
PLANNING COMMITTEE 20/11/23

Present: Councillor Edgar Owen (Chair)
Councillor Elwyn Edwards (Vice-chair)

Councillors: Delyth Lloyd Griffiths, Elin Hywel, Elwyn Jones, Gareth T Jones, Huw Wyn Jones, Cai Larsen, Anne Lloyd Jones, Gareth Coj Parry, Gareth Roberts, John Pughe Roberts, Huw Rowlands and Gruffydd Williams

Officers: Gareth Jones (Assistant Head of Planning and the Environment), Miriam Williams (Legal Services), Gwawr Hughes (Development Control Team Leader), Medi Emlyn Davies (Senior Planning Officer) and Lowri Haf Evans (Democracy Services Officer).

1. APOLOGIES

Apologies were received from Councillor Louise Hughes and Councillors Beca Roberts and Rob Triggs (Local Members)

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

- Councillor Elin Hywel (a member of this Planning Committee), in item 5.1 (C22/0969/45/LL) on the agenda
- Councillor Cai Larsen (a member of this Planning Committee), in item 5.4 (C22/0523/14/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 23 October 2023, 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.

6. APPLICATION NO C22/0969/45/LL LAND AT CAERNARFON ROAD, PWLLHELI, LL53 5LF

Construction of a new Aldi food store (A1 use class), car park, access, servicing and landscaping

Some of the Members had visited the site on 10-11-23.

Attention was drawn to the late observations form which contained further information regarding a Sustainable Drainage System consent, a copy of a letter from JLL offering observations on the wording of parts of the report, the Policy Unit's response to said letter, and an explanatory note regarding the access.

- a) The Development Control Team Leader highlighted that this was a full application to construct a new food store off the A499 Caernarfon Road, which is one of the main roads into and out of Pwllheli. The proposal also included:
- The creation of a new access onto Caernarfon Road together with 114 parking spaces, to include disabled and parent and child spaces, an electric vehicle charging point, motorcycle spaces and a secure storage for bicycles.
 - Provision of a walking/cycle path near Caernarfon Road and a zebra crossing.
 - Provision of a bus shelter opposite the site on Caernarfon Road.
 - Introduction of a lower speed limit of 30mph along Caernarfon Road.
 - Provision of an electricity sub-station
 - Soft landscaping work.

It was explained that the site was located within the town's development boundary - and formed part of a wider site allocated for housing (T28) in the Local Development Plan (LDP). It lay within the Llŷn and Enlli Landscape of Outstanding Historic Interest and part of the site formed the candidate wildlife site of Penlon Caernarfon.

The officer referred to the assessment that had been made of the main matters, such as the development's impact on the housing allocation and on retail in the town centre.

Although the site had been allocated for housing in the LDP, a Viability Assessment had been received which stated, based on the current housing market, that it was not viable to develop the site for housing and that the applicant was stating that the proposal was essential to facilitate a residential provision on the site - it was unrealistic that any residential use would be brought forward in future without this development. Consequently, by introducing the alternative use of a supermarket the site would be unlocked, enabling some degree of residential development rather than none at all. It was also highlighted that the site had been marketed for residential use since 2020 and that no offers had been received on it. It was agreed that the development of part of the site for the proposed retail use facilitated the opportunity for the rest of the designation to be brought forward for the expected residential use, and based on evidence submitted with the application, that a departure from the LDP's relevant housing policies could be justified in this case.

In the context of the proposal's impact on existing shops and Pwllheli town centre, it was highlighted that Planning Policy Wales (PPW) stated that the need for a store may be quantitative or qualitative, but precedence should be given to establishing the quantitative need before assessing the qualitative need. In justifying the quantitative need it was explained that positive and negative aspects should be considered, with TAN4 referring to unintended consequences and a detrimental impact on town centres. It was noted that the applicants' capacity assessment would not demonstrate a quantitative need for the proposed food store, if more up to date population and expenditure data was adopted,

because there was no expenditure growth between 2022 and 2027. However, the need assessment failed to assess whether existing food stores were over or under-trading. The revised figures by the Council's experts suggested that the store could be supported based on the projected trading levels of over-trading in 2027 where high levels of trading at the existing Lidl and Iceland stores in Pwllheli could indicate operational issues and a poor customer experience at peak times.

Reference was made to the objection letters by Lidl which claimed that a replacement Lidl store could meet the quantitative and qualitative need and relieve the element of over-trading (although it would not fully relieve over-trading). However, there appeared to be no certainty that a planning application for a new Lidl store would be submitted or that the proposed store would be acceptable in planning terms. It was therefore considered, in the context of expenditure surplus, that the absence of evidence of the quantitative and/or qualitative need for the proposed discount food store was not reasonable grounds for refusal, therefore the application was acceptable based on need in relation to Policies MAN 1 and MAN 3 of the LDP and PPW.

It was stated that the sensitivity analysis by the Council's experts had produced similar impact percentages, and that residual post-development turnover levels in 2027 would only be marginally lower. It was noted that Pwllheli would be the most affected centre, and that most of the trade diverted from Pwllheli would come from the large edge-of-centre stores i.e., Asda and Lidl. Technically, these stores were not afforded planning policy protection from the impact of out-of-centre retail proposals, but if trade diversion from these stores resulted in a significant loss of linked shopping trips made to the town centre, then the impact on stores on the edge-of-town centres would be a material consideration.

It was suggested that the impact on town centre convenience goods businesses in 2027 would be -14.6%, with the Iceland, B&M, Home Bargains and Spar stores most affected. These stores were estimated to be trading significantly above their company average sales densities and were unlikely to experience trading difficulties. It was added that the impact on small convenience goods shops was likely to be significantly less than the -14.6% and as a result, shop closures were unlikely, and the Asda and Lidl stores at the edge-of-town were also expected to trade satisfactorily. On balance, it was considered that there would be no significant impact on the vitality and viability of the town centre from the new store, and that there will be no material conflict with policies PS15, MAN 1 and MAN3 and PPW.

In accordance with PPW, the applicant had conducted a sequential site search, by firstly seeking an alternative site within the town centre, and secondly seeking a site on the edge of the centre. A suitable site was not found in these locations and therefore the area had been expanded to the proposed site outside the centre, but within the limits of the settlement and the development boundary. It was reported that the officers were satisfied with the conclusions of the sequential assessment and that they were not aware of any sequentially preferable sites. Consequently, it was considered that the application complied with policies MAN 3, MAN 1 and PPW in terms of selecting a sequential site.

The application was supported by evidence which recognised that the proposal, when completed, was likely to create 25 full-time equivalent posts and 15 part-time posts. Although the proposed figures/benefits were only indicative, it was acknowledged that the proposal did offer economic benefits and that it was likely

to make a positive contribution to the area's economy in accordance with the aims of the LDP.

It was reported, in accordance with the requirements of policy PS 1 and the relevant Supplementary Planning Guidance that a Welsh Language Statement had been submitted with the application, and the Language Unit welcomed the commitments contained within it. Based on the submitted information, and subject to planning conditions for securing bilingual signs and alleviation measures, the application was considered acceptable.

In the context of the proposal's design and its visual impact considering the location, scale and finish of the building together with the ground levels and a landscaping plan, it was considered that the proposal was acceptable and that it would not have a significantly harmful impact on the local landscape or the Landscape of Outstanding Historic Interest designation.

In terms of residential and general amenities, it was noted that objections had been received based on the effects of noise, traffic and privacy and that these matters had been addressed in full. It was not considered that the proposal would have a significant harmful effect on nearby residents with regard to their amenities based on their relationship with the site, and subject to planning conditions which would specify working hours during construction and the distribution and delivery of goods, noise levels and air quality.

In the context of transport and access matters, it was highlighted that the proposal included the provision of a new access as well as a foot/cycle path, a crossing and a 30mph zone. The application was supported by a Transport Assessment and a Stage 1 Road Safety Audit, with the Transportation Unit confirming that the proposal was acceptable in respect of the changes and improvements. In addition, the proposal would include sustainable drainage systems and measures, the installation of permeable tarmac on the car park, the inclusion of soak-aways in areas that have percolation capacity, and an open attenuation pond on the site.

It was not considered that the proposal would cause a significant harmful impact to local biodiversity, and it was reported that the proposal included a range of biodiversity enhancements such as,

- Planting native hedges.
- Planting 64 trees to replace 4 that would be lost.
- Planting a mixture of wildflowers and a wildflower mix for a woodland.
- The provision of 1,204 square meters of SuDS turf and a wet meadow mix of improved botanical biodiversity value than at present.
- Planting of a native shrubbery mix.
- Protect a corner of land which would be suitable for fungi.

The Members were reminded that the site had been designated for residential development in the LDP and although it was not a residential development being proposed, the designation would also cause changes to the site. It was considered that the proposal, with appropriate planning conditions, was acceptable in relation to policies PS 19 and AMG 5 of the LDP, and PPW.

b) Taking advantage of the right to speak, the applicant's agent made the following observations:

- She welcomed the recommendation to approve.
- Aldi had been searching for a site in Pwllheli since 2015.

- The shop would offer a choice to customers.
- The shop would enable people to stay locally - saving them from having to travel to Bangor / Porthmadog.
- The supermarkets of Pwllheli town were located on the outskirts.
- The proposal satisfied the impact and design tests.
- The site was not viable for housing alone - the development would unlock the site.
- The site had been marketed for three years - no offers had been received.
- By providing an access road, this would save money for housing developers.
- Biodiversity matters were being supported.
- There were significant benefits to the development - providing 40 jobs.
- Aldi was a good employer - it offered a high salary amongst supermarkets.
- Connection routes and a bus provision were included to serve local people.
- If permitted, Aldi would begin the work in the new year.

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

- The scheme was a complex one, the conditions were important.
- The scheme had gained interest locally.
- The site was currently a green field on a hill into the town - the proposal would alter 'the feeling of arriving at Pwllheli'.
- The field had been designated for housing, but efforts had failed due to the costs.
- She welcomed the application by Aldi store which would prepare the site for a further housing development.
- Concern that the location was wet; there were ancient trees on the site; the impact on nature - it was a beautiful and tranquil site. Nevertheless, Aldi intended to carry out substantial work to protect nature.
- Construction land was in short supply in Pwllheli. Despite identifying potential locations, Aldi had done extensive work in respect of the validity of the site.
- There was hustle and bustle in the town; a feeling of a successful future.
- There was a need to ensure a link with the town - not a store where people would pass through - she supported the proposal of providing a local bus service - good collaboration.
- There was no intention to compete with local businesses - there was no bakery or butcher in the shop.
- The applicant had communicated well and had responded to local residents' concerns.
- Despite traffic and access concerns, conditions to alleviate concerns had been noted.
- The applicant had corresponded bilingually - need to continue with this attitude.
- Aldi was a good employer - Pwllheli deserved good employment.
- She welcomed travel plans for staff.
- She encouraged Members to consider the observations in reaching their decision.

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

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

- The proposal offered more choice to the residents of Pwllheli.

- Aldi had alleviated concerns and had done their homework.
- The shop offered affordable food.
- Concern that it was Aldi themselves who had paid a marketing company to present evidence and that the language statement had also been prepared by Aldi.
- The location was not suitable - flooding concerns - the land was boggy, wet and a ditch and a small stream ran through the site.
- Stores such as Asda, Iceland, Lidl and B&M were all close to the centre - this development was outside - it would not be possible to walk there, therefore the effect was negative.
- Concern about the impact on the high street / town centre - there was no demand for another shop.
- It was a 'major' development - it would not be screened - in a dip, it would therefore be out of view.
- Pwllheli Town Council objected to the application.
- There were enough supermarkets for Llŷn.

In response to the observations, the Assistant Head of Department stated that it was the applicant's responsibility to provide evidence and a language statement, nonetheless the language statement had been challenged by the Council's Language Unit and the Council had employed experts to assess the marketing issues and challenge Aldi's statistics. He added that the officers' assessment was thorough, it was a firm recommendation, and the application complied with local and national policies - there was no evidence base to refuse the application for reasons of the impact on Pwllheli town centre. He also added that NRW, the Drainage Unit nor the Transportation Unit had objected to the application based on flooding concerns, and without the investment in the access / infrastructure improvements to the site by the applicant, it would not be possible to develop housing there in future.

In response to a question regarding the reasonable steps that Aldi would take to ensure that 20% of their workforce spoke Welsh, and although there would be no legal basis to this, only encouragement for them to comply, the Assistant Head noted that it was not possible to stipulate the language commitment as a condition, but the applicant had offered commitments beyond the requirements of the application with regard to appointing workers who were Welsh speakers. He added that conditions would be included for bilingual signs.

RESOLVED: To approve the application subject to the following conditions:

1. **Timescales**
2. **In accordance with the approved plans.**
3. **Materials in accordance with the plans unless otherwise agreed in advance with the Local Planning Authority.**
4. **Retail conditions to limit floor space area, no subdivision into smaller units.**
5. **Store opening times**
6. **Control of delivery times.**
7. **Highways conditions in terms of completing the access, road work, parking spaces and prevention of surface water.**
8. **Public protection conditions in respect of a ventilation system/heat recovery unit, noise levels from mechanical equipment, barrier on the goods delivery bay.**
9. **Building Control Plan**

10. Adhere to the mitigation measures in the Air Quality Assessment
11. Undertake the work in accordance with the landscaping scheme and Soft Landscaping Maintenance and Management Plan, a requirement to replant within a period of five years.
12. Welsh language improvement/mitigation measures / bilingual signage
13. In accordance with the lighting scheme
14. In accordance with the Ecological Survey Report.
15. In accordance with the Environmental Management Plan.

Notes:-

1. Major development
2. SUDS
3. Highways - powers under Section 171/184 of the Highways Act 1980
4. Observations from Welsh Water
5. Observations from Public Protection
6. Observations from NRW

7. APPLICATION NO C23/0614/16/LL PENRALA, TREGARTH, BANGOR, GWYNEDD, LL57 4AU

Full application for the erection of seven dwellings together with associated works to include improving the existing access, associated internal access road and landscaping.

Some of the Members had visited the site on 10-11-23.

Attention was drawn to the late observations form which stated that the Public Protection Unit had confirmed that there may be a risk of noise and odours due to the houses' proximity to agricultural buildings, but the Unit was unaware of any guidance or regulations that specified distances between such buildings. It was also noted that a revised plan had been received on 27.10.2023 showing a bin storage area near the entrance. The Transportation Unit and the Waste and Recycling Service had confirmed that the arrangement was acceptable on the basis that the Council would not be responsible for the storage area - this would be ensured by placing a note on the application.

- a) The Development Control Team Leader highlighted that this was a full application to construct seven dwellings with associated works to improve the existing access, create landscaped areas and an internal access road on a plot of land that was currently used by an electrical contractor business. It was intended to keep the existing office building on the site, which was associated with the business, but it would involve developing the surrounding land and demolishing an existing workshop to facilitate the construction of the new dwellings and the access road. The plan was for two of the new houses to be intermediate affordable dwellings.

The application had been submitted to the Committee on 23 October 2023 when a decision was made to conduct a site visit.

The site was located on a brownfield site within the Tregarth Local Village development boundary as defined by the Local Development Plan (LDP), but the site had not been designated for any specific use. It stood within a designated Special Landscape Area and the Dyffryn Ogwen Landscape of Outstanding Historic Interest, and within the buffer zones of two Scheduled Monuments

namely CN202 Parc Gelli Huts and CN417 Penrhyn Quarry Railways, which also formed part of the UNESCO World Heritage Site.

In terms of the principle of the development, it was noted that Tregarth was identified as a Local Village under policy TAI 4 which permitted housing developments in order to meet the Plan's strategy by using suitable windfall sites within the development boundary. It was reiterated that appropriate evidence had been received noting that the scheme would help meet the local community's recognised housing needs. It was therefore considered that the proposal was consistent with the objectives of policies TAI 4, PCYFF 8 and PS 17 and that the principle of the development was consistent with the Local Development Plan's (LDP) housing policies.

In the context of the location, design and visual impact of the proposal, it was reported that the layout, design and materials of the proposed development would be appropriately suited to the location. It was considered that the houses had been designed to a high quality and that the landscaping proposals suited the nature of the village. Despite acknowledging the observations received, it was not considered that the houses would cause significant harm to the site's built quality or the local neighbourhood.

In the context of the historic landscape, it was noted that CADW had confirmed that the development would not lead to significant harm to the historic landscape, but it would be necessary to undertake a programme of archaeological work before commencing construction in order to ensure that there were no concealed important historical features on the site.

In the context of general and residential amenities, due to the location, design, layout and size of the proposed houses, it was not considered that the development would cause a significant harmful impact to private amenities. While accepting that surrounding houses about the site, this was an infill site within the development boundary, and it was not unreasonable to develop it for housing. It appeared that the layout of the proposed houses had been designed to avoid direct overlooking and while it was inevitable that there would be some inter-visibility between the area's properties, it was not considered that this would be unreasonable or unexpected in such a location.

In the context of access matters, despite the fact that several objections had been received, the Transportation Unit had no objection to the proposal.

It was considered that the development had been designed to meet the needs of the local housing market and included an appropriate element of affordable housing on a brownfield site within a development boundary. Although there had been reference to TAN6 'Planning for Sustainable Rural Communities', it was highlighted that it was not relevant to this application. As a result, the plan was considered acceptable and in compliance with the requirements of relevant local and national planning policies.

- b) Although the Local Member was not present, she had already stated in an e-mail that she was supportive of the application.
- c) It was proposed and seconded to approve the application - the site was within the development boundary.
- ch) In response to a question regarding the condition of the land, its proximity to a historical landfill site, the need to test the stability of the foundations to ensure

safety, it was noted that the permission included a Planning condition to carry out an 'Intrusive Investigation' which would confirm ground conditions. The Public Protection Unit would be required to ensure that the investigation was completed and approve it.

RESOLVED: To delegate powers to approve the application subject to receiving a red book valuation of the houses to be able to determine a discount on the affordable dwellings, a 106 affordable housing agreement and conditions relating to the following:

1. Commence within five years.
2. Development to comply with the approved plans.
3. Use of Welsh roofing slates or similar.
4. Agree on external materials.
5. Removal of Permitted Development Rights from the affordable units to ensure their affordability.
6. Welsh Water Condition.
7. Highways Conditions.
8. The recommendations of the Preliminary Ecological Assessment must be observed.
9. The recommendations of the Arboriculture Assessment must be observed.
10. Landscaping Conditions.
11. The recommendations of the Contaminated Land Risk Assessment must be observed.
12. A Welsh name for the housing estate and individual houses.
13. Restrict the use to C3 use class only.

Note - Welsh Water
Sustainable Drainage System
Transportation Unit
Trees Unit

8. APPLICATION NO C23/0500/00/AC 2ND AND 3RD FLOOR FLAT, 17 RHODFA'R MÔR, ABERMAW, GWYNEDD, LL42 1NA

Vary condition 5 of planning permission C21/0575/00//LL so that three of the dwellings must be used for residential use within the C3 use class, and three of the dwellings to be used either within C3 or C6 use class.

Attention was drawn to the late/additional observations form - a letter dated 16 November 2023 had been sent to the Members and the Planning Unit responding to the report.

- a) The Senior Planning Officer highlighted that this was an application to vary condition 5 of planning permission C21/0575/00/LL so that three of the dwellings were to be used for residential use within use class C3, and three of the dwellings to be used either within use class C3 or C6. Application C21/0575/00/LL had been approved on 6 December 2022 for the conversion and change of use of a single dwelling into 6 one-bedroom flats. It appeared that the previous permission had not yet been implemented and that it remained as one house. Condition 5 of permission C21/0575/00/LL stated: -

"The living unit/s hereby permitted must only be used for residential use within the C3 Use Class as defined by the Town and Country Planning (Use Classes)

Order 1987 (as amended) and not for any other use, including any other use within C Use Classes."

Since the application related to the variation or removal of a condition, it was explained that it was necessary to consider whether the condition remained relevant under the national guidance and met the six criteria in the Welsh Government Circular: The Use of Planning Conditions for Development Management. In addition, the Members were reminded of the changes that had been made to the Town and Country Planning (Use Classes) Order last year in respect of the use classes of residential units, with C3 use remaining for a sole or main residence. Two additional use classes had been introduced (class C5 second home use in a different manner to a sole or main residence, and class C6 for short-term holiday lets). Furthermore, a report was presented to the Cabinet on 13 June 2023 outlining the matters and the justification for issuing an Article 4 Direction to enable the management of the transfer in use from residential houses to holiday use (second homes and holiday lets).

In this context a condition was placed on permission C21/0575/00/LL, restricting the occupancy of the units to permanent residential dwellings (C3), and consideration was given to the relevant housing policies at the time.

Policy TWR2 was considered and although the proposal complied with most of the criteria, the application failed on criterion 5 of Policy TWR 2 of the LDP, which notes that the development should not lead to an over-provision of such accommodation in the area. Although a Business Plan had been submitted with the application (which met the policy requirements), Supplementary Planning Guidance: Tourist Facilities and Holiday Accommodation notes that applications for holiday accommodation should not be approved when 15% or more of the housing stock is in holiday use (including second homes and dedicated holiday accommodation). It was highlighted that the Council Tax figures (July 2023) confirmed that the combined number of second homes and holiday accommodation in the Barmouth Town Council area was 18.40%, therefore contrary to criterion 5 of TWR 2 and the guidance included in the Supplementary Planning Guidance.

It was highlighted that a Planning Statement accompanying the application included arguments in favour of the proposal, noting that this would be a small and non-substantial increase in the holiday accommodation numbers - the proposal would provide a mix of permanent residential units and holiday flats and would ensure that there is not an excess of empty buildings at any given time of the year. Three holiday flats would not place excessive pressure on services during the main season. With 6 flats already approved, the holiday use would not cause any different negative impact in terms of noise, disturbance or an increase in traffic. The flexibility to use a percentage of the flats for holiday use would be more financially viable and would assist to fund the maintenance of the building and provide an opportunity to set lower rents for the C3 permanent housing flats, thus making these more affordable to local people.

Whilst appreciating the developer's arguments, it was noted that the Planning Guidance was completely clear in its guidance, and that the proposal was not considered to be an extraordinary case where diversion from the policy was justified. It was concluded that the condition which restricted the use of the six units to use class C3 continued to comply with the Welsh Government Circular. Therefore, it was considered that the proposal to amend the condition to use three of the units for mixed use as a house and C6 use class holiday accommodation, was unacceptable.

- b) Taking advantage of the right to speak, the applicant's agent made the following observations:
- Currently, the site was a single house with permission to convert the house into 6 one-bedroom flats in use class C3. The proposal sought to vary condition 5 to approve up to three flats for use as short-term holiday accommodation.
 - That 17 Marine Parade was a part of a terrace of nine properties - and that every other property, at present, was for holiday use.
 - That the Business Plan submitted showed that the current provision of one-bedroom self-catering accommodation with sea views and free parking was low; and that there was high demand for this type of accommodation.
 - That Policy PS 14 acknowledged the importance of non-serviced tourist accommodation for the tourist industry all-year round.
 - That Policy TWR 2 supports the conversion of existing buildings into holiday accommodation buildings, provided that specific criteria are met; paragraph 6.3.65 notes "The policy therefore aims to support the principle of providing high quality self-serviced holiday accommodation in sustainable locations."
 - That Part 5 of Policy TWR 2 refers to a development that does not lead to an over-provision of such accommodation within the area - this was the grounds for the officer's refusal of the application.
 - However, paragraph 6.3.76 clearly states that the purpose of Part 5 of the policy is to seek to prevent a rationale which would approve the redevelopment of existing buildings in the countryside for holiday use to be converted into residential use if not viable, due to an over-supply of self-serviced accommodation. Obviously, this does not apply to the proposal because the applicant has permission to convert the building into six flats.
 - It was acknowledged that the combination of holiday accommodation and second homes in Barmouth was slightly higher than the 15% threshold in the SPG, but this is guidance, and not policy - therefore one should not be too strict with this threshold.
 - The proposal, when compared with the current situation, would offer two additional permanent accommodation and three additional holiday flats - the percentage of second homes and holiday homes in Barmouth would only increase by 0.2% as a result.
 - That the SPG also states that there is control over the numbers of holiday accommodation in the area due to the lack of housing supply, impact on local services, community facilities and house prices. The proposal would have a positive impact on all, and more importantly, would provide houses that will meet the local need at an affordable price.
 - The implications of refusing the application were the possibility that the extant permission would not be implemented, and consequently, that the property would be used as a single dwelling, a second home or holiday accommodation under PD rights.
 - That she disagreed that the proposal conflicted with Policy TWR2, particularly when the proposal, when the policy was read correctly, was placed in the context of its purpose, as noted in the plan. Even if it was found that there was conflict, there is no substantial harm, and any conflict would outweigh the economic and social benefits of the proposed development.
 - Respectfully asked the Members to approve the application.
- c) A question had been received via e-mail from the Local Member, asking about the changes to planning legislation where new C5 and C6 use classes were introduced, which noted that permitted development could move between C3, C5 and C6 unless Article 4 was in place. As Article 4 was not yet in place, why was

this application for planning permission being made, was this not covered under permitted developments.

In response, the Assistant Head of Department noted that Article 4 did not apply here but as the Committee had approved the conversion of a house into six flats in November 2022, in order to meet the need for housing, this had been done with planning conditions which restricted the use of the six flats as C3 main residence only - as a result, planning permission was required to vary the condition before being able to change to a mixed C3 and short-term holiday accommodation use. Consequently, the development in question required planning consent since the rights to change had been removed from the original permission.

- d) It was proposed and seconded to refuse the application.
- e) During the ensuing discussion, the following observations were made by the member:
 - There was a lack of houses in the area and beyond.
 - That local people were unable to get houses.

RESOLVED: To refuse

The proposal to amend the condition to use three of the units for C6 use class holiday accommodation was unacceptable on the grounds that the combined number of second homes and holiday accommodation in the Barmouth Town Council area was 18.40% which was more than the 15% threshold considered to be an over-provision in Supplementary Planning Guidance: Tourist Facilities and Accommodation. As a result, the Local Planning Authority has not been convinced that the development will not lead to an excess of accommodation of this type in the areas as noted in criterion v of Policy TWR 2 of the Anglesey and Gwynedd Joint Local Development Plan.

9. APPLICATION NO C22/0523/14/LL Y DERI, HEN FURIAU FFORDD BONT SAINT, CAERNARFON, GWYNEDD, LL55 2YS

Single-storey extension to create a training / day room and office.

- a) The Senior Planning Officer highlighted that this was a full application to build a single-storey extension to the side of the Y Deri building, which was located outside the development boundary between Caernarfon and Bontnewydd, therefore it was a countryside site, despite its location in a small cluster of five properties. It was explained that Y Deri provided a domiciliary care service and that the extension would measure 10 metres long and 8.8 metres at its widest point.

The application was submitted to the committee at the Local Member's request.

It appeared that the building had been used as a domiciliary care business for 17 years and that the extension would facilitate their service, to be used as a day room for their clients and for staff training purposes. It was highlighted that the statements received with the application explained and justified the need for the extension. It was considered that the proposal supported the economic prosperity of an existing business, and therefore complied with criterion 4 of policy PS 13 and policy PCYFF 1 and PS 5 of the LDP.

In the context of visual amenities, it was noted that the proposal would only be visible from the adjacent public footpath and would otherwise be enclosed by buildings; it was considered that the size, scale and design of the proposal was acceptable and complied with policy PCYFF 3; due to the location of the extension on the site compared with the nearby houses, and the location of the boundary wall, it was not considered that the proposal would have any impact on the amenities of nearby residents.

Reference was made to neighbours' concerns which noted that a septic tank was shared on the site and that it was not of sufficient capacity to cope with the additional extension. It was reported that the tank was located in an adjacent field and that the extension would not directly affect it, and that the proposal itself was unlikely to cause a substantial increase in the use made of it. It was reiterated that the neighbours had raised civil matters and were matters that would be managed by Building Control. Nevertheless, attention was drawn to the suggestion to include a condition noting that agreement was needed on any changes or upgrading work to the foul water drainage system before using the extension.

Reference was also made to road concerns, based on the condition and suitability of the existing access, and increase in traffic and the speed of vehicles travelling along the track towards the site. In response, it was not considered that the increase in traffic would be substantial as the business had been holding activities during the day already, and that the staff being trained would be existing staff, with the possibility of one additional staff member. It was reiterated that the Transportation Unit did not have any objection to the application and that the extension would not have a detrimental impact in terms of road safety.

The intention was to extend the building of an existing business which provided a Welsh-medium service to the local community so that vulnerable individuals could go there to socialise. It was considered that the proposal was acceptable and complied with local and national policies.

- b) Taking advantage of the right to speak, the Local Member made the following observations:
- That the site was close to houses and a hotel.
 - That residents had highlighted many concerns relating to traffic speed, access, and a single sewerage system for all.
 - Since the concerns were received, discussions had been held and the worries had been mitigated.
 - That he was withdrawing his objection – he encouraged Members to approve the application. Y Deri offered a valuable service to the local community.
- c) It was proposed and seconded to approve the application.

RESOLVED To approve.

- 1. Five years to commence the work.**
- 2. In accordance with plans.**
- 3. Any changes or upgrades to the foul water drainage system must be agreed prior to using the extension**
- 4. Finish to match with the existing building.**
- 5. Biodiversity Enhancements**

Note
Welsh Water Letter

The meeting commenced at 1.00 pm and concluded at 2.25 pm

CHAIRMAN