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## PLANNING COMMITTEE 9/11/15

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**Present:** Councillor Michael Sol Owen – Chair  
Councillor Anne Lloyd Jones – Vice-chair

**Councillors:** Endaf Cooke, Elwyn Edwards, Simon Glyn, Gwen Griffith, Dyfrig Wynn Jones, June Marshall, W. Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, Owain Williams and Eurig Wyn.

**Others invited:** E Selwyn Griffiths, Dilwyn Lloyd, John Wynn Jones (Local Members).

**Also in attendance:** Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Aneurin Rhys (Development Control Officer), Gareth Roberts (Senior Development Control Engineer), Rhun ap Gareth (Senior Solicitor) and Lowri Haf Evans (Member Support and Scrutiny Officer).

1. **APOLOGIES:** Councillors Lesley Day, Aled Ll Evans, Siân Gwenllian, Peter Read and Gethin Glyn Williams (Local Members).

### 2. DECLARATION OF PERSONAL INTEREST

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

- Councillor Tudor Owen (a member of this Planning Committee) for item 5 on the agenda (planning applications numbers C15/0808/20/LL and C15/0807/20/CR) as he was a member of the Caernarfon Harbour Trust.

The member withdrew from the Chamber during the discussion on the applications in question and did not vote on these matters.

### 3. MINUTES

The Chair signed the minutes of the previous meeting of this committee that took place on 19 October 2015, as a true record, subject to the amendment of *Point 4; Resolved / page 10*. In the minutes it was noted 'No windows'. Correction – 'No additional windows'.

### 4. PLANNING APPLICATIONS

The Committee considered the following applications for development.

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

#### RESOLVED

#### 1. Application No. C13/1143/11/AM – Land at Pen y Ffridd, Bangor.

Outline application to erect up to 366 living units with ancillary developments including an access road, parking spaces and ancillary resources

Members of the Committee had visited the site prior to the meeting.

- (a) The Chairman noted that this was the largest application submitted to Gwynedd Council.

- (b) Attention was drawn to the additional observations that had been received.
- (c) It was proposed and seconded to defer the application as there was no Local Member for Dewi ward (local election on 19.11.15)

**RESOLVED to defer in order to submit the application to the next Planning Committee as a new local Member would have been elected.**

**2. Application number. C14/0248/30/LL – Part of field OS 8825 Cae Clyd, Manod, Blaenau Ffestiniog**

Construction of five two-storey dwellings together with an estate road and alterations to existing access

- (a) The Development Control Officer elaborated on the application's background and noted that this was a full application to construct five dwellings (including two affordable dwellings for local need) together with an estate road and alterations to the existing access. It was noted that three of the houses would be detached and the remaining two would be semi-detached. It was highlighted that the site had been allocated for housing and a Development Brief had been developed for this noting that the site had been allocated for 18 houses. However, a planning reason existed for not proposing 18 houses due to the nature and status of the land as a wildlife site. The site was not uniform or level and there were restrictions in terms of land levels, with a stream running through the site which meant that it was not reasonably possible to develop all the land.

It was noted that the site was open land with one house already built. The site had been identified as acid grassland with land outside and adjacent to the application site that is part fen, marsh and swamp. It was noted that what was proposed was acceptable by the Biodiversity Unit.

In terms of transportation and access matters, it was highlighted that there were a number of concerns regarding the likely additional use of the site junction with the A470. However, the Transportation Unit had no objection to the proposal and a recommendation had been made to improve access in general. In terms of flooding issues, it was highlighted that the application included measures to control the flow of surface water from the site and in terms of language matters the application met with the appropriate requirements. It was considered that the proposal met with all relevant local and national policies noted in the report.

- (b) Taking advantage of the right to speak, the applicant noted that:
  - The application had been improved and adapted to respond to concerns.
  - Building houses with four bedrooms reflected the local requirements.
  - This was in response to affordable housing requirements.
  - Sufficient parking places had been included.
  - He had been born and bred in the area and therefore the suitability of the site was important to him.
- (c) It was proposed and seconded to approve the application in accordance with the recommendation.
- (ch) In response to a query by a member who was concerned regarding the possibility that a further application may be submitted for 13 houses, the Development Control Manager noted that a new planning application would have to be submitted and was likely to be refused as the wetland, adjacent to the development site, was protected.

**RESOLVED**

**To delegate the powers to the Senior Planning Manager to approve the application subject to the applicant completing a section 106 Agreement to ensure that two of the five houses will be affordable houses for general local need with relevant planning conditions involving:**

1. **The commencement time of the development;**
2. **Materials to be agreed**
3. **Slate roof**
4. **Water/Sewerage/Drainage**
5. **Highway conditions**
6. **Landscaping condition**
7. **Removal of general development rights for the affordable houses.**
8. **Conditions regarding biodiversity/gabions/working arrangements**

**3. Application number C14/0885/11/AM – Bron Derw, Garth Road, Bangor**

Outline application to erect purpose-built student accommodation to include 33 bedrooms together with facilities such as a kitchen and recreation room.

- (a) The Development Control Manager elaborated on the application's background and noted that this was an outline application to erect one purpose-built building as student accommodation. It was noted that this application has been amended from the previously withdrawn application which was for the erection of three separate buildings with accommodation for 64 students. It was noted that the site was located within the city's development boundaries and was a site that had already been developed and satisfied the basic requirements of policies C1 and C3 as well as strategic policy 6 of the UDP. However, it was highlighted that although improvements had been made to reduce the development's size the proposal continued to be an over-development of the site and would have an unacceptable impact on the area's visual and general amenities and the adjacent buildings.
- (b) Attention was drawn to the additional observations that had been received.
- (c) It was proposed and seconded to refuse the application in accordance with the recommendation.
- (ch) During the discussion, the following observations were noted
- That the local Councillor had expressed an objection in accordance with the officers' recommendation.
  - That the development was an over-development.
  - That it had to be recognised that such buildings were 'choking' the city of Bangor and were detrimental to the area in the future.

**RESOLVED****To Refuse – reasons**

1. **Given the existing character and appearances of the nearby area, it is considered that the scale and form of the proposal shown is oppressive and an overdevelopment of the site. The proposed development would not be in keeping with the form of the nearby area and would detrimentally affect the general character of the area and, therefore, would be contrary to the requirements of policies B22 and B23 of the Gwynedd Unitary Development Plan (2009) and sections 3 and 5 of the Gwynedd Design Guidance.**

2. **Based on the scale and form, it is considered that this development would detrimentally affect the setting of the nearby Erw Fair listed buildings to an unacceptable degree which means that it would not satisfy the requirements of policy B3 of the UDP nor the Welsh Office Circular 61/96 guidance.**

4. **Application number C15/0421/41/LL – Elephant Works King Street, Barmouth**

To convert and extend the existing building (to include construction of an additional floor) in order to create nine holiday units and two retail units.

- (a) The Development Control Manager expanded on the application's background and noted that the proposal would include an additional floor in the building, with the holiday units located on the first and second floor and the retail units on the first floor facing King Edward Street. The existing workshop would be demolished to provide bin and bicycle storage areas with eight parking bays. It was highlighted that the design respected the structure of the original building and was a substantial improvement in terms of the design of the existing building which was now an eyesore. It was noted that the application requested holiday accommodation and therefore a condition had been attached to ensure that the units would only be used as holiday accommodation. In addition, if the need arose to amend the use to affordable units, this would be acceptable as it was considered that the building's town centre location, as well as the size of the units, meant that the units were likely to be affordable anyhow.

It was noted that the proposal was acceptable in a prominent site and on one of the main streets of Barmouth and was in compliance with all the relevant policies of the Unitary Development Plan as well and National policies and planning guidance.

- (b) It was proposed and seconded to approve the application in accordance with the recommendation.
- (c) During the discussion, the following observations were made:
- How would the use of the holiday units be monitored? Was it possible to include a less general condition?
  - Were the eight parking bays sufficient for holiday use and for shop staff?
- (ch) In response to these observations, the Senior Planning Service Manager noted that:-
- It was the applicant who had made an application for holiday use and therefore a condition had been included to address this.
  - Keeping a register of holiday use was a standard national planning condition and as a result the Council had the right to see the register at any time. If there was any suspicion of misuse of the units then the enforcement officers had the right to investigate this further. There were insufficient resources to check every register / holiday use and therefore the Enforcement Unit would undertake this with a sample or if a complaint was received. In addition, it was noted that the units would be acceptable for permanent living units and therefore it was difficult to understand the concerns.

In response to the comment regarding parking spaces, the Senior Development Control Engineer noted that there was up to one bay for each holiday unit and there were plenty of other acceptable parking spaces available for staff, in addition public car parks were available within a convenient distance to the site.

**RESOLVED to approve the application.  
To approve – conditions**

1. **Five years;**
2. **in accordance with plans;**
3. **Condition of holiday use only/keep a register;**
4. **Slates on the roof;**
5. **To agree on external finishes;**
6. **The handrail and the opaque screen on the terrace/roof garden on the north eastern elevation has to be in place prior to occupation of the development;**
7. **The car parking area must be completed in total accordance as shown on the submitted plan and prior to the occupation of the development;**
8. **The external wall on the south eastern elevation of the development to be finished in a light colour and maintained in that condition permanently following this;**

**Note**

**If bats should be found during the building work, further work on the building should be stopped and Natural Resources Wales should be contacted immediately.**

**5. Application number C15/0700/22/LL – Parc, Penygroes**

Installation of PV solar panels to create a solar park along with ancillary work including security fence and structures

Members of the Committee had visited the site before the meeting.

- (a) The Development Control Manager elaborated on the application's background and noted that this was a full application to install a row of solar panels in order to create a solar park situated west of Cilgwyn. It was noted that the application site measured 12 acres in area and comprised three fields that were partly used for sheep grazing purposes. The location was described as a site within the Dyffryn Nantlle Landscape of Outstanding Historic Interest as contained within Section 2, of the Register of Landscapes, Parks and Gardens of Special Historical Interest along with a great number of nearby listed buildings and monuments located within 2km of the application site.

It was explained that in the context of local and national planning policies and advice relating to developments for the generation of renewable and sustainable energy, it was essential to balance the need for such developments against their potential impact on the quality of the landscape and other environmental and social considerations.

In the context of this application, it was noted that the site was not reasonable land to install solar panels due to its open and uneven nature – it was not possible to alleviate the development or hide the site and it was anticipated that the installation of 9000 solar panels would decrease the area's visual value and would be an alien and very prominent development. It was also deemed that the proposal, due to its size and nature, was likely to have a detrimental impact on the amenities of nearby residents and on the general amenities of walkers who use the nearby popular public footpaths with open and clear views of the area.

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

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That the guidance stated that it should be level land for such a development.
  - That the plan indicated that a 3m fence would be erected behind the traditional walls.
  - The solar panels would be prominent and would be seen amongst the heather and would be an alien element in the landscape.

- The site was located within an historic landscape
- The renovation of old cottages to be commended, however the solar panels would be prominent and detrimental to the open area.
- The solar panels would cover the public footpaths.
- CCTV installed on the development would prevent the privacy of nearby residents.
- Clean energy was merely a theory.

(c) Taking advantage of the right to speak, the applicant's representative noted the following main points:-

- Expressed disappointment that the officers' recommendation was to refuse the application.
- It was a good plan and an opportunity for the landowner to diversify.
- Sheep could continue to graze the land.
- Limited impact on the heathland.
- The plan encouraged biodiversity and it was proposed to improve the public footpaths.
- Several attempts had been made to alleviate the situation with nearby residents.
- Several letters of support to the application had been received.
- The landowners supported the local community.

(ch) The local member (not a member of this Planning Committee) made the following main points:-

- That he had no objection to green energy, however, the location in question was not suitable.
- The application had supporters and objectors – it would be pleasing to be able to agree, however Gwynedd Council policies recommended that it be refused.
- Concern that the solar panels would be prominent and visible.
- A network of public paths went through the site.
- Many traditional dwellings in the area – the development would be an eyesore.
- Dyffryn Nantlle had made a bid for a World Heritage Site designation – the development was contrary to this principle.

It was proposed and seconded to refuse the application in accordance with the recommendation.

(d) During the discussion, the following main observations were made:

- Supportive of renewable energy, however, this development was visible and had a detrimental impact on the landscape.
- Consistency was required when discussing applications. Consistency was required across the whole of Wales. It had to be ensured that members received information about appropriate policies and not ones that had dated.
- It was suggested that the Members of Parliament should be contacted to speed up the process of getting specific policies to ensure that clear guidance was given on this issue.
- Natural Resources Wales supported the application – would it be possible to consider a development site that was smaller in size?
- Need to ensure that beautiful places are protected as well as the local economy.

(dd) In response to the above comments, the Senior Planning Service Manager noted that the information submitted in the report gave a clear and current recommendation. It was explained that a recent landscape assessment had been completed which assessed landscape with the capacity to receive such developments. In terms of policies, Gwynedd Unitary Development Plan was the only adopted plan at this moment in time. In terms of impact, these would certainly vary from application to application, depending on the sites. It

was further stated that training on solar panel developments would be organised for the members early in 2016.

In response to considering an application of a smaller size, it was noted that the applicant was aware of the officers' concerns and no consideration had been given to these recommendations / observations. It was confirmed that an application for a smaller sized site would mean a new application.

## **RESOLVED**

### **To refuse – reasons:-**

- 1. The proposal is unacceptable considering its location, scale and prominence in the local landscape, its detrimental impact on the visual amenities of nearby residents and also members of the public who use the nearby public rights of way for recreational and amenity purposes. Consequently, it is considered that the proposal is contrary to the requirements of Strategic Policies 1, 2, 4 and 9, Policies A1, A3, B14, B22, B23 and B25 of the Gwynedd Unitary Development Plan, Technical Advice Notes 8 and 12, Supplementary Planning Guidance: Landscape Character (2009) and Practical Guidance: Planning for Renewable and Low Carbon Energy, (2011).**
- 2. The proposal is unacceptable considering its location, scale and prominence in this important historic landscape along with its detrimental impact on the setting of the nearby grade II listed building of Parc. Consequently, it is considered that the proposal is contrary to the requirements of Strategic Policy 3, Policies B3, B7 and B12 of the Gwynedd Unitary Development Plan, the Welsh Office 60/96 and 61/06 Circulars, Planning Policy Wales, Technical Advice Note 12: Design (2014) and the Practical Guidance: Planning for Renewable and Low Carbon Energy, (2011).**
- 3. The proposal is unacceptable due to its location, construction, form and scale as it would involve losing and causing permanent damage to heathland which is a habitat of European and national importance. Consequently, it is considered that the proposal is contrary to the requirements of Strategic Policies 1, 2 and 9, Policies A3, B15, B16, B17, B20 and B21 of the Gwynedd Unitary Development Plan, Supplementary Planning Guidance: Wildlife Sites (2010), Planning Policy Wales, Technical Advice Note 5 Planning and Nature Conservation and Practical Guidance: Planning for Renewable and Low Carbon Energy, (2011).**

### **6. Application no. C15/0755/41/LL – Tyddyn Gwyn, Llanybi**

Installation and operation of photovoltaic (pv) solar farm on 6.9 hectares of agricultural land, along with ancillary equipment, security fence, CCTV, composting toilet, transformer structures / cabins, storage, sub-station and management and creation of new track.

- (a) The Development Control Officer expanded on the application's background and noted that the site measured approximately 6.9 hectares and comprised grazing land situated on a fairly level plateau. It was added that the site was in open countryside in the undulating landscape between the higher grounds in the centre of Llŷn and Cardigan Bay with mature hedgerows and *cloddiau* surrounding the site. It was noted that the site was visible from some private houses, however, it was proposed to reinforce the hedgerows and plant more trees to ensure that there would be no significant detrimental impact on the area's landscape. It was highlighted that the Biodiversity Unit had raised some concerns regarding the possible impact on habitats and protected species by statue, however, it was thought

that this could be overcome by ensuring mitigation and management measures for the site – it was stated that discussions were continuing between the Unit and the developers.

Consequently, it was considered that the proposal was not contrary to relevant policies and was acceptable subject to relevant conditions.

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

- (b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- The application was in accordance with local and national planning guidance.
  - The site had been screened well and it was proposed to plant more hedgerows, hay meadows full of wildflowers and to erect nesting boxes for birds and bats.
  - Discussions were being undertaken regarding biodiversity plans.
  - That grazing use would continue on the site and at the end of the application period the land would return back into full agricultural use.
  - There was suitable access to the site.
  - A great deal of information had been shared with the local community.
  - Clean energy was a valuable resource that was to be welcomed.

(c) It was proposed and seconded to undertake a site visit.

A vote was taken on the proposal and it failed.

It was proposed and seconded to approve the application in accordance with the recommendation.

- (ch) The following observations were noted in favour of the recommendation:
- The patterns supporting the rural areas were changing – Gwynedd was not a recreation park, it had to be accepted that this was the livelihood of rural residents that would ensure their future.
  - It was important to retain 'pretty landscape' but it was also important to ensure that the landscape could also support livelihoods.
- (d) The following observations were noted contrary to the recommendation:
- A site visit was encouraged as there were private houses nearby.

In response to the above observations, the officers noted that no objection had been received from the public to the application.

## **RESOLVED**

**To delegate powers to the Senior Planning Manager to approve the application subject to the applicant reaching agreement on appropriate mitigation measures to protect biodiversity features and to agree on the most appropriate road to reach the site along with relevant planning conditions relating to:**

1. **The commencement time of the development;**
2. **To complete the development in accordance with the plans;**
3. **The panels must be located as shown in the plans, or as agreed in writing with the Local Planning Authority;**
4. **Agree on the materials/colour of the frames and anti-glare covers;**
5. **To agree on the colour of the fence and camera poles;**
4. **Agree and complete a landscaping plan and a landscape management plan;**
5. **Agree on and implement a Surface Water Management Plan and a Construction Environmental Management Plan;**



6. **Agree on and implement a Biodiversity Management Plan;**
7. **Agree on and implement an Archaeological Works Programme;**
8. **No construction work during the bird nesting season;**
9. **Soil Management Plan;**
10. **Any electricity cables from the development to link to the electricity connection should be installed underground, and this should be agreed beforehand with the Local Planning Authority;**
11. **Within 30 years and 6 months of completing the development or if the solar panels approved in this application remain unused for the purposes of generating electricity for 12 months, they must be permanently removed from the land and the site should be restored to its original condition;**
12. **Welsh Water standard conditions;**
13. **Agree on the external materials of all buildings;**
14. **Highways conditions;**
15. **Agree on a lighting plan.**

**7. Application number C15/0769/34/LL – Graianog, Llanllyfni**

Erection of a wind turbine, 24.8m to the hub and 36.6m to blade tip and the installation of a control box and associated works.

Members of the Committee had visited the site prior to the meeting.

- (a) The Development Control Officer expanded on the application's background and noted that the proposal was to erect an 85kw wind turbine with a cabin to store associated machinery near the base together with grid connections. A new access would be created which would lead to the turbine from the existing quarry access track. It was added that the turbine would be on a small plateau in a field which was used as grazing land and was previous part of the Graianog quarry, between the existing working quarry and the storage / processing yard. Apart from the quarry, the site was a rolling agricultural landscape which gradually rises in the direction of Bwlch Mawr and the Snowdonia National Park which was approximately 2km to the east.
- (b) It was highlighted that the National Park noted concern regarding the cumulative impact of developments with vertical elements in this area that would cause significant harm to views in and out of the National Park (and in the same manner with the Llŷn AONB and the Settings of Scheduled Ancient Monuments in the area and on the historic landscape of Dyffryn Nantlle). In response, it was noted that a recent assessment stated that the landscape could cope with this development and the impact of the turbine did not cause significant harm. It was noted that the human impact was evident in the landscape and that the development would not have a significant negative impact on the landscape in general.
- (c) Taking advantage of the right to speak, the applicant noted the following main points:-
  - He had a young family and they had to take a chance with this venture for their future.
  - The turbine was important in terms of the sustainability elements.
  - An access track already existed.
  - It was possible to collaborate with Gwyriad nearby.
  - That local and national policies promoted such developments.
  - That the siting of the turbine would be in a hidden location in order to reduce the visual impact and Natural Resources Wales had stated that the impact would be limited due to the undulating landscape.
  - The Nebo mast and electricity pylons were nearby – the turbine was a great deal smaller in size.
  - A number of letters had been received that supported the application.

- Approving the application would ensure the viability of the family farm.

(ch) The local member (not a member of this Planning Committee) made the following main points:

- That the turbine's height was substantial
- The turbine would cause a visual impact on the AONB and the nearby National Park
- The size of the turbine would create an impact on the nearby Bryn Derwin historical site.

It was proposed and seconded to approve the application in accordance with the recommendation.

(d) During the discussion, the following main observations were made:

- That several other vertical structures existed in the area and therefore the turbine would not stand on its own.
- The turbine would ensure viability.
- That this was a means for a young family to diversify.
- Strengthening the culture and the language in the rural area.

In response to a question regarding anemometer tests, it was noted that there was no requirement to have this information with a planning application for a turbine. This was an application for a 36.6m turbine to the tip of the blades and this was what needed to be considered. Regarding community benefits and financial contributions, the Senior Solicitor stressed that a financial contribution was not part of the planning procedure.

A request was made for a recorded vote and this was supported.

In accordance with the Procedural Rules, the following vote to **approve the application** was a recorded:

**In favour of the proposal to approve the application, (11)** Councillors: Endaf Cooke, Elwyn Edwards, Gwen Griffith, Anne T. Lloyd Jones, Dyfrig Wynn Jones, June Marshall, Tudor Owen, John Pughe Roberts, Eirwyn Williams, Hefin Williams and Eurig Wyn.

**Against the proposal to approve the application, (2)** Councillors: Seimon Glyn and Gruffydd Williams

**Abstaining, (1)** Councillor Michael Sol Owen

**RESOLVED to approve the application.**

**Conditions**

1. **Commence work within two years.**
2. **Permission for a period of 25 years**
3. **In accordance with the plans.**
4. **Turbine to be grey in colour and the control unit to be in keeping**
5. **Noise.**
6. **Decommissioning.**
7. **Agree details and appearance of any equipment/machinery on the site**
8. **Underground cables**

8. **Application number C15/0808/20/LL – Menai Marina, Hen Gei Llechi, Felinheli**

Retrospective application to retain a pontoon within the quay.

- (a) The Development Control Manager expanded on the application's background and stated that this was a full application to retain a pontoon within the quay (the application was deferred at the Committee on 19.10.15 due to the procedure for speaking at the committee). It was added that the pontoon was situated on the northern wall and measured 30m long and 2m wide and was attached to the harbour wall in three locations with an iron bracket allowing the pontoon to rise with the tide. It was added that the harbour wall was a grade II listed structure. It was noted that the new pontoon suited the area in terms of the design and appearance and was in a working marina. There were no implications on the appearance or character of the listed structure or on the area's amenities or nearby residents, and the submitted engineering report stated that the wall was strong enough to be able to support this pontoon. It was therefore considered that the proposal was acceptable and in accordance with policies B2, B3, B22, B23, B24 and B25 of the GUDP.
- (b) Taking advantage of the right to speak, an objector to the application made the following points:-
- That the harbour was historical
  - Pontoons had been constructed in 2001 without planning permission
  - The sea wall had been demolished in 2008 with damage to the gardens of nearby residents. The residents had split the repair costs.
  - The pontoon was constructed in March 2015 – again without permission.
  - Concern as this was a retrospective application, that another section of the wall might fall and nearby residents would prosecute the Council for damage.
- (c) Taking advantage of the right to speak, the applicant's agent noted the following points:-
- That the dock area in Felinheli was successful
  - The dock basin had been designed for heavy industrial work and commercial ships
  - The pontoon may have had an impact on the fall of the wall
  - The dock was of benefit to the local economy and the community
  - The wall in question was in a good condition without any sign of stress
  - The enforcement control plan would be in place
  - No evidence to refuse the application.
- (ch) The following main points were made by a member acting on behalf of the local member (who was not a member of this Planning Committee) who objected to the application:
- The Member had met with nearby residents and they were concerned that a similar incident to that of 2008 might occur – namely that the pontoon would become loose from the wall and cause damage that was costly to residents.
  - The pontoon in question was closer to the houses and therefore there was more concern
  - There was a serious crack in the wall and the wall was quite unstable
  - He disagreed with the engineering report submitted with the application which stated that installing a pontoon was unlikely to have a detrimental impact in terms of the engineering structure.
  - A more comprehensive engineering report was required in order to alleviate the concerns of residents.
  - If the application was approved then a clear condition should be imposed for a detailed engineering survey.

In response to the observations noted, that it was necessary to empathise with local residents as a result of the damage to the wall in the past. However, the need to consider the application in its context was highlighted. Based on the evidence to hand, the pontoon was not considered to have a detrimental impact on the wall's integrity

It was proposed and seconded to approve the application in accordance with the recommendation.

- (d) During the discussion, the following main observations were made:
- The observations of the local member highlighted the concerns.
  - If the wall was to fall, who would be responsible for its renovation? Can it be shown here that the Council was defective in its responsibilities?
  - That the evidence was not sufficient - proposed the need for a more comprehensive, technical and detailed report to avoid prosecution.
  - The mechanical evidence was not sufficient
- (dd) An amendment was proposed and seconded to defer the determination on the grounds that the engineering evidence submitted with the application was insufficient to justify approving the application.

In response, the Senior Solicitor noted that the amendment was appropriate as seeking information was fitting and acceptable. He added that if any damage occurred to the wall then this would be a civil matter outside the remit of the Planning Committee.

The Senior Planning Service Manager stated that it would be appropriate to ask for further engineering information and to get the views of the Building Control Unit on the contents in order to receive confirmation if the report submitted was appropriate and sufficient.

### **RESOLVED**

**To defer the decision and notify the applicant that an update of the structural/engineering assessment needed to be submitted in order to refer to the crack in the wall. Once this would be received it would be necessary to consult with the Building Control Unit to receive confirmation if the additional structural report / information is sufficient and acceptable.**

### **9. Application number C15/0807/20/LL – Menai Marina, Hen Gei Llechi, Felinheli**

#### **RESOLVED**

**To defer the decision on the listed consent application based on the resolution on application number 8 on the agenda namely planning application number C15/0808/20/LL (above) – Menai Marina, Hen Gei Llechi, Felinheli.**

### **10. Application number C15/0810/40/LL – Land by Llwyndyrys Farm, Y Ffôr**

Construction of solar farm with associated works to link with the electricity distribution network, access road, temporary building compound, security fencing and ecological improvements and landscaping

- (a) The Development Control Officer expanded on the application's background and noted that the application site measured approximately 11.56 hectares and comprised six grade 3 and 4 agricultural fields. The fields were described as managed flat pasture with a slight slope, located in open countryside with a thick row of mature trees east of the site and hedgerows around the majority of the field boundaries. It was added that the site was within the Llŷn and Bardsey Island Landscape of Outstanding Historic Interest and the AONB was approximately 2km North West.

It was noted that policy C27 of the GUDP stated that proposals for renewable energy and sustainable energy management schemes will be approved provided that a series of criteria relating to the impact on the visual quality of the landscape and environmental and social factors can be met. In terms of landscaping the site, it was reported that it was proposed to leave the area under the solar panels as grazing land and it was considered that the landscaping details submitted were acceptable. However, it was highlighted that a

landscaping management plan should be submitted and agreed to ensure that the landscaping is maintained to a high standard over the plan's lifetime. It would be necessary to reinforce hedgerows and plant additional trees and once these would have developed the screening would be effective.

Although the site was located within 200m to three grade II listed byres at Fferm Llwyndyrys, it was not considered that the development would have a detrimental impact on the setting of the listed buildings or on the relationship of the listed buildings with the adjacent agricultural land. It was noted that the development's proposal was acceptable and only sections of it would be visible. No local objections to the application had been received. The proposal was not considered to be contrary to relevant policies and it was therefore acceptable for approval subject to planning conditions.

- (b) Taking advantage of the right to speak, the applicant noted the following observations:-
- That it would be clean and sustainable energy.
  - The land was low quality agricultural land but it was possible to continue to graze sheep on it.
  - That there was good communication with the local community – there was no local objection to the application.
  - It was proposed to plant additional hedgerows.
  - The land would be developed by promoting a biodiversity scheme.
  - There were three uses for the land – for grazing sheep, ecological services and sustainable energy.

It was proposed and seconded to approve the application in accordance with the recommendation.

- (c) During the discussion, the following main observations were made:
- Need to challenge the statement that the quality of land in Llŷn was of a low standard – it was different and not poorer. The land was a rare habitat for species.
  - Concern regarding the impact of solar farms on the County and therefore a full report was needed on the number submitted / approved.
  - That the development created a visual impact from the AONB.
  - Concern that the road through Llwyndyrys was narrow and therefore it was necessary to ensure that the flow of traffic was controlled.
  - There was no change in land use – sheep would continue to graze.
  - Agriculture as an industry should be supported – creating additional money for farmers.

**RESOLVED to approve the application in accordance with the recommendation:**

#### **Conditions**

1. **Five years**
2. **To complete the development in accordance with the plans;**
3. **The panels must be located as shown in the plans, or as agreed in writing with the Local Planning Authority.**
4. **Agree on the external materials of all the buildings, fence and camera poles.**
5. **Agree on the materials/colour of the frames and anti-glare covers;**
6. **Undertake work in accordance with the landscaping scheme during the first planting season following commencement.**
7. **Submit and agree on the long term landscaping management plan.**
8. **Highway conditions**
9. **Work traffic flow and timing management plan.**
10. **Biodiversity conditions – to include, submission of Surface Water scheme, submission of Biodiversity Management Plan, no clearance during nesting season, agree on fence details and on lighting plan.**

11. **Submit an archaeological programme prior to commencement of work.**
12. **Any electricity cables from the development to the electricity connection should be installed underground, and this should be agreed beforehand with the Local Planning Authority**
13. **If the solar panels approved in this application remain unused for the purposes of generating electricity for 12 months, they must be permanently removed from the site and the site should be restored to its original condition**
14. **Safeguarding water courses.**
15. **Act in accordance with the Drainage Strategy**
16. **Operational/decommissioning period of the site**
17. **Agree on a lighting plan**

**11. Application number C15/0847/35/LL Cilan, Caernarfon Road, Cricieth**

**Erection of two storey rear extension to dwelling**

- (a) The Development Control Officer expanded on the application's background and noted that the application was to extend the existing two-storey house and to erect a new two-storey section to the rear of the property. It was reported that the existing house was a three-bedroom detached property in a row of houses of varying sizes and designs in a residential area on the main road out of Cricieth. It was noted that the application was before the Committee as more than three observations were received that were contrary to the officer's recommendation.

It was noted that there would be only 3m between the extension and the boundary of next door's garden. In addition, it was noted that if the development was completed, there would only be approximately 5m of garden remaining at the top of the site, which would be likely to lead to an unacceptable reduction in the amenity space around the house. The development was considered to be an over-development of the site due to its bulk, size, location, form, scale and the unacceptable impact it would have on the amenities of adjacent property due to shadowing and over-looking.

- (b) Taking advantage of the right to speak, the following points were noted on behalf of the applicant:-
- That he supported his family's application
  - The family needed a bedroom and an additional room for work / homework.
  - It was only the officer's opinion that the extension was too large.
  - There was no mention in the report of the garden / lawn in front of the house with a sufficient area to park four cars.
  - The extension would not cast a shadow on the adjacent houses
  - Welsh was the language of the home and therefore it was very important that the family remain within their area.
  - Building an extension was their campaign to stay locally.
  - The application had received the full support of the local community.
- (c) The following main points were made by the local member who supported the application (not a member of this Planning Committee):-
- That the existing house was too small for a family of six
  - The application had received local support
  - The Town Council was unanimous in their support of the application
  - There was plenty of room to erect an extension that was out of everyone's view
  - The Member supported the application in order to ensure that a local family could continue to live locally

It was proposed and seconded to approve the application, contrary to the recommendation, as the Committee considered that the proposal's design was acceptable and was not contrary to relevant policies.

- (ch) During the discussion, the following main observations were made:
- That there were no local affordable houses for the family.
  - That retaining the family locally would strengthen the Welsh speaking community of Cricieth.
  - An example of an application to keep communities alive.
  - A number were in favour of the application which was a sign of the vitality of the community.
  - No objections had been received from the neighbours.
- (d) In response to the observations, the Senior Planning Service Manager noted that approval of this application would set a dangerous precedent as it was not possible to pick and choose if an application was to be approved on the basis of who the applicant was. The size and design of the development had to be considered and the residential amenities of the local neighbourhood had to be respected. He added that the extension was substantial in size and it was possible to conduct discussions with the applicant for an alternative plan to meet the need and relevant planning policies.

An amendment was proposed and seconded to undertake a site visit.

**RESOLVED to undertake a site visit.**

## **12. Application number C15/0872/44/LL – Greenacres Caravan Site, Morfa Bychan**

Retrospective application for the installation of 6 timber bases and associated works for the siting of six safari tents in place of six touring caravans pitches permitted under planning permission reference C13/0873/44/LL

- (a) The Development Control Officer expanded on the application's background and noted that this was a full retrospective application for the installation of six timber bases and associated works for the siting of six safari tents in place of six touring caravan pitches permitted under planning permission reference C13/0873/44/LL. It was added that the tents would extend the holiday park's range of services.
- (b) It was noted that some of the site would be visible from dwellings closest to the site, especially during the winter months bearing in mind that the trees would shed their leaves. However, if the application was approved the visual impact could be reduced by ensuring that the occupancy / siting period of the touring caravans on the site was restricted to holiday use between 1<sup>st</sup> March and 31<sup>st</sup> October in any given year, and the tents and timber bases were removed from the site outside this period. It was deemed that with relevant conditions to manage the season and landscaping and planting plan that had already been implemented, that the proposal to use the site for this purpose would not cause any unacceptable impact. It was added that the location, design, finish and form of the development was acceptable and that the tents were in keeping with the location.

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

- (c) Taking advantage of the right to speak, the agent representing the applicant made the following observations:
- That he agreed with the officers' report.
  - The tents would increase the variety and the types of services that the holiday park had to offer.

- That the work to alleviate the landscape had been implemented to a high standard.
- Removing the timber bases was an unnecessary intervention and therefore there was a request to alter the condition as it was necessary to construct new bases every year.

(ch) The local member (not a member of this Planning Committee) made the following main points:

- That there had been a change to the original proposal.
- The park had refused to listen to the advice that permission was required for change of use.
- The tents remained on site although the occupation period/holiday season had ended.
- The company continually breached minor rules.
- It should be ensured that there were tight regulations regarding the existence of the six tents only.
- If the condition states that the timber bases have to be removed then it should be ensured that the company adhere to this.

(d) It was proposed and seconded to approve the application in accordance with the recommendation.

The Development Control Manager noted that discussions had taken place to remove the canvas and frames only, however, this would entail that the platform that was part of the structure would remain in place. It was noted that the removal of timber bases at similar developments outside the occupation period / holiday season was operational across the County and it would be a dangerous precedent to allow these timber bases to remain in place.

(dd) During the discussion, the following observation was made:

- That consistency had to be ensured.

**RESOLVED to approve.**

#### **Conditions**

- 1. Development in accordance with the plans.**
- 2. Tent colour.**
- 3. Condition restricting staying time / holiday season (1 March – 31 October), and ensure that the tents and timber bases are moved away from the site outside that period.**
- 4. Holiday only condition**
- 5. Condition controlling the number of units on the site in its entirety.**
- 6. Total of only six tents to be sited on the pitches shown.**

#### **13. Application No C13/1298/11/AM – Land near Lôn Pobty, Bangor**

Full application for the construction of a two-storey building providing 18 self-contained units for students, felling trees protected by a tree preservation order, amendments to existing vehicular access together with creating a new access for pedestrians and landscaping.

Members of the Committee had visited the site prior to the meeting.

(a) The Development Control Manager elaborated on the background of the application noting that it had been deferred at the Planning Committee meeting on 28.09.15, in order to conduct a site visit. It was added that this was a full application for planning permission to construct a two-storey building providing 18 self-contained units for students. It was noted that the site was empty and overgrown, that it was situated in a residential area on



the outskirts of the city, but within the development boundary. It was reported that the site was located on steep land near the Lôn Bopty public road and consequently had received many objections concerning the safety of the access roads and increase in traffic as a result of the development in question. Despite the objections, it was noted that the Transportation Unit did not object the proposal.

It was noted that the proposal would not have a detrimental impact on the listed building nearby due to the land levels and the proposal's scale. In the context of the inclusion of felling protected trees and planting new ones in their place, it was noted that a landscaping plan had been submitted regarding this. It was also noted that the Biodiversity Unit had confirmed that the protected trees were in poor condition and therefore had no value to be retained on the site.

The proposal was considered to be acceptable in terms of local and national policies and was a suitable use of empty and untidy land in the centre of the city.

(b) It was proposed and seconded to refuse the application based on the following reasons:

- That the hill was steep, narrow and winding
- Restricted access
- There would be a significant increase in traffic based on the increase in students located at the St Mary's site.
- Increase in traffic hazardous for pedestrians and students
- Difficult to make the situation safe (especially during the autumn and winter months).

In response to the proposal, the Senior Development Control Engineer noted that there was no history of accidents related to the site and recognised the location was dangerous for drivers and pedestrians. However, it was noted that there were other paths for pedestrians and some improvements had been proposed to the access and the road. It was also stated that up to six parking bays were sufficient. In the context of the increase in traffic as a result of the rise in students on the St Mary's site, it was noted that the situation had been assessed during the last phase of the building and during the period when students moved into the halls of residence.

(c) During the discussion, the following observations were made:

- That the development would cause an impact on the nearby listed building.
- The tree order had to be considered.
- The proposal was an over-development
- The design itself was acceptable, but the location in question was unsuitable.
- The use made of the road since students had moved into the halls of residence at St Mary's had to be assessed.
- The impact of the increase in the number of students on the area had not become fully apparent.
- A number of previous proposals had been refused on the grounds of access to the site.
- Detrimental impact on nearby residents.

**RESOLVED to refuse the application on the grounds of an over-development that would have an impact on the area's amenities.**

The meeting commenced at 1pm and concluded at 5:20pm

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**CHAIRMAN**