
PLANNING COMMITTEE 11/04/22

Present: Chair: Councillor Eric M Jones
Vice-chair: Councillor Gareth A Roberts

Councillors: Stephen Churchman, Elwyn Edwards, Louise Hughes, Anne Lloyd Jones, Berwyn Parry Jones, Gareth T Jones, Huw Wyn Jones, Cai Larsen, Edgar Owen, Eirwyn Williams and Owain Williams

Officers: Gareth Jones (Assistant Head of Department - Planning and the Environment), Iwan Evans (Head of Legal Services), Keira Sweeney (Planning Manager), Idwal Williams (Senior Development Control Officer) and Lowri Haf Evans (Democracy Services Officer)

Others invited:

Local Members: Councillors Elfed Williams, Glyn Daniels, Aled Wyn Jones, Keith Jones (on behalf of Steve Collings) and Dafydd Meurig

1. APOLOGIES

Apologies were received from Councillor Dilwyn Lloyd; Councillor Steve Collings (Local Member)

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) Councillor Eirwyn Williams in item 5.2 (C21/1051/35/DT) on the agenda as he was the applicant.

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

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

- Councillor Eirwyn Williams (a member of this Planning Committee), in item 5.1 (C21/1136/35/LL) on the agenda.
- Councillor Elfed Williams (not a member of this Planning Committee), in relation to item 5.3 (C19/1194/18/LL) on the agenda.
- Councillor Glyn Daniels (not a member of this Planning Committee), in relation to item 5.4 (C21/0922/03/LL) on the agenda.
- Councillor Aled Wyn Jones (not a member of this Planning Committee), in relation to item 5.5 (C22/0078/37/LL) on the agenda.
- Councillor Keith Jones (not a member of this Planning Committee), in item 5.6 (C21/0959/11/LL) on the agenda, on behalf of the Local Member, Councillor Steve Collings.
- Councillor Simon Glyn (a member of this Planning Committee), in relation to item 5.7 (C21/0734/46/LL) on the agenda.
- Councillor Berwyn Parry Jones (a member of this Planning Committee), in relation to item 5.8 (C21/0931/23/LL) on the agenda.
- Councillor Dafydd Meurig (not a member of this Planning Committee), in relation to item 5.9 (C22/0134/16/LL) on the agenda.

3. URGENT ITEMS

None to note

4. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 21 March 2022, 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

6. APPLICATION NO C21/1136/35/LL LAND ADJACENT TO NORTH TERRACE, CRICCIETH, LL52 0BA

Construction of 23 dwellings, creation of new access road from Caernarfon Road, internal estate road, surface water attenuation pond and associated work

- a) The Planning Manager highlighted that this was an application for 16 open market dwelling houses and seven affordable homes. The houses on the site would be a mix of two-storey and three-storey houses and they would be of various types: -

Types A and B - four-bedroom houses with a garage

Type C - three-bedroom houses with a garage - the houses vary in terms of their interior plans and exterior aspects.

Type D - two-storey, 2 and 3 bedroom houses with (and without) a nearby garage

Types E and F - 7 affordable units providing a mix of two and three bedroom houses.

It was noted that the site was partly located within and outside the development boundary and the land where it was intended to locate the houses was located within the development boundary of Criccieth, with the landscaping zone area and surface water attenuation pond located outside the boundary. It was reiterated that part of the site within the development boundary had been designated specifically for housing in the Local Development Plan (LDP) - site T41. The principle of developing the residential units had been considered against the requirements of Policy TAI 2 of the LDP. It was stated that the site had been identified as a site for 34 units, but the application sought to build 23 houses on the site (which was lower than the estimated units for the site in Policy TAI 2).

It was highlighted that the Planning, Design and Access Statement submitted with the application noted that site T41 had been the subject of a detailed

assessment of restrictions, which included the need to retain a seven metre clearing on either side of the watercourse of Afon Cwrt, which ran across the site. In addition, it was noted that a part of the site could not be developed due to the presence of a culvert that ran along and parallel to the rear gardens of North Terrace houses. There was also a need to obtain clearing space on either side of the surface water drain from Afon Cwrt to the proposed attenuation pond between Bryn Cleddau and Plot 3.

According to Policy ISA 5, new housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, should provide suitable provision of open spaces in accordance with the Fields in Trust (FiT) benchmark standards. It was explained that the current information received from the Joint Planning Policy Unit showed that there was a lack of play areas with equipment for children locally and as part of the proposal and to this end, therefore, a financial contribution would need to be made in order to meet this lack of provision. Confirmation was received from the applicant stating that he would be willing to make a contribution of £4848.66 and this could be ensured via a legal 106 agreement.

In the context of transport and access matters, it was noted that the proposal would involve the creation of a housing estate on an agricultural field and access could currently be gained to the field from a track that ran past the northern end of North Terrace. As part of the application, a new access would be created directly to the B4411. It was reported that the Transportation Unit had submitted observations stating that additional information received in relation to the application, along with a full assessment on the visibility splay of the junction with the B4411, satisfied the requirements of TAN 18. It was reiterated that minor changes had been made to the plan to improve the provision for pedestrians and the Transportation Unit did not have any further observations to make.

It was reported that general and residential amenity matters, biodiversity, land drainage, heritage and archaeological matters were acceptable and, as a result of the full assessment, it was considered that the proposal was acceptable to be approved subject to appropriate conditions and to a 106 agreement to bind seven of the houses as affordable and make a financial contribution towards play areas.

- b) Taking advantage of the right to speak, the agent noted the following observations:
- An application from a local housing developer (Rhys Efans Cyf Company) to construct 23 houses with seven affordable homes, on a site specifically designated in the LDP for housing construction.
 - Recommendation to approve from Officers following a discussion, consultation and thorough assessment before and during the period of the application.
 - There was some objection to the development from local residents - many highlighted a concern about the housing designation. However, the development would not have a detrimental effect on the area or local residents.
 - The designation was for the provision of 34 houses, but the application sought to build 23 houses - this reflected restrictions on the site and left land near Caernarfon Road as a significant open space between neighbouring houses and the new development.
 - Some residents had concerns about the access to Caernarfon Road, but

the access had been assessed many times (including an application for 18 houses that had been approved by the Planning Committee in 2005 for the same access). When considering the housing designation when preparing the LDP and as part of this application, it was considered that the site plan clearly showed that access could only be created from Caernarfon Road.

- In terms of marketing the houses, it was noted that the local builder would adopt the same strategy used for his recent development at Gerddi Madryn, Chwilog where 15 houses had been sold to local Welsh-speakers.
- The developer had already received a number of enquiries about the houses from people from the Cricieth and Porthmadog area, without any marketing. It was anticipated that at least 18, or 80%, of the houses would be sold to people from the local area.
- There was no objection to the development by the Town Council or any other consultee, including the Transportation Department that had thoroughly examined the impact of the development on transport and pedestrians who used Caernarfon Road.

c) Taking advantage of the right to speak, the local member made the following points:

- That the proposal divided opinion locally.
- Suggested that the Committee visited the site.

d) A site visit was proposed and seconded due to the impact on the area and on neighbours.

In response to the proposal, the Head of Legal Services noted that the site had been designated for housing: that the density was lower than what had been designated in T41 and that the transport and water elements had been addressed. With the principle established as a result of its designation, he highlighted that the Committee would have to consider matters that could be influenced or added to.

e) A vote was taken on the proposal to carry out a site visit - the proposal fell.

f) It was proposed and seconded to approve the application.

g) During the ensuing discussion, the following observations were made by members:

- The plan responded to local demand.
- An ideal scheme.

In response to an observation regarding the road within the estate ending on the boundary and the suggestion that housing could be constructed beyond the boundary in future, it was noted that this area was outside the development boundary, but an agricultural access needed to be created along with access to the draining ponds. It did not suggest a further development for the future.

RESOLVED: Approve subject to a 106 agreement binding seven of the houses as affordable houses and making a financial contribution towards play areas and to conditions:

1. Five years

2. In accordance with the documents/plans submitted with the application.
3. Natural slate.
4. Samples of materials and colours for the houses to be agreed with the LPA.
5. Highway conditions - visibility splays, completion of an estate road, completion of parking spaces.
6. Landscaping to be completed in accordance with the details submitted.
7. Removal of permitted development rights for classes A-E for the affordable housing.
8. Condition to secure Welsh signs and names for the houses.
9. Maintenance strip to be secured near Afon Cwrt.
10. Compliance with the ecological report.
11. In accordance with the trees assessment.
12. Archaeological condition.
13. Work hours of construction period.
14. Submission and agreement of a construction method statement.
15. Obscured glass in the first-floor window on the south-eastern gable-end of plot 3.

Welsh Water/Natural Resources Wales Notes, SuDS, Major Development

7. APPLICATION NO C21/1051/35/DT CIL Y CASTELL, LÔN PARC, CRICCIETH, GWYNEDD, LL52 0EG

Raise roof height of dwelling to provide first floor rooms in roof space

- a) The Planning Manager highlighted that this was an application to raise the height of the bungalow's roof in order to provide first floor bedrooms in the roof space in the property known as Cil y Castell, Cricieth. It was explained that the proposed first floor would include three bedrooms, an en-suite and a cupboard - 1.5 metres higher than the original.

The application had been submitted to the committee as the property's owner was the Local Member for Cricieth and his daughter occupied the property.

The single property was located in a built-up residential area in Cricieth. It was noted that the front of the house overlooked a public road and a toilet block, and there would be no implications on amenities from installing two first floor windows and one window on the roof of the main elevation. Similarly, it was not considered that there would be any impact on amenities as a result of installing first floor windows on the rear, as there was a garden directly to the rear of the plot. In a built-up, high density situation such as this, it had to be accepted that over-looking was inevitable, but due to the distance, the location of footpaths and high boundary hedges, it was not considered that the proposed additions would exacerbate or have a detrimental impact on any of the neighbouring residential houses.

- b) It was proposed and seconded to approve the application.
- c) During the ensuing discussion, the following observation by a Member was

noted:

- That an additional height of 1.5m was acceptable.

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

1. **Commence within five years.**
2. **In accordance with the plans.**
3. **Slates to match.**
4. **Finish**
5. **Biodiversity - In accordance with the recommendations of the Protected Species Report.**

Note: Draw attention to Welsh Water's conditions and observations.

8. APPLICATION NO C19/1194/18/LL CAPEL EBENESER, STRYD FAWR, DEINIOLEN, CAERNARFON, GWYNEDD, LL55 3HU

Conversion of chapel to seven residential units to include an affordable unit together with a new access and parking spaces

Attention was drawn to the late observations form.

- a) The Development Control Officer highlighted that this was a full application to convert the redundant chapel and school-room into seven residential flats, creating a new vehicular access and providing parking spaces within the site's curtilage, that was opposite the High Street in Deiniolen.

It was reported that the application had been originally submitted to the Planning Committee on 01.11.21 and the recommendation of that Committee was to defer the application in order to receive additional information regarding the following:

- Confirmation that the cemetery would be protected.
- More land drainage details and assurance that the culvert would not cause problems on the site or locally.
- Confirmation of the need for flats in Deiniolen e.g. how many names were on the waiting list?
- How the applicant would ensure that the development would be occupied by local people?

In response to the above concerns, the following information had been submitted by the applicant.

The cemetery - the applicant's agent had confirmed that the cemetery would be protected by installing a Harris type security fence during the construction work. Once the work was completed the fence would be taken down and a management plan would be provided to cut the grass and for general maintenance including cleaning the memorial stones.

Drainage details - plans had been submitted showing the location and setting of the culvert. Considering the location and setting of the culvert in relation to the existing construction, this current proposal would not affect the culvert in any way. Attention was drawn to the latest observations of the Water and Environment Unit that stated that there would be no likely impact on the watercourse which ran through the site following the receipt of additional

information from the applicant.

The need for flats in Deiniolen - further information had been received from a qualified local estate agent company stating that there was a real need for this type of residential units in Deiniolen with 30 enquiries on average for each affordable rental unit that had been applied for affordability. It was noted that they also had 62 applicants on their list looking for property in the Deiniolen catchment area who were a mix of first-time buyers and those looking for smaller units. It was reiterated that the estate agent company had undertaken an assessment of the current condition of the local housing market in Deiniolen and the catchment area and had submitted figures that continued to confirm (following consultation with the Joint Planning Policy Unit) that rental prices and residential owners/owner occupier prices of the units were affordable according to the formula in the Supplementary Planning Guidance: Affordable Housing.

Occupancy of the flats for local people - the estate agents had confirmed that they would advertise the flats by using bilingual brochures and advertisements together with setting a time-scale for local people to give them the first opportunity to rent/buy the flats before they went on the open market. However, Members were reminded that only one of the flats needed to be affordable and it could be ensured that the unit was affordable initially and in perpetuity to those who could prove the need for an affordable house by including an appropriate condition.

It was noted that the principle of providing residential units on the site of a former chapel and school-room in Deiniolen, based on Policies PCYFF 1, TAI 3, TAI 15, PS 17 and ISA 2, continued to be acceptable. After assessing the application, it was considered that the proposal to provide seven residential units including an affordable unit was a positive response to the need for small residential units in Deiniolen and it was not considered that the proposal was contrary to local or national policies and there was no material planning matter that outweighed these policy considerations.

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

- **The application had been deferred in November with four reasons for refusal.**
 - He hoped that the fence would sufficiently alleviate the land drainage concerns.
 - In 10 years as a Local Member, he had not received an enquiry about a flat.
 - It was important to prove the need in the Deiniolen ward only - not the catchment area.
 - If the flats became empty, who would be housed in them (given the location of the Noddfa Hostel)?
 - Was it possible to include a condition for employed individuals / young couples only?
 - Accepted the need for something instead of the Chapel.
 - Local discussions had not been held since August 2021.
 - Assurance was needed in terms of the location of the new access.
 - A petition signed by 100 individuals highlighted concerns regarding the development.

In response to the observations, it was noted that the figures used for the

housing need had been figures for the catchment area not figures for the Deiniolen ward; that the new access would be located in the south-west of the site and had been agreed with the Transportation Unit; it was not possible to impose a condition for 'the type' of residents for the flats.

- c) It was proposed and seconded to approve the application.
- d) During the ensuing discussion, the following observations were made by members:
 - Assurance was needed about the number of Deiniolen residents who needed a house in Deiniolen - local figures, and not catchment area figures, were needed.
 - The application should be welcomed - the chapel was empty and suitable for first-time buyer flats.
 - The fence for the cemetery was acceptable.
 - Confirmation of the pebble dash finish was needed in accordance with CADW observations.
 - The condition of the building would deteriorate if the application would not be approved.

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

1. **Five years.**
2. **In accordance with the plans and documents submitted with the application.**
3. **Highway conditions.**
4. **Submitting a landscaping/tree planting scheme.**
5. **Biodiversity mitigation measures and enhancing biodiversity conditions.**
6. **Agreeing on details regarding a Welsh name for the development together with advertising signage informing of and promoting the development within and outside the site.**
7. **Ensuring a plan/arrangement for the affordable unit.**
8. **A photographic survey of the building is required in accordance with the requirements of the Gwynedd Archaeological Planning Service.**
9. **Materials in accordance with CADW's observations.**

9. APPLICATION NO C21/0922/03/LL FORMER WOOLWORTHS, 30 HIGH STREET, BLAENAU FFESTINIOG, LL41 3AE

Attention was drawn to the late observations form.

Some Members had visited the site on 04/04/22 to see the nature and restrictions of the site.

- a) The Planning Manager highlighted that the development would be split into two parts, namely one building facing the High Street and the other building facing Glynllifon Street. The front building would be split into the shop area (A1) with a flat (2 bedrooms) above the shop and a two-storey house (1 bedroom) adjacent to the back of the shop with a garden. The second building would include two residential units (1 bedroom) that would extend over three storeys each with amenity gardens

and parking provision.

The application had been submitted to the Planning Committee at the Local Member's request.

It was explained that the site was located within the development boundary of the Blaenau Ffestiniog Urban Service Centre and within a Town Centre designation. It was noted that the vacant retail unit (of significant size) had been marketed for a long period without much interest shown. It was added that there was reasonable demand for small units and it was considered that the proposal would not lose a retail unit and the proposal met with the principles of policies MAN 1 and PS 15 of the Local Development Plan.

It was reported that Blaenau Ffestiniog had been identified as an Urban Service Centre and the site was within the centre's development boundary. It was added that there was a need for more new houses and the proposal offered one affordable unit that met policy TAI 15 and policy TAI 8 Appropriate Mix of Housing.

In the context of visual matters, it was considered that the development was likely to blend into its urban context retaining the traditional development forms and patterns and using suitable materials for the location. The proposal would make positive use of the site of an extensive previously used building that had stood vacant for a long period. It was considered that the proposal met with the requirements of policies PS 5 and PCYFF 3 in the LDP.

It was highlighted that the proposal would include two parking areas for two units on Glynllifon Street. Although the proposal did not offer an individual parking provision for each unit, this was deemed reasonable for a town centre location, with parking opportunities on nearby streets and in public car parks. It was noted that the site was an accessible location to the High Street where there was convenient access to public transport and priority should be given to develop accessible and sustainable sites as not everyone owned a vehicle. With regards to concerns received about highway matters and parking in the vicinity, it was considered that the density of traffic related to the previous shop, such as delivery lorries and staff parking, had generated heavy traffic movements. It could be argued that the traffic movements of two cars would cause much less disruption than the delivery lorries and staff and customer movements of the previous use.

It was reported that priority would be given to the development of sites that had been previously developed, and it was considered that the proposal would achieve this and improve the visual quality of a prominent site on the High Street with a design and scale of the development in-keeping with the vicinity.

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

- The Community Council and neighbours of the site highlighted a concern that the proposal was an over-development.
- Concerns about the safety of the foundations of nearby buildings.
- The fire exit of an adjacent building was located on the building that was to be demolished.
- The wall along the boundary (between the two buildings and the neighbour's house) would not be high enough - it would affect the privacy of neighbours.
- Concern regarding overlooking of neighbours' properties and gardens - a suggestion to increase the wall height from 1.8m to 2.4m.

- b) It was proposed to refuse the application - it was not seconded.
- c) It was proposed and seconded to approve the application.
- d) During the ensuing discussion, the following observations were made by members:
 - The proposal would be an improvement to the site, which was on the High Street.
 - That the proposal was positive.
 - The site had been empty for 14 years.
 - A suggestion to increase the boundary wall height to 2.1m in response to neighbours' concerns.

RESOLVED to delegate powers to the Planning Manager to approve the application, subject to receiving an amended plan showing the rooflight in the kitchen of unit 1 at a higher level as discussed in paragraph 5.13 and in accordance with the following conditions:

1. **Five years**
2. **In accordance with the plans**
3. **Slate**
4. **Agree on external finish**
5. **First floor window on the eastern side of Unit 1 to be of opaque glass and a top hung design to prevent visibility.**
6. **The rooflights on the eastern elevation of the units shall be fitted no lower than 1.7 metres from the level of the internal floor.**
7. **Submit and agree upon an affordable housing scheme and an arrangement to manage affordability for the future.**
8. **Prior to the commencement of any work on the site, a Method Statement of the work proposed to be undertaken on the A470 trunk road shall be submitted to and approved by the LPA in consultation with the Welsh Government.**
9. **Prior to the commencement of any work on the site, a Traffic Management Plan shall be submitted to and approved by the LPA in consultation with the Welsh Government.**
10. **The access to the county highway and the parking locations shall be completed prior to the occupation of the residential units.**
11. **House sparrow bird boxes shall be installed in accordance with the recommendations of part 8 of the Initial Ecological assessment, Cambrian Ecology.**
12. **Sustainable Drainage System (SUDS)**
13. **Welsh names to be given to the units that form part of the development.**
14. **Erection of 2.1m high boundary wall, instead of 1.8m.**
 - i. **Notes:**
 - ii. **Draw attention to the Assembly Government's Transportation notes**
 - iii. **Need relevant Highway licences, traffic control plan and Welsh signage**
 - iv. **Highway Notes**
 - v. **Welsh Water Note**
 - vi. **Party Wall Note**

10. **APPLICATION NO C21/0668/43/LL LAND NEAR UWCH Y DON, BWLCH GWYNT, PISTYLL, PWLLHELI, LL53 6LP**

Construction of affordable dwelling

- a) The Assistant Head of Environment Department submitted his report after referring the Committee's decision on 21-03-22 to a cooling-off period. A decision on the application had been deferred to enable the applicant to prove that he was in need and eligible for an affordable home. The purpose of reporting back to the Committee was to highlight the planning policy issues, the possible risks and the possible options for the Committee before it reached a final decision on the application.

It was highlighted that the applicants had been re-assessed based on new comprehensive financial information that had been received, that included a Red Book Valuation, valuation of their current house and information regarding their mortgage and likely equity. A copy of Tai Teg's response was received from the applicant, confirming that they had assessed the application against their criteria. Their application was refused as it was considered that their current property was suitable for the family's size, affordable and that they did not have any specific needs. As a result, the need for an affordable house had not been fully proven and that the LPA's reason for refusal, *'The applicants have not proven a need for affordable housing local need, therefore the proposal is contrary to criteria 1 and 7 of Policies TAI 6, Tai 15 and PS 17 of the Anglesey and Gwynedd Joint Local Development Plan and the requirements of the Supplementary Planning Guidance: Affordable Housing (2019)'* remained.

It was appreciated that the applicant was experiencing anti-social issues at their existing property and wished to move, however, in accordance with Tai Teg's assessment, the applicants' existing house was of an affordable size and price and was fit-for-purpose. This was deemed the applicants' 'wish' rather than a 'need' and that personal matters between neighbours were not relevant planning matters. The committee should not give weight to this when considering the application.

In the context of the affordability of the proposed house, it was noted that £315,000 was the open market price of the house. It was reported that the Strategic Housing Unit had not responded to confirm the affordability element or the likely discount percentage that would be reasonable for a new single intermediate property, but it was suggested that a discount of approximately 50% would be needed to make the price affordable for an intermediate property to £157,000. Reference was made to increasing house prices and a concern that the price of the property / land could increase significantly in the future to a level where it could be argued that the property would not be affordable whatever the discount, and that an application may be submitted to lift the 106 Agreement. It was reiterated that the LDP only supported proposals for affordable units where it could be ensured that they remained affordable in perpetuity, but with the proposal in question, in such a location with coastal views that could influence the price of the house in future, no guarantees could be given that the house would remain affordable in future.

The risks to the Council of approving the application, along with the options available to the Committee, were highlighted. The officers noted clearly that the features of the application had been thoroughly assessed by the Council's officers, who firmly recommended that the application be refused as the proposal did not comply with the requirements of the Gwynedd and Anglesey Joint Local Development Plan's adopted policies, local and national guidance and national planning policies.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- That the application was unique.
 - That the family currently lived in Nefyn under very difficult circumstances, and suffered from anti-social attacks.
 - That their current house was unsuitable - it did not meet their needs anymore - no parking space, kitchen was too small.
 - The applicant had responded and complied with the Officers' requests by submitting additional reports and information.
 - The Committee had supported the application at committee meetings in December 2021 and March 2022.
 - Reference was made to e-mails received from Tai Teg where it was noted that the affordability of each application would be considered on a case by case basis.
 - Their current home was a former Council House with a 157 condition - this restricted who could live there.
 - The Housing Department had made an offer on the house and the applicant had accepted the offer - the house would therefore be released for another local family.
 - Gwynedd's Housing Strategy noted the need for Gwynedd residents to have access to suitable homes of a high standard that would improve their quality of life - the application addressed this.
 - Many had taken the time to write in to support the application - no objections.
 - We had to respond positively to local residents - local people must be supported.
- b) It was proposed and seconded to approve the application with a 106 agreement.
- c) During the ensuing discussion, the following observations were made by a member:
- That the application was unique.
 - A house in Nefyn would be released for local people.

RESOLVED: To approve the application with a 106 agreement.

Conditions:

Five years, in accordance with the plans, land drainage, landscaping, materials and finishes, Welsh name.

11. APPLICATION NO C21/0959/11/LL 290 - 294 STRYD FAWR, BANGOR, GWYNEDD, LL57 1UL

Erection of new building to accommodate six residential apartments, change of use of building to flexible commercial space on ground floor Use Class A1, A2, A3 and/or B1 and conversion of above floors to 18 flats with associated extensions and alterations.

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that the application included the following elements:

- Construction of new three-storey building to the rear of the site to provide six 2 bedroom residential flats.
- Change of use of ground floor of former shop to flexible uses as a shop and hub.
- Minor changes to the shop front elevations.
- Provision of 18 flats above existing shop across two floors to include 16 1 bedroom units and two 2 bedroom units.
- Extension and alterations at the rear of the existing building to enable the provision of some of the residential units and balconies.
- Provision of five parking spaces.
- Use of private driveway to the rear of the property.
- Siting of bin stores to the rear of the existing building.
- Siting of a small amenity space/terrace to the rear of the existing building along with soft and hard landscaping.

It was explained that the building and site were located within the city centre and within the development boundary as included in the LDP and the principle of developing the site against Policy PCYFF 1 and Policy TAI 1 of the LDP was considered. It was noted that the building was within the city's main retail area and was surrounded by a mix of residential uses in the form of flats, commercial along with a public car park. The use of the former shop ceased in September 2020.

In the context of the indicative housing supply level for Bangor over the Plan period, it was highlighted that the provision in April 2021 was nine units greater than the indicative supply level for windfall sites in Bangor and that this current proposal exceeded the indicative growth level of Bangor. As a result, any justification submitted with the application outlining how the proposal would address the needs of the local community must be reviewed. In response to this requirement, the applicant submitted a Design, Access and Planning Statement (amended) and additional information/statements that included the following information:

- The applicant was the largest provider of rented accommodation in Bangor and it was seen that there was a significant shortage of 1-2 bedroom studio flats.
- The application would fill the gap between student accommodation and first time buyers.
- The applicant intended to complete the first phase of the development within 12 months and complete the detached building within 24 months (unlike other developments that received permission but were yet to commence).
- Although the indicative figure for housing in Bangor had already been reached, it was not anticipated that all the houses on sites in the windfall land bank and designated sites in Bangor were likely to be developed.
- Should the application receive planning permission and the other housing designations within the land bank realised, the cumulative figure of houses would only equate to a 3.4% increase in the indicative figure within the LDP for Bangor.
- Authorities should not refuse applications for housing within windfall sites that exceeded the indicative figure as Planning Policy Wales advice stated that residential developments should

be supported if they complied with national policies in relation to sustainability objectives and this site was located in an accessible location in the city centre.

- The applicant had submitted open market valuations (OMVs) for the residential units. Gwynedd Council's Strategic Housing Unit had stated that 1 and 2 bedroom flats were needed in Bangor with 60 applicants on the Tai Teg register for 2 and 3 bedroom units and 517 applicants on the Council's common housing register for social housing.
- The site was not suitable for 3 bedroom houses due to the size restrictions of the site.
- Although other housing developments had received permission, the need for 1 and 2 bedroom flats in a central location in the city centre was obvious.
- The proposal would provide 16 affordable residential units and the Strategic Housing Unit confirmed that the price of £40,000 to £75,000 for the 1 bedroom flats was affordable and that no discount was required.

It was considered that the proposal, cumulatively with the current land bank and housing designations to develop housing in the city, involved a level of development that would be above the indicative demand for residential units during the LDP period. As a result, the Local Planning Authority would have to be convinced that this proposal would help to meet the needs of the local community.

Although general information had been received from the applicant highlighting the need for 1 and 2 bedroom studio flats in Bangor, which filled the gap between student accommodation and first-time buyers, it was argued that there was no detailed reference to the current position of residential units within the April 2021 land bank, where 178 out of 188 units in the land bank were for 1 and 2 bedroom flats. The Local Planning Authority had not been undoubtedly convinced that the applicant had justified the provision of 24 residential units in the form of one and two-bedroom flats, which was in addition to the 178 flats that were already within the land bank in Bangor. Despite the evidence submitted by the Strategic Unit, affordable one bedroom units were for social use only. Therefore, it was not considered that the proposal met the needs of the local community in accordance with Policy TAI 8 of the LDP.

It was noted that the applicant initially intended to rent the flats and although open market valuations (sale price) had been submitted by the applicant for all flats, no figures had been submitted in relation to renting the flats. Consequently, it was not possible to confirm whether or not the rent prices of the 16 units were affordable. To this end, therefore, it was not believed that the proposal, based on the information that had been submitted to date, complied with the requirements of Policy TAI 15 or with the requirements of SPG: Affordable Housing

In the context of retail/city centre considerations, it was noted that Policy PS15 of the LDP sought to protect and enhance the vitality and viability of town centres and their retail, service and social functions and encouraged a diverse mix of suitable uses within urban centres that were of high quality and attracted a wide range of people at different times of the day. Policy MAN 2 noted that proposals for the change of use of retail units located within the main shopping area could only be permitted if it could

be shown that the unit was no longer viable and that all efforts had been made to maintain the property's A1 (shop) use. It was reiterated that Policy MAN 1 of the LDP stated that proposals for new retail, commercial and leisure developments would be directed towards town centres subject to planning considerations such as design and amenities.

In the context of visual amenities, it was reported that the site was located in the city centre which contained a vast number and an array of commercial and residential structures and buildings. It was considered that the greatest impact on the external elevations would be seen to the rear of the building where the existing extensions would be demolished and a new extension to be erected in their place. The separate building providing six residential units would be three-storey, would follow a rectangular shape and would have a modern and current design. Given the design, layout, external elevations, materials and scale of the extension and the separate building, it was not believed that cumulatively they would create significantly incongruous structures in this part of the townscape.

It was reiterated, according to the Local Planning Authority's information, number 288 High Street was used for residential purposes, 296 High Street had a commercial use and the residential dwellings of Ger y Mynydd were located 43m to the north. Although it was acknowledged that there would be an element of shadowing to the residential dwellings, it was not considered that it would be considerable or significant and there would be no passive and community overlooking between sites.

In the context of transport and access matters, as part of the application and in accordance with the requirements of the Transportation Unit in their response to the pre-application enquiry, it was noted that a Technical Note on Transportation had been submitted which confirmed - (i) that the site was accessible to different modes of travel (ii) that the development would be likely to create a minimum increase in transport and (iii) that the development complied with national policies within TAN: Transportation.

In the context of linguistic matters, although no response had been received from the Language Unit on the content of the Statement, it was believed that, in this case, it could not be ensured that the 16 affordable flats would meet local need or be affordable on the basis of rent as no information had been received in relation to this element of the proposal. As a result, it could not be confirmed that the proposal, if approved, would safeguard or promote the language in the city. In terms of meeting local need and the affordability of the proposal, it could not be confirmed that the proposal complied with the requirements of Policy PS 1 of the LDP, SPG:

Maintaining and Creating Distinctive and Sustainable Communities and TAN 2: Planning and Affordable Housing.

It was reported that the proposal to develop 24 new one and two-bedroom residential units on the particular site would not be acceptable in principle based on: (i) a lack of evidence that there was a real need in Bangor for one and two-bedroom units in addition to the 178 similar units/flats that were already within the land bank for the city. (ii) no evidence had been received that the flats would be affordable on the basis of rent and (iii) due to concern number (ii), it could not be confirmed that the proposal would provide affordable flats to address the needs of the local

community.

It was recommended to refuse the application.

b) Taking advantage of the right to speak, the agent noted the following observations:

- It was a full application for the change of use of the former Peacocks shop on Bangor High Street, which had been empty for two years, to create a flexible space on the ground floor and to convert the above floors to 18 flats and construct six flats on dilapidated land behind the High Street. Open market and affordable flats to let or sell - not units for students.
- The development would make perfect use of a substantial building on the High Street - an unlisted building, but of historical importance in Bangor as the founding shop of the Pollycoff family.
- The applicant had a tenant (Town Square) interested in using the ground floor as an enterprise hub to be used by small businesses ranging from a café to offices to micro workshops. This type of development had already seen success in Wrexham city centre and Rhyl under the management of the same tenant with financial assistance from Welsh Government.
- Financial assistance from the Bangor City Centre Investment and Property Renovation Scheme had already been earmarked by Gwynedd Council for the development, along with clear support for the development by the Economic Development Team.
- The only objection by the Local Planning Authority was the fact that a number of houses and flats in the Bangor land bank had not been developed and that the indicative housing supply level for Bangor over the Local Plan period amounted to 969 units - it was assumed therefore that the current number, including the land bank, exceeded this figure by nine units - only nine units within a main centre! It must be borne in mind that this figure was indicative and not the maximum limit.
- On closer examination of the sites in the land bank, many were unlikely to be developed during the LDP period - Jewson's site - 70 units in the land bank were in the ownership of a housing developer, but the site was for sale; Maesgeirchen Social Club site - 10 one bedroom flats in the land bank but an intention to develop them as a shop without flats. In addition, some sites that had been earmarked in the LDP for housing were slowly being brought forward - or introducing fewer houses than expected. It was clear therefore, that there was more flexibility to develop other sites that would be of economic value to the town.
- The site would not sit in the land bank for years - should it be approved, the development would commence with immediate effect - an investment of £2.2 million in the centre of Bangor High Street - this would potentially reverse the declining standards of the High Street - an important development that would give confidence to others to invest in the city.

c) Taking advantage of the right to speak, the Adjoining Member made the following points (on behalf of the Local Member):

- The project was to be welcomed and supported.
- The site was located in a prominent area on the High Street.
- The applicant had experience and expertise in the field.

- Being punished as permissions in the land bank had not been commenced.
 - Only nine units above the housing supply threshold.
 - There were no concerns about the design.
 - Funding had been identified for the economic and regeneration elements.
 - Quality 1 and 2 bedroom units were needed for young professionals.
 - A similar development in the city had been very successful.
 - The proposal would keep local people in the area - contacts, network, resources were good reasons to stay.
 - Work would commence with immediate effect.
 - It would be refreshing to see a building that was rapidly becoming a ruin being converted into a high quality development.
- d) It was proposed and seconded to approve the application, contrary to the recommendation.
Reasons:
- That there was a need to weigh up economic benefits v land bank figures.
 - There were permissions that had not been implemented and were unlikely to be developed.
 - The proposal would regenerate the City centre.
 - Needed to protect an important building.
 - The imperfect system of the land bank created problems.
- e) During the ensuing discussion, the following observations were made by members:
- That this was an opportunity to regenerate the City centre.
 - Welcomed the initiative - did not want to lose an opportunity.
 - The existing building was deteriorating.
 - It would give confidence to other businesses to venture.
 - Some other permissions in the area were not going ahead.
 - The increase in the number of units in the land bank was small.

In response to a comment with regard to withdrawing permissions that had not been implemented, it was noted that the current law set a condition to develop within 5 years but also allowed developers to apply for an extension.

Members were reminded of a similar application that had recently been refused due to a lack of land bank justification (although accepting that the proposal was not on the High Street). In response, a Member noted that the Llys loan application was to demolish a historic building - this case involved preservation and that every application should be considered on its own merits.

RESOLVED: To delegate the power to the Planning Manager to approve the application after assessing the need for a provision of affordable housing (and ensuring either via a condition or 106 agreement if a formal provision is needed) and subject to a 106 agreement to ensure a financial contribution towards open spaces.

Conditions:

Five years, in accordance with the plans, noise conditions, extraction systems, Welsh Water, materials and finishes, Welsh name for the development and units.

12. APPLICATION NO C21/0734/46/LL TYDDYN ISAF, TUDWEILIOG, PWLLHELI, GWYNEDD, LL53 8PB

Full application for change of use of agricultural land to create a caravan site for 32 pitches, construction of new building to accommodate showers/toilets, all associated hard standings, resurfacing and access.

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that the site was located outside any development boundary in an open site in the countryside - the site and the nearby area were within the designation of the Llŷn Area of Outstanding Natural Beauty as well as the Llŷn and Bardsey Landscape of Outstanding Historic Interest.

As this was a site for touring caravans, it was explained that the application had to be considered under policy TWR 5 of the LDP that set out a series of criteria to approve such developments. It was explained that criterion 1 in policy TWR 5 stated that any new touring caravan developments should be of a high quality in terms of design, layout and appearance, and well screened by existing landscape features and / or where the units could be readily assimilated into the landscape in a way which did not significantly harm the visual quality of the landscape.

It was considered that the proposed development was located in a site that was relatively level within the landscape within a field that was surrounded by established *cloddiau* and hedgerows with a series of outbuildings with the dwelling that would keep the site partly hidden from the north. Nevertheless, the site was entirely open towards the coast path.

It was acknowledged that it was intended to strengthen the site screening by improving and adding to existing hedgerows and creating a *clawdd* with indigenous trees along it; however, it was highlighted that the policy required sites to be well screened by existing landscape features and / or where the touring units could be readily assimilated into the landscape. At present, it was considered that the site was not well screened by existing landscape features and it was not considered that the site could be readily assimilated into the landscape. The site was in an open space near the coast and when visiting the local area it was apparent that there were only a few species that grew successfully in this area due to the sea wind.

It was considered that the existing and proposed *cloddiau* would screen the lower sections of the units, but due to the height of vehicles and touring caravans the site would be visible in the broader landscape - unlikely that landscaping would screen the site in its entirety without a substantially harmful impact on the landscape. As a result, a considerable concern was highlighted regarding the success of the landscaping plan and the significant time to establish it - consequently, it was considered that the site's visual impact would be harmful to the landscape during this time and the impact could exist for years.

It was reported that various other touring caravan sites in the area were visible from several vantage points over existing *cloddiau* and hedges and a concern was highlighted that this development could contribute to the cumulative impact of touring caravan developments that were already having a negative impact on the landscape. As a result, it was not considered that the proposal complied with criterion 1 of policy TWR 5.

It was noted that the site was within the AONB and the observations of the AONB Unit recognised that the site would be visible from several public vantage points. Members were reminded that the primary objective for designating AONBs was to conserve and enhance the natural beauty of the landscape and, therefore, it was crucial that any scheme and setting of any developments favoured the safeguarding of natural beauty.

It was reiterated that elements such as general and residential amenities, transport and access were acceptable and, although additional information had been received from the applicant, that the proposal was unacceptable as it would cause a detrimental and substantial impact on the landscape and the visual amenities of the landscape.

b) Taking advantage of the right to speak, the applicant's relative noted the following points:

- The family were local with firm roots in Pen Llŷn - they had been brought up, educated and worked locally.
- The proposal was a plan for the whole family with the hope of being able to develop an intrinsic, successful and long-term business in Tudweiliog. With numerous benefits to the local economy for shops, public houses, restaurants and holiday destinations and villages in Pen Llŷn and beyond.
- The application was acceptable and satisfied LDP requirements with the exception of one clause of Planning policy TWR 5 that was associated with the development's impact on the landscape.
- The applicant was astonished that the planning application had been submitted for over a year and that this was the first reference to the development's impact on the landscape.
- Although no objection had been received from the AONB Officer as part of the consultation process, it appeared that the Officer had determined that a landscaping plan (which would include a 1.5 metre earth *clawdd* and a comprehensive indigenous resilient tree planting scheme) could not succeed due to its proximity to the coast. Despite this, there was no opinion from a specialist consultant to reinforce the Officer's opinion on the success of the planting scheme.
- The Local Planning Authority's concern about the ability to successfully landscape the site was accepted. Should these concerns have been shared during the planning process, there would have been an opportunity to try to mitigate and resolve the impact sooner.
- A suggestion to propose a landscaping planning condition in the hope that it would meet and reinforce the landscape impacts of the development. The purpose of the condition was to provide a specialist report in order to highlight how to establish tree growth and which indigenous species were the most resilient in a coastal area. The report would submit accurate information to draw up a comprehensive planting scheme to landscape the visible

boundary.

- It was proposed to add a second clause to the condition relating to the submission of an after-care scheme to review growth over a ten-year period, where any dead tree would be replanted with a new tree.
- It was strongly asked whether or not the proposal was reasonable and resolved the concerns of the Officer or the Planning Department about the prominence of the site within the landscape.
- The situation facing rural communities in Gwynedd - especially the Pen Llŷn coast, was fraught and critical with local housing stock of all types and designs being quickly snapped up by suppliers who needed holiday homes - Air BnB. The ability for people to work from home also encouraged an influx and communities were increasingly becoming Anglicised in language and nature.
- There were minor impacts on the landscape in the short-term here. It was considered that a small caravanning facility offered a much better option for visitors to be able to visit our areas and enjoy the fantastic landscape, and then return to their communities at the end of their holiday.
- With a lack of provision over the last few years, much more of the local housing stock being bought was seen. By ensuring a provision for the increasing demand for high quality holiday units, it was hoped that the reliance on AirB&B units and similar ones would reduce.

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

- Methods of diversification in the field of agriculture had to be considered in this day and age.
- Six out of seven criteria complied with TWR 5 and visible impact needed to be considered.
- Only three houses were within this rural area - the proposal would not have a visual impact on them - the applicant's brother lived in one of the nearby houses.
- It was possible to have indigenous hedging seeds for the coastal area.
- There was an intention to undertake landscaping work prior to the opening of the caravan site - welcomed the responsible attitude of the applicant in doing this.
- The initiative prepared for future generations - opportunities had to be given to local people.
- The area was very rural - important to safeguard and protect for the future - the initiative proposed this by offering a provision for visitors that come to enjoy the wild nature.

d) It was proposed and seconded to approve the application, contrary to the recommendation.

Reasons:

- the proposal offered economic and social benefits
- the landscaping/planting schemes were acceptable and overcame the visual impact

In response to the reasons for refusal, the Assistant Head of Department noted that similar applications had been refused due to the impact on views

- the proposal was in a visible open site from public viewpoints, an application to develop greenfield within the AONB and contrary to policies. How could it be justified that the proposal met statutory requirements?

He suggested, either to defer the decision and undertake a site visit or, 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.

e) A proposal to undertake a site visit was made and seconded.

f) During the ensuing discussion, the following observations were made by members:

- Nobody would be in favour of the application if the applicant were an outsider.
- Encouraged visitors to stay in caravans who would then purchase houses locally.
- Visiting the site would offer a solution.

RESOLVED to defer in order to conduct a site visit

13. APPLICATION NO C21/0931/23/LL PLAS TIRION, LLANRUG, CAERNARFON, GWYNEDD, LL55 4PY

Erection of extension to existing poultry unit to accommodate 16,000 additional hens (for the production of free-range eggs) together with associated work

Attention was drawn to the late observations form.

a) The Planning Manager highlighted that this was a full application to erect an extension to an agricultural unit to accommodate free range egg-laying hens and associated work at Fferm Plas Tirion, Llanrug. Plas Tirion was described as an agricultural holding of 521 acres of land with a total of 200 head of beef cattle, and poultry and the proposed unit would add 16,000 additional egg-laying hens to the enterprise, a total of 48,000 hens.

It was explained that the site was located outside any development boundary as defined by the LDP and was therefore a site in open countryside. It was reported that there was no specific policy in the LDP regarding agricultural developments, therefore the main consideration was Planning Policy Wales (PPW) and Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities.

It was highlighted that the proposed shed would be attached to the existing chicken shed, and the extension would be smaller in size and scale and of the same design as the existing shed. It was considered that the shed was reasonably necessary for agricultural purposes to expand the business and there was no doubt that its countryside location was essential within the established farmyard. It was noted that the proposal was in accord with policy PCYFF 1 and the principles of PPW and TAN 6 as long as there were no unacceptable impacts as a result of the proposal.

In the context of visual amenities, it was considered that the proposal was not an unusual development in the countryside and it was therefore acceptable based on the requirements of Policies CYF 6, PCYFF 3 and PCYFF 4 of the LDP.

In the context of general and residential amenities, although the site was located in the countryside and near a working agricultural holding, it was noted that residential dwellings were located in the catchment area of the site itself. The dwellings known as Plas Tirion and Plas Tirion Lodge were located approximately 240m to the north of the application site with other dwellings/cottages located over 400m from the application site. The proposal would involve using six extractor fans (on top of the 10 existing extractor fans) on the unit's roof to control the temperature within the unit itself. Taking the noise levels of fans into account, along with the results of the Noise Assessment submitted with the application, the Public Protection Unit recommended that a condition should be imposed that ensured that such fan units included three-eighths noise levels.

It was reiterated that the unit would operate a multi-tier system that would enable manure to drop down onto the conveyor belt and the conveyor belt would be operated once every 5-7 days in order to dispose of the manure. In turn, this would mean that only very little manure would be stored within the unit which would lead to a reduction in pest activity. Together with the proposed increase in the number of hens on this site, for the site to conform to the new requirements of the Control of Agricultural Pollution Regulations (Wales) 2021 where agricultural holdings were required to include buildings or additional areas to store manure indoors during the Winter; it was noted that permission (application number C21/0773/23/LL) was given to erect an additional manure shed storage adjacent to the existing chicken shed at the start of 2022.

In the context of transport and access matters, it was noted that it was proposed to use the existing access to serve the unit. The proposal would lead to an increase in traffic with lorries serving the unit by transferring feed to the hens twice a month and a 7.5 tonne lorry would collect the eggs twice a week. Reference was made to a response that had been received from the Transportation Unit stating that they had no objection to the proposal as it was assumed that the proposal itself would not have a detrimental impact on any road or proposed road - therefore, the proposal was acceptable based on the requirements of Policy TRA 4 of the LDP.

In the context of biodiversity matters, it was highlighted that the applicant had been requested to submit additional information in the form of Manure Management Plans, Ranging Plan and a Method Statement on Pollution Prevention. Following a period of re-consultation based on the additional information neither Natural Resources Wales or the Biodiversity Unit had no concerns regarding the application; however, a condition should be imposed stating that there would be a need to comply with the content of the plans and documentation submitted as part of the application - therefore, the proposal was acceptable based on the requirements of Policy AMG5 of the LDP.

It was confirmed that the Community Council had submitted observations and was supportive of the application.

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

- Local residents had been concerned about the original application and, as a result, the Community Council had held a special meeting to discuss the application - one that would create a livelihood for a family and jobs for others. The initiative had now been in operation for three years - no noise problems had been recorded and the sheds were not visible - difficult to see that the initiative existed.
- The Community Council supported the initiative.
- No objections had been received from neighbours.
- Agricultural costs were increasing and, therefore, this demanded a response.
- Pleased to be able to support an initiative that could offer a livelihood and future for the farm.

c) It was proposed and seconded to approve the application.

ch) During the ensuing discussion, the following observations were made by a member:

- The farm was of substantial size.
- 48,000 hens seemed to be excessive on the site.
- Smallholdings accommodated hens and also made a living - an initiative of this site killed small businesses.
- No economic justification here.

RESOLVED: To approve subject to the following conditions:

1. **Five years**
2. **In accordance with the plans.**
3. **Dark-green colour for the external elevation of the unit.**
4. **Agricultural use of the building only.**
5. **Public Protection conditions relating to the restriction of noise levels from the temperature control fans and concentration of particulates.**
6. **Complete the landscaping plan in accordance with the details submitted with the application and the time-scale for completing this.**

14. APPLICATION NO C22/0134/16/LL PLOT C1, PARC BRYN CEGIN, LLANDYGÁI, BANGOR, LL57 4BG

Development of a natural compressed bio-gas fuel facility for vehicles including fuel pumps, equipment compound, creation of new accesses, landscaping and associated development.

Attention was drawn to the late observations form.

a) The Development Control Officer highlighted that the facility would serve logistics and haulage drivers and operate for 24 hours a day, without staff, with drivers activating the pumps with an automatic fob.

It was explained that the site covered an area of around 0.7ha and included the development of an empty plot within the Parc Bryn Cegin Industrial Estate, which had been designated and protected in the LDP as a Regional Safeguarded Strategic Employment Site. It was noted that the use of the proposal fell under the unique use class, and considering that there were a number of empty plots on the site and since the proposal was a provision for

business transport and that the facility would not be open to the public, it was considered that the principle of locating the station in Parc Bryn Cegin was acceptable.

In the context of visual amenities, the proposal in question involved providing equipment to enable HGV lorries to pick gas fuel up from general fuel pumps - it was considered that the proposal complied with the requirements of policies PCYFF 2, 3 and 4, as well as PS20 and AT1 of the LDP in terms of the visual impact.

In the context of general and residential amenities, it was explained that the site abutted the rear of three residential houses - 1 to 3 Rhos Isaf. It was acknowledged that the houses were on a higher level and it was intended to level the application site so that there was a retaining wall between it and the acoustic fence on top. It was highlighted that a noise assessment and lighting plan had been submitted as a part of the application, which noted,

- The pumps would be lit during dark hours, but the compound lights would only be used during periods of work.
- The impact of the lights would be minimal as they were centralised on specific areas (mainly under the pumps). The proposed boundary treatment (fence and landscaping) as well as the scale and location of the lights would mean that the light overspill would not go beyond the site's boundaries, and this overspill on the boundaries would be less than moonlight.
- The noise assessment had been manufactured to the requirements of BS4142/BS8233/WHO Criteria and took into account the noise of activities as a result of floors on the curtilage and all equipment on the site.
- The results of the assessments showed that it was not expected for the impacts of operational noise of the fuel filling station to have any substantial detrimental impact, (subject to the context).

It was noted that the Public Protection Unit emphasised the need to implement noise mitigation measures and, if further mitigation measures could be implemented to further reduce the noise level, it was advised to do so in order to ensure that the site did not increase the current background noise level, and therefore it complied with the requirements of policies PCYFF 2 and 3 in terms of general and residential amenities.

In the context of transport and access matters, it was noted that the site benefitted from an existing independent access point via an access road to the west of the plot. To facilitate the site's development and ensure that it was suitable for HGVs to be serviced, it was proposed to get rid of this access and provide two bespoke accesses. A transport statement had been submitted as part of the application, as well as a Construction Environmental Management Plan. The Transportation Unit had not provided a formal response on this application; however, a response had been received to the pre-application enquiry which noted a number of points and new accesses and use of the site for overnight parking. To this end, confirmation had been received that the site was not used for parking lorries overnight.

In the context of biodiversity matters, it was reported that an initial ecological assessment had been submitted as part of the application, which noted that there was potential for a hedge that was used for bird and bat nesting to be affected as a result of this proposal. Consequently, the following mitigation measures were proposed:

- Any site clearing work must take place outside the nesting season and follow a manual search for reptiles.
- A lighting plan that has been agreed with an ecologist must be provided.
- Landscaping plan to hide light as much as possible.
- Provision of nesting boxes for birds and bats.

It was reported that landscaping and lighting plans had been provided as part of the application which were acceptable in terms of safeguarding the amenities of the area and nearby residents; however, it was not clear whether it was suitable in terms of Biodiversity matters. No response had been received from the Biodiversity Unit when the application was submitted to the Committee, but based on the information to hand, it was considered that the proposal could be acceptable subject to conditions, to ensure that the mitigation measures could be completed on the site and to agree on landscaping and lighting plans beforehand.

Having assessed the proposal in full, it was considered that it was acceptable and complied with the requirements of the relevant policies and guidelines.

- b) Taking advantage of the right to speak, the applicant noted the following observations:
- CG Fuels was the leading developer in the operation of Bio-CNG (compressed bio natural gas).
 - The company intended to provide a broad network of reliable and convenient facilities across the UK to serve its customers and to satisfy the increasing demand from fleets to decarbonise transport operations.
 - Bio-CNG had been approved by the Department for Transport and it complied with UK legislation.
 - Demand was increasing as delivery and distribution companies committed to reduce their carbon footprint.
 - Their customers included major supermarkets and logistic and distribution companies.
 - The impact of CNG was substantial - it could reduce Co2 emissions by 90%; reduce noise by 50% - which was essentially important given that the HGV sector was difficult to decarbonise.
 - The refuelling station would offer a new CNG facility to serve fleets that used local networks.
 - The site was within an area where there was substantial demand from their customers - an opportunity to provide a new operational use within the estate.
 - Secure financial investment.
 - It would allow fleets to take advantage of environmental benefits.
- c) Taking advantage of the right to speak, the Local Member made the following points:
- That he supported the local objections.
 - Accepted that the site had been earmarked for employment but this initiative did not offer employment.
 - Accepted that there would be general hustle and bustle on the site given the previous proposal to create a car-share car park, but this proposal created a negative impact on the amenities of local residents.
 - Welcomed green fuel.

- Welsh Government had created a vision of a business park that was technical and clean - this proposal did not correlate to that vision.
 - It was a substantial site and this proposal would be located on the plot nearest to housing - why not use plots that were further away from the houses? Suggested undertaking a site visit.
- d) It was proposed to approve the application - it was not seconded.
- e) It was proposed and seconded to undertake a site visit to get accustomed with the location of the proposed station.
- f) During the ensuing discussion, the following observations were made by members:
- Welcomed a natural gas fuel development and new technology.
 - Welcomed every attempt to protect the environment.
 - In favour of the principle, but concerned about the proximity of the location to nearby houses.

RESOLVED: To defer in order to conduct a site visit

The meeting commenced at 10.00 am and concluded at 1.45 pm

CHAIRMAN