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## PLANNING COMMITTEE 23/7/18

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**Present:** Councillor Elwyn Edwards - Chair

**Councillors:** Stephen Churchman, Simon Glyn, Louise Hughes, Sian Wyn Hughes, Berwyn Parry Jones, Eric M. Jones, Dilwyn Lloyd, Edgar Wyn Owen, Catrin Wager, Eirwyn Williams, Gruffydd Williams and Owain Williams.

**Others invited:** Councillor Aeron Maldwyn Jones (Local Member).

**Also in attendance:** Gareth Jones (Senior Planning Service Manager), Cara Owen (Planning Manager), Glyn Gruffydd (Senior Development Control Officer), Gareth Roberts (Senior Development Control Officer – Transport), Iwan Evans (Head of Legal Services) and Lowri Haf Evans (Member Support Officer).

**Apologies:** Councillors Ann Lloyd Jones and Huw G. Wyn Jones

### 1. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- (a) No declarations of personal interest were received from any members present.
- (b) The following member declared that he was a local member in relation to the item noted:
- Councillor Aeron Maldwyn Jones (not a member of this Planning Committee), in item 5.2 on the agenda (planning application number C17/1011/24/LL);

The Member withdrew to the other side of the Chamber during the discussion on the application in question and he did not vote on the matter.

### 2. MINUTES

The Chair signed the minutes of the previous meeting of this Committee, that took place on 25 June 2018, as a true record, subject to changing a word in paragraph 3(iv), in the English minutes (registering the Mawddach Crescent public path to Barmouth Bridge),

*'The Local member noted that the application had historical arguments and she had visited the Crescent on **several** occasions as a Councillor...' to, 'The Local member noted that the application had historical arguments and she had visited the Crescent on **many** occasions as a Councillor...'*

### 3. PLANNING APPLICATIONS

The Committee considered the following applications for development.

Details of the applications were expanded upon and questions were answered in relation to the plans and policy aspects.

#### RESOLVED

1. Application number C17/1181/38/LL - Llanbedrog, Pwllheli

- a) Retrospective application to extend a touring caravan site and retain the toilet block, a timber platform and undertake a landscaping plan.

The Planning Manager elaborated on the background of the application, explaining that the application had been deferred at the meeting of the Planning Committee held on 16 April 2018 in order to re-consult and reassess the application in light of receiving amended plans. It was outlined that this was a retrospective application to extend an existing touring caravan site, and retain the toilet block, electrical hook ups, and undertake a landscaping and tree planting scheme along the northern and eastern boundaries of the site. It was reiterated that the application entailed siting 10 additional touring caravans on the property in addition to the 10 touring caravans approved in a previous retrospective application in 2016. It was noted that the proposal also included additional storage for 20 touring caravans and since there was extant permission for storing 10 touring caravans, there would be storage for a total of 30 touring caravans.

It was reported that the site lay in a prominent site within a Special Landscape Area and was visible from the parallel county road and the public footpath that ran along the site's northern boundary. It was noted that the site was clearly visible from the county road between Llanbedrog and Mynytho.

Reference was made to Policy TWR 5 of the Local Development Plan which approved proposals for extensions to existing touring sites or additional pitches provided they complied with all the criteria noted. It was emphasised that the aim of the policy was to facilitate the establishment of high quality touring and camping sites in suitable locations.

Although the proposal would not be contrary to all the requirements of Policy TWR 5, it was considered that the proposal did not meet the policy's main aims which required that sites be unobtrusive in the landscape; therefore, it was considered that the principle of the development was contrary to policy TWR 5.

It was noted that the application was a request to increase the storing provision of touring caravans to 30, but the Planning Service was of the opinion that the location of the extended site was intrusive in the local landscape, and was clearly visible from Lôn Pin, and the current landform and landscaping were not sufficient to assimilate the units within the site. Although the plans showed a proposal to reinforce the existing landscaping, there was no assurance that the planting would be carried out to the extent that would be necessary to screen the development.

Reference was made to the concerns and the objections that had been received in the context of general and residential amenities. It was emphasised that the Transportation Unit objected to the application because of the substantial increase in the number of touring units that would triple the site's capacity, and was likely to lead to a substantial increase in traffic flow along this rural road. It was presumed that the road would not be suitable for the number of vehicles towing caravans or for more movements as there were not many passing opportunities on the road. It was added that the road provided access to other touring caravan sites and local farming fields and, as a result, dealt with a high percentage of other large vehicles and plant.

It was considered that the application would harm the enjoyment of nearby residents at their properties, not only because of the increase in traffic, but also because of the additional activity and noise. It was not considered that the landscaping and tree planting scheme would overcome this problem.

- (b) The applicant's agent noted the following main points:

- These were seasonal caravans and, for a period, they would be stored on site before being transported to storage. Consequently, there would be no disruption to transportation
- The previous storage was too small
- Three site visits had been held with officers, and amendments had been agreed. If the intention was to refuse, this should have been made clear to the applicant before he paid for the agent's service. It was noted that this was unacceptable.
- The applicant was willing to modify the size of the building
- The site was only visible from afar. Proposed planting with an intention to plant more if required - this could be managed by imposing a landscaping condition

(c) It was proposed and seconded to refuse the application.

In response to an observation about meetings that had been held when discussing the application, it was noted that it was the applicant's responsibility to consider costs when submitting an application. There was no suggestion of misleading the applicant and concerns about the proposal had been consistent during discussions, and that the recommendation to refuse had been made public before the application was deferred in April this year.

It was reiterated that the site was operating contrary to the licence, without planning permission, and the application was contrary to planning policies and regulations. It was emphasised that the reasons for refusing were robust.

In response to a question regarding retaining the bathrooms (following expenditure on improvements), the Senior Planning Manager emphasised the need for further discussions with the enforcement officers to discuss this element of the proposal.

**RESOLVED to refuse the application.**

**To Refuse**

- 1. The development, owing to its location, setting and appearance in the landscape, would stand out as a prominent and obtrusive feature in open countryside and would have a detrimental impact on the landscape and on the visual amenities of the Special Landscape Area. Furthermore, the proposal would be located in a prominent site and would not be well screened by the existing landscape features. The proposal is, therefore, contrary to Policy PS 19 and policies AMG 1, PCYFF 2 and TWR 5 of the Gwynedd and Anglesey Joint Local Development Plan (July 2017) and Supplementary Planning Guidance: Llety Gwyliau, Cyngor Gwynedd**
- 2. Generating an unacceptable increase in the level of traffic along a narrow and winding road that has few passing places, creating a situation that would be likely to harm road safety, contrary to Policy TRA 4**
- 3. It disrupts nearby residents' enjoyment of their property because of the unacceptable increase in the level of traffic, disturbance and noise, contrary to Policy PCYFF 2.**

**2. Application number C17/1011/24/LL - Fron Deg Site, Rhostryfan, Caernarfon**

Full application for the construction of four new two-storey dwellings to replace four previously approved bungalows

The members had visited the site.

Attention was drawn to the additional observations that had been received.

- (a) The Development Control Manager elaborated on the background of the application, and noted that the application was deferred in the committee meeting on 14 May 2018 due to difficulties in relation to registering to speak and a suggestion that a site visit should be held.

It was noted that the application was a vacant plot within a larger residential estate that was partly developed. It was explained that the land was located within the development boundary of Rhostryfan village and within a built up area, which consisted of residential dwellings in the form of individual, terraced and semi-detached houses, the design and size of nearby houses varied and included single and two-storey dwellings. It was reiterated that the existing access to the site was off the nearby public road with a standard estate road leading to the housing estate. It was noted that the land rose from the access road towards the highest part of the estate itself. It was stated that formal discussions had been held regarding this proposal through the service's pre-application procedure. It was also noted that there was extensive planning history related to the site in the form of historical applications for residential development in addition to recent applications relating to individual houses that had already been constructed within the estate.

Reference was made to the observations received from neighbours of the site expressing concerns about the impact of the development on amenities and the impact on the area in general. Consideration was given to all the material planning matters, the local and national policies and guidance, the site's planning history and the 'live' permission that existed to erect four bungalows on the site together with the observations received as part of the public consultation. Consequently, the proposal to construct four two-storey houses with ancillary facilities was acceptable.

- b) Taking advantage of the right to speak, an objector noted the following main points:
- An application for two-storey houses had been refused in the past
  - The photographs displayed were misleading. They did not reflect the difference in the gradient of the site.
  - Two-storey houses would result in the loss of natural sunlight to nearby houses
  - Plot number 4 overlooked existing housing - this was unacceptable
  - Houses were larger in size than bungalows and, consequently, would have a detrimental impact on nearby amenities
  - There were no objections to bungalows
- c) The following main points were made by the local member (not a member of this Planning Committee):
- He had no objection to bungalows
  - The number of bedrooms were the same - more profit to be made from building a house than a bungalow
  - There was more demand for bungalows
  - The Council needed to ensure that it met local needs
  - There was a need for an appropriate mixture of housing on the site
  - The road to the site was narrow and would not be able to cope with additional traffic
  - The road had not been adopted by the Council
  - There were problems with water flow on the site
  - Three houses on the site remained unsold, therefore what was the reason for building four more houses
- ch) It was proposed and seconded to refuse the application, contrary to the recommendation, on the grounds of over-development on residential amenities.
- d) During the ensuing discussion, the following main observations were noted by members:

- The gradient was significant within the site and therefore, some of the houses were higher than nearby houses which therefore created an intrusive impact
- There was more demand for bungalows in the area
- The Community Council had refused the application
- The site was small and therefore it was required to consider the development to be an overdevelopment
- Windows that would cause overlooking on two existing houses that already existed must not be installed
- Road safety concerns had to be considered
- Local people's wishes had to be listened to
- There was more profit in constructing houses than bungalows

dd) In response to a question regarding what had been noted in the Local Development Plan as a mixture of suitable housing for the site, it was emphasised that the application had been extant since 2000 and the policy involving mixture did not exist at that time. In response to a further observation that the bungalows were therefore part of a larger plan and that the mixture had previously been considered, it was noted that the application had to be considered on its own merits.

In response to the observations, the Senior Planning Service Manager noted that evidence was required to substantiate the concerns. Transportation concerns would be no different with the construction of four houses or four bungalows. In terms of the need, it would be difficult to evidence between the need for housing or bungalows as the Council's Strategic Housing Unit noted that there was greater demand for two-storey housing in the area, although there was also sufficient demand for single-storey housing.

The Monitoring Officer reported that appropriate reasons had been reported, but that evidence was required to support the rules for refusal.

**RESOLVED to refuse the application due to its impact on nearby amenities on the grounds that it would be an intrusive development and it would create an unacceptable element of overlooking into a parallel house**

### 3. Application number C17/1249/20/LL - Melan, Plot 4, Caernarfon Road, Y Felinheli

Divide the existing dwelling to create two holiday units to let, retaining a two-storey dwelling together with raising the roof level by 600mm (part retrospective) - amended plan

(a) The Planning Manager elaborated on the background to the application, noting that it was an application to divide a four-storey dwelling that received planning permission in 2010 (C10A/0126/20/LL) but which had not been completed, in order to create two holiday units on the lower floors and retain a dwelling on the upper two floors. It was added that it was intended to raise the level of the building's roof by 0.6m compared to what was originally approved. The changes would create two flats with two en-suite bedrooms each and two kitchen / lounge spaces, and the upper floors of the two-storey house would have four bedrooms and an integrated garage.

Policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan approved proposals for new developments as long as they did not have a detrimental impact on the health, safety or the amenities of the occupant of local properties or on the area in general. It was explained that the building had already received planning permission for residential use and there was no change in the internal floor area from what had already been approved. After the completion of the house, it could be use by a substantial number of people within the same family and, given that holiday use was a type of residential use, it was not considered that

changing two parts of the house for alternative residential use would intensify the use of the site in a manner that would be detrimental to neighbours' amenities.

It was emphasised that raising the height of the building by 0.6m would not cause significant harm to the neighbours' amenities in terms of shadowing than what had already been approved and it was not considered that this street had a consistent development pattern that would mean that the height would be inconsistent with the character of the streetscape. It was considered that the materials shown were acceptable and consistency could be ensured with the development that had already been approved via appropriate conditions.

The Transportation Unit had no objection to the proposal and having considered the development already approved on the site, there would be no new significant harm in terms of highway safety. It was considered that the proposal complied with policies TRA 2 and TRA 4 of the Local Development Plan.

It was considered that a development of holiday units in this building would be acceptable in terms of the relevant policies noted above, and that it would not have any additional adversely harmful impact on the area's amenities or on neighbouring residents than what had already been approved. Furthermore, it was considered that the location, design, finish and form of the development was acceptable and corresponded with the context of its location.

- (b) It was proposed and seconded to approve the application.
- (c) During the ensuing discussion, the following main observations were noted by members:
  - Had the elements of overlooking been assessed?
  - Concern that local properties were being converted into holiday homes
- ch) In response to an observation, the Senior Planning Manager noted that the existing dwelling would not be lost as one of the flats were still a living unit.

### **RESOLVED to approve the application**

#### **Conditions**

1. **Five years**
  2. **Work to be in accordance with the plans**
  3. **Removal of PD rights**
  4. **Condition of holiday use/register**
  5. **Materials, including natural slate roof**
  6. **No caravans within the curtilage once the development is completed**
  7. **Opaque glass windows that cannot be opened in the upper three floors of the north-eastern elevation**
  8. **A 1.8m high opaque screen on both sides of the three balconies to be erected prior to occupation of the units and to be retained thereafter.**
  9. **Welsh Water conditions from the previous permission**
  10. **Highways conditions from the previous permission.**
4. **Application number C18/0332/42/AM - Northern Lights, Lôn-ty-n-pwll, Nefyn, Pwllheli**

To demolish stables and remove existing concrete surface and construct two holiday units, along with landscaping work.

The Senior Manager explained that the applicant had withdrawn the application.

**5. Application number C18/0385/41/LL - Dragon Raiders Activity Park, Gwynfryn Lodge, Llanystumdwy**

Use of land for a quad bike safari activity in addition to existing segway, paintball (skirmish games) and bushcraft activities

Attention was drawn to the additional observations that had been received which included a suggestion to defer the decision

- (a) The Senior Development Control Officer expanded on the application's background and noted that the site was located in existing woodland on the outskirts of the village of Llanystumdwy, with access to the site along an existing unclassified road. It was noted that the site had separate site access and a car park. It was explained that the area had been created as an assembly point and reception area for the site's activities farther into the woodland, with managed access to the permanent paths that led through the woodland to the activity areas.

It was added that this current proposal was to provide quad bike safaris along the site's existing paths as an additional activity to the existing activities held on the site. It was noted that the proposed development offered

- 6 people using a total of up to six bikes at any one time
- 350cc and 50cc bikes to be used
- The bikes' speed to be restricted to 12-15 miles per hour
- Only ONE activity would be held at any one time, e.g. only the quad bikes, not the bikes and the segways

It was noted that noise impact deriving from the proposed use had been included as a concern in a number of letters of objection received. In a formal response to the public consultation, the Public Protection Service noted that a comprehensive noise assessment response should be conducted in relation to the proposal before making a decision on the application. It was confirmed that Public Protection had received a report from the applicant, and that conclusions on this report were acceptable. The service recommended to approve the development subject to noise level conditions.

Having considered all the relevant planning matters, including local and national policies and guidance, the proposal was considered to be acceptable.

- b) Taking advantage of the right to speak, the applicant noted the following main points:
- He was responding to two main avenues of concerns - concerns about noise and overdevelopment
  - He had owned the site for 16 years
  - He had no intention of causing concern for his neighbours
  - He had employed a noise consultant to assess the activity of the quad bikes, and this expert had visited the neighbours who had raised concern to complete the noise assessment.
  - In the context of overdevelopment, he said that it was not intended to develop anything else and that the existing paths would be used for the new activities
  - The company employed 10 staff, with an intention to employ two additional staff if the application was approved
  - Over 6.5 thousand people visited the site every year
  - He had transformed a section of untidy woodland into a successful local business
- c) It was proposed and seconded to defer the application in order to undertake a site visit.
- ch) During the ensuing discussion, the following main observations were noted by members:

- Needed to ensure that the noise assessment had assessed the noise of six quad bikes, and not one on its own.
- The Health Board needed to be part of the consultation
- The Public Protection Officer needed to be invited to the next Committee to share observations
- The conditions that already existed since submitting an application in 2012 needed to be considered
- Were the existing opening times in-keeping with the original conditions?

**RESOLVED to defer making a decision on the application and to ask the Planning Service to arrange a site visit.**

The meeting commenced at 1.00pm and concluded at 2.20pm.

**CHAIR**