

PLANNING COMMITTEE 19/12/22

Present:

Councillors: Elwyn Edwards, Delyth Lloyd Griffiths, Elwyn Jones, Gareth T Jones, Anne Lloyd Jones, Edgar Owen, Gareth A Roberts, John Pughe Roberts, Huw Rowlands, Gareth Coj Parry and Gruffydd Williams

Officers: Gareth Jones (Assistant Head of Planning and the Environment), Iwan Evans (Head of Legal Services), Keira Sweenie (Planning Manager), Idwal Williams (Development Control Team Leader), Arwel Thomas (Development Control Officer) and Lowri Haf Evans (Democracy Services Officer).

Others invited: Councillor Kim Jones (Local Member)

1. APOLOGIES

Apologies were received from Councillors Louise Hughes, Elin Hywel, Huw Wyn Jones and Cai Larsen

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

- Councillor Kim Jones (not a member of this Planning Committee), in item 4.3 (C22/0239/15/LL) on the agenda

3. URGENT ITEMS

None to note

4. 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

5. APPLICATION NO C22/0874/16/LL PLOT C5, PARC BRYN CEGIN, LLANDYGAI, BANGOR, LL57 4LD

Construction of a building to be used as a builders' merchant (sui generis use) and associated yard structures, loading areas, car park, landscaping proposals together with associated work.

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that this was a full application to construct a building to be used by a builders' merchant (sui generis use) on the Bryn Cegin Strategic Regional Business Site which was approximately 1km to the south of the development boundary of the Bangor Sub-regional Centre, as defined by the Anglesey and Gwynedd Joint Local Development Plan (LDP).

The building's ground floor would include a retail area, trade counter, office, toilets, staff room/canteen and warehouse with a covered entrance to provide customer access.

The application was submitted to committee as it is defined as a major development due to its floor surface area.

It was reported that the 'builders' merchant' use was a unique use which did not fall under any specific class use and therefore the application was not entirely in line with policy CYF1. Policy CYF 5 was considered, which permitted land safeguarded for B1, B2 and B8 uses in special cases to be released for alternative uses. Although a builders' merchant was a unique use, it was also an appropriate use that could be expected on a business/industrial estate. It was noted that the site was vacant with plenty of opportunities for other B1, B2 and B8 businesses to develop on the site.

Due to the importance of the scheme in securing the development of an initial business on a strategically important site that had been empty for many years, it was considered that there was exceptional justification to grant the proposed development on the designated employment site in accordance with Policies PS13, CYF 1 and CYF 5 of the LDP.

In the context of general and residential amenities, the concerns of the Public Protection Service regarding noise disturbance that may arise from the site causing a nuisance for local residents were acknowledged. In response, a further explanation was provided by the applicant regarding the nature of the site's use. It was reiterated, that it had to be recognised that this was a designated industrial site and the site could be used for a much more intensive and noisy industrial use. By adhering to the opening hours and in considering the background noise and busy nature of the nearby roads and the proximity of the existing Llandygai industrial estate, it was not believed that this business was likely to create an additional significant detrimental impact. (It was noted there were regulations outside the planning field to manage noise that caused a consistent nuisance to local residents.)

In terms of transportation matters, and in light of receiving an amended site plan, the Transportation Unit did not have any objection to the plan and the development would use the road network designed for the industrial estate to accommodate transportation levels.

In terms of linguistic matters, it was considered, as the development offered an opportunity to retain existing jobs and create new suitable jobs for local people, offering them an opportunity to stay in their community, that the development could be positive for the situation of the Welsh language locally and the application was therefore consistent with the aims of policy PS 1.

It was not considered that the proposal was contrary to any material planning policy within the LDP and the proposed development was appropriate for the site and was likely to be of strategic importance to the county as a starting point for

business developments on the site. It was not considered that the proposal was likely to cause any unacceptable detrimental impact to nearby residents or the community in general.

- b) Taking advantage of the right to speak, the applicant's agent noted the following observations:
- That the application to develop a plot on the Parc Bryn Cegin site in Bangor by constructing a building to be used as a builders' merchant was made by the local company, Huws Gray.
 - That the company had expanded over recent years and was now one of the largest independent builders' merchants in Britain with their headquarters in Llangefni.
 - They had an existing site in Bangor, on the Llandygai Industrial Estate but the proposal would see Huws Gray relocate to Parc Bryn Cegin - the current site did not allow space to enable expansion.
 - The unit would provide additional surface area; an additional 3 full-time jobs would be created in addition to the existing staff (17 of them) moving to the new site.
 - That the staff employed in Bangor by Huws Gray were all local people and most of them spoke Welsh. It was expected that the additional jobs that would be created would be filled by local people, including Welsh-speakers. Needed to ensure that the required skills were available locally.
 - That the application site, and the vast part of Parc Bryn Cegin, had been empty for some time despite outline permission being granted in 2005 to develop the Park; that this highlighted there had been no substantial demand for B1, B2 and B8 class use over the years, and unless some type of development took place on the site to encourage the Park's development, it was possible that its fate would be to lie empty for years to come.
 - The officer's assessment confirmed that the proposal could be supported in principle under policy CYF 5.
- c) It was proposed and seconded to approve the application in accordance with the recommendation.
- d) During the ensuing discussion, the following observations were made by Members:
- Welcomed the proposal to relocate
 - Supported business that brought jobs to the area

RESOLVED: To approve the application subject to material planning conditions involving:

- 1. Time**
- 2. Compliance with the plans**
- 3. The development shall be implemented in accordance with the ecological report**
- 4. Landscaping conditions**
- 5. Opening hours**
- 6. Ensure Welsh / Bilingual signs**

Notes

- 1. Welsh Water**
- 2. Land Drainage Unit**

6. APPLICATION NO C22/0745/14/LL GAREJ LLEIOD FFORDD LLANBERIS, CAERNARFON, GWYNEDD, LL55 2DF

Redevelopment of an existing garage site to construct a four-storey residential building which includes 21 flats for individuals aged over 55 years (7 x 2 person one-bed, 14 x 3 person two-beds), as well as a communal lounge, Buggy/Bikes storage area, plant room, bins storage, parking spaces for 14 cars and landscaping.

Attention was drawn to the late observations form.

- a) The Senior Development Control Officer highlighted that this was a full application for the demolition of the existing buildings and the construction of a replacement building that would provide 21 residential flats for people aged 55+, with associated works. The elements of the application included
- Provision of 21 flats including 7 one-bedroom flats and 14 two-bedroom flats and every flat is offered as an affordable unit.
 - Provision of 16 parking spaces.
 - Using the existing access off Llanberis Road as per the existing arrangement.
 - Erecting a building including four-storeys, a three-storey section on the south-eastern elevation and a two-storey section facing the north-west.
 - Soft and hard landscaping.
 - Communal amenity spaces around the building as the building itself was located more or less in the centre of the site.

It was noted that the site was located within the Caernarfon development boundary as included in the LDP, but it had not been designated for any specific use. The site was located adjacent to Llanberis Road to the east of Caernarfon town centre with access to it from Llanberis Road. It was noted that the site currently operated as a vehicle service centre (MOT) with a vehicle sales forecourt. It used to be a petrol station.

In terms of the principle of the proposal, it was noted that the principle of constructing houses on the site was established in Policies PCYFF1, TAI1, TAI15, PS5 and PS17 of the LDP. Policy PCYFF1 stated that proposals would be approved within development boundaries in accordance with other policies and proposals in the LDP, national planning policies and other material planning considerations.

It was reported that the indicative housing supply for Caernarfon over the LDP period was 415 with a slippage allowance of 10% - 194 on designated sites and 221 on windfall sites. During the 2011-2021 period, a total of 238 units had been completed in Caernarfon (177 on designated sites and 61 on windfall sites). In April 2022, the windfall land bank (i.e. sites with existing planning permission that were not designated for housing), was a total of 57 on windfall sites. This meant there was sufficient capacity within the indicative supply for Caernarfon at present.

Reference was made to Policy PS5 which stated that developments would be supported where it could be demonstrated that they were consistent with the principles of sustainable development, including reusing sites located in appropriate locations. In this case, it could be considered that the application

site was a previously developed site (brownfield land) which was suitable for residential use in an established residential area.

In terms of affordable housing and housing mix, an Affordable Homes Statement and a Housing Mix Statement were submitted with the application highlighting;

- There was a need for more such accommodation within the County which was to be built to comply with the design requirements of the Welsh Government - Wales Housing Quality Standards.
- This plan would offer social rented flats for occupants aged 55+ or those with disabilities and were registered with the Gwynedd Common Housing Register and Tai Teg.
- The proposal offered 100% affordable units - of varying size and of a high quality.
- The success of the proposal relied on attracting grant funding from the Welsh Government and the Strategic Housing Unit had confirmed that the plan was included within a specific programme that received the Welsh Government Social Housing Grant.
- Following the receipt of figures from the Council's Options Team (March 2022), it appeared that 170 people were in need of a one-bedroom social flat in Caernarfon and 135 people were in need of a two-bedroom social flat in Caernarfon.
- The proposal would allow occupants aged 50+ to move into a high standard property, enabling them to leave existing unsuitable (bedroom tax) properties and move to a site with an accessible location.
- The mix of flats proposed addressed the need in Caernarfon.
- SPG: Housing Mix anticipated that the need for one and two bedroom units would increase in the near future with one-bedroom units increasing from 13% to 26% and two-bedroom units increasing from 32% to 44%.

In term of visual matters, it was reported that the site was prominent in the street scape with the site located adjacent to Llanberis Road, which led into Caernarfon town centre. It was noted that the catchment included buildings of various sizes, heights, elevations and age, including the Caernarfon Justice Centre to the east and the Fire Station to the north-west. It was considered that the scale, design and setting of the proposal were acceptable based on the visual impact and that it complied with the requirements of Policy PCYFF3 of the LDP.

In discussing general and residential matters it was highlighted, that following a period of statutory consultation, no objections to the application had been received. Reference was made to four windows to the rear of the site which looked over the rear garden of a nearby dwelling. It was highlighted that in order to reduce any substantial direct overlooking, it was considered appropriate to impose a condition either to ensure that the windows were opaque or to amend the shape and size of the windows.

It was reported that following the statutory consultation, a response was received from the Transportation Unit noting inconsistencies in the reports regarding the location of the proposal and concerns regarding having sufficient provision of parking spaces for the 21 flats. Concerns were also raised regarding the distribution and definition of these units as self-contained units for people aged over 55 with this affecting the number of car parking

spaces. In response, the agent noted that the development met with the requirements of the parking formula for developments of a similar size and design that were within the applicants' ownership and by applying the relevant formula, 11 parking spaces were needed for 21 flats - the proposal offered 16 parking spaces for the site and therefore went beyond the need. Notwithstanding the concerns, reference was made to Planning Policy Wales (PPW) which emphasised that such developments should prioritise the use of sustainable transport with the transport hierarchy promoting the use of walking, cycling and public transport before the use of a private car. By encouraging developments to use the sustainable modes of transport first, it played an important role towards de-carbonising transport within towns and cities.

In discussing land drainage matters, reference was made to the intention to dispose of surface water in the direction of river Cadnant, which was located to the north-east of the site. It was noted, due to the site's history as a petrol station, as well as its location on a ridge before the land slopes down towards the river, that draining surface water into the site itself was impractical. To this end, the proposal was made to drain the water into a swale which formed part of the SUDS, which would be located outside the site in the Coed Mawr Wildlife area, before flowing into Afon Cadnant nearby. It was reiterated that amended site plans were needed along with the correct land ownership certificates (although the land owner (Coed Cadw Trust) were aware of the plans where it was intended to locate the swale). The Land Drainage Unit did not have any objection to the plans and the Council's Drainage Unit and Welsh Water had expressed the need to meet the SUDS requirements - this could be ensured by means of a suitable condition/note on the permission.

In the context of open areas it was considered there was sufficient provision for outdoor play areas in the area and there was no need for a financial contribution towards such a provision. As this was an application to provide dwellings for older people, there was no demand for an outdoor area provision, however, the proposal would create community amenity spaces around the proposed building for the prospective occupants of the affordable units.

In terms of language matters, in response to the Welsh Language Impact Assessment that was submitted, the Language Unit expressed, based on the information received, that the proposal would have a positive impact, and would balance the risk with the need to meet the demand for living units for a particular cohort of the local population.

It was considered that the proposal would improve the visual appearance of the site that was currently dormant and that the units, which were 100% affordable, would greatly contribute towards the town's affordable housing needs. Full consideration was given to the observations received from statutory consultees, and although the concerns of the Transportation Unit about the number of parking spaces were recognised, it was considered, in this particular case that the need for sustainable new houses to contribute to the housing stock of the town and Gwynedd, outweighed the concern regarding parking spaces.

- b) Taking advantage of the right to speak, the applicant's agent noted the following observations:
- He welcomed the Officers' recommendation to approve the application subject to conditions.

- That the report was comprehensive and noted the key planning matters - the principle was considered acceptable.
 - That Adra, a Housing Association established in 2010 provided quality affordable homes and tenancy services. It also sought to protect and develop the culture and heritage of communities.
 - That the proposal was to demolish the buildings of the existing garage and redevelop the site to provide 21 residential flats for people aged 55+.
 - The site was located within the Caernarfon development boundary as included in the adopted LDP, but was not designated for any specific use. It was a previously developed site and located within an established residential area - the principle was therefore considered acceptable.
 - The offer would provide 100% affordable housing, which was greater than the minimum requirement of 30% in the LDP; and offered social rent flats to occupants aged 55+, or individuals with disabilities. In March 2022, 170 people were in need of a one-bedroom social flat in Caernarfon and 135 people were in need of a two-bedroom social flat in Caernarfon.
 - Discussions had been held prior to submitting the application between the applicants and the Planning Authority officers and as a result of those discussions the scale of the proposal was reduced and a decision was made to change the windows to reduce any significant overlooking to adjacent properties. It was considered that the scale, design, layout and amenity of the application were acceptable and complied with the relevant policies of the LDP.
 - That the Highways Officers' observations in relation to providing parking spaces had been noted. That Adra wished to draw attention to similar schemes it managed in the County which offered similar general facilities to tenants aged 55+:
 - that the number of tenants who were car owners was always much lower than the number of spaces provided by those schemes and there was no point in providing parking spaces that were not needed.
 - the facility would be very close to the Llanberis Road bus network and the town was within walking distance for able residents who wished to do this.
 - Adra was confident, based on experience in managing similar plans, that offering 13 parking spaces was adequate for such a development. Therefore, Adra agreed with the principles and the firm assessment of the Planning Officers.
 - There was no objection to matters relating to Biodiversity, Sustainability, Land Drainage, Pollution, Open Spaces or Language.
 - That Adra agreed with the conclusions of the Planning Officers that the proposal would improve the general visual appearance of the site and would contribute greatly to the town's affordable housing needs.
 - Given the proposal as a whole, the proposal did not pose significant negative impact and it was not contrary to local planning policy or relevant national guidance. The proposal was therefore acceptable subject to the inclusion of relevant planning conditions.
- c) It was proposed and seconded to approve the application in accordance with the recommendation.
- ch) During the ensuing discussion, the following observations were made by

Members:

- The location was central, accessible and sustainable
- There was a need to consider the Town Council's observations as to the definition of the word 'local' and how this could be ensured
- Welcome an application that responded to the town's needs

- d) In response to an observation regarding the Transportation Unit's concerns and the risk of acting contrary to its observations given that the site was near a busy road, crossing and needed more parking spaces, it was noted that discussions had been held with the Transportation Unit where it was emphasised that the proposal was being assessed as a town centre development and therefore the number of parking spaces being proposed was acceptable and in line with other similar developments in the County. In response, it was challenged why the Transportation Unit's observations were being disregarded and officers acting contrary to the Transportation Unit given that the unit's observations usually received priority, the Assistant Head of Department noted that the observations had not been disregarded and that the application had received an in-depth assessment. It was noted, in accordance with Policy Wales that there was a need to consider what was reasonable - the site was central with a suitable public transport network. It was reiterated that refusing the application on grounds of lack of parking spaces would be weak - the provision of a 100% affordable element outweighed the need for more parking spaces.

RESOLVED: To delegate the right to the Senior Planning Manager to approve the application, subject to receiving confirmation about the details of the living room windows of Unit 10 and Unit 17 facing Bryn Cadnant and receiving details of the swale and land drainage plan within the red line as well as receiving correct land ownership certificates and subject to the following conditions:-

1. Five years.
2. In accordance with the plans/details submitted with the application.
3. Compliance with the parking scheme.
4. Compliance with the landscaping plan along with future maintenance work.
5. NRW condition that relates to introducing a surface water plan for the development. NRW condition relating to Land Contamination.
6. Secure a plan/arrangements to provide the affordable units e.g. mix, tenure, occupancy criteria, timetable and arrangements to ensure that units are affordable now and in perpetuity.
7. Compliance with the recommendations of the Bat Survey Report and the Preliminary Ecological Assessment.
8. Compliance with the recommendations of Part I and II of the Geo-environmental Report.
9. Agree on details regarding Welsh names for the development before the residential units are occupied for any purpose along with advertising signage informing and promoting the development.
10. Working hours limited to 8:00-18:00 Monday to Friday; 08:00-13:00 Saturday and not at all on Sunday and Bank Holidays.
11. Submission of a Construction Method Statement to include measures to reduce noise, dust and vibration to be agreed with the LPA.
12. Ensure that the windows of the first floor and second floor which served the living rooms of Units 10 and 17 and which faced Bryn Cadnant were permanently opaque glass.

13. Restrict the use to prospective occupants aged 55+.

Note: Need to submit a sustainable drainage system application to be agreed with the Council

7. APPLICATION NO C22/0239/15/LL ELECTRIC MOUNTAIN VISITOR CENTRE, ORIEL ERYRI, LLANBERIS, CAERNARFON, GWYNEDD, LL55 4UR

Demolish vast parts of the Electric Mountain Visitor Centre (bar the existing electricity sub-station), change of use of the site to an area of grassland, replacement lighting, provision of electric vehicle charging points to the existing car park and associated landscaping.

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that this application had been deferred at the June, 2022 Planning Committee to enable the applicant to discuss the site's future and its potential alternative uses with the Local Member as well as the community.

Following lengthy discussions, the applicant no longer wished to proceed with the original scheme of creating a new car park, rather they wished to change the use of the site to an area of grassland; to create a drive from the existing car park to service the electricity sub-station; installation of lighting and providing vehicle charging points within the existing car park along with associated landscaping.

The area of grassland would be used for occasional community use and events together with the installation of temporary structures.

In order to support the application, the following documents were submitted - Design and Access Statement; Drainage Strategy; Flood Risk Assessment; External Lighting Planning Statement; Ecological Report and an Arboriculture Statement. It is noted here that the Transportation Statement has not been amended as there are no road safety implications from the amended plan.

It was reported that the proposal was acceptable in line with the second part of Policy ISA 2 of the LDP (with the policy supported by Supplementary Planning Guidance: Change of use of Community Facilities and Services, Employment Sites and Retail Units, 2021) that states that the Council would resist the loss or change of use of existing community facilities by complying with at least one of the following relevant criteria. There were no objections to matters relating to visibility, biodiversity or flooding and full consideration had been given to the observations received in response to the two consultation periods and to the response received from statutory consultees.

It was not considered that the amended proposal was contrary to local or national policies - and was acceptable subject to including suitable conditions.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- She had no objections to the proposal
 - Welcomed the change to the grassland - possible to hold community events

c) 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. **Five years.**
2. **In accordance with the amended details submitted with the application.**
3. **Compliance with the recommendations within the amended Ecological Report and Arboriculture Statement documents.**
4. **Compliance with the recommendations of the amended Flood Consequence Assessment.**
5. **A condition that none of the land will be raised higher than the current ground levels.**
6. **Submit a Demolition Method Statement to be agreed in writing by the LPA to include matters such as noise levels, working hours and relevant mitigating measures.**
7. **Safeguard Welsh Water assets by submitting a Risk Assessment Method Statement to be agreed in writing with the Local Planning Authority.**
8. **The applicant needs to undertake a photographic survey of the existing construction.**
9. **Need to undertake a desktop investigation to assess the potential pollution risk on the site.**

Note: It will be required to receive a European Protected Species Licence (EPS Licence) for this development.

8. APPLICATION NO C22/0744/14/LL YSGOL SYR HUGH OWEN FFORDD BETHEL, CAERNARFON, GWYNEDD, LL55 1HW

Formation of a full size 3G sports pitch with associated 4.5 metre high fencing, 4 metre high acoustic barrier, 6 x 15 metre high floodlights, teams' shelters, hardstanding and landscaping bund with planting

a) The Planning Manager highlighted that it was a full application to develop the full size 3G playing field on school grounds and within the town's development boundary. The location of the 3G pitch would border the school building to the south-west and face a separate row of houses and a residential area to the west. The eastern side of the pitch would border the existing playing field and the eastern side would face the Arfon Leisure Centre building.

It was reported that additional justification and information had been submitted with the application which outlined the significant contribution the proposal would make in developing football facilities in the community and the region.

The application was submitted to the committee as the size of the site was greater than half a hectare.

Attention was drawn to the observations of the Public Protection Unit which had stated some concern about the proposal but there was no objection to the proposal subject to conditions. The Planning Service also received

correspondence from local residents objecting to the application mainly due to the impact of increased noise and light installation. Furthermore, a statement was received from the applicant offering to reduce opening hours to 21:00 instead of 22:00 during the week and it would be possible to include an appropriate condition should the application be approved. Although recognising the observations received, it was not considered that the proposal would have a detrimental impact on residential amenities and, therefore, with conditions the proposal satisfied the requirements of policy PCYFF 2.

Attention was drawn to the observations received from the Gwynedd Archaeological Planning Service on the proposal noting that the development would entail work that would disturb undeveloped land and in a landscape where there was good potential for historic remains. Any archaeological remains would improve the wider understanding of the area especially in relation to the early occupancy of the area and the environs. The Gwynedd Archaeological Planning Service therefore recommended imposing a condition regarding a programme of archaeological work for the entire development and in doing so the proposal would be acceptable in terms of Policy AT 4 of the LDP.

Given the relevant planning matters in this case, it was considered that the proposed development met the objectives of the LDP by proposing a development of high-quality, modern and suitable design, that would make a substantial contribution towards improvements for local sports facilities. The concerns about the proposal were acknowledged; however, the specialist evidence indicated that the impacts would not be substantially detrimental and the applicant had submitted mitigation measures as part of the application.

- b) It was proposed and seconded to approve the application.
- c) During the ensuing discussion, the following observations were made by Members:
- There was a need for modern facilities for the area's children
 - A full-sized pitch was needed - would be an asset for the school and the local area
 - Need to consider the significant impact of the floodlights
 - Needed to ensure that the shock absorbers on the fencing (between the fence and the pole) were monitored regularly - the noise, without the shock absorber, could disturb nearby residents.

In response to an observation regarding noise, it was noted that the Public Protection Service had powers to manage noise should the proposal cause public nuisance.

**RESOLVED: To approve
Conditions:**

- 1. Commence the work within five years.**
- 2. Limit opening hours to 21:00 hours.**
- 3. Landscaping.**
- 4. Agree details of players' shelters.**
- 5. Archaeological details.**
- 6. In accordance with the plans along with technical documents.**

- 7. Agree on the location of the storage container.**

The meeting commenced at 1.00 pm and concluded at 1.55 pm

CHAIRMAN