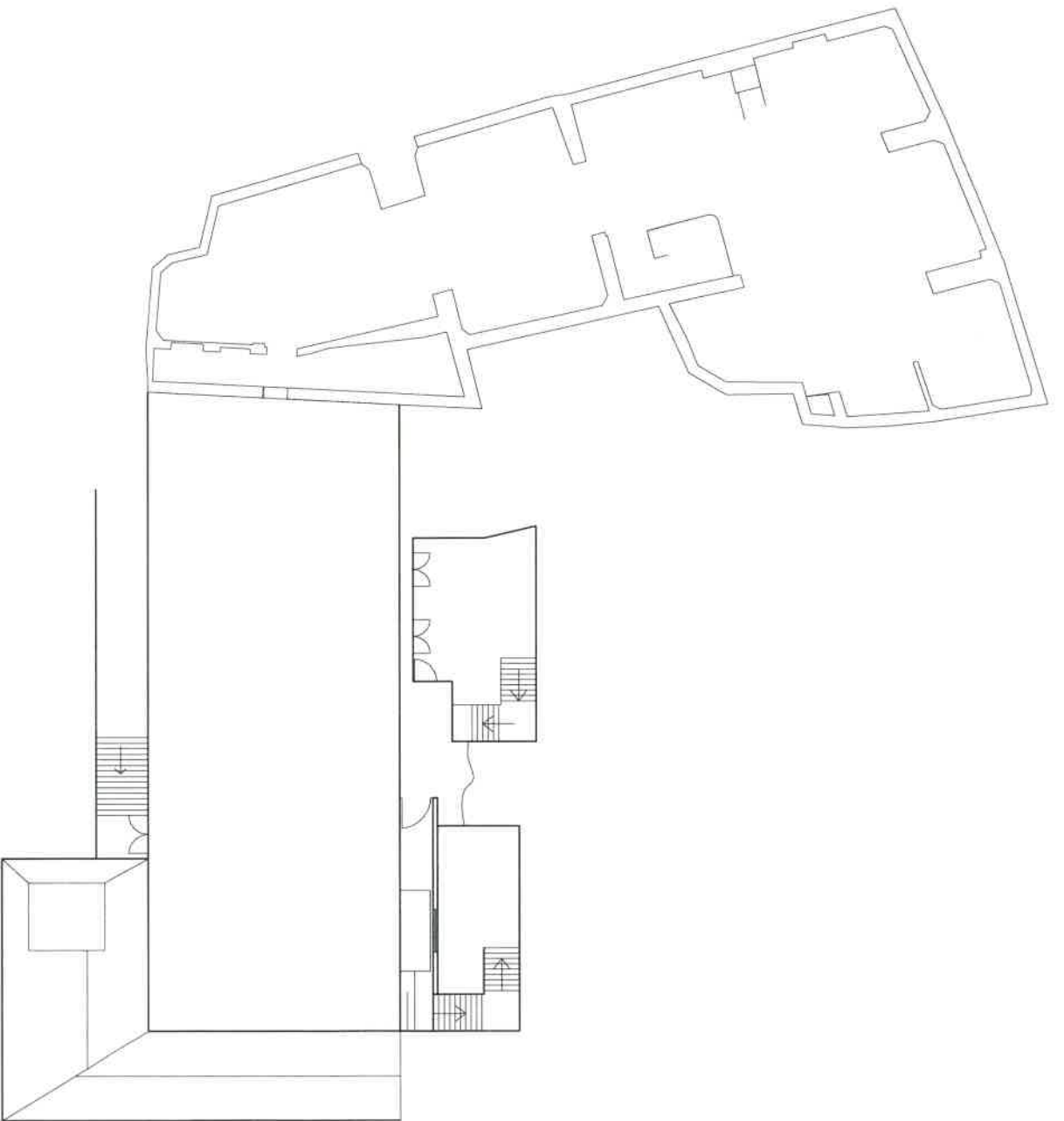
ROOFMAKER FLAT ROOF WINDOW



WINDOWS
SOFTWOOD TIMBER - PAINTED



SECTION A - A



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BANGOR
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PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Number: 5

Application Number: C19/0444/11/LL

Date Registered: 21/06/2019

Application Type: Full - Planning

Community: Bangor

Ward: Deiniol

Proposal: Conversion and change of use of the rear section of the former Debenhams store to form 6 residential units (5 x 1 bedroom and 1 x 2 bedroom).

Location: 196-200, High Street, Bangor, Gwynedd, LL57 1NU.

Summary of the Recommendation: TO APPROVE WITH CONDITIONS.

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1. Description:

- 1.1 A full application for the change of use of the rear section of the building, which was formerly the Debenhams store in Bangor, to form 6 self-contained residential units, along with minor alterations to the building, namely the installation of new windows and 8 skylights. Internally, it is proposed to create 6 residential units which will include five units with one double bedroom, and one unit with one double bedroom and one single bedroom. The units will vary in size from 50m² to 98m² for the two-bedroom unit. There is no intention to build any extensions to the building and there will be no increase in the current floor area of the building.
- 1.2 It is intended to provide a bin and recycling store by the side of the building for these units, which will be off-street and away from public view. The site is located within the development boundary, off the High Street in the City Centre and within the Conservation Area. The site also lies within the Town Centre and Main Shopping Area as designated in the LDP. The building is fairly modern in design, being a two-storey building with a flat roof to the rear of 196-200 High Street, which is a traditional listed building. The site is located off the High Street with shops on both sides and residential housing to the south of the site. Access to the site is from the High Street, where double doors between two shops lead to a footway to the site.
- 1.3 As part of the application, a Design and Access Statement and a Housing Mix Statement were submitted. A Listed Building application has also been submitted for the site.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.3 **The Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted on 31 July 2017.**

Policy PS 1 - The Welsh Language and Culture
 Policy ISA 1 - Infrastructure Provision
 Policy TRA 2 - Parking Standards
 Policy PCYFF 1 - Development boundaries
 Policy PCYFF 2 - Development Criteria
 Policy PCYFF 3 – Design and place shaping
 Policy PS 15 - Town centre and retail developments
 Policy MAN 2 - Primary retail areas
 Policy PS 16 - Housing provision
 Policy PS 17 - Settlement Strategy
 Policy TAI 1 - Housing in the Sub-regional Centre and the Urban Service Centres.

Policy TAI 8 - Housing mix
 Policy TAI 9 - Sub-dividing existing property to self-contained flats and houses in multiple occupation
 Policy PS 18 - Affordable housing
 Policy TAI 15 - Threshold of affordable housing and their distribution
 Policy PS20 - Preserving and where appropriate enhancing heritage assets
 Policy AMG 5 - Local Biodiversity Conservation
 Supplementary Planning Guidance (SPG): Housing Mix
 SPG: Affordable housing
 SPG: Planning for sustainable building
 SPG: Planning and the Welsh Language
 SPG: Open Spaces in New Housing Developments

2.4 National Policies:

Planning Policy Wales (Edition 10) 2018
 Technical Advice Note 12: Design 2016
 Technical Advice Note 18: Transport 2007
 Technical Advice Note 22: Planning for sustainable buildings 2010

3. Relevant Planning History:

3.1 C18/1087/11/LL 196-200 High Street, Bangor - Conversion and change of use of first and second floors to form 4 residential units in addition to the existing residential unit, and the creation of new shop frontages - Approved - 14-6-19.

C18/1092/11/CR 196-200 High Street, Bangor - Interior and exterior alterations to create 3 shops and 5 residential units - Approved 23-7-19.

4. Consultations:

Town/Community Council: Not received.

Transportation Unit: No objection - the site is in a central location within the city and is within walking / cycling distance of many facilities including colleges / shops / workplaces, with several pay and display car parks also nearby.
 ac arddangos hefyd yn lleol.

Natural Resources Wales: We have reviewed the planning application submitted to us, and from the information provided, we are not of the opinion that the proposed development impacts any matters listed on our Check List, *Advice Service on Development Plans: Consultation Topics* (September 2018). Therefore, we have no observations to make on the proposed development.

Welsh Water: No objection but propose standard conditions regarding sewage and any additions to the roof causing an increase in rain water. In this case, the second condition would be

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

irrelevant as the proposal does not include the creation of new extensions.

Biodiversity Unit: Following a site visit, it can be confirmed that no bat survey is required in this case as there is low potential of bats being present on site. Nevertheless, it is felt that it would be prudent to impose a condition to prevent any work commencing on the site during the period from May to September, and to stop work if any bats are discovered.

Housing Strategy Unit: Figures held by the Council's Housing Options Team show that there are 51 applicants on the Tai Teg waiting list in need of 1- and 2-bedroom units, and 26% of applicants on Gwynedd Council's general housing register are in need of 1- and 2-bedroom flats. Based on the information submitted with the application it seems that the housing mix proposed partly addresses the need for such units, and it is expected that 20% of the units will be affordable, but it is expected that these units would be affordable in any case, due to their location and size.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired and correspondence was received stating the following:

- There will be no increase in the size of the building.
- The new windows will not overlook neighbouring properties.
- Access would be gained to the site from the High Street only, and not from the rear.
- The area to the rear of the site is used by wildlife, and no mention is made in the application of how building machinery and supplies would be delivered to the site.
- Lack of parking spaces for the units, which will exacerbate existing parking issues for residents.

5. Assessment of the material planning considerations:

The principle of the development

5.1 As referred to above, the site is located within the development boundary of Bangor sub-regional centre and, therefore, the application complies with the requirements of Policy PCYFF1 of the LDP. Policy MAN 2 refers to primary retail areas where proposals for the change of use of the ground floor of an A1 shop may be permitted if it can be shown that the premises is no longer viable for use as a shop, and that all efforts have been made to maintain A1 use.

5.2 It is noted in this case that the first floor of the building has been used as a warehouse/shop which was accessed through the main Debenhams store on the High

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Street. There was no separate access to this part of the shop, and it must be stated that three shops remain on the ground floor of the main building on the High Street. It is a complex situation where there are several owners of the 'site' formerly occupied by Debenhams. This creates difficulties in terms of public access to various areas (were they to remain as shops), including the area to which this application relates, and the building is now deteriorating having been unoccupied since the last shops closed some time ago. On these grounds, it is not considered that the proposal is contrary to the requirements of policy MAN 2 since it cannot be considered to be a ground floor shop, and also that its use as a shop is dependent on access through a third party property.

5.3 Policy TAI 9 permits the sub-division of existing properties into self-contained flats provided they fulfil the relevant criteria:

- Criterion 1 - the property should be suitable to be sub-divided for the type and number of units proposed without having to make substantial alterations and extensions - there is no proposal to extend the existing building and the only changes to the external appearance of the building will be the installation of new windows along one side of the building.
- Criterion 3 - ensure that the proposal will not have a detrimental impact on the amenities of nearby residents - although residential dwellings and commercial properties are located around the application site, it is not believed that the proposal would have an unacceptable impact on the residential amenities or general amenities (on the grounds of overlooking and noise nuisance), considering the central location of the site within a busy and established retail area. It should be noted that a letter was received expressing concern about the proposal, and the points raised are detailed below.
- Criterion 4 - the proposal should not exacerbate existing parking problems in the local area - considering the central location of the site in the city and its proximity to local facilities such as car parks and public transport, it is not anticipated that the proposal would contribute towards parking problems within the local area.

5.4 Policy TAI 15 states that every development is required to achieve an appropriate mix based on occupancy, types and sizes of affordable housing and this is reiterated by Policy TAI 8 along with the SPG: Housing Mix. The threshold for affordable housing in Bangor is 20%, and as the proposal includes the provision of six residential units, the figure of 20% means that 1.2 units would need to be affordable according to local need. However, an open market valuation report was submitted for the proposed units which was based on the requirements of the 2017 Red Book which states that the valuations submitted for the six proposed units are lower than the affordable level for the area, and therefore none of these units would need to be bound by an affordable agreement. In terms of the housing mix proposed, it is believed that the provision of such units as proposed here is acceptable based on figures submitted by the Council's Strategic Housing Unit, which state that there are 51 applicants on the Tai Teg waiting list in need of 1- and 2-bedroom units, and that 26% of applicants on Gwynedd Council's general housing register are in need of 1- and 2-bedroom flats. The Council's Strategic Housing Unit concludes that this proposal is a means to partly address the recognised substantial need which exists for such accommodation in the City.

5.5 Further to the above, the applicant has provided information based on the Gwynedd and Anglesey local housing market assessment, which states that there is a current need

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for 1- and 2-bedroom flats in the area, and this is confirmed by the comments submitted by the Strategic Housing Unit.

- 5.6 Considering the above assessment and subject to the proposal's compliance with the other relevant policies within this assessment, it is considered that this application is acceptable in principle.

Visual amenities

- 5.7 The alterations to the external elevations of this building are minimal, being limited to creating openings for the units where none exist at present, and the installation of eight skylights in the flat roof. This is a two-storey, flat-roofed building which stands in a hidden location behind the main premises on the High Street, and is also sub-standard in appearance and design. It is believed that installing windows will improve the appearance of the building as opposed to plain walls, and it is not believed that the proposal would unduly impair the visual amenity of this part of the area, nor would it have any impact upon the character of the Conservation Area, since it is away from public view. The proposal would ensure long-term use of the building, which is to be welcomed. It is considered that the proposal is acceptable based on the requirements of Policies PCYFF 2, PCYFF 3 and PS 20 of the LDP.

General and residential amenities

- 5.8 Policy PCYFF 2 of the LDP states that proposals should be refused if they have a significant detrimental impact on the health, safety or amenities of the occupants of local property, land uses or other property due to an increase in activities, disturbance, noise etc. In terms of noise nuisance, it is believed that residential use of the rear building would not have a significant detrimental impact on the general amenities of nearby residents, considering the site's location within a very busy commercial area which already includes public houses and restaurants, and it is not believed that this proposal would give rise to any situation that would be worse than the current one.
- 5.9 In terms of overlooking, the new windows would open out to the south, where the building is in a slight depression with a green area to the rear, which is overgrown at present. In addition, there is a wall along the boundary between the building and the green area. An objection was received on the grounds of overlooking issues, due to residents living to the rear of the site. However, the nearest residential properties are approximately 19m to the south, and also on higher ground than this site, and therefore any overlooking would be from the existing houses over the proposed development, rather than from the development itself. It is not considered that this type of situation is uncommon or unacceptable in such an urban location. Access to all the new units would be provided through a gateway off the High Street, and all six units would have their own front doors rather than sharing an entrance. Concern has also been expressed about this building being extended. There is no extension being proposed as part of this application, and if any extension were to be proposed in the future, it would need planning permission. To this end, it is believed that the proposal complies with the requirements of Policies PCYFF 2 and TAI 9 of the LDP.

Transport and access matters

- 5.10 The site is located centrally within the City and consequently, there are no parking facilities within the curtilage of the site itself and this situation is mirrored in other sites in the City. The residential units will be very close to local facilities which include car parks and public transport and, therefore, the Transportation Unit does not object to the

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

application as submitted. It is believed that the proposal is acceptable on the grounds of the requirements of Policies ISA 1 and TRA 2 of the LDP.

Affordable housing matters

- 5.11 Policy TAI 15 of the LDP seeks to ensure an appropriate provision of affordable housing in the Plan area, and the threshold for affordable housing in Bangor is 20%. As the proposal includes providing six residential units, the figure of 20% means that 1.2 units would need to be affordable according to local need. As part of the application and in accordance with Policy TAI 15, an open market valuation report was submitted for the proposed units which was based on the requirements of the 2017 Red Book. The valuation report states that the open market prices of all the units would be lower than the affordable level in the area, which is £50,000, and all the units, therefore, fall within the definition of affordable. Consequently, this development would not require a legal agreement or a planning condition to ensure the provision of affordable housing, since the units would be affordable in any case. This valuation, based on the location, size and type of units proposed, shows that all these units would be affordable, and in this regard it is considered that the proposal complies with the relevant policies, which are TAI 15 in the LDP and the SPG.

Educational matters and open spaces/play areas

- 5.12 The relevant policy within the context of educational contributions for residential developments is Policy ISA 1 of the LDP. It is also pertinent to consider the content of the SPG: Housing Developments and Educational Provision in discussing this application. In this case, the Joint Planning Policy Unit has confirmed that since the proposed units are all flats, there would be no need to consider a contribution in respect of educational provision. There is no requirement to include open spaces / play areas as part of this application, as it falls below the threshold of 10 new units or more as defined within the SPG: Open Spaces in Residential Developments.

Linguistic and Community Matters

- 5.13 Since there is no intention for this proposal to provide more units than the indicative housing provision, there is no need for the applicant to submit a Language and Community Statement in compliance with the requirements of Policy PS 1 of the LDP.

Biodiversity Matters

- 5.14 The potential for bats to be present on the site is low, and there was no need to submit a wildlife report as part of the application. Nevertheless, there is a green area to the rear of the site, and it is suggested that a condition be imposed to regulate building work outside the breeding season (May to September) and to stop work immediately if any bats were to be discovered, and in this regard it is felt that the proposal complies with the relevant policy, which is AMG 5 of the LDP.

PLANNING COMMITTEE	DATE: 13/01/2020
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6. Conclusions:

- 6.1 Having considered this assessment and all the relevant matters, including the local and national policies and guidance, it is believed that this proposal is acceptable and satisfies the requirements of the relevant policies as noted above.

7. Recommendation:

- 7.1 To approve in accordance with the following conditions:
1. Five years
 2. In accordance with the plans
 3. Agreement on external materials
 4. No windows to be installed apart from those shown
 5. Welsh Water Sewage
 6. Work to commence outside the breeding season (May-September)
 7. Provision of a bin store prior to the units being occupied, to be retained for that purpose.



Rhif y Cais / Application Number :

C19/0443/11/CR

C19/0444/11/LL

Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.





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 O'n ni a gwybodaeth - gwybodaeth
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Yn eiddo a gwybodaeth gwrthodol ar y ddiwedd
DEBENHAMS,
BANGOR

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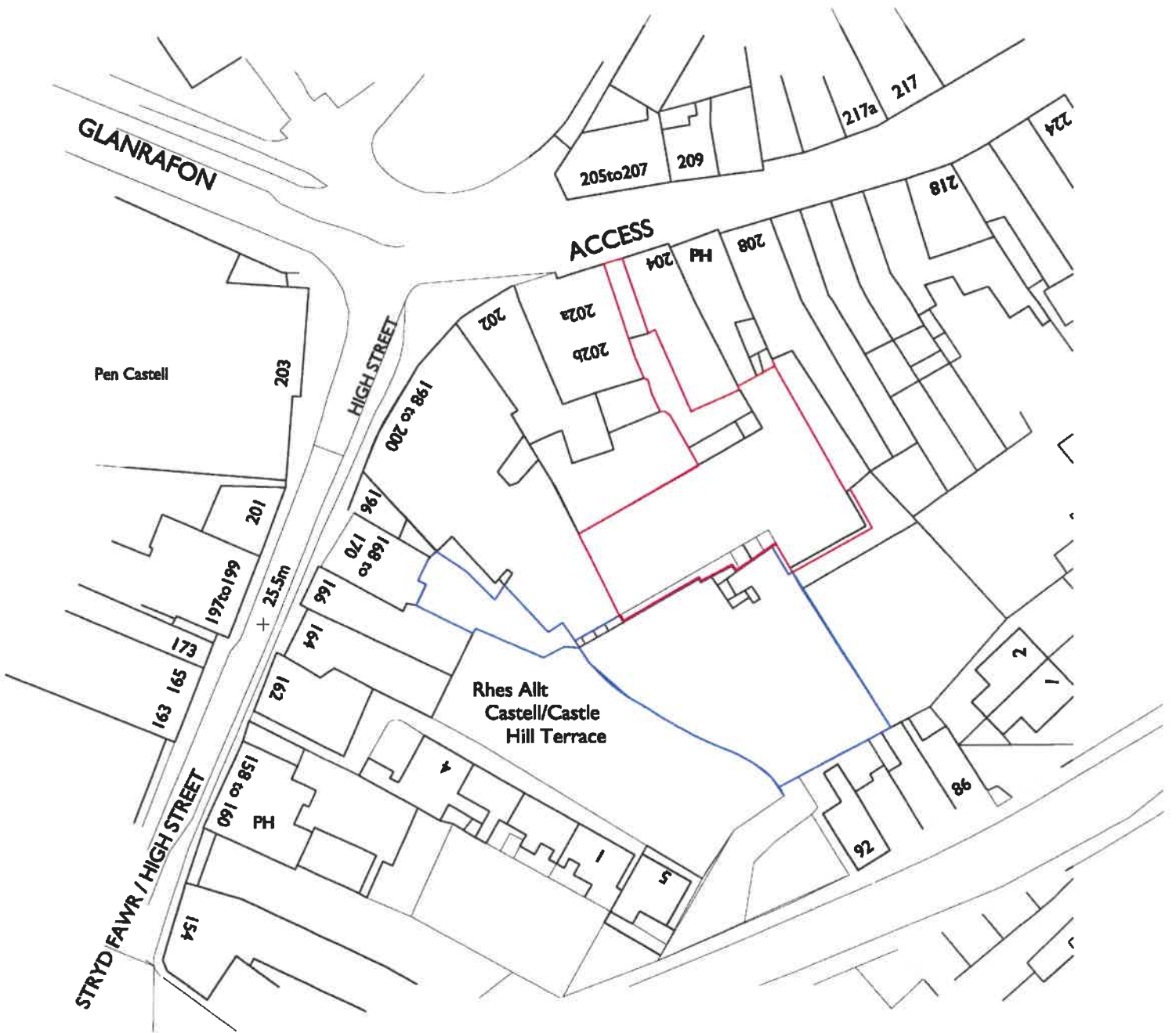
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 LL77 7J-9J



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EXISTING ACCESS FROM
MAIN HIGH STREET



Yn eiddo a ddiwyllir yn eiddo gwerthfawr a dim gwerthfawr
O'u ym gwmwl - gwybodaeth
Dda i'w gweld yn eiddo gwerthfawr
I'w gweld - mae.

Yn eiddo a ddiwyllir yn eiddo gwerthfawr a dim gwerthfawr
O'u ym gwmwl - gwybodaeth
Dda i'w gweld yn eiddo gwerthfawr
I'w gweld - mae.

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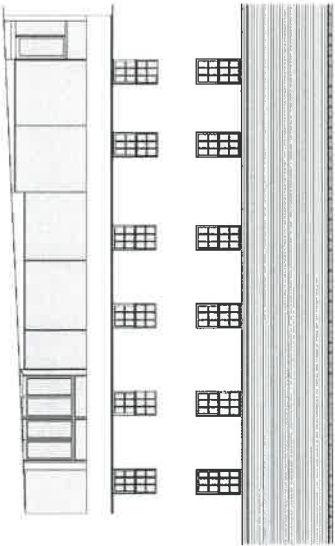
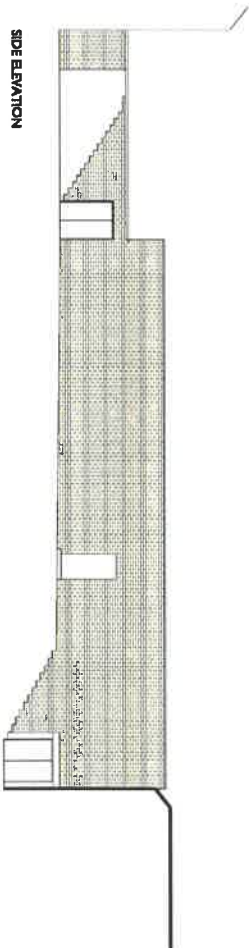
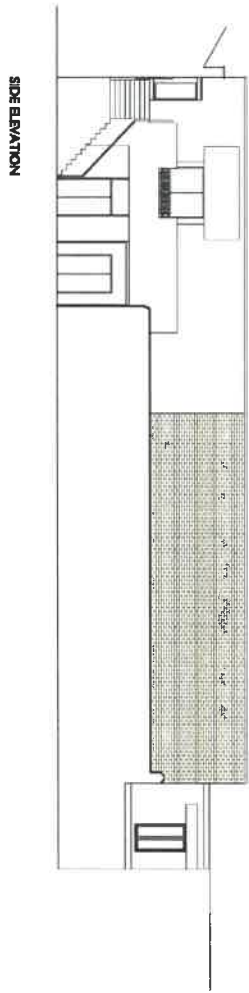
Opinion - Job
**DEBENHAMS,
BANGOR**
Opinion - Drawing
PROPOSED SITE PLAN

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FRONT ELEVATION

Plwydded a ddyfyniad masnachol graidd oedd yr yfyniad hwn
 O'r ym 1870 - 1900/1910
 Do os wela'f hwn o'r dde
 I'r ffordd - sâl
 Nodwch yfyniad hwn ym hanesyddol Ffynedd Llywodraeth yr
 Cymru a'r Gogledd o'r ym 1870-1910/1910
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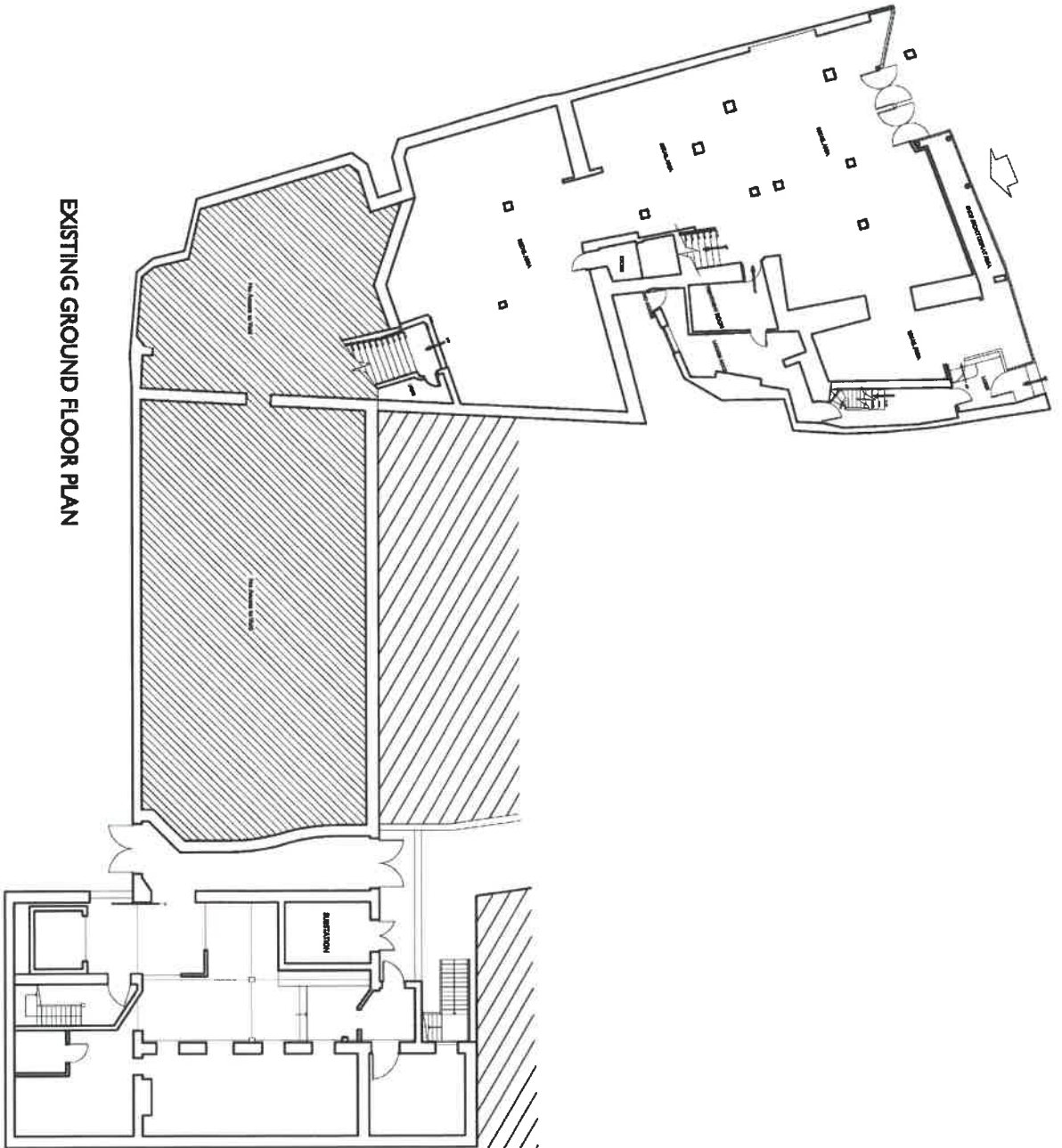
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 BANGOR**
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EXISTING ELEVATIONS

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EXISTING GROUND FLOOR PLAN

Prifwedi a copyright masnachol gwyboda oedd yr ystyried hwn
 Os ydych chi - gwyboda
 Os ydych chi hwn ydych chi
 I'n ddiolch - all

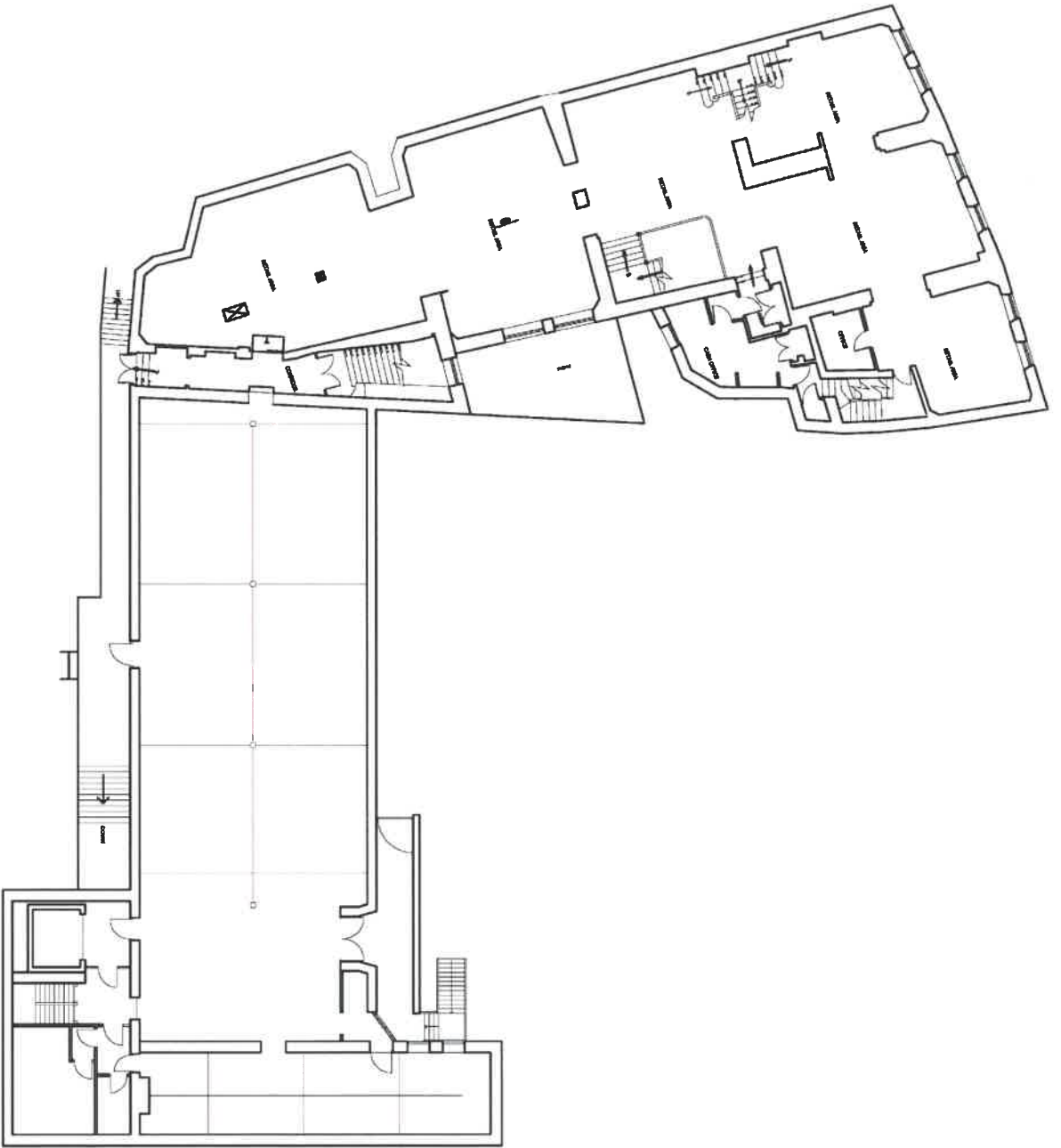
Nawdddar - Awdurdod

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DEBENHAM,
BANGOR
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EXISTING GROUND FLOOR PLAN

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EXISTING FIRST FLOOR PLAN

Polhemus a ddyrnwyl iwanwylidau gwrdddi oeddi ar y ddyrnwylidau
 On yri arddu - dyrnwylidau
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Nawdddiadau - Awdurdodau

Cyflwyno - Jaki

DEBENHAMMS,

BANGOR

Dyddiad - Ddiwedd

EXISTING FIRST FLOOR PLAN

Diwydiannau - Ddiwedd

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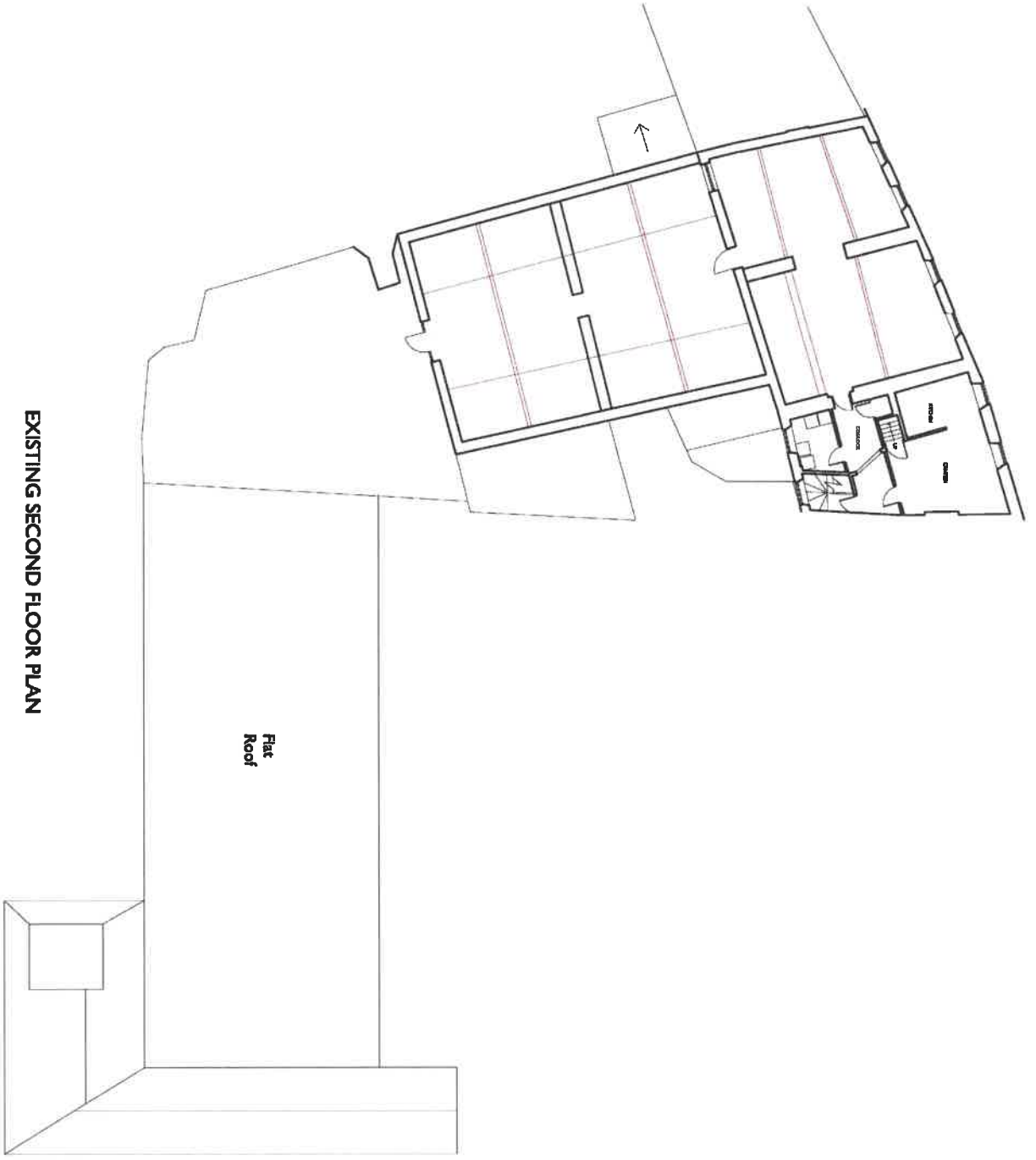
Dyddiad - Sgwâr

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EXISTING SECOND FLOOR PLAN

Flat Roof

Plwydd a ddywydd neuaddu gwddu oddi ar y ddiwyddion
 Oe yn arddu - gwyddion
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 Rhai'r ddiwyddion neuaddu neuaddu neuaddu neuaddu
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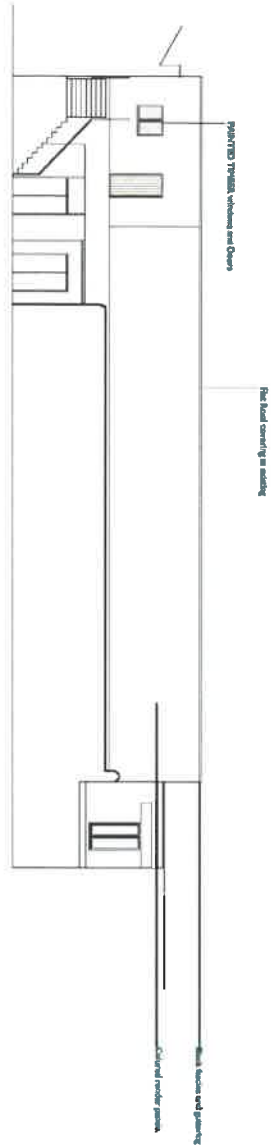
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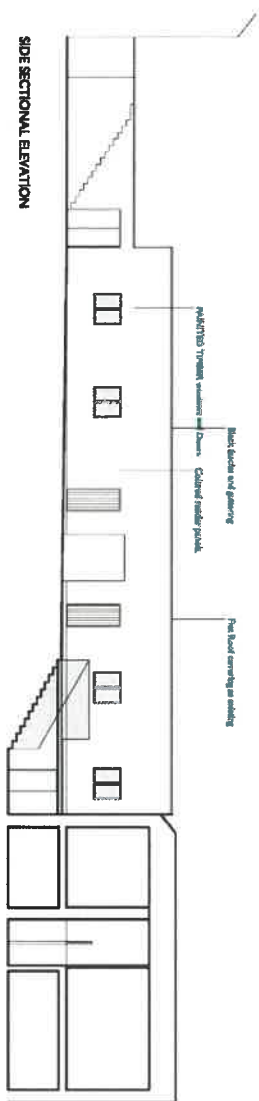
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SIDE ELEVATION



SIDE SECTIONAL ELEVATION

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 Os ydych chi - 80/11/17/18
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 Rheolwr oed a y cyfnewid hwn
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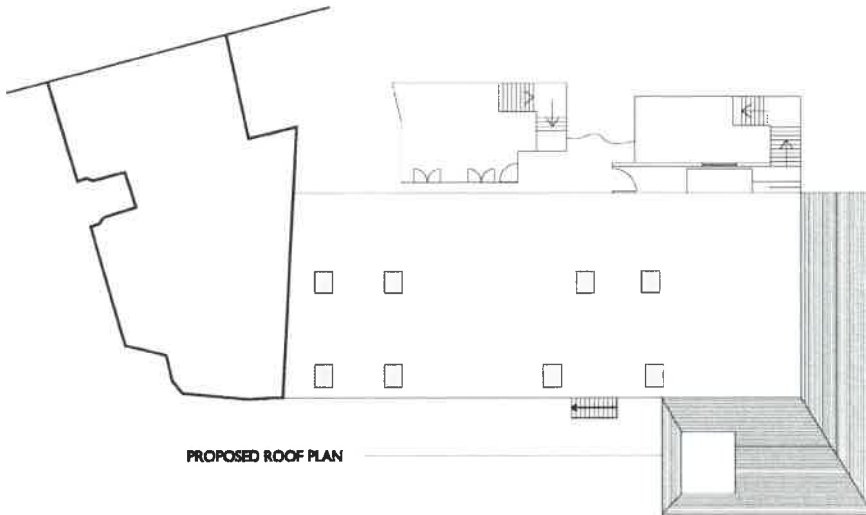
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 BANGOR**
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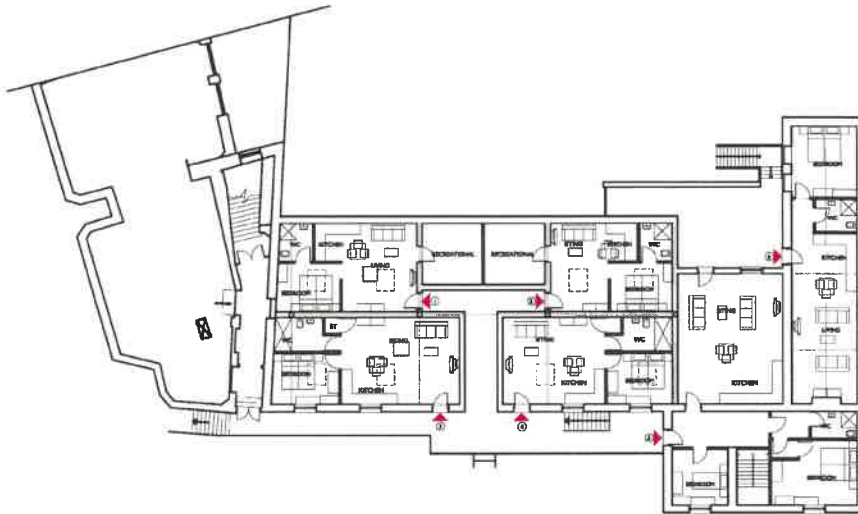
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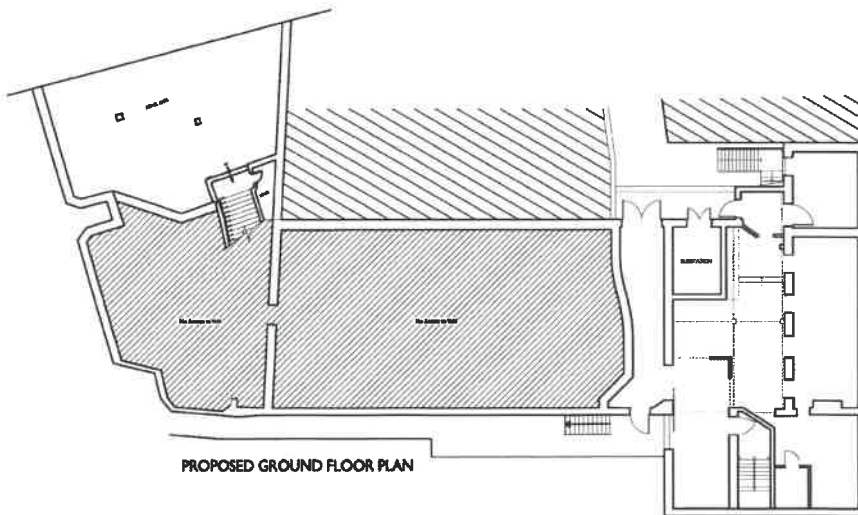
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PROPOSED ROOF PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

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 Cŵ ym mwy - golywraeth
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Hwrdolau - Amcangyfrif

Plan? Awdurdodau ym hysbectio Pensaeri Russell-Hughes ar ei
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Cyflwr - Job

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Dyluniad - Drawing

PROPOSED FLOOR PLANS

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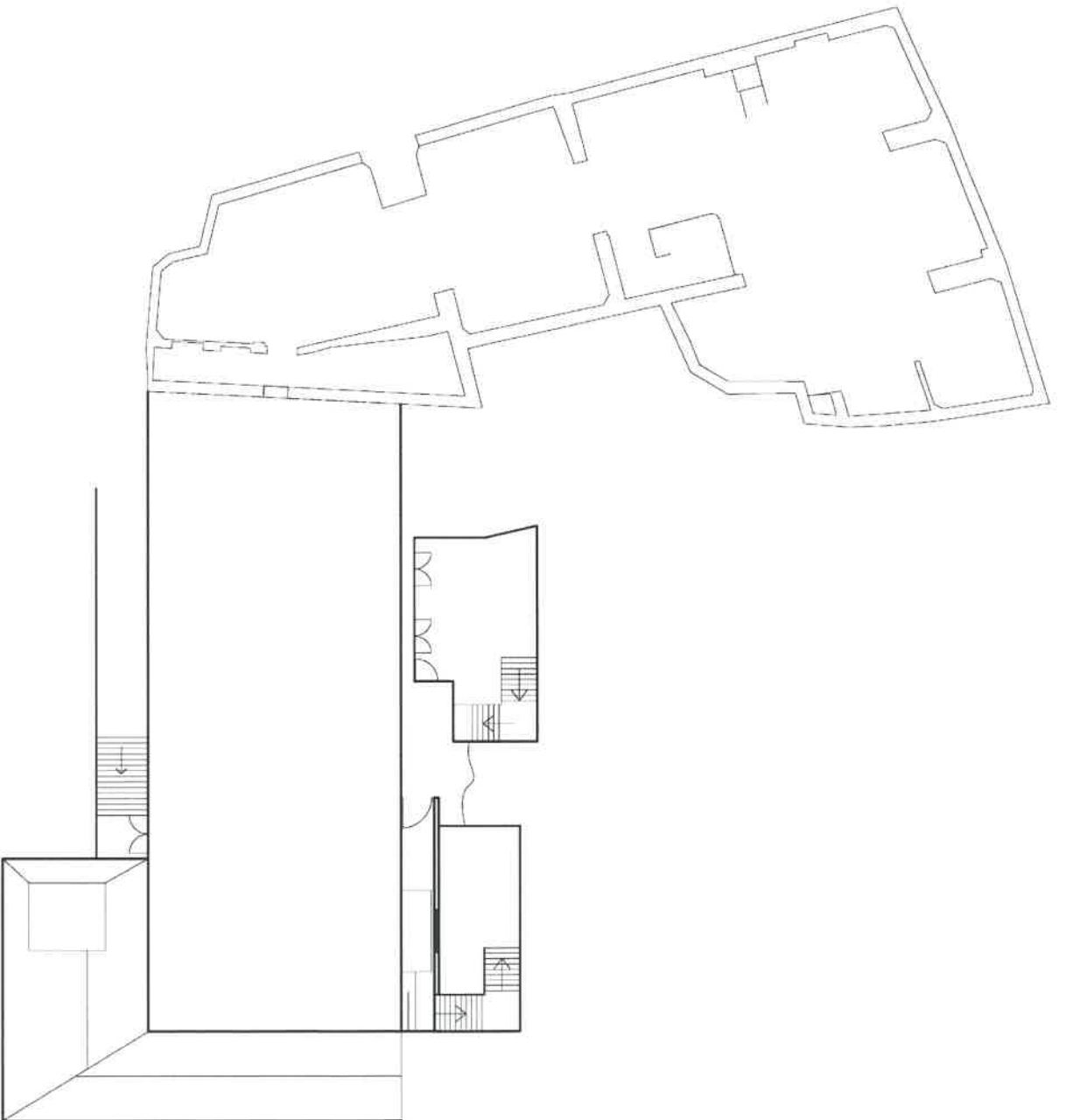
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 O'u gylchwrdd - gwybodaeth
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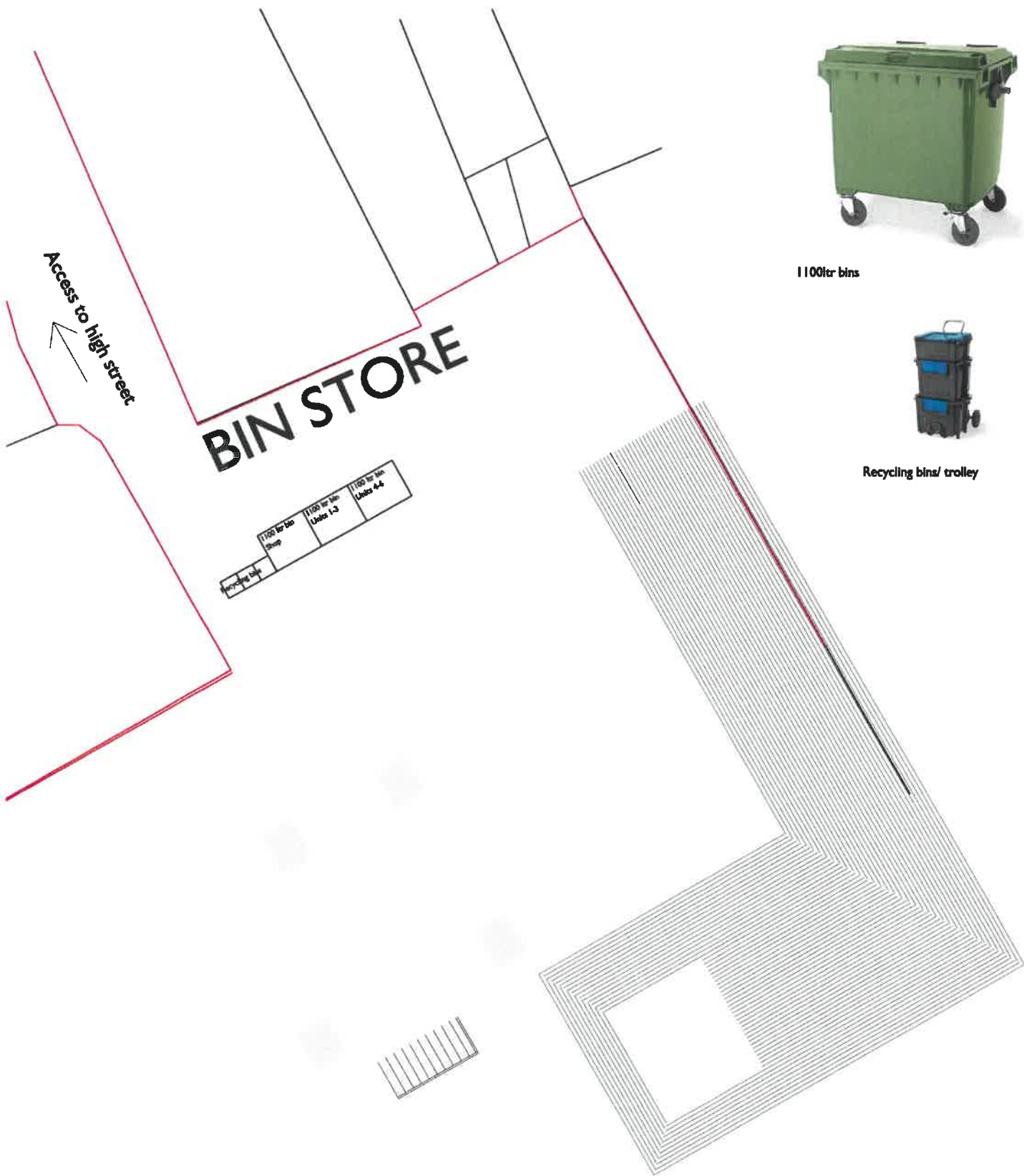
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1100ltr bins



Recycling bins/ trolley

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 Do yn ardd - gofynnwch
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 May 2019

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PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

Number: 6

Application Number: C19/0995/11/LL

Date Registered: 25/10/2019

Application Type: Full - Planning

Community: Bangor

Ward: Deiniol

Proposal: Revoke condition 3 of planning application C19/0323/11/LL which restricts two out of the eight units as affordable units

Location: 233-235, High Street, Bangor, LL57 1PA

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

1. Description:

- 1.1 This is a full application to revoke condition 3 of planning permission C19/0323/11/LL which restricts two out of the eight units as affordable units. The condition states:-
‘The development shall not begin until a scheme for the provision the 2 affordable units as part of the development has been submitted to, and approved in writing by the Local Planning Authority. The affordable units shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of Planning Policy Wales, Technical Advice Note 2: Planning and Affordable Housing, or any future guidance that replaces it. The scheme shall include:
- i) the timing of the completion of the 2 affordable units;*
 - ii) the arrangements for the management of the affordable units;*
 - iii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable units; and*
 - iv) the occupancy criteria to be used for determining the identity of occupiers of the affordable units and the means by which such occupancy criteria shall be enforced.’*
- 1.2 The condition was imposed as clear and definitive information had not been submitted (specifically the open market price), as part of the previous application for the affordable provision. Nevertheless, it was considered that there was sufficient information to ensure that the Local Planning Authority could assess the application from the perspective of being able to ensure provision/an appropriate number of affordable housing as part of the application and in order to address the need. On these grounds, a planning condition was imposed to agree on a plan to provide and ensure that two out of the eight units were affordable initially and in the long-term.
- 1.3 In order to support the application, the following documents were submitted:- A Supporting Planning Statement, Viability Assessment Proforma, Property Valuation Report from a competent Chartered Surveyor company, as well as quotations for undertaking the conversion work.
- 1.4 The site is located on the High Street in Bangor and the associated planning permission is application number C19/0323/11/LL, which related to converting the first and second floors of the building into residential units. The Committee approved this application in July 2019.

2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council’s duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

PLANNING COMMITTEE	DATE: 13/01/2020
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2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**

Policy PS18 - affordable housing

Policy TAI15 - threshold of affordable housing and their distribution

Supplementary Planning Guidance (SPG): Affordable Housing (2019).

2.4 **National Policies:**

The Welsh Government Circular 016/2014 - The Use of Planning Conditions for Development Management

Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006).

Planning Policy Wales, Edition 10, (2018).

3. **Relevant Planning History:**

3.1 Planning application number C19/0323/11/LL - convert the first and second floors of the building into residential units, approved in July 2019.

4. **Consultations:**

Community/Town Council: Object on the grounds that no material changes have been made which would allow for the discharge of this condition. There is a real need for affordable housing in Bangor and the original application was based on this need.

Strategic Housing Unit: In this case, confirmation was received of the open market price of the affordable housing that are based on the requirements of the Red Book (2017) of £60,000 and if the Local Planning Authority agrees with this price (considering that it is based on the requirements of the Red Book), it should be noted that this price is lower than the affordable level for the area and consequently, they would not require a discount.

Tai Teg: No response

Public Consultation: A notice was posted on the site and the advertisement period has expired but no response was received from the public to this proposal following this statutory notification period.

PLANNING COMMITTEE	DATE: 13/01/2020
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER	CAERNARFON

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 Policy PS18 of the LDP states that opportunities have been identified within the LDP to provide a minimum of 1,572 new affordable housing units in Gwynedd. Policy TAI 15 states that there will be a need to ensure an appropriate level of affordable houses in the Plan's area and housing developments will be expected to make a contribution towards affordable housing in accordance with the threshold figures included in the LDP itself. In the Bangor Sub-regional Centre, the threshold for providing affordable housing is two units or more and in order to comply with this policy, the previous application included two affordable units (out of a total of eight). This was the justification for imposing the condition referred to in this application.
- 5.2 Criterion number (iii) of Policy TAI15 outlines the circumstances where the proposed provision of affordable units in a plan can be lower than the policy's requirements. This particular criterion states that where the viability of individual schemes fall short of the policy requirements specified, the onus will be on the applicant/ developer / landowner to clearly demonstrate in a viability assessment pro-forma the circumstances justifying a lower affordable housing contribution.
- 5.3 In this case, the applicant has submitted information which includes a viability assessment proforma, Property Valuation Report from a competent Chartered Surveyor company along with quotations for undertaking the conversion work. The applicant has presented an argument regarding the viability of the proposal and also, critically, he has submitted the open market price for the units. Normally, this information is submitted with the application to convert or build and this is considered early in the process. Occasionally, in particular in town centre locations or less favourable locations, the open market prices presented show that the unit price is affordable in any case, without a further discount by means of a condition or 106 Agreement (subject to the situation). The applicant submitting the first application did not act in this way, and instead stated that he would accept the condition in order for this to be considered after permission was granted.
- 5.4 In order to support this application to revoke the condition, an assessment of the value of the units was presented by a company of Chartered Surveyors, based on the requirements of the Red Book (2017). The open market value of the units would vary from £45,000 to £60,000 and the monthly rent of the units would vary between £425.00 and £475.00. Appendix 4 of SPG: Affordable Housing, regarding the prices anticipated for intermediate housing for sale in the Deiniol ward in Bangor (2018), confirms that the value of an intermediate house is £67,876, which means that the proposed units are within reach of occupiers on a moderate salary. The open market prices of the units are naturally restricted due to the nature and scale of the site and the size of the units themselves. The Council's Strategic Housing Unit has confirmed that the valuation of the proposed residential units is lower than the affordable price level (intermediate) for the Deiniol ward in Bangor. Therefore, when considering the open market value of the residential units, the proposal would provide affordable units even without a further restriction by means of a condition or 106 Agreement.
- 5.5 Considering the information submitted by the applicant, it is believed, in this case, that sufficient evidence has been submitted to justify the revocation of condition 3 of planning permission C19/0323/11/LL in relation to submitting details for the two affordable units, based on the open market value of the affordable units themselves. If this information would have been submitted with the original application, it is not

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considered that such a condition would have been imposed as it would not have been necessary to do so to ensure a provision of affordable units, i.e. based on their open market price, they would be affordable in any case.

- 5.6 Therefore, when considering this application to revoke the condition, the general criteria for the validity of planning conditions must be considered. The Welsh Government Circular 016/2014 - The Use of Planning Conditions for Development Management states that ' In addition to the Courts, the Welsh Government considers that conditions should be necessary, precise and enforceable, ensuring that they are effective and do not make unjustifiable demands of applicants. Conditions should only be imposed where they satisfy all of the tests...

In summary, conditions should be:

- (i) necessary;
- (ii) relevant to planning;
- (iii) relevant to the development to be permitted;
- (iv) enforceable;
- (v) precise; and
- (vi) reasonable in all other respects.'

- 5.7 As already explained above, as the applicant has proved that the units would be affordable in any case (and as the Strategic Housing Unit has confirmed this), it is not considered that the condition meets the necessary tests noted above. Specifically, the condition is not necessary or reasonable in order to secure affordable units as all the units (8 in total) will be affordable in any case.

6. Conclusions:

- 6.1 With reference to the above assessment and the observations received as a result of the statutory consultation process, it is believed that the application is reasonable based on the requirements of relevant local and national policy and advice and subject to the inclusion of the condition noted below.

7. Recommendation:

- 7.1 To approve - condition:-

1. Need to comply with the remaining conditions of planning permission number C19/0323/11/LL.



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Cynllun lleoliad ar gyfer adnabod y safle yn unig. Dim i raddfa.
Location Plan for identification purposes only. Not to scale.

