
PLANNING COMMITTEE 05/06/17

Present:

Councillors: Elwyn Edwards, Louise Hughes, Sian Hughes, Simon Glyn, Anne Lloyd Jones, Berwyn Parry Jones, Eric M. Jones, Huw Gruffydd Wyn Jones, Sion Jones, Dilwyn Lloyd, Gruffydd Williams, Catrin Wager and Owain Williams.

Others invited: Councillors Dylan Fernley, Selwyn Griffiths, Nigel W. Pickavance and W. Gareth Roberts (Local members).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Keira Sweenie (Development Control Team Leader), Idwal Williams (Senior Development Control Officer), Gareth Roberts (Senior Development Control Officer - Transportation), Dafydd Gareth Jones (Senior Minerals and Waste Planning Officer), Rhun ap Gareth (Senior Solicitor) and Lowri Haf Evans (Member Support Officer).

1. ELECTION OF CHAIR

Resolved: To re-elect Councillor Anne Lloyd Jones as Chair of this Committee for 2017/18.

2. ELECTION OF VICE-CHAIR

Resolved: To re-elect Councillor Elwyn Edwards as Vice-chair of this Committee for 2017/18.

3. APOLOGIES

An apology was received from Councillor Eirwyn Williams

4. DECLARATION OF PERSONAL INTEREST

a) The following members declared a personal interest in the following items for the reasons noted:

- Councillor Berwyn Parry Jones in item 7.9 (C17/0257/14/LL) as his wife worked as a project coordinator for the Harbour Trust
- Councillor Gruffydd Williams in item 7.10 (C17/0317/33/LL) because his father owned a caravan park located less than six miles from the site
- Councillor Owain Williams in item 7.10 (C17/0317/33/LL) because he owned a caravan park located less than six miles from the site
- Councillor Eric M. Jones in item 7.12 (C17/0356/17/LL) because he was the landowner in question

Members were of the opinion that they were prejudicial interests and they left the Chamber during the discussion on the applications noted above.

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

- Councillor Sion Jones (a member of this Planning Committee), in item 7.1 on the agenda (planning application number C16/1406/18/LL)

- Councillors Dylan Fernley and Nigel W. Pickavance (not members of this Planning Committee), in item 7.2 the agenda (planning application number C17/0084/11/LL)
- Councillor Edgar Owen (a member of this Planning Committee), in item 7.4 on the agenda (planning application number C17/0011/19/MW)
- Councillor W. Gareth Roberts, (not a member of this Planning Committee), in item 7.6 and 7.8 on the agenda, (planning application number C16/0198/30/LL and C17/0242/30/LL)
- Councillor Selwyn Griffiths (not a member of this Planning Committee), in item 7.7 on the agenda (planning application number C17/0287/44/LL)

The Members withdrew to the other side of the Chamber during the discussions on the applications in question and did not vote on these matters.

5. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 24 April 2017, as a true record.

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 aspects of the policies.

RESOLVED

1. Application number C16/1406/18/LL - Land behind Bethel Chapel, Bethel

Erect four affordable houses, create a new estate road and a new vehicular access

- a) The Development Control Manager elaborated on the background of the application and noted that the decision had been deferred at the Committee on 13 March 2017 in order for the members to visit the site and to obtain details from the land drainage plan and the statutory consultees' views. It was highlighted that this was a full application to erect four two-storey affordable houses on a site near a residential area of the village near the development boundary as designated by the Gwynedd Unitary Development Plan Proposals Map - consequently, it was defined as a site located in open countryside.

Attention was drawn to the relevant policies in the report along with the responses to the consultation. It was explained that the site abutted the development boundary and was in keeping with policy CH7 which permitted proposals for affordable houses on suitable rural exception sites immediately on the boundary of villages or centres. It was reiterated that the southern side of the site abutted the development boundary near Bron Gwynedd estate; therefore, the site could be a rural exception site. Policy CH7 only approved developments for affordable housing when the need had been proven - a Planning and Affordable Housing statement was received with the application proving the need for these houses. Observations were also received from the Council's Strategic Housing Unit, acknowledging the need for this type of affordable houses in the area.

It was highlighted that the objections were on the grounds that sites, within the development boundary, had not been developed yet and that the Local Development Plan provided new sites for more houses in the village. In response, it was noted that policy CH7 did not require other sites within the development boundary to satisfy the need initially and all that was required under the policy was a proven local need for affordable housing.

It was highlighted that other objections referred to previous objections for residential development on the site and that it had been refused on appeal. It was explained that the application in question (3/18/384E) was an application for outline permission for the development of the entire field as a residential development. At the time, the policy considerations were different to the existing ones and the policies did not release land outside the development boundaries to provide affordable housing as rural exception sites.

In the context of infrastructure matters, it was highlighted that policies B32, B29 and CH18 were relevant to the aspects of flooding, surface water management and ensuring a sufficient provision of infrastructure for the development. Objections had been received highlighting concerns about flooding, surface water problems and problems with the main sewer. An amended plan was submitted showing a detailed land drainage plan and a greenfield assessment of the existing surface water situation and the situation after developing the site. It was reported that the surface water would be disposed of through Welsh Water's systems to a pipe which discharged into the river Cadnant. To ensure that the development would not have a detrimental impact further down the river, the proposal included two attenuation systems (one would be adopted by Welsh Water) and a hydro-brake which would limit the surface water flow to 5l/s. The greenfield assessment showed that the development would reduce the surface water flow from the site and the surface water deriving from the development would be managed through an appropriate system.

Welsh Water did not have an objection to the amended drainage plan. It was considered that the proposal was acceptable subject to relevant conditions and the completion of a 106 agreement to ensure that the houses were transferred to a housing association and to relevant conditions.

- (b) Taking advantage of the right to speak, an objector to the application noted the following main points:-
- A number of planning applications had been refused on the site over the past 35 years.
 - The reasons for refusal had not changed - if anything, they were worse.
 - Flood risk was likely to increase - the area has suffered an increased risk of flooding over the years
 - The improvements proposed were insufficient
 - As the land was sloped, the surface water would flow off the land and down to Tan y Buarth and Pen y Buarth
 - Water stagnated in the field following rainfall
 - The overflow of River Cadnant was a constant concern
- c) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That the report had provided clear guidance in relation to the criteria
 - That the proposal was a logical extension to the village
 - That the access plan had been amended
 - Solutions to the surface water and flooding concerns had been submitted
 - Welsh Government needed to meet affordable housing targets
 - No social housing had been built in Bethel for 35 years
 - It was intended to transfer the houses to Grŵp Cynefin housing association
- (ch) The local member (not a member of this Planning Committee) objected to the application and he made the following main points:-
- Previous applications had been refused by Gwynedd Council, on appeal and by the Community Council
 - That the site was outside the development boundary and the land had not been included within the LDP due to the observations of the Planning Service - there were other undeveloped sites within the boundary
 - Local concerns in terms of access to the site, sewerage and land drainage

- No assurance that Welsh Water's surface water plan would work
 - That he had received a second opinion regarding the sewerage solution which highlighted that the plan was impractical and placed additional pressure on the current system
 - That there was a need for affordable housing, but in the right location
 - That the parking assessment had been carried out during the day rather than in the evening when the situation was at its worst
 - That there was a need to adhere to the local development plan - approving would be irresponsible
- d) In response to the observations, the Senior Planning Service Manager noted that he accepted the concerns, but the previous applications could not be compared with the current application due to the difference in scale. It was also noted, although the proposal was outside the development boundary, that policy CH7 dealt with exceptions to the policy should the proposal be a logical extension. In terms of flooding concerns, it was noted that additional information had been submitted by Welsh Water, Natural Resources Wales and the Drainage Unit in response to those concerns.
- dd) In response to the observations regarding parking, the Senior Development Control Officer - Transportation highlighted that the assessment had been carried out during working hours, but that this assessment was one that considered the situation at its worst. With an extension to the access, it was noted that the situation would undoubtedly get worse.
- e) It was proposed and seconded to approve the application.
- f) During the ensuing discussion, the following main observations were noted by members:
- That the houses were affordable houses and therefore there was no doubt that they were needed - led to possibilities for the village
 - That the extension was logical - if it would have been peripheral, there would be no exigency for affordable housing
 - That a response had been submitted in relation to the concerns
 - That it was intended to transfer the houses to Grŵp Cynefin housing association
 - There was a need to consider a traffic management plan and restrict construction hours
 - That the land was wet
 - There was a need to consider that the Community Council had refused the application
 - That there was a need to consider the reasons for refusing the previous applications

In response to an observation regarding Gwynedd Council adopting the road and painting double yellow lines, it was noted that it was not customary to paint double yellow lines as no problems were being anticipated.

RESOLVED to delegate the powers to approve the application subject to signing a 106 affordable housing agreement to ensure that the houses are transferred to a housing association and to relevant planning conditions involving:

1. Time
2. In accordance with plans
3. Materials
4. Landscaping including boundary treatments
5. Biodiversity management plan
6. Transport (complete the estate road, parking spaces etc)
7. Welsh Water
8. Complete the land drainage plan before occupying the houses.
9. Restrict the surface water to 51/s.
10. Withdrawal of permitted rights

11. Lighting plan.
12. Construction work hours (8am to 6pm Monday to Friday, 8am to 1pm on Saturdays, with no building work on Sunday or Bank Holidays)
13. Submit land levels as it is and as proposed.

2. Planning application number C17/0084/11/LL – Maesgeirchen Social Club, 90 Penrhyn Avenue, Bangor

Demolition of existing social club building and erection of a three-storey building with shop (including café, fascia signage and ATM) on ground floor and 10 one-bedroom flats on the floors above together with two storage containers (re-submission of application C16/0157/11/LL)

- a) The Development Control Manager elaborated on the background of the application and noted that the decision had been deferred at the Committee on 24 April 2017 so that the Committee could visit the site. It was reiterated that this was a re-submission of a full application for the demolition of the existing Maesgeirchen Social Club building and to erect a three-storey building in its place. The previous application (C16/0157/11/LL) had been withdrawn prior to determination. The development would include the following elements:
- Shop on the ground floor including 200m² of retail floor area allocated for convenience goods, cafe counter and seating area, along with a storage / office / canteen area for staff - it was proposed to open the shop for 24 hours a day, seven days a week.
 - 10 one-bedroom flats on the floors above (5 on each floor). Each flat would include a bedroom, a living /dining room, kitchen, bathroom and hall and each with a floor area of approximately 45m².
 - Seven parking spaces would be earmarked, including two spaces for disabled drivers, along with separate spaces to store commercial and residential waste.

It was noted that policy CH38 of the GUDP involved safeguarding existing community facilities. Whilst accepting that a community facility had been lost from this site due to problems with the viability of the previous business, the new building would be a community facility in itself that would provide a broad range of services and ensure a more certain future for the site. It was explained that the policies of the Unitary Development Plan were supportive of the principle of seeking to ensure positive developments on re-development sites within urban development boundaries.

It was noted that the proposal would be substantially higher than the current building; however, it was noted that there were many other three-storey buildings in other parts of Maesgeirchen, including a block of flats of a similar size. Consequently, it was not considered that the building would be of a different feel to other buildings in the estate.

Although local concerns about the proposal were appreciated, the plan had to be considered in the context of the site's urban location as well as its previous use. It was not considered that the development would have an additional significant detrimental effect on the amenities of neighbouring residents and that the development would be in-keeping with Policies B23 and B33 of the GUDP which aimed to protect the amenities of local residents.

Attention was drawn to the fact that the Housing Market Assessment submitted with the application alleged that there was a lack of one-bedroom units for individuals or couples who wished to take their first step on the property ladder in the local housing market. It was noted that the site was suitable for living units and that the flats would meet the local demand in an affordable way.

The development complied with the GUDP for the reasons noted in the report.

- b) Councillor Dylan Fernley, local member (not a member of this Planning Committee) objected to the application and he made the following main points:-
- That he was disappointed that neither the report nor the presentation referred to the proposal's proximity to the sheltered housing and bungalows for the elderly located nearby
 - That the development would have a harmful impact on similar local businesses
 - That the development would lead to an increase in anti-social problems
 - That the local community strongly opposed - no letters of support had been received
 - The building would not suit the area due to its height and the accommodation would not be suitable for the disabled
 - What the area needed was effectively managed suitable accommodation

Councillor Nigel Pickavance, local member (not a member of this Planning Committee) objected to the application and he made the following main points:-

- That he represented the objections of Maesgeirchen residents to the proposal and that those concerns had been highlighted at a local meeting
- That it would be an over-development of the site and a prominent building;
- That there was no need for a shop and café in the area - these needs were being met by the current provision
- There would be an increase in traffic and parking
- There would be no controlled tenancy over the flats
- No disabled access to the building and no fire doors
- That the location was adjacent to two playing fields

(ch) It was proposed and seconded to refuse the application as the proposal was an over-development and as the size of the building caused concern.

- d) During the ensuing discussion, the following main observations were noted by members:
- The Local Members were thanked for their observations and for their work
 - That the supermarket would harm the local economy
 - That the size of the building would disrupt nearby amenities
 - That the proposal would lead to an increase in anti-social behaviour
 - The proposal's impact on the amenities of local residents from being open 24/7

RESOLVED to refuse the application on the grounds that the proposal is an over-development that would have a detrimental impact on visual and residential amenities.

3. Application number C16/1421/11/LL 390, High Street, Bangor, Gwynedd

A full application to demolish the existing building and erect a three-storey building to provide six living units

- a) The Development Control Officer elaborated on the background of the application, noting that this was a full application to demolish an existing building and associated structures to the rear of the site and erect a new three-storey building that would provide six self-contained, two-bedroom living units. The application was submitted to committee as the size of the proposed building was larger than what could be discussed under the delegated system.

It was explained that the proposed development site was located on the 'lowest' part of the High Street in Bangor and within the city's development boundaries which had been designated as a sub-regional centre in the Gwynedd Unitary Development Plan (GUDP) 2009.

Reference was made to the relevant planning history together with additional observations.

It was highlighted that the previous application had been refused on the grounds of the building's design and the impact of the development on the setting of the listed building. There was extant listed building consent to demolish the existing buildings on the site and complete work to renovate the listed building. It was noted that the main issues under consideration was the development's impact on the setting of the listed building and the impact on the streetscape.

In the context of the principle of the development, site of the proposed building was located within the boundary of the city of Bangor but near to the defined town boundary. It was highlighted that the basic requirements of policy CH3 approved new houses on unallocated sites within the development boundary of the sub-regional centre. Similarly, it was highlighted that policy CH6 approved proposals to develop housing on windfall sites for 5 units or more within the development boundaries of the sub-regional centre which provided an appropriate element of affordable housing unless the Planning Authority could not be satisfied.

As part of the application, an assessment of the scheme's viability was received which showed that it would not be viable to provide affordable units on the site due to the construction costs and the final value of the units. It was explained that the floor surface area of each unit was approximately 57m². The Supplementary Planning Guidance – Affordable Housing restricts two-bedroom single-storey houses to 80m². The size of the proposed units was considerably less than the maximum affordable size of this type of unit. In addition, there was no parking provision on the site and the amenity/outdoor area of each unit had been restricted to small balconies. There was no open or attractive views of the site and due to all these factors, it was considered that all the units would be of an affordable nature anyway. Therefore, it is not reasonable or necessary to ask for a provision of affordable housing through a formal arrangement such as a 106 Agreement on this site.

An objection had been received stating that the development created further noise and disturbance to nearby residents. It was explained that the site was being used by a construction company and it was considered that this created more noise and disturbance than the proposed residential use. There were residential houses or flats on either side of the application site and therefore it was considered that a residential use of the site was more suitable than its current use.

In the context of traffic and access, it was highlighted that there was no parking provision included as part of the proposal. Initial observations had been received from the Transportation Unit objecting on grounds of lack of parking. In response, observations had been received from the agent highlighting that national policies supported development with less or no parking provision in accessible locations as the development would encourage a reduction in the number of motor vehicles. Although policy CH36 encouraged parking on sites or close to the site, the policy also acknowledged that less provision could be acceptable in town centres where there was a good choice of facilities, services and other effective methods of travel apart from private cars.

- b) It was proposed and seconded to refuse the application on the grounds of lack of parking, that the proposal substantially disrupted the listed houses and the design was not in-keeping with the area.
- c) In response to the refusal reasons, the Senior Planning Service Manager highlighted that the Transportation Unit did not object to the application and the Senior Development Control Officer - Transport elaborated that if the applicant could prove that the location was convenient then it was not possible to refuse.

In response to an observation about the design, the Senior Planning Service Manager highlighted that the Conservation Officer had not refused the application, but that the design was a matter of opinion.

After considering the observations, the proposal was withdrawn as there were no grounds to refuse based on a lack of parking spaces.

- ch) It was proposed and seconded to refuse on the grounds of design and the impact on the listed houses

A vote was taken and the proposal to refuse fell

- d) An amendment to approve the application was proposed and seconded.

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

- student flats were not under consideration here
- there was a real need for flats for young families in Bangor
- that not having parking spaces would promote the local economy by encouraging people to use public services
- that the proposed design was more in-keeping than the existing.

- e) In response to the observations in favour of approving the application, the Senior Planning Services Manager highlighted that the plan overcame previous refusal reasons and that the scale and impact of the proposal were acceptable.

RESOLVED to delegate the right to the Senior Planning Manager to approve the application, subject to receiving favourable observations from the Joint Planning Policy Unit on the Language Statement and also subject to material planning conditions relating to:

Conditions

1. Time
2. In accordance with the plans and the ecology report
3. Materials and finishes
4. Submit details of and provide the drop off point prior to occupancy of flats
5. Welsh Water conditions
6. Submission of a photographic record of the existing building before its demolition.

4. Application number C17/0011/19/MW – Seiont Works, Seiont Mill Road, Caernarfon

An application for works associated with the construction of the proposed A487 Caernarfon to Bontnewydd bypass, including; Use of land as an extension to the existing site compound area and provision of a maintenance shed, office accommodation, welfare and car parking facilities, fuel store, sewage storage tank, mobile concrete batching plant, mobile asphalt batching plant and construction of a haul route (temporary use for up to 10 years).

- a) The Senior Planning Manager – Minerals and Waste expanded on the background of the application, noting that this was an application to use the quarry to assist with the work of improving the local road network. The quarry would recommence the excavation work under the terms of the minerals permission, as well as dispose of waster materials from the bypass construction work to be used to restore the site.

Attention was drawn to the environmental statement that had been submitted with the application and it was emphasised that the project was for the purposes of the Bypass only. It was highlighted that the site would be required for five years but that the restriction in HGVs associated with moving materials would be three years. Transport movements were not expected on the road - traffic would come straight off the bypass.

In the context of biodiversity issues, there was no wildlife protection designation on the site and the authority had carried out a habitats assessment on the application and it had

concluded that there would be no detrimental impact on international or national environmental designations such as SSSIs and SACs. It was noted that the site would restore itself relatively quickly after the work was completed.

- b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That the application was intrinsic for the Bypass
 - That the proposal was a unique opportunity to reduce traffic and re-establish and ensure a substantial reduction in services traffic.
 - The site's advantage was that it directly abutted the project.
 - The quarry material was suitable.
 - There was extant working permission on the quarry
- c) The local member (a member of this Planning Committee), noted that he supported the application, but there were some concerns regarding the closure of the road above Peblig following the development.
- ch) It was proposed and seconded to approve the application.
- d) During the ensuing discussion, the following main observations were noted by members:
- That this element was very important for the Bypass and was of assistance to serve the project.
 - This was a huge project for the area and one to be welcomed.

RESOLVED to authorise the Senior Planning and Public Protection Manager to determine the application subject to a range of conditions as follows, and, where noted, to the submission of relevant information in accordance with the conditions prior to the commencement of the development:

1. Commence within three years
2. The length of the permission restricted to five years from the submission of the commencement notice with the activities relating to importing materials to restore the quarry restricted to the requirements of the bypass and restricted to a period of three years from submitting a landfill activity commencement notice.
3. Topographic survey to be submitted for the approval of the minerals planning authority immediately when those activities end; to include a comprehensive inspection of the materials available for restoration purposes. If the volume of materials emanating from the work of constructing the bypass is insufficient to complete the work of restoring the site in accordance with the application plans, an amended restoration plan will be submitted for the approval of the minerals planning authority.
4. Gradual restoration plan to target key areas
5. Amended restoration plan for the northern transport route so that it is restored for agricultural purposes in accordance with the guidelines in Appendix B-D TAN 1 (Aggregates), detailing the volume and storage locations of all materials earmarked for restoration purposes, i.e. materials excavated when creating the transport road should not be exported from the site.
6. Permitted activities and Compliance with Submitted Details / Plans
7. Working times as they are: 07:00 - 19:00 Monday to Friday; 07:00 - 13:00 Saturday, and no mineral working on Sunday, Bank Holidays and Public Holidays.
8. Transport relating to exporting and importing materials, and delivering materials for the concrete and asphalt batching work to be restricted to the purposeful transport routes shown on the application plan.
9. Comprehensive tree and hedge planting plan included in restoration work.
 - Noise during normal working hours (0700-1900), the noise scale levels should be no more than 55dB(A) LAeq, 1 hour(free field). Evening (1900-2200), the restrictions should be no more than 10dB(A) above the background level

- Night restrictions should be no more than 42 dB (A) LAe1, 1 hour free field near sensitive dwellings. (MTAN1).
 - Temporary works to be no more than 70 dB LAeq, 1 hour (free field) for up to 8 weeks a year.
 - Carry out a noise monitoring survey in accordance with the written request of the Minerals Planning Authority, to comply with BS.4142:2014 'Methods for rating and assessing industrial and commercial sound', to assess and display compliance with the boundary noise limit.
 - To use white noise alarms when reversing;
10. Re-mediation strategy if, during the development, contamination not previously identified is found to be present.
 11. Fuel storage
 12. Requirement to note the comprehensive details of the foul water storage tank for the approval of the local planning authority prior to the commencement of work with a further condition requiring that any temporary infrastructure relating to foul/sewage drainage on the site has been fully decommissioned and moved from the site when the permission ends
 13. Use of a water bowser on haul routes, dampening of processing areas and processed materials and to keep a log of dust-related complaints.
 14. Dust survey to be undertaken for a minimum period of six months at agreed locations and that crushing, screening, conveying and other operations likely to give rise to airborne dust should be contained within an appropriate housing.
 15. Construction Environment Management Plan to ensure good practice and mitigation measures have been established to protect the aquatic environment, including: working conditions on the site and measures to control environmental impacts such as HGV movements, wheel washing facilities, vehicle sheeting, safe storage areas, air quality, working hours, noise/vibration, waste and pollution control. Also, monitor potential run-off from silt and waste materials to mitigate for the potential environmental impact of the development and spill procedures
 16. Provision for the recording of excavations within the Regionally Important Geological Geomorphological Site (RIGS)
 17. Exact specification of any external lighting could be the subject of a planning condition as would be the removal of vegetation
 18. Mitigation for possible impacts on the river environment (stand-off distance)
 19. Note to the applicant referring to the consultation response of Natural Resources Wales, Gwynedd Council Flood Risk Management and Coastal Erosion Service, Gwynedd Public Protection and Welsh Water, referring to specific controls within their remit
 20. Note to applicant that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner
 21. Note to applicant that the application has been assessed in accordance with the seven sustainability goals of the Well-being of Future Generations Act (Wales) 2015.

5. Application number C17/0084/11/LL - Seiont Quarry, Seiont Mill Road, Caernarfon

Application for temporary planning permission for works associated with the construction of the proposed A487 Caernarfon to Bontnewydd bypass including; Site compound and provision of a maintenance shed, office accommodation, welfare and car parking facilities, fuel store, sewage storage tank, mobile concrete batching plant, mobile asphalt batching plant and provision of haul route.

- a) The Senior Minerals and Waste Planning Officer elaborated on the background of the application, noting that the proposal was a part of the Caernarfon Bypass scheme.

Attention was drawn to policy C3 which encouraged the re-use of previously developed sites. The same policy considerations that favour the use of previously developed land would also be relevant to the establishment of a temporary compound on the hard standing of the previous brickworks.

Attention was drawn to the additional observations that had been received

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

RESOLVED to authorise the Senior Planning and Public Protection Manager to determine the application subject to a range of conditions as follows, and, where noted, to the submission of relevant information in accordance with the conditions prior to the commencement of the development:

1. Commence within three years
2. Length of the working period - 5 years
3. Permitted activities and Compliance with Submitted Details / Plans
4. Working times as they are: 07:00 - 19:00 Monday to Friday; 07:00 - 13:00 Saturday, and no mineral working on Sunday, Bank Holidays and Public Holidays.
5. Material deliveries for the concrete and asphalt batching restricted to the off-road haul route shown on the application plans.
6. Comprehensive tree and hedge planting plan included in restoration work.
 - Noise during normal working hours (0700-1900), the noise scale levels should be no more than 55dB(A) LAeq, 1 hour(free field). Evening (1900-2200), the restrictions should be no more than 10dB(A) above the background level
 - Night-time restrictions should not be above 42 dB (A) LAe1, 1 hour free field near sensitive dwellings. (MTAN1).
 - Temporary works to be no more than 70 dB LAeq, 1 hour (free field) for up to 8 weeks a year.
 - Noise monitoring survey in accordance with the written request of the Minerals Planning Authority, to be carried out in accordance with BS.4142:2014 '*Methods for rating and assessing industrial and commercial sound*', to assess and display compliance with the boundary noise limit.
 - To use white noise alarms when reversing;
7. Re-remediation strategy if, during the development, contamination not previously identified is found to be present.
8. Fuel storage
9. Requirement to note the comprehensive details of the foul water storage tank for submission for the local planning authority's approval before commencing the work with a further condition requiring that any temporary infrastructure relating to foul/sewage drainage on the site is fully decommissioned and moved from the site when the permission ends.
10. Use of a water bowser on haul routes, dampening of processing areas and processed materials and to keep a log of dust-related complaints.
11. dust survey to be undertaken for a minimum period of six months at agreed locations and that crushing, screening, conveying and other operations likely to give rise to airborne dust should be contained within an appropriate housing.
12. Construction Environment Management Plan to ensure good practice and mitigation measures have been established to protect the aquatic environment, including: working conditions on the site and measures to control environmental impacts such as HGV movements, wheel washing facilities, vehicle sheeting, safe storage areas, air quality, working hours, noise/vibration, waste and pollution control. Also, the monitoring of potential run-off from silt and waste materials to mitigate for the potential environmental impact of the development and spill procedures
13. Provision for the recording of excavations within the Regionally Important Geological Geomorphological Site (RIGS)
14. Exact specification of any external lighting could be the subject of a planning condition as would the removal of vegetation.
15. Note to the applicant referring to the consultation response of Natural Resources Wales, Gwynedd Council Flood Risk Management and Coastal Erosion Service, Gwynedd Public Protection and Welsh Water, referring to specific controls within their remit.

16. Note to applicant that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner
17. Note to applicant that the application has been assessed in accordance with the seven sustainability goals of the Well-being of Future Generations Act (Wales) 2015.

6. Application number C17/0198/30/LL – Pwll Melyn, Rhiw, Pwllheli

Retrospective application for the retention of an agricultural shed

- a) The Development Control Officer elaborated on the background of the application, noting that this was a retrospective application to retain a steel frame agricultural building that was in the process of being constructed. The current frame of the building suggested a mono pitch roof; however, it was intended to finish the building with a pitched roof. It was proposed that the building's external finish would be a combination of concrete block wall and metal profile covering in dark green. The building is located in the countryside outside any development boundary, and in an agricultural field within the Llŷn Area of Outstanding Natural Beauty. It lay 5.5 metres from a one-storey dwelling which was a Grade II listed building.

Attention was drawn to the relevant policies that had been listed in the report along with the additional observations received.

It was highlighted that the principle of approving buildings for agricultural use in the countryside had been established by Policy D9 of the GUDP which approved proposals to erect buildings for agricultural purposes if they were reasonably required. The applicant's agent stated that the building was necessary to house stock during occasional harsh weather and to store equipment associated with stock that graze the land, and agriculture. Since no details had been submitted regarding stock, consideration should be given to place a condition restricting the building's use for agricultural purposes only and the building should be demolished if the agricultural use ended within a period of 10 years. Subject to the inclusion of the above condition, it was considered that the proposal would conform to policy C1 and D9 of the GUDP, and it would not undermine Policy PCYFF 1 of the Joint Local Development Plan.

With the site situated within a prominent position within the Llŷn AONB, the need to reduce any impact on the AONB's visual amenities was considered. Consequently, an amended plan had been received (30 March 2017), showing the proposed building with a pitched roof, and a reduction in the height of the final building 3.7 metres above ground level - a 0.4 metre reduction. In addition, it was intended to cover the building in dark green coloured profile sheeting, as it would reduce the impact of the building on prominent locations in the landscape. Observations had been received from the AONB Officer noting that the adaptations would make the building less visible from the road.

It was explained that the nearest dwelling (apart from the applicant's property) to the proposed building was situated approximately 30 metres from the site. Due to the size of the proposal and its location in relation to the nearby property, it was not considered that the development would cause significant harm to that property. In addition it was not considered that the proposal was likely to affect the reasonable privacy of users of the nearby property, nor that it would entail an over-development of the site.

Having considered all information submitted as part of the application, it was highlighted that the development was acceptable based on principle, location, use, design, materials and the impact on visual amenities and that it complied with relevant local and national planning policies and guidance.

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

- that this was a very small shed on a small parcel of land to provide shelter for animals - in agricultural terms it was on a very small scale
 - amended plans showed a pitched roof
 - the finished proposal would blend-in substantially into the landscape
 - that discussions had been held with officers regarding the appearance of the proposal
- c) The following main points were made by the local member (not a member of this Planning Committee):
- That he did not agree with the content of the report which appeared as justification for the need to act retrospectively
 - That no attention had been given to the nearby public footpath
 - It would be better to position the shed behind the house - suggested that the site should be reconsidered
 - Despite the height adaptations, the shed would remain high and would be likely to affect the house
 - The house was a small-holding, therefore the policy needed to be considered in an 'agricultural' context
 - The Community Council was dissatisfied with the design
- ch) A proposal to undertake a site visit was made and seconded.
- d) An amendment to defer the decision in order for officers to re-assess the application, consider the location of the public footpath and the justification for such a building and submit an amended report was proposed and seconded.

RESOLVED to defer the application in order to re-assess the application and submit an amended report.

7. Application number C17/0287/44/LL – Greenacres Caravan Park, Morfa Bychan, Porthmadog

Erection of storage and maintenance buildings and bottled LPG storage facility.

- a) The Development Control Officer elaborated on the background of the application and noted that this was a full application to erect storage and maintenance buildings and a bottled LPG storage facility. It was highlighted that the application site was located within the existing Greenacres caravan site in Morfa Bychan between the waste treatment site, the main buildings of Greenacres caravan park and existing residential housing. The site was currently used as a boat storage area.

It was explained that the main building would have a floor surface area of 205m² and would measure 8m to the ridge, it would be finished externally with a combination of corrugated panels and block walls finished in green and grey colours. The main building would provide space for the following: wash house, workshop, stores, offices and ancillary resources such as a kitchen and toilets. The proposal also involved erecting a chain link 2m high fence to match the existing fence and creating a compound within the current yard to store LPG cylinders.

In principle, it was highlighted that policy D8 of the GUDP was relevant to the application, which approved proposals to extend/expand/intensify industrial enterprises and existing businesses or other enterprises if they conform with specific criteria regarding the appropriateness of the existing use in relation to the surrounding area and adjacent uses and how relevant it is to the existing work. Since this was a building to serve the current established business it was considered that the principle of the proposal was in accordance with the requirements of policy D8.

In the context of visual, general and residential amenities, it was noted that the proposed building was located within an existing yard on level land surrounded by a 2m fence and substantial landscaping. The closest residential housing was located approximately 17m away from the site with substantial vegetation located between the site and houses.

Attention was drawn to the additional late observations.

- b) The local member (who was not a member of this Planning Committee) made the following observations:
- that he did not have any objection to the application in terms of planning matters
 - that a hours of operation restriction needed to be ensured
 - that there was a need to ensure a suitable finish to the building -
 - that a lighting plan was needed so that there would be no impact on local residents
 - This improved the current arrangement.
- (c) It was proposed and seconded to approve the application.

RESOLVED to approve the application.

Conditions

1. Time
2. Compliance with plans
3. Agree on finishes
4. Lighting Plan
5. Welsh Water
6. Restrict use
7. Working Hours

8. Application number C17/0242/30/LL – Land near Y Groesffordd, Rhiw, Pwllheli

Construction of house and garage

- a) The Development Control Manager expanded on the background of the application to erect a new dwelling and garage in the rural village of Rhiw within an Area of Outstanding Natural Beauty and Landscape of Outstanding Historic Interest. The proposed house would be two-storey, finished with a slate roof and local stone exterior walls. As part of the application, a letter was received from Derwen, Integrated Disabled Children's Team, outlining the family's needs as one of the applicant's sons had been registered with a permanent disability.

Attention was drawn to the relevant policies in the report.

In terms of the principle of the development, Rhiw was designated as a rural village. Attention was drawn to the relevant housing policy (Policy CH5) which noted that proposals had to comply with all criteria within the policy. Six of those criteria had been discussed in detail and consequently, it had been considered that the proposal was contrary to policy CH5 of the GUDP on the grounds that no need for an affordable house has been proven, the site was not located immediately adjacent to a building that had been highlighted, and that its size was substantially larger than an affordable house. In considering the site, in the context of open countryside, it was reiterated that only houses for people employed in agriculture, forestry or other land-based industry could be located on the site, in accordance with the requirements of Planning Policy Wales and Technical Advice Note 6: Planning for Sustainable Rural Communities (2010).The proposal would be contrary to these requirements as there was no agricultural, forestry or other land-based need for the proposed house.

It was considered that the proposal, in terms of its size and scale was contrary to the requirements of Policy B22 of the GUDP and that it would impact the form and character of the village. Reference was made in the report that the house was substantially larger than the size of an affordable house and it was considered that the size of the property could be reduced having discussed the needs of the disabled child. It was noted that if the property was reduced in its size, that this would also overcome the concerns about the impact of the proposal on the character and landscape of the village.

It was highlighted that the main requirements of the application was to provide a suitable house for a family who had one son with permanent disabilities. However, having weighed-up the proposal against the relevant policies it was concluded that the principle of the development did not comply with the basic requirements of the Council's housing policies. No evidence had been submitted to demonstrate whether the candidate had a genuine affordability need, and no intention had been shown to limit future occupancy. Despite the applicant's needs the Council was not convinced, based on the submitted information, that worthy reasons had been submitted to deviate from the Council's current policies or national policies relating to Affordable Housing.

- (a) Taking advantage of the right to speak, the applicant's representative noted the following main points:-
- That he was supportive of the application.
 - That it was incredibly important for the family to have a home in Rhiw as the family had support within the village
 - It was difficult to adapt their existing home for a disabled person
 - A suitable house was needed - needs were increasing
- b) The local member (not a member of this Planning Committee) noted the following main points:-
- That he accepted the report was a difficult one
 - That the family's unique and unusual needs were increasing and that there was no suitable house available for them in Rhiw.
 - That the family needed their family network and support.
 - Accepted the recommendation to refuse; however, the Committee needed to consider an 'exceptional' situation.
 - The ground floor of the plan was acknowledged to be in accordance with the needs; however, the second floor could be reduced - the applicant accepted this.
 - The time-scale was tight as the Joint Local Development Plan would not be acknowledging Rhiw as a site for development.
 - Urged the Committee to delegate powers to the officers to hold further discussions with the applicant to meet the evident and valid needs of the family and seek a solution with an appropriate and suitable plan.
 - This plan was an exception to the planning system.
- c) In response to these observations, the Senior Planning Service Manager noted that the application was contrary to the Council's planning policies as there was no evidence that the applicant was eligible for an affordable house and that the house would not be affordable due to its size. Nevertheless, he emphasised that this case was unique and challenging and that there was a specific need in this case due to the family's exceptional circumstances. It was noted that if the Committee wished to consider this application as an exceptional case, then that would be the Committee's decision; however, he emphasised that this situation was exceptional and that it would not create any kind of precedent for the future. It was highlighted that the house could not be eligible as an affordable house due to its size and should the Committee decide to approve the application, then it would not be possible to impose a 106 agreement on the house.
- ch) Proposed and seconded to approve the application contrary to the recommendation

- d) During the ensuing discussion, the following main observations were noted by members:
- The value of this house did not matter - the family's needs were greater than this
 - The situation was unique
 - That there was no need for discussions to reduce the size of the house - approve in accordance with the plans.

RESOLVED to approve the application contrary to the recommendation on the grounds that the specific needs and exceptional situation in this case outweighed the usual planning policy requirements.

General conditions relating to:

1. Time
2. In accordance with the plans.
3. Slates.
4. Materials.
5. Transportation conditions
6. Welsh Water conditions

9. Application number C17/0257/14/LL - Harbour Office, Slate Quay, Caernarfon

Redevelop site including the creation of 19 artisan workshops manufacturing and retail on a small scale, restore and adapt existing buildings, change of use to create three holiday units along with extensions to the existing construction

- a) The Development Control Manager elaborated on the background of the application, noting that it was a full application for the re-development of a mixed use site: Use Class B1 (light industry and office use), B2 (general industry) and D2 (assembly and leisure) along with ancillary retail in order to create 19 artisan workshops. manufacturing and retail on a small scale, restore and adapt existing buildings, change of use to create three holiday units along with extensions and adaptations and erection of new buildings to fill the spaces between the existing structures.

It was highlighted that the application site was located within the Caernarfon Conservation area and within the Crucial Setting of the World Heritage Site Management Plan - the Town Walls and Castles of King Edward I in Gwynedd (CADW). It was noted that the majority of the site was within a C2 Flooding Zone as defined in the Development Advice Maps, Technical Advice Note 15 "Development and Flood Risk" (2004). The site was designated, along with the rest of the river Seiont banks, adjacent to St. Helens Road as a re-development site in the Supplementary Planning Guidance: Development Briefs.

It was noted that the latest plans submitted with the application responded positively in terms of the scale, appearance, materials and landscaping. It was reiterated that the applicant had submitted a Linguistic and Community Statement to support the proposal and that the Joint Planning Policy Unit had come to the following conclusions:

- It was believed that the development would offer economic benefits to the local area, leading to additional expenditure in the local economy.
- It was believed that the proposal would also lead to a direct investment and create jobs on the site with these jobs likely to be suitable for the local population and, to this end, the proposal would contribute towards keeping the current population in the area and, in turn, was likely to have a positive impact on the viability of the Welsh language.
 - On the whole, it was not believed that the nature or scale of the proposed development was likely to have a detrimental impact on the Welsh language.

It was highlighted that Welsh Water had temporarily objected to this application on the grounds of lack of information relating to the status of the existing local public sewer system

and the need for further details regarding the existing and proposed flow rate of surface water and foul water from the site, considering that the existing public system had a restricted capacity for receiving additional flow.

It was noted that discussions had taken place between the applicant's agent, officers from the Local Planning Authority and Natural Resources Wales with regard to the implications of developing on a large part of the site which was within a C2 Flooding Zone as defined in the Technical Advice Note 15 – Development and Flood Risk (2004). It was acknowledged that the site was open to tidal floods from the Menai Straits and, as a result of these discussions as well as submitting a Flooding Consequences Assessment, raising the floor surface levels, re-locating the development which is most sensitive and open to floods (the three holiday units) to a site which is outside the C2 Zone, as well as including material conditions relating to mitigating measures, it is believed that, by now, the development was acceptable based on the ability to manage flood risk.

- b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That this element was key to the regeneration of the project
 - That the site was unused and vacant
 - That the plan was exciting
 - That this offered obvious benefits to the community
 - That the design protected the image of the town - created new views
 - The site was a feature between the castle and the railway
 - That the plan was a new destination for the town
 - Offered sites to sell local goods and for local artisans to develop their skills
- c) It was proposed and seconded to approve the application.
- ch) In response to a question regarding why opportunities could not be given to other businesses except for B1, B2 and D2, it was noted that the restriction controlled the site; however, it was reiterated that this could be revisited should the situation change, by submitting a new planning application.

RESOLVED to delegate powers to approve the application, subject to receiving favourable observations from Welsh Water and also subject to the following conditions:

Conditions:-

1. Five years.
2. In accordance with the plans.
3. Agree with external elevation details, including samples of the different materials before starting on the work on the site.
4. Natural Resources Wales conditions in relation to flood prevention mitigating measures.
5. Highway conditions.
6. Protected species condition
7. Restrict the retail use to be ancillary to the use of the workshops only.
8. Welsh Water conditions
9. Restrict the use of the development to Use Classes B1, B2 and C3 (holiday units).

10. Application number C17/0317/33/LL – Plas yng Ngheidio, Boduan, Pwllheli

Change of use of part of an agricultural field to store up to 30 touring caravans during the winter months.

- (a) The Development Control Officer elaborated on the background of the application, noting that this was a full application to create a site to store up to 30 touring caravans over the

winter months. It was highlighted that it was intended to build a new track to haul the caravans from the caravan site to the storage site on the eastern side of a *clawdd* that would separate it from the existing track which is also a public footpath and was used to transport caravans to the caravan park. This meant that the majority of the caravans would be transported from the caravan site to the storage site without using the county highway.

It was noted that the location was sited in a natural dip within 10 metres of the farm's substantial outbuildings. Although public footpaths were located on the farm land; it was likely that the storage of caravans on the site would not be obvious from those footpaths, or local public sites due to natural landforms and the farm's existing buildings and therefore it would comply with policy D21 - Storage of Touring Caravans.

In the context of the visual amenities it was not considered that the site was prominent or oppressive in the landscape and although the units located on the site could be visible from distant views and higher land, it was not considered that the proposal would create an obtrusive and prominent feature in the landscape that was within the Landscape Conservation Area.

Observations were received from the Council's Biodiversity Unit stating that it did not object to the proposal and it was proposed that a landscaping plan should be added if the application was approved.

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

RESOLVED to approve

Conditions

1. Five years
2. In accordance with plans
3. Limit the number to a total of 30 caravans.
4. Landscaping along the *clawdd* that borders the site within the first planting season once the permission is implemented.
5. Storage of touring caravans during the winter period only.

11. Application number C17/0325/38/LL – Land near Bryn Goleu, Llanbedrog, Pwllheli

Construction of two-storey house

- a) The Development Control Manager elaborated on the background of the application, noting that it was a full application for the construction of a two-storey house finished in render and with a slate roof. It was highlighted that the applicant needed a house to maintain and promote his business. The site was within the Landscape Conservation Area designation and the village's development boundary was located on the northern boundary of the nearby terrace and church. This meant that the majority of the surface area of the proposed house was outside the village's boundary and that this was tantamount to erecting a new house outside the development boundary.

Attention was drawn to the relevant policies in the report along with the responses to the consultation.

It was highlighted that the applicant disagreed with the officers' views regarding the location of the boundaries; therefore, a plan had been submitted with the agenda showing the development's layout in relation to the village's development boundary. The development had not been submitted as a proposal for an affordable home, and the size and scale of the proposal strongly suggested there was no intention for the house to be affordable. No details or evidence was submitted to show that the applicant was in need of an affordable house.

The applicant stated that the land should have been included within the development boundary in the GUDP as it had been included within the draft inset maps and the land had been deleted from the boundary following the Inspector's decision to tighten village development boundaries in general. It had been understood from the applicant that he has submitted a request to the Policy Unit for the entire site to be included within the village development boundary of the LDP. It was confirmed that there currently was no change to the LDP development boundary in relation to this site.

Despite the applicant's arguments, the Council had not been convinced, on the grounds of the submitted information, that valid planning reasons had been submitted to deviate from the Council's current policies. The principle of erecting a dwelling on the site did not comply with the requirements of the Council's housing policies, namely C1, CH7 and CH9 of the GUDP and Supplementary Planning Guidance: Affordable Housing (2009).

The proposed two-storey house was of a modern design and was located within close proximity of the boundary of the rear gardens of nearby houses and curtilage of the chapel and chapel house. The plans submitted with the application showed that although the house would not be higher than the adjacent chapel, it would be substantially higher than the nearby two-storey houses, and therefore there were concerns regarding its location, size and scale in relation to those houses. In terms of its size and scale, it was not considered that the proposal respected the site and its vicinity and that it would cause significant harm to the privacy of the garden and curtilage of the chapel house and the property to the south-west of the site.

The observations of the Transportation Unit had been received confirming that it had no objection to the proposal. However, having visited the site it had to be stated that the transportation officers had concerns regarding the access especially in terms of visibility when exiting to the nearby class 2 road. However, given the observations of the Transportation Unit, it would be difficult to refuse the application on grounds of road safety.

Having considered all the relevant matters, including local and national policies and guidance, as well as the observations received, it was deemed that this development was not acceptable. No justification had been submitted for developing the site as a rural exception site (policy CH7), and therefore, it was considered that the development was tantamount to a proposal to erect a new house in the countryside, contrary to policies C1, CH7 and CH9 of the GUDP.

- b) Taking advantage of the right to speak, the applicant noted the following main points:
- There was no reference to his own personal report in the officers' report
 - That he had evidence that the information in the report was incomplete
 - That officers had made a mistake with the boundaries in 2008 and that evidence of this was available
 - That he needed to live in Llanbedrog to care for his parents
 - That he was a successful businessman and employed over 20 people
 - That he had received many awards for his contribution to Gwynedd's economy
 - He was unable to understand why Planning officers objected to his application considering that he did his part for the people of Gwynedd.
- (c) It was proposed and seconded to defer the application in order to receive full information about the boundaries.

RESOLVED to defer the decision in order to receive full information about the boundaries.

- 12. Application number C17/0356/17/LL – Land near 5 Rhes Gosen, Caernarfon, Gwynedd, LL54 5TR**

Change of use of land attached to number 1 Rhos Gosen to residential use and erect a garage/storage and create an entrance and parking space

- a) The Development Control Officer elaborated on the background of the application, noting that the application site was located at the end of a terrace on the outskirts of the village of Groeslon, outside the village's development boundary. It was explained that the majority of the residents of this terrace parked along this narrow road, which caused problems with parking, access and turning in the area. It was also noted that the site was wet agricultural land.

Attention was drawn to the relevant policies in the report along with the responses to the consultation. In principle, it was highlighted that the size and design of the building was suitable for a domestic garage/storage and was in keeping with the area and the connected adjacent terrace. It was noted that the size of the area to be used as a garden had been reduced from what had originally been proposed, and it was considered that this was suitable and in keeping with the size of the gardens/curtilages of other properties in the area. The Transportation Unit confirmed that the proposed yard was of a sufficient width and length for parking and turning a vehicle.

Following a period of statutory consultation, one item of correspondence had been received noting matters relating to run-off and surface water. It was explained that the land that was the subject of the application was wet and a ditch ran between the site and the highway. It was noted that it was proposed to install a land drain at the rear of the site and, according to the application plans, no surface water or run-off would flow to the highway. A consultation had been sent to Natural Resources Wales on the application and they had no objection to the proposal.

Attention was drawn to the additional observations that had been received

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

RESOLVED to approve

Conditions

1. Time
2. Compliance with plans
3. Agree on finishes
4. Highways Conditions
5. Restrict use to the ancillary use of 1 Rhos Gosen
6. No business use

The meeting commenced at 1.00pm and concluded at 5.00pm.

CHAIR