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## PLANNING COMMITTEE 12-04-21

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**Present:** Chair: Councillor Eric M Jones  
Vice-chair: Councillor Gareth A. Roberts

**Councillors:** Stephen Churchman, Elwyn Edwards, Simon Glyn (items 1 - 5.5), Anne Lloyd Jones, Berwyn Parry Jones, Gareth T. Jones, Huw Wyn Jones, Dilwyn Lloyd, Edgar Owen, Eirwyn Williams and Owain Williams

**Officers:** Gareth Jones (Assistant Head of Planning and the Environment), Iwan Evans (Head of Legal Services), Keira Sweenie (Development Control Team Leader), Dafydd Gareth (Senior Minerals and Waste Planning Officer), Glyn Llewelyn Gruffudd (Senior Development Control Officer), Gwawr Hughes (Development Control Manager), Aneurin Parry (Enforcement Team Manager), Lea Connelly (Biodiversity Team Leader) and Lowri Haf Evans (Democratic Services Officer)

**Others invited:** Councillor Peter Read, Councillor Aled Evans (Local Members)

### 1. APOLOGIES

Apologies were received from Councillor Louise Hughes

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

- a) The Head of Legal Services declared an interest in items 5.5, 5.6 and 5.8 on the agenda as his brother worked for the architects company on the applications.

The officer was of the view that it was a prejudicial interest and he left the meeting during the discussion on the application.

- b) The following members declared that they were local members in relation to the items noted:
- Councillor Peter Read (not a member of this Planning Committee), in relation to item 5.1 on the agenda (C20/01/TP - tree preservation order)
  - Councillor Owain Williams (a member of this Planning Committee) in relation to item 5.2 on the agenda (planning application number C20/1063/22/AC), 5.3 on the agenda (planning application number C20/1064/22/AC) and 5.4 on the agenda (planning application C20/1065/22/AC)
  - Councillor Simon Glyn, (a member of this Planning Committee), in relation to item 5.5 on the agenda (planning application number C19/0746/46/LL)
  - Councillor Aled Evans (not a member of this Planning Committee) in relation to item 5.5 on the agenda (planning application C20/0673/41/MG) and 5.7 on the agenda (planning application C20/0674/41/MG)
  - Councillor Eirwyn Williams (a member of this Planning Committee) in relation to item 5.8 on the agenda (planning application number C20/0040/35/LL)
- c) Item 5.1 - the members stated that they had received correspondence directly from the applicant.

### 3. URGENT ITEMS

None to note

#### **4. MINUTES**

It was highlighted that the Welsh version of the minutes for the meeting held on 22 March 2021 included in the agenda were incomplete. It was resolved to resubmit the minutes in full to the next meeting.

#### **5. PLANNING APPLICATIONS**

The Committee considered the following applications for development. Details of the applications were expanded upon and questions were answered in relation to the plans and policy aspects.

##### **RESOLVED**

#### **5.1. C20/01/TP - Temporary Tree Preservation Order - Land near Tyddyn Meilir, Abererch, Pwllheli**

##### **A Group of Trees**

- a) The Enforcement Team Leader elaborated on the background of the application, and noted that a Temporary Tree Preservation Order had been issued for two groups of trees, located to the north of Tyddyn Meilir, on 8 December 2020. It was explained that an assessment of both groups had been completed using the TEMPO system - any tree(s) scoring 16 points or higher would merit being safeguarded. It was reported that Group 1 (including 25 Beech trees) had scored 18 points, and Group 2 (including 32 beech, 2 sycamores and 1 oak with the beech trees pollarded into a hedge) had scored 16 points. It was considered that the trees were of a high amenity value.

It was noted that objection to the temporary order had been received from the Local Member, the landowner along with a letter from the Farmers' Union of Wales (dated 3 March 2021) supporting the landowner's objection. Having received the objections to the order, further consultation had been held with the Biodiversity Service and attention was drawn to the comments received in 4.4 of the report. It was considered that a hedge had existed on the site in the past, but due to probable lack of hedge management, the site now consisted of a row of beech trees. It was accepted that the landowner wished to bring the trees under control, but it was emphasised that any work should be carried out by adopting good practice methods. It was highlighted that work had been undertaken to prune some of the trees before the temporary order had been issued.

The trees had been inspected on 9 February 2021 accompanied by the landowner, and it was noted that several trees had rot and holes in their trunks. However, it appeared that alternative maintenance methods to pruning were possible (with appropriate specialist advice) which would mean that the trees could be preserved, whilst at the same time providing unobstructed access to the landowner to farm the land, and maintain the pasture and field boundaries. Reference was made to the 4 options the Committee had and it was recommended that the Committee should select option (i), namely to confirm the order without changes.

- b) Taking advantage of the right to speak, the landowner noted the following points and provided a short video of the trees and their condition
- He emphasised that his intention was to prune the trees, not to fell them - this would extend the trees' lifespan as many of them were rotting.
  - Many branches had come down in recent years and fallen into the road
  - He had begun pruning before the order was issued - pruning to a height of 10' - 12' - they had originally been pruned into a hedge.

- A number of trees required trimming
  - It was highlighted in the video that a number of trees were rotting and there were fungus on a few of them.
  - If they were not pruned, the trees would become too heavy for their trunks
- c) Taking advantage of the right to speak, the Local Member made the following points:
- The trees were in a poor condition, therefore he challenged the assessment score
  - That shadowing from the trees impeded the work of improving the pasture
  - That the landowner was unable to move his tractor to the side of the field
  - That the landowner had contacted him before carrying out the pruning work
  - That the livestock lorry was unable to travel down to the farm
  - If the trees were not going to be pruned, it was likely that they would fall during the next bout of stormy weather
  - The trees had not been pruned in 50 years
  - Attention was drawn to the fact that the Farmers' Union of Wales also objected to the order
  - Things were difficult for farmers without having to go to extra costs
- ch) It was proposed and seconded not to confirm the temporary order and to allow the trees to be pruned with no intervention

The proposer elaborated on the motion by noting:

- There was no intention of posing a risk to the trees
  - If the landowner had not pruned the trees, they would have fallen in any case
  - To extend the trees' lifespan, pruning would be a good thing - the only way of managing and saving the trees
  - In terms of the visual element, it would be better to prune the trees than witness them rot away
  - It would be timely to prune the trees during the autumn - they would bud again by spring
  - There was no neglect on the landowner's behalf
  - The process of obtaining a trees report was laborious and involved needless additional costs
  - The landowner would operate sensitively and responsibly
  - Encouraged the Members to approve pruning the trees to extend their life
- d) In response to the observations, the Head of Legal Services noted that a system was needed to enable appropriate pruning work.

In response to a question regarding what else the applicant needed to deal with the situation, the Assistant Head noted, in accordance with relevant standards to preserve trees, that an appropriate arrangement would enable suitable pruning methods to protect the health of the trees. It was reiterated that a tree preservation order was not uncommon - a scheme would secure maintenance work with the relevant expertise.

The Biodiversity Officer reiterated that a temporary order assessment had been completed and that the outcome suggested that the trees required essential maintenance work. Excess pruning would place a strain on the trees and with a variety of different species a suitable pruning scheme would be required for every species. The intention would be to collaborate with the applicant, and submit a suitable action plan to ensure preservation.

- dd) During the ensuing discussion members made the following observations:
- It was evident that the landowner cared for the trees
  - It was difficult to ascertain the size of the trees from the photos

- Better evidence was needed - photos of the nearby environment
- Crucial that the pruning was done appropriately
- Beech trees were scarce in Llŷn
- In terms of public safety, needed to ensure that trees did not fall into the road
- Suggested that those which had rot should be felled and replanted
- The priority was to assist the landowner
- The trees were likely to fall naturally therefore there was a need to do something about the situation soon

In response to a question regarding the costs of an action plan and specialists to deal with the work, it was noted that there were costs associated with the work and they were not astronomical.

- e) The members voted on the proposal not to confirm the temporary order and to allow the applicant to prune the trees without intervention.

The proposal fell

- f) It was proposed and seconded to confirm the order as it was, with no changes and an emphasis on preserving the trees and obtaining specialist advice.

**RESOLVED to confirm the order without amendments.**

## 5.2. Application Number C20/1063/22/AC - Cefn Graianog, Llanllyfni, Caernarfon

Application under Section 73 of the Town and Country Planning Act to vary condition 1 on planning permission C16/0816/34/MW (proposed eastern extension for the extraction of sand and gravel and progressive restoration) to allow a four year extension for the completion of minerals operations and a further year for the completion of restoration

Attention was drawn to the late observations form.

- a) The Senior Minerals and Waste Planning Officer highlighted that the application site was on the western flank of the existing extraction area, approximately 530m from the Llŷn AONB and to the west of Snowdonia National Park. He elaborated by noting that it was proposed to revisit these areas to re-work the mineral that had previously been considered uneconomic, also enabling the extraction scheme to access further deposits extending to the east. He reiterated that the proposed extension site included improved grassland with irregular stone wall field boundaries. The area was bordered by the existing working area to the west, the Lôn Eifion cycleway to the east and an area of rough, marshy grassland to the north.

It was explained that Planning Policy Wales (Edition 11 - February 2021) outlined the Welsh Government's planning policy in relation to mineral extraction. Every Mineral Planning Authority should ensure that its development plans made allowances to contribute to the supply of minerals that met local, regional and national needs. Gwynedd Council, jointly with all Welsh Authorities had endorsed the Regional Technical Statement formed by the North Wales Regional Aggregates Working Party which was currently subject to a second review. The statement had been prepared in accordance with the provisions of Minerals Planning Policy (Wales) and Technical Advice Note (Wales) 1: Aggregates (MTAN1), to set one common objective, namely to attempt to ensure that the supply of aggregates was managed in a sustainable way.

It was a requirement that the Council, as Mineral Planning Authority, maintained a landbank of reserve aggregate minerals in accordance with current guidelines that noted a minimum of seven years for sand and gravel. Since the publication of the first RTS

Review, the overall level of permitted aggregates reserves in North Wales had diminished.

Subject to all other material planning considerations, it was considered that the development complied with the requirements of Strategic Minerals Policy PS22 and Policy MWYN 3 of the Gwynedd and Anglesey Joint Local Development Plan 2011-2026.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- The site was well-established
  - No objection to extending the term
  - Restoration work was crucial
  - Request to hold discussions on including tree planting in the restoration plans
  - The need to safeguard Lôn Eifion
- c) It was proposed and seconded to approve the application
- ch) During the ensuing discussion, the following observations were made by Members:
- That this avoided transporting minerals from one location to another
  - The site was well managed - no complaints had been received
  - The resource was needed in Gwynedd
  - The site offered local employment opportunities
- d) In response to the Local Member's observations regarding tree planting, it was noted that the following application (C20/1064/22/AC) would offer better opportunities for tree planting and creating roosting features. It was noted that the intention for this part of the site was to restore the land for pasture.

**RESOLVED: To delegate powers to the Assistant Head of Department to approve the application, subject to the following amendment to Condition 1 of planning permission C16/0816/34/MW to extend the lifespan of minerals operations involving the operation of three ancillary silting lagoons and associated works for an additional four year period:**

**Extraction of minerals shall cease by 31 December 2024 by which time all plant and machinery shall have been removed from the site; restoration shall be completed by 31 December 2025.**

**Consultation response from Natural Resources Wales attached to the decision notice, advising that they should be contacted directly in respect of the specific environmental and operational controls and the provision of utility within their remit.**

**Planning conditions as existing in relation to the following regulatory controls;**

- Length of the working period
- Restriction on permitted development rights, buildings, structures, erections, private roads, floodlighting and fences
- Mitigation for the potential impacts on springs to the north of the extraction area
- Mitigation for local biodiversity, badgers, breeding birds and reptiles
- Permitted operations and Compliance with the submitted Details/Plans
- Hours of Working
- Safeguarding Public Rights of Way
- Soil handling and husbandry
- Drainage, measures to prevent the pollution of local water courses
- Reinstatement of field boundaries

- **Micro-adjustment of restoration levels to ensure a flow of water into the wetland north of the application area**
- **Archaeological mitigation and recording**
- **After-care measures for agricultural use and biodiversity management,**
- **Dust controls and noise limitations the same as existing but also, plant machinery at the working face to be fitted with white noise alarms.**

### 5.3 Application Number C20/1064/22/AC - Cefn Graianog, Llanllyfni, Caernarfon

Application under Section 73 of the Town and Country Planning Act to vary condition 2 on planning permission C15/0299/34/MW (construction of 3 ancillary silting lagoons and associated works to provide the necessary capacity to enable the ongoing working of mineral and the provision of a closed system for the control of quarry water on site) to allow a four-year extension for the use of the lagoons in connection with the minerals operations and a further year for the completion of restoration.

Attention was drawn to the late observations form.

- a) The Senior Minerals and Waste Planning Officer highlighted that the site's water management infrastructure had been reviewed in 2015, as there had been a need to dig silt out of the lagoons on a regular basis to provide the requisite settling capacity. It was explained that the system had a tendency to overload during periods of prolonged and consistent heavy rainfall with the possibility that flash flooding could occur where surface water and surrounding land run-off combined with water from the existing silting lagoon, leading to potential polluted run-off affecting the Cors Gyfelog SSSI and SCA.

The main purpose of the proposed development to the lagoons was to supplement the existing water management infrastructure by means of a closed system, to prevent this from happening. Greater capacity in the lagoons would mitigate the potential impacts on the local water environment, and would provide a self-contained water management system in conjunction with the existing infrastructure.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- Need to ensure that the area was secure
  - The site was close to public footpaths and there was a need to draw attention to the dangers of the lagoons
  - Restoration plan to include planting deciduous trees - alders, silver birch - indigenous trees
  - Highlighted concerns about the impact on Cors Gyfelog
- c) It was proposed and seconded to approve the application
- ch) During the ensuing discussion, the following observations were made by members:
- request to consider the observations of the Local Member in the context of safeguarding the area and planting trees

**RESOLVED: To delegate powers to the Assistant Head of Department to approve the application, subject to the following amendment to Condition 2 of planning permission C15/0299/34/MW to extend the lifespan of minerals operations involving the operation of three ancillary silting lagoons and associated works for an additional four year period:**

**The permitted use of the site as an ancillary silting lagoon shall cease by 31 December 2024; restoration shall be completed thereafter by 30 June 2025 or upon cessation of operations, whichever is the sooner.**

Consultation response from Natural Resources Wales attached to the decision notice, advising that they should be contacted direct in respect of the specific environmental and operational controls and the provision of utility within their remit.

Planning conditions as existing in relation to the following regulatory controls;

- Duration of work
- Restriction on permitted development rights, buildings, structures, erections, private roads, floodlighting and fences,
- Permitted operations and Compliance with the submitted Details/Plans,
- Hours of Working,
- Safeguarding Public Rights of Way
- Soil handling and husbandry
- Drainage, measures to prevent the pollution of local water courses,
- Restore to mixed agricultural use and nature conservation,
- After-care measures for agricultural use and biodiversity management,
- Dust controls and noise limitations the same as existing.

#### 5.4 Application Number C20/1065/22/AC - Cefn Graianog, Llanllyfni, Caernarfon

Application under Section 73 of the Town and Country Planning Act to vary condition 1 on planning permission C10/0487/34/MW to extend the life of quarrying and associated processing operations for a further four years to allow for the completion of mineral working with a further year for the completion of restoration

Attention was drawn to the late observations form.

- a) The Senior Minerals and Waste Planning Officer highlighted that the proposal in question was to extend the time period to 31 December 2024 to continue with mineral operations at Fferm Graianog. He explained that this would ensure the non-sterilisation of the mineral reserve and complete the restoration of the site in accordance with the permitted scheme of working and provide ancillary infrastructure in support of acquiring and working mineral from the quarry extension. The proposal did not include extending the actual footprint of the mineral operation only an extension of time for another four years. Plant activities, processing, dispatch and extraction of mineral will be contained wholly within the boundaries of the existing site and the terms of conditions attached to the current planning permission.
- b) Taking advantage of the opportunity to speak, the Local Member noted that he had no objection to time period
- c) It was proposed and seconded to approve the application.
- ch) During the ensuing discussion, the following observation by a member was noted:
  - That to date, the restoration work had been especially good - it was hoped that the stone walls and pastures would be of the same standard in future

**RESOLVED: To delegate powers to the Assistant Head of Department to approve the application, subject to the following amendment to Condition 1 of planning permission C10D/0487/34/MW so as to extend the lifespan of a minerals operations involving the operation of three ancillary silting lagoons and associated works for an additional 4 years:**

**Extraction, processing and dispatch of minerals shall cease by 31 December 2024 by which time all plant and machinery shall have been removed from the site; restoration shall be completed by 31 December 2025.**

**Consultation response from Natural Resources Wales and Welsh Water attached to the decision notice, advising that they should be contacted direct in respect of the specific environmental and operational controls within their remit.**

**Planning conditions as existing in relation to the following regulatory controls;**

- **Duration of work**
- **Restriction on permitted development rights, buildings, structures, private ways, floodlighting and fences**
- **Permitted operations and compliance with submitted Details / Plans**
- **Hours of Working**
- **Safeguarding Public Rights of Way**
- **Soil treatment and husbandry**
- **Drainage, measures to prevent the pollution of local water courses**
- **Restore to mixed agricultural use and nature conservation**
- **Reinstatement of field boundaries**
- **Archaeological mitigation and recording**
- **After-care measures and annual meetings for agricultural uses, biodiversity management and control of non-native plant species**
- **Dust controls and noise limitations the same as existing but also, plant machinery at the working face to be fitted with white noise alarms.**

## **5.5 Application Number C19/0746/46/LL - Trefgraig Isaf, Rhydlios, Pwllheli**

Siting of eight touring caravans

- a) The Senior Development Control Officer elaborated on the background of the application noting that the original application had included siting 10 seasonal touring caravans and four tent pitches on the existing touring and camping site for the Caravan and Camping Club (the certificate was for five caravans or motorhomes and up to ten tents). It was reported that an amended plan had been received with the intention of removing the camping element entirely from the proposal and reducing the number of caravans from 10 to 8.

It was confirmed that the intention was to site 8 touring caravans on the site. It was highlighted that the site was located in open countryside and within the designations of the Western Llŷn Special Landscape Area and the Llŷn and Bardsey Landscape of Outstanding Historic Interest. The site was accessed by a comparatively narrow and winding unclassified road, with the location approximately one mile from the nearest junction with the B4413. It was reiterated that the existing site was on green land surrounded by hedges, which meant that it was hidden within the adjacent area.

It was considered that restricting the use of the site to eight touring caravans only would reduce the use of the site and, consequently, the local impact. Having assessed the development in its amended form, it was now considered acceptable.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- The site was well-established,
  - It was well landscaped and well managed



- The proposal would reduce traffic in the area
  - Welcomed the amendments
  - Supported the proposal
- c) It was proposed and seconded to approve the application.
- ch) During the ensuing discussion, the following observation by a member was noted:
- Need to ensure sufficient space between the caravans in accordance with the requirements of the licence
- c) In response to a question regarding whether the restrictions limited the number of caravans or motorhomes, it was noted that the conditions set a limit of 8 caravans or motorhomes.

## **RESOLVED**

### **To approve with conditions**

- 1. Time**
- 2. In accordance with the amended plans**
- 3. Limiting the numbers and use and no tents to be put up within the application site**
- 4. Bilingual signage plan**

**Note: Need to secure an appropriate licence**

## **5.6 Application Number C20/0673/41/MG - Cae Bodlondeb, near Ael y Bryn, Chwilog, LL53 6SH**

Application for reserved matters and information on drainage and phased development in connection with outline planning permission C16/1603/41/AM to erect nine houses to include three affordable dwellings and access road.

Attention was drawn to the late observations form.

- a) The Development Control Officer explained that the outline application had been approved with layout, scale, appearance and landscaping matters reserved, therefore the application before the Committee was for assessing these matters together with drainage and phased development matters that were the subject of conditions 7 and 10 on the outline permission. It was reiterated that the principle of the proposal and the matters relating to the access had already been permitted under the outline application.

Attention was drawn to the fact that planning application C20/0674/41/MG had also been submitted for the other half of the site in relation to outline permission C16/1363/41/AM for nine additional houses (three of them affordable) which would use the same access. When finished, both developments would appear as a single, larger development.

The existing site was described as being part of a field that elevated gradually from the highway, and was located behind existing houses and near the Tŷ'n Rhos estate. This application related to the half that was nearest to the existing houses of Tŷ'n Rhos and which included an access road. It was highlighted that most of the site was, by now, located outside the Chwilog development boundary, although the access remained within the development boundary. It was reiterated that the plans submitted as part of this current application confirmed the access in accordance with what had been approved

under the outline permission. The layout of the site indicated a proposal to provide a forked estate road off the access; and erect four detached dwellings and three terraced dwellings on the left-hand side of the estate road that forked to the left. It was noted that the outline application had been the subject of a 106 agreement which secured the affordable element along with payments for open spaces and education.

Consequently, the only matters to be assessed in this application were design, layout, scale and landscaping. It was reported that the area comprised of varying design features and the proposed design, finish and landscaping was simple, and in keeping with area, and was acceptable in terms of its visual impact. It was noted that the Transportation Unit's observations regarding parking arrangements and the footpath had been presented for the agent to solve - the footpath matter entailed ensuring that the submitted plans matched each other. Subject to receiving the revised plans for the footpath and conditions to ensure the finish of the estate road, phased development and parking, it was considered that the proposal was acceptable and complied with the requirements of Policies TRA 2 and 4 of the LDP.

Reference was made to observations that had been received from local residents, the Local Member as well as the Community Council regarding current drainage matters on the site that impacted nearby housing. It was noted that officers from the Drainage Unit were aware of the situation and had visited the site. In addition, the surface water disposal system would need to be designed to conform to Sustainable Drainage System (SuDS) requirements. To ensure the efficiency of the new drainage system, maintenance measures would be included within the sustainable water system plan (SuDS) that would be approved by the Council's Water and Environment Unit in its role as a Sustainable Drainage System (SuDS) Approval Body.

It was highlighted that unlike what had been noted in the report, the recommendation would be to delegate the right to approve the application in order to agree on final details for the culvert and to receiving favourable comments from the Land Drainage Unit.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- There was a need to continue with the discussions relating to the culvert
  - Needed to avoid flooding for a nearby row of housing
- c) It was proposed and seconded to approve the application.

**RESOLVED: To delegate powers to approve the application to agree on the final details for the culvert and to receiving favourable comments from the Land Drainage Unit.**

- **Highway conditions**
- **A note that conditions 7 and 10 of the outline permission relating to drainage matters and phased development have been discharged as part of this permission.**
- **SUDS note**

#### **5.7 Application Number C20/0674/41/MG - Cae Bodlondeb, near Ael y Bryn, Chwilog, LL53 6SH**

Application for reserved matters and information on drainage and phased development in connection with outline planning permission C16/1363/41/AM to erect nine houses to include three affordable dwellings and access road

Attention was drawn to the late observations form.

- a) The Development Control Officer explained that the outline application had been approved with layout, scale, appearance and landscaping matters reserved, and the application in question was for assessing those matters along with drainage matters and phased development which were subject to conditions 7 and 10 on the outline permission. It was reiterated that the principle of the proposal and the matters relating to the access had already been permitted under the outline application.

It was reported that the plans submitted as part of the application in question confirmed the access in accordance with the outline permission that had been granted. The layout of the site indicated a proposal to provide an estate road off the forked access; together with erecting six detached dwellings on the left-hand side of the estate road and a terrace of three affordable dwellings on the right-hand side. This part of the development contained 6 four-bedroom open market dwellings, and 3 three-bedroom affordable dwellings. It was noted that the outline application had been subject to a 106 agreement which secured the affordable element, and payments for open spaces and education. The outline permission specified a particular housing mix (6 four-bedroom open market houses, and 3 three-bedroom affordable dwellings), and these elements had already received permission through the outline application.

Consequently, the only matters to be assessed in this application were design, layout, scale and landscaping. It was reported that the layout of the proposal before the Committee was in keeping with what had been proposed at the time of the outline application, and the proposed site plan confirmed that the development was acceptable in terms of the impact on the rest of the development's housing.

Reference was made to observations that had been received from local residents, the Local Member as well as the Community Council regarding current drainage matters on the site that impacted nearby housing. It was noted that officers from the Drainage Unit were aware of the situation and had visited the site. In addition, the surface water disposal system would need to be designed to conform to Sustainable Drainage System (SuDS) requirements.

Observations have been received from local residents, the Local Member as well as the Community Council regarding current drainage matters on the site that affected nearby housing. Officers from the Drainage Unit were aware of the situation and had visited the site. In addition, the surface water disposal system will need to be designed to conform to Sustainable Drainage System (SuDS) requirements.

It was highlighted, that unlike what had been noted in the report, the recommendation would be to delegate the right to approve the application in order to agree on final details for the culvert and to receiving favourable comments from the Land Drainage Unit.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- There was a need to continue with the discussions relating to the culvert
  - Needed to avoid flooding for a nearby row of housing
- c) It was proposed and seconded to approve the application.

**RESOLVED: To delegate powers to approve the application to agree on the final details for the culvert and to receiving favourable comments from the Land Drainage Unit.**

- **Highway conditions**
- **A note that conditions 7 and 10 of the outline permission relating to drainage matters and phased development have been discharged as part of this permission.**
- **SUDS note**

## 5.8 Application Number C20/0040/35/LL - Sibrwd y Gwynt Morannedd, Cricieth, Gwynedd

### Erection of a new residential dwelling

- a) The Development Control Team Leader highlighted that the Planning Committee had postponed making a decision on the application at its meeting on 22 March, 2021 to ask the officers to discuss materials for the roof and external cladding with the applicant.

The application proposed to erect a new house and create a vehicular access off the existing estate road. It was explained that the site was located within Cricieth village's development boundary; on a narrow plot within an estate of various houses on a slope that elevated towards the back of the site. It was situated between two properties with another property directly in front and opposite a narrow estate road. It was reiterated that the application had been subject to several planning applications and an appeal – six planning applications had been refused on the site in the part and permission granted on the site via an appeal on grounds of the plans submitted as part of application C08D/0870/35/LL. It was confirmed that this permission was still extant on the site.

The application had been submitted to the Committee at the Local Member's request.

It was reported that the report dealt with the matters that had been raised in the previous appeals; and assessed the proposal against the latest Local Development Plan policies. It was noted that the appeal decisions (refusal and approval) for the site had clearly stated that there was potential for a two-storey property on the site to cause over-looking and an unacceptable impact on the nearby residents at either side and to the front. The appeal decisions depended on the window locations and floor levels to ensure that there was no adverse impact on nearby housing.

It was explained that the house in question was now 4m wider and 1m longer than the property that had been approved. It was noted that the front of the property had been designed at an angle in order that the entire elevation did not look out in the same direction (to seek to avoid overlooking). Therefore, the dwelling under consideration was a little lower in terms of the roof ridge that what was approved, it was also wider and there were more openings on the first floor. It was considered that the reduction in height was not a compromise for the detrimental impact of increasing its width and adding openings on the first floor. It was considered that the proposal would have a significantly more detrimental impact on the property of Pen y Bryn situated directly in front of the site, than what had been mentioned as acceptable during the 2011 appeal. It was also considered that the size of the property (specifically its width and bulk) meant that the property was not in keeping with the estate's building pattern and design.

It was reported that the officers had discussed the material for the roof and the external cladding with the applicant's agent and that the agent was prepared to change the roof to a slate roof and to have cedar, rather than steel, cladding. Nevertheless, based on the assessment, the officers continued to consider the proposal unacceptable due to its size (specifically its height and width), the location of windows/doors and balconies on the front elevation and the finished floor levels would have a significant detrimental impact on the amenities and reasonable privacy of the property situated in front of the site. The recommendation was to refuse the application.

- c) Taking advantage of the right to speak, the Local Member made the following points:
- That he agreed with the decision of the Town/Community Council
  - No objection
- ch) It was proposed and seconded to approve the application contrary to the recommendation

- d) During the ensuing discussion, the following observations were made by members:
- That the concerns about the external materials had been resolved
  - The external materials were now acceptable
  - The finished design was now more in keeping with nearby houses
  - There was no unique design of any type to the area
  - The impacts on the amenities of nearby housing and overlooking would be no worse than what had already been granted

**RESOLVED:**

**To approve the application contrary to the recommendation**

**Conditions**

**5 years, in accordance with the plans, materials, withdrawal of permitted rights, drainage scheme, completion of parking, no more windows without permission**

The meeting commenced at 11:00am and concluded at 13:10pm.

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**CHAIR**