
PLANNING COMMITTEE 10/09/20

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

Councillors: Stephen Churchman, Simon Glyn, Louise Hughes, Anne Lloyd Jones, Berwyn Parry Jones, Huw G. Wyn Jones, Dilwyn Lloyd, Edgar Wyn Owen, Gareth A. Roberts, Gruffydd Williams and Owain Williams

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

Others invited: Councillor Linda Ann Wyn Jones (Local Member)

1. APOLOGIES

Apologies were received from Councillor Eirwyn Williams

Councillor Gareth T Jones was welcomed to his first meeting.

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) Councillor Gruffydd Williams (a member of this Planning Committee), in relation to item 5.3 on the agenda (planning application number C20/0046/42/LL) as he was a member of Nefyn Town Council which had submitted the application

Councillor Owain Williams (a member of this Planning Committee) in relation to item 5.3 on the agenda (planning application number C20/0046/42/LL) as he was a member of Nefyn Town Council which had submitted the application

Councillor Gareth T Jones (a member of this Planning Committee), in relation to item 5.3 on the agenda (planning application number C20/0046/42/LL) as he was a member of Nefyn Town Council which had submitted the application

The members were of the view that it was a prejudicial interest, and they withdrew from the Chamber during the discussion on the application.

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

Councillor Linda Ann Wyn Jones (not a member of this Planning Committee) in relation to item 5.1 on the agenda, (planning application number C19/1028/03/LL)

Councillor Gruffydd Williams (a member of this Planning Committee), in relation to items 5.2 on the agenda (planning application number C20/0022/42/DT)

3. URGENT ITEMS

None to note

4. MINUTES

It was confirmed that the minutes of the meeting of this committee, held on 16 July 2020, were 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 NO C19/1028/03/LL - WYNNES ARMS HOTEL, FFORDD MANOD, MANOD, BLAENAU FFESTINIOG LL41 4AR

Attention was drawn to the late observations form that had been received - in response to observations from the Local Member, consultation had taken place with the Council's Flood Risk Management Unit, and a swift response had been received. It was noted that the Department had no knowledge of the situation, although it was intended to investigate the complaint. No timetable had yet been set for this work.

- a) The Planning Manager elaborated on the background of the application, and noted that the application had been submitted to the Planning Committee on 02.03.2020 when it had been decided to arrange a site visit for members. In the meantime, it was reported that the applicant had informed the Council that he had submitted an appeal to the Planning Inspectorate due to a lack of decision by the Council on the application (no date yet received).

Members were reminded that this was an application to convert a public house into five residential, self-contained flats, along with the creation of parking spaces and an entrance. It was noted that the site was located within the development boundary of Blaenau Ffestiniog and that the use of the building as a public house had ceased since early 2017. The proposal would involve internal changes to create the flats on the three floors. The exterior changes were restricted to the side extension and the slight alteration of the layout of the ground floor window and door openings on the rear elevation.

Additional photographs and a video were shown as it had not been possible to undertake a site visit due to Covid-19 restrictions.

Policy TAI9 permits the sub-division of existing properties into self-contained

flats provided they conform to the relevant criteria: it was not considered that the proposal to convert the building into five flats would be contrary to the policy aims of TAI 9.

Reference was made to Policy TAI15 that stated that every development was required to achieve an appropriate mix in terms of tenure, types and sizes of affordable housing, which is supported by Policy TAI 8 and the SPG: Housing Mix. It should be noted that the Strategic Housing Unit stated that there was a recognised need for one and two bedroom flats in the town. It was considered that the amended application provided an appropriate mix of accommodation in an existing building that met a recognised need for housing in the town.

Policy TAI 15 (Threshold of Affordable Housing and their Distribution) stated an expectation that at least 0.4 of the units should be affordable, in accordance with the information submitted. Information had been received from the applicant stating that he had investigated purchase/rental prices within a one-mile radius of the site as part of the development. Although the officers did not disagree with the prices, the valuation was not based on the Red Book, and there were other minor deficiencies in the information submitted. In the circumstances, it was considered that the application could be approved subject to imposing a condition to agree on affordability matters for one of the units before issuing any permission.

In the context of the visual, and general and residential amenities, it was noted that these had been fully assessed, and that no objections had been received in relation to these matters. It was added that the Transportation Unit had no objection to the proposal, although it recommended that appropriate conditions should be imposed on any permission. Having considered all the relevant matters, including local and national policies and guidance, as well as local objections, it was considered that the proposal was acceptable and that it satisfied the requirements of the relevant policies.

- b) Taking advantage of the right to speak, the Local Member made the following points:-
- She apologised for the information that had come to hand at the last minute, expressing concern about the recent flooding on the application site.
 - The former owner of the Wynnes had drawn her attention to a water culvert located under the existing extension at the rear of the building.
 - Flooding had occurred approximately 20 years ago on the site, and again in August 2020.
 - Welsh Water had not yet had an opportunity to investigate further
 - Local people were concerned, as some of them recalled the past flooding
- c) It was proposed and seconded to approve the application.
- d) During the ensuing discussion, the following observations were made by members:
- It was noted that more information was needed regarding the flooding prior to making a decision
 - The principle of the development had been approved, but further investigation was needed regarding the concerns about flooding
 - The area needed houses, not flats

- The location was unsuitable for a house in multiple occupation
 - The Council's Drainage Department should investigate the matter, not Welsh Water
 - Assurance was required that the building had a fire escape
 - There were insufficient parking spaces for the number of residents who would occupy the flats
 - Concern about the outstanding appeal on the application
- e) In response to the comments, the Planning Manager noted:
- Safety matters were within the remit of the Building Control Unit
 - The Transportation Unit considered that six parking spaces were sufficient for the site - the site was accessible and there was a good bus service
 - The Planning Unit had consulted the Council's Drainage Department about the flooding matters
 - He was confident that the Committee would meet again before the date of the appeal
- f) An amendment was proposed to defer the decision in order to receive more information about drainage matters
- g) A vote was taken on the amendment.

RESOLVED: To defer the decision in order to receive more information about drainage matters

5.2 APPLICATION NO C20/0022/42/DT - TAN Y MYNYDD, MYNYDD NEFYN, NEFYN, LL53 6LN

It was noted that late observations had been received from

The Planning Manager elaborated on the background of the application, and noted that it was an application to renovate and extend an existing house. It was reported that the new development would increase the number of bedrooms from three to four, which would increase the size of the downstairs living space.

The property was located on the slopes of Mynydd Nefyn at the top of a private road (which was partly a public footpath) which led to the unclassified road of Bryn Glas. The site was located in open countryside, approximately 340m to the east of the development boundary of Nefyn Local Service Centre, and 50m outside the Llŷn Area of Outstanding Natural Beauty.

This application had been discussed at the Planning Committee on 02/03/2020 when a decision on the application was deferred in order to arrange a site visit and to allow the submission of a protected species report. A Survey of Protected Species report was received on 29 May 2020.

Additional photographs and a video were shown as it had not been possible to hold a site visit due to the Covid-19 restrictions.

It was noted that late observations had been received (but not included on the late observations form) from the Campaign for the Protection of Rural Wales, concerned that the scale and design of the extension would create an alien

feature in the landscape. It was added that observations had also been received from the AONB officer (not included in the report), expressing concern about the scale of the side extensions, the large windows and their impact on the AONB.

It was reported that the newly designed house would be substantially larger than the existing house, and the internal floor surface area would more than double. Having said this, there would be no increase in the building's height, and it was believed that the new design submitted was of a high quality and that the use of stone, glass and slate was appropriate for the location. It was acknowledged that opinions regarding the design were 'subjective'.

The property was in an open location on the hill slope, and therefore it was visible to the public from the nearby highway and other public areas. Whilst appreciative of the concern regarding the sensitivity of the landscape in this area, officers did not consider that the extensions as they had been designed would have a significantly detrimental impact on the quality of the landscape, and it was not considered that the proposal would impact the setting of the AONB, or the views out of it, in a detrimental manner.

Attention was drawn to observations that had been received in relation to an over-provision of holiday units in the area, but it was highlighted that this was an application for a house, and not for holiday accommodation. It was also acknowledged that the visual impact was a cause for concern, and that design matters could be contentious; however the officers had weighed up the application against the requirements of the relevant policies, as well as considering the observations and the objections received. It was therefore considered that the proposal was acceptable and met the local and national planning policy requirements, and that it should be approved with the conditions included in the report.

a) Taking advantage of the right to speak, the applicant noted the following points:-

- Tan y Mynydd had been empty for a number of years, and it was now in a state of considerable decay. It was intended to renovate and develop Tan y Mynydd to create an attractive home to share with family and friends, while appreciating everything that the beauty of Pen Llŷn had to offer.
- Extended family had been residents at Aberafon Holiday Park in Nefyn for a number of years. The applicant and her father were lifelong members of Nefyn sailing club and Nefyn golf club, were regular sponsors of The Sportsman in the village of Nefyn, and were shareholders in Yr Heliwr public house.
- This was not an application for a holiday home or a rental property - it was an application for a family home with an intention to spend many future years in the community with their children and grandchildren.
- They were eager for the house to integrate into the landscape, and had therefore chosen local builders and companies, and local building materials. Consequently, the building would assimilate far better within the rough landscape than the bright white render of the existing house.
- She had lived in Wales for over thirty years; her children were Welsh; her businesses were located in North Wales, employing nearly thirty people and serving the local community

b) Taking advantage of the right to speak, the Local Member made the following points:-

- It should be ensured that the AONB was protected – it must receive the same protection as a National Park
- The application was totally unacceptable, and the proposal would be oppressive in the landscape
- A 'subjective opinion' set a dangerous precedent as the renovations were significant
- Mynydd Nefyn had traditional cottages and smallholdings
- Concern that a precedent would be set of buying 'small' houses along the boundary of the AONB, then applying for permission to significantly extend these houses - instead of buying a larger house in the first place
- It would have a significant impact on the area's house prices

c) It was proposed and seconded to refuse the application

ch) During the ensuing discussion members made the following main observations:

- The proposal would be an eyesore on the slopes of Mynydd Nefyn
- The proposal was an over-development - the size of the extension would double the floor space
- The traditional character of the house should be retained
- A public footpath was located in part of the site – this could create problems on private land
- The proposed plan was intrusive, oppressive, too prominent, large and inappropriate on the slopes of Mynydd Nefyn - contrary to strategic policy 19 - with the aim of improving the natural environment
- Concern about setting a precedent, and an increase in local house prices
- Contrary to Policy 3 that noted the scale, and Policy Tai 13 that noted that a development 'should not create a visual impact significantly greater than the existing dwelling... seek to safeguard the open countryside...'. There was a need for stronger policies so that any modification to the building could be prevented.
- Buildings such as these would destroy what visitors enjoyed about the area
- Suggested buying a larger house in the first place
- The environment, countryside, landscape and the people of the area must be protected
- Nefyn was being targeted in the same way as Abersoch in the past
- The size could be permitted in some cases, but not in relation to affordable houses applying for more floor space
- The design was of a high quality and an improvement to the existing house
- There was a nearby house with an extension

RESOLVED to refuse the application

1. **The development in question would have a detrimental impact on the character and appearance of the site, the building and the area in general as the appearance, scale, mass and elevation treatment would be incongruous with the local character. It is not considered that this proposal has given full consideration to the context of the site in an open, rural location, and therefore the proposal is contrary to the requirements of**

policies PCYFF 2 and PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan in relation to safeguarding the area's visual amenities.

2. The development would lead to a detrimental over-development of the site in a prominent location in the landscape adjacent to the boundary of the Llŷn Area of Outstanding Natural Beauty. This would lead to a detrimental impact on significant views in and out of the Area of Outstanding Beauty, and therefore the development is contrary to policies PS 19 and AMG 1 of the Anglesey and Gwynedd Joint Local Development Plan in relation to safeguarding the quality of the protected area.

5.3 APPLICATION NO C20/0046/42/LL - TIR GER FYNWENT GYHOEDDUS NEFYN, NEFYN, LL53 6EG

- a) The Planning Manager elaborated on the background of the application, and noted that this was a full application to create an extension to the existing cemetery by changing the use of agricultural land located off Ffordd Dewi Sant in Nefyn. It was noted that the site was located outside, but adjacent to the Nefyn development boundary near the back of the Business Park. It was considered that the location, size and setting of the extension was logical and that it would be an effective addition to the existing community service.

As the groundwater matters had been resolved, it was considered that this proposal complied with all the relevant planning considerations and policies.

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

RESOLVED to delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions;

1. **The development to which this permission relates shall be commenced no later than FIVE years from the date of this permission.**
2. **The development hereby permitted shall be carried out in strict conformity with the details shown on plans submitted to the Local Planning Authority on 06/05/20, and contained in the application form and in any other documents accompanying the application, notwithstanding any condition(s) to amend those plans included in this planning decision.**
3. **All burials in the cemetery shall be: • a minimum of 50 metres from a potable groundwater supply source; • a minimum of 30 metres from a water course or spring; • a minimum of 10 metres' distance from field drains; • No burial into standing water and the base of the grave must be above the local water table.**
4. **Surface water and/or land drainage are not permitted to be connected either directly or indirectly to the public sewerage system.**
5. **The car parking area will be completed in total accordance as shown on the enclosed plan prior to the commencement of the use herein**

approved

5.4 APPLICATION NO C19/1068/11/LL - NEUADD OGWEN, Y COLEG NORMAL, FFORDD Y COLEG, BANGOR, GWYNEDD, LL57 2DB

- a) Due to recent concerns regarding the financial information, the valuation, and the viability argument that has been submitted as part of the application, the Planning Manager suggested that the discussion on the application should be deferred in order to seek an independent view on these matters from the District Valuer.
- b) It was proposed and seconded to defer the application

RESOLVED to defer the application in order to seek an independent opinion from the District Valuer

The meeting commenced at 11.00 am and concluded at 12.25 pm

CHAIRMAN