
PLANNING COMMITTEE 12-07-21

Present: Vice-chair: Councillor Gareth A Roberts

Councillors: Stephen Churchman, Elwyn Edwards, Simon Glyn, Anne Lloyd Jones, Berwyn Parry Jones, Gareth T 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), Cara Owen (Planning Manager), Keira Sweenie (Development Control Team Leader), Gwawr Hughes (Development Control Officer), Gareth Roberts (Senior Development Control Engineer), Aneurin Rhys Roberts (Development Control Officer) and Lowri Haf Evans (Democracy Services Officer)

Others invited:

Local Members: Councillor Judith Humphreys, Councillor Mike Stevens and Councillor Gruffydd Williams

1 APOLOGIES

Apologies were received from Councillors Louise Hughes, Eric M Jones and Huw Wyn Jones.

Best wishes for a speedy recovery were sent to Councillor Eric M Jones who had recently undergone surgery.

Cara Owen (Planning Manager) was congratulated on her appointment as a Project Manager in the Housing and Property Service. She was thanked for her advice and support to the Planning Committee over the years and best wishes were relayed to her in her new post.

2 DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a Councillor Berwyn P Jones in item 5.2 on the agenda, (C20/1093/24/LI) as he was a member of the Adra Board.

Councillor Anne Lloyd Jones in item 5.6 on the agenda, (C20/0877/09/LL) as she was a neighbour and a friend of the applicant.

The Members were of the view that it was a prejudicial interest, and they withdrew from 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 Judith Humphreys (not a member of this Planning Committee), in relation to item 5.1 on the agenda, (C21/0430/22/LL).
 - Councillor Owain Williams, (a member of this Planning Committee), in relation to item 5.3 on the agenda, (C21/0376/34/LL).
 - Councillor Mike Stevens (not a member of this Planning Committee), in relation to item 5.6 on the agenda, (C20/0877/09/LL).
 - Councillor Gareth T Jones (a member of this Planning Committee) in relation to item 5.7 on the agenda, (C21/0332/42/DA).

- Councillor Gruffydd Williams (not a member of this Planning Committee), in relation to item 5.9 on the agenda, (C21/0368/42/DT).

3 URGENT ITEMS

None to note

4 MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 21 June 2021, as a true record.

5 PLANNING APPLICATIONS

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

RESOLVED

5.1. Application Number C21/0430/22/LL Land near Oxton Villa, Ffordd Haearn Bach, Penygroes

Application for erecting an affordable dwelling with associated access, parking and associated landscaping

- a) The Senior Development Control Officer elaborated on the application's background noting that the site was located within an agricultural field on the outskirts of the village of Penygroes along a narrow road that turned into a public footpath. It was highlighted that the application was a resubmission of that refused under reference C20/0853/22/LL and had been submitted to the planning committee at the request of the Local Member.

It was explained that Policy TAI 16 'Exception Sites' stated that provided it could be shown that there was a proven local need for affordable housing which could not be delivered within a reasonable time-scale on a market site within the development boundary, as an exception, proposals for 100% affordable housing plans on sites immediately adjacent to development boundaries that formed a logical extension to the settlement would be granted.

It was reported that information had not been submitted with the application noting that the application site touched the development boundary - it appeared that there was a gap between the site and the development boundary (which appeared to be a public footpath). In planning policy terms the site was defined as a location in open countryside and, therefore, was not relevant to be considered in terms of Policy TAI 16, 'Exception Sites' - this was supported in the Supplementary Planning Guidance 'Affordable Housing'.

It was noted that the proposal was being proposed as an affordable dwelling. Although Tai Teg had confirmed that the applicant was eligible to purchase an affordable dwelling or self-build an affordable dwelling, no further information regarding the applicant's particular need for an affordable dwelling had been submitted as part of the application. It was highlighted that the internal floor area of the 2 bedroom, single-storey dwelling was approximately 110m square which was 50m greater than the maximum specified in the Supplementary Planning Guidance for an affordable 2 bedroom, single-storey dwelling. It was also noted that the height of the main roof-space meant there was potential to provide an additional floor above part of the dwelling in future. It was considered that the application site (which contained the proposed house and its curtilage) was very large,

and that providing a curtilage of this size would be likely to increase the value of the property ultimately, which would render the house unaffordable in terms of price. On this basis, the proposal was considered to be contrary to the requirements of policy TAI 15 of the LDP and the SPG Affordable Housing in respect of the floor area shown.

It was explained that policy PCYFF 2 provided development criteria, and stated that proposals must demonstrate compliance with all relevant policies of the LDP and national planning policies and guidance in the first place. It was reiterated that the policy listed a series of criteria that related to making the best use of land, incorporating amenity space, including provision for storing, recycling and managing waste, and including provision for effectively treating and eradicating invasive species. A site of this size would usually be expected to provide around three living units - it was expected to provide new housing on a scale of 30 living units per hectare.

It was considered that the proposal was unacceptable and contrary to the requirements of local and national policies.

- b) Taking advantage of the right to speak, the applicant noted the following points:
- He was speaking in favour of the planning application to erect a single-storey, two bedroom affordable dwelling on a plot of land near Oxton Villa in Penygroes.
 - He intended to build a moderate-sized self-build house.
 - He was 30 years old and looking for somewhere to settle down and to raise a family in due course. His aim was to build a forever home in Penygroes that would allow him to stay in his home community.
 - He was a local person - he had attended both schools in Penygroes.
 - His parents came from the village, his parents' family still lived in Penygroes, his sister lived in the village along with many of his friends, which proved that he had several connections with the area.
 - He played an active part in the village community and allowing him to build a home in Penygroes would allow him to continue to contribute towards the community.
 - His family owned the plot and, therefore, it was a rare and special opportunity for him to build an affordable home for himself in the village.
 - Planning Policy Wales sought to support allowing a variety of sustainable sites for all types of property developers, including some in the self-build sector.
 - Although the internal floor area of the proposed development was 110m square, it was explained that it was a moderate-sized house for his family in future. Should he build a 58m² house, this would mean that he would have to build an extension on the house in future for his family.
 - Two bedroom affordable homes built by Grŵp Cynefin in Penygroes measured more than 58m².
 - The Council had granted Planning permission (reference: FPL/2018/40) for an affordable home in Benllech that had been separated from the development boundary by field access - he hoped that this application would be considered as an exception as only a footpath separated these boundaries.
 - No objections to the proposed development had been submitted by local residents.
- c) Taking advantage of the right to speak, the Local Member made the following points:
- She was supportive of the application.
 - It was a special opportunity for the applicant to build a home on a piece of land that was owned by his family - a sustainable home, a stone's throw away from the home where he was raised.
 - He worked locally - the location of the home was convenient.
 - Excellent opportunity for a young person to remain in their home area.

- The width of the public footpath was half a metre - Was this a reasonable basis for noting 'outside the boundary'?
- The applicant had proposed to provide a turning space.
- There were no objections to the proposal.
- There were examples of larger affordable homes being permitted.
- An opportunity to help and support a young person to live in his local community.

ch.) It was proposed to approve the application, contrary to the recommendation for the following reasons:

- The location was suitable
- Adjacent to the boundary - there was only a 'narrow parcel' of land between the boundary and the site
- Other affordable homes of a larger size had been permitted
- Why restrict surface area when more space would be needed for a family in future? - this created an obstacle
- The design was acceptable
- It would be possible to consider a section 106 condition

d) In response to the proposal, the Assistant Head of Planning and Environment noted that the reasons were acceptable in terms of technical matters, but there were shortcomings in the application, which related to meeting 'the need' rather than a 'desire'. He suggested that the application should be deferred in order to hold further discussions with the applicant.

dd) The proposer agreed to withdraw his proposal and re-proposed to defer so that officers could have an opportunity to discuss further with the applicant.

e) It was proposed and seconded to defer the decision in order to hold further discussions with the applicant.

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

- The width of the footpath was no concern, but the plot was suitable for three dwellings - it was suggested to discuss constructing another affordable home on the site with the applicant in order to get more value from the land.
- Needed to ensure consistency in terms of the surface area size of an affordable home

RESOLVED

To defer the decision in order to hold further discussions with the applicant to find out

- **What was the current 'need'?**
- **Had he considered erecting another affordable dwelling on the site to get more value from the plot?**
- **Was he willing to consider a local need 106 agreement - affordable home on the property?**

5.2 Application Number C20/1093/24/LL – Land near Talardd, Dinas, Caernarfon

Application to erect 16 dwellings with associated access, parking and landscaping

Attention was drawn to the late observations form.

a) The Development Control Officer suggested that the application should be deferred for the following reasons:

- Habitat Regulations Assessment from the Biodiversity Unit for the development confirmed that additional information was required from Welsh Water and Natural Resources Wales before it could be confirmed that the development would not have a detrimental impact on the Special Area of Conservation.
- ADRA had confirmed the tenure of all units as a mixture of social and intermediate rents and, therefore, an opportunity to re-assess the assessment.

b) It was proposed and seconded to defer the application.

c) During the ensuing discussion, the following observation by a member was noted:

- The linguistic statement was insufficient - a suggestion was made to reconsider

RESOLVED:

To defer in order to:

- **Assess a habitats management statement**
- **Re-assess the assessment after confirmation that all houses are affordable homes**
- **Re-assess the linguistic statement and how the change affects linguistic matters**
- **Include the late observations in the assessment**

5.3 Application Number C21/0376/34/LL Plot of land, Road from Capel Ebenezer passing Bryn Eisteddfod and Gilfach to the South of the Junction near Penarth, Clynnog Fawr, Clynnog

Application for the erection of a two-storey house with garage

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that an observation had been received from the applicant's agent confirming that there was a need to rectify the site address.

The Head of Legal Services added that he had received a request from the Local Member to defer the application as the application address was incorrect. He noted that statutory requirements were involved with advertising the application, which included detailed and accurate information - if the location address was unclear, this would highlight risks.

The Local Member added that the address had created confusion and that re-advertising would give local residents an opportunity to submit observations although he accepted that this would cause an inconvenience to the applicant.

RESOLVED:

To defer the application.

- **Need to re-advertise the application with the correct address - re-consult and re-position a site notification.**

5.4 Application Number C20/0102/33/LL Plas yng Ngheidio, Ceidio, Pwllheli

Attention was drawn to the late observations form.

a) The Planning Officer highlighted that a request had come to hand from the applicant to withdraw the application from the Committee agenda. It was noted that there was no explanation for the need to withdraw the application and that the additional information received had not changed the planning opinion - there was no planning reason for deferring the application.

b) It was proposed and seconded to defer the application.

RESOLVED:

To defer at the applicant's request.

- **to note a deferral until September 2021**

5.5 Application Number C21/0483/33/LL Plas yng Ngheidio, Ceidio, Pwllheli

Demolition of existing agricultural shed and the erection of a new agricultural shed in its place to store machinery and feed.

a) The Development Control Officer highlighted that the application involved the demolition of existing stone structures and the erection of a new agricultural shed in their place to store machinery and feed within the farmyard among existing farm buildings. The shed would be constructed from a wall of rendered blocks at the bottom and grey coloured steel sheeting on the walls and the roof. It was added that the application had been submitted to the Committee as the site was owned by a Council member.

It was explained that the size and design of the shed was suitable and although the property was within the Llŷn Landscape of Outstanding Historical Interest designation, it was not considered that a shed of this scale, among existing buildings, would create a visual harmful impact on the wider historic landscape. In the context of biodiversity matters, it was reported that the Biodiversity Unit had originally requested a survey of protected species, however, following the receipt of further information and photographs, it had been confirmed that there was no need for a survey as the structures to be demolished were not suitable for bats.

Having assessed the proposal against the relevant policies, it was considered that the proposal was acceptable in relation to the need, design, finish, impact on the landscape, amenities of residents, roads and biodiversity.

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

c) During the ensuing discussion, the following observation by a member was noted:

- The shed was small and for the agricultural industry.

RESOLVED:

To approve with conditions

- 1. Commence within five years.**
- 2. In accordance with the plans**
- 3. A grey coloured finish to match the existing sheds**
- 4. Agricultural use condition**

Note: Sustainable Drainage (SUDS)

5.6 Application Number C20/0877/09/LL Pall Mall Caravan Park, Ffordd Bryncrug, Tywyn

To site 9 static holiday caravans in lieu of 12 touring caravans and environmental improvements

a) The Development Control Officer highlighted that the proposal involved extending an existing caravan site in order to site nine static caravans in lieu of 12 touring caravans that had an extant planning permission on the existing caravan site. It was highlighted that the application site was located outside the development boundary of the existing caravan site and was located on level land in the countryside off the A493 between Tywyn and Bryncrug.

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

It was reported that the site was within a C1 flooding zone, which was associated with Technical Advice Note 15: Development and Flood Risk (TAN 15). The proposal was considered as very vulnerable to harm and TAN 15 in section 6.2 stated that locating such a development within a C1 zone should only be justified if it could be demonstrated that the proposal met the relevant criteria. Although discussions had been held with the applicant's agent regarding these matters, it was highlighted that no more information regarding the matter would be submitted.

The Flood Consequence Assessment concluded that the proposal did not comply with TAN 15. Following Officers' assessment of considerations in paragraph 6.2 of TAN 15, it was considered that the proposal did not meet the relevant requirements and was therefore contrary to the requirements of TAN 15 and the flooding matters included in Policy PS 6.

Another consideration that was given to the proposal was that it would increase the number of static caravans on the site from the original 35 to 55 - an increase of about 57%, which was way beyond the 10% referred to in Policy TWR 3 of the LDP. As a result, it was considered that the proposal was contrary to point 4 iii of Policy TWR 3 as it would not involve a small increase in the number of units on the site.

In response to observations received from Natural Resources Wales (NRW) expressing concern regarding the visual impact of the proposal on the landscape, it appeared that the application had noted an intention to undertake additional native landscaping but no details had been received. As a result, the impact of the proposal could not be assessed in full in terms of its setting in the wider landscape and, as a result, it was not considered that it would add to the maintenance or enhancement of the landscape and it would be contrary to the requirements of Policy PCYFF 4 of the LDP.

It was recommended to refuse the application.

b) Taking advantage of the right to speak, the applicant noted the following points:

In response to flooding concerns, he noted

- That the application site was located on the periphery of a tidal flood risk zone with the majority of the caravan site, including the access, on dry land.
- NRW had not considered that static holiday caravans had a cavity of approximately +750mm underneath the units - the caravan would not be affected.
- There was access to dry land within the site if flooding occurred - this could be managed with a flood evacuation condition and plan.
- The development would replace 12 touring caravans throughout the year with 9 static holiday caravans; therefore, there would be a reduction in the number of holiday caravans on this part of the site. In that sense, the development was

acceptable in policy terms as it would genuinely reduce the general number permitted on the site.

In response to Landscape and Visual impact concerns

- In contrast to what was noted in the Committee report, the application site was not prominent in the wider landscape and it was well screened.
- He encouraged the Members to visit the site to see the existing landscape.
- Should additional landscaping be required, it would be possible to meet this by way of a planning condition and, although not necessary, he would be willing to do this if needed. Welsh Government encouraged landowners to plant more trees but in order to set a perspective, a 15 acre solar panel farm, 700 metres from his site was an eyesore.
- The aim of the application was to ensure the long-term sustainability of Pall Mall Caravan Park as a rural business that would create employment for local people.
- His daughter had graduated with first class honours in Tourism and wanted to work in the family business. He noted that she was passionate about the Welsh language and culture and that he wanted to give her the best opportunity to stay at home. Approving the application would assist him to maintain his business.
- Several points in the report were totally incorrect and misleading, portraying a negative attitude. He added that the application was a simple one and that matters causing concerns could be addressed.
- Tywyn Town Council supported the application and appreciated the positive economic benefits that could be received.

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

- He was concerned about some statements in the report.
- The site had been screened effectively and, therefore, this was not a reason to refuse.
- The site was well-established, mature and well-managed.
- It would bring economic benefits to the area.
- The size of the site was insignificant considering sites in the north of the County.
- There had been no flooding in the area for over 50 years and that past flooding incidents had not been dangerous.
- Needed to consider and encourage caravan sites for visitors in order to try to keep brick and mortar buildings for local people.
- Needed to secure sufficient resources for visitors so that they could enjoy the beauty of the area.
- If a deferral would be considered, he encouraged a site visit prior to making a decision.

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

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

- In response to an observation made in the applicant's introduction, there was a need to research further into the time period of the touring caravan season.
- Should flooding occur, siting the caravans on plinths would address the problem.
- A detailed assessment and further information was required to consider potential landscaping.

RESOLVED

To refuse the application for the following reasons:

- 1 The proposal was very vulnerable to harm and was located within a C1 flood zone. The proposal was not part of a regeneration strategy or strategy by the local**

authority and neither did it contribute to key employment objectives that were supported by the local authority and other key partners. The proposal was not located on previously developed land either and the Flood Consequence Assessment submitted with the application failed to show that risks and flood consequences could be managed to an acceptable level. Therefore, the proposal did not meet the justification requirements included in paragraph 6.2 of Technical Advice Note Wales: Development and Flood Risk and, as a result, it was also contrary to the requirements of Policy PS 6 of the Gwynedd and Anglesey Joint Local Development Plan.

- 2 The increase in the proposed number of static holiday caravans was not small, or commensurate with the scale of the proposed improvements for the site and it was above the recommended increase of 10% in the original numbers on the site, therefore, it was contrary to the principles of point 4 of policy TWR 3 of the Anglesey and Gwynedd Joint Local Development Plan and Supplementary Planning Guidance: Tourist Facilities and Accommodation.
- 3 Insufficient consideration had been given to landscaping matters as part of the proposal. In light of this, it was not considered that the proposal would add towards maintaining or enhancing the landscape and that the proposal was contrary to the requirements of Policy PCYFF 4 of the Anglesey and Gwynedd Joint Local Development Plan.

5.7 Application Number C21/0332/42/DA Terfyn Lôn Terfyn, Morfa Nefyn, Pwllheli, Gwynedd

Attention was drawn to the late observations form.

Non-material amendments to permission C19/0982/42/LL to retain enlarged veranda

a) The Planning Manager highlighted that this was an application for a non-material amendment to planning permission C19/0982/42/LL to retain works on extending a veranda on the property. It was explained that the frame of the veranda had already been built but the slate roof had not yet been laid. It was added that the columns extended out 1.6m from the front wall of the property - 50cm further than the planning permission already granted. The application had been submitted to seek to retain the changes following initial enforcement action and at the request of the Local Member.

It was explained that under Section 96 A of the Town and Country Planning Act 1990, applicants may submit applications for Non-material Amendments to existing Planning Permissions since 1 September 2014. Welsh Government had Supplementary Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission on what was deemed a non-material development, where clear assessment tests were listed.

It was not considered that this minor amendment would be obvious when looking at the site from any public spaces, and whilst noting the neighbour's comments, it was not considered that the amendment would lead to any additional harmful impacts on amenity.

- b) Taking advantage of the right to speak, the applicant noted the following points:
 - They had moved to the area about two years ago and had purchased Terfyn with the intention of renovating the property, which was unfortunately deteriorating.

- It was considered that the development in Terfyn had been in accordance with the style of the property and they had maintained the façade of the building at substantial additional cost.
- The root of the need to adapt the veranda had been a simple error between himself and the builder, with the builder constructing it slightly too deep compared to the submitted plans.
- They had been advised by the planning officer to resubmit non-material amendments to the original plans made in March 2021.
- He accepted that objections had been raised regarding the size of the veranda and also that it would affect the privacy of nearby properties.
- As the veranda had only been partially constructed, it could be accepted that concerns would be raised as it could appear, in its half-built state, that the veranda roof was flat, and that it would be possible for someone to walk out onto the veranda and have substantial views over nearby properties.
- The finished veranda would have a slate roof in keeping with the existing roof of the property and it would not be possible to walk out onto the veranda - therefore, the allegation that the veranda would have a detrimental impact on privacy was invalid.
- They had not undertaken any amendments to the style, size and location or the windows of the property, therefore, there had been no substantial change to the privacy element that affected any neighbouring property - this had been reiterated by the assessment of the planning officer who had considered material planning considerations under section 96A of the Town and Country Planning Act 1990.
- Planning officers noted that they could not agree with the claim that the change was an over-development or was substantially different to that already approved; they did not believe that extending the depth of the veranda would cause substantial change to the privacy of neighbours. All relevant elements had been considered in accordance with Welsh Government planning guidance and *no* was the officers' response to the questions considered.
- Planning officers did not believe that this minor amendment would be obvious when looking at the site from any public spaces.
- Neighbours' windows already faced the front garden of Terfyn and, therefore, privacy was already lost.
- Increasing the depth of the veranda was unlikely to exacerbate the situation and, as a result, he believed that the amendment was acceptable.
- He encouraged the Committee to accept the recommendations of the planning officers and approve the non-material amendment.

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

- The house was a large dwelling on the side of the highway.
- Extensions had already been granted for this 'prominent' dwelling - they had been 'generous' with the applicant
- The change at the front of house should have been 'minor' but a veranda had now been constructed.
- The amendment was substantial - opened the door to possibilities in future of overlooking neighbours' properties.
- Footpath access to the house had been amended without permission.
- How many more additions would be undertaken without permission?
- Urged the committee to impose clear conditions that the veranda roof must be a ridged slated roof so that the middle window would not be converted into a door and the house converted into holiday accommodation.
- If these conditions would not be imposed, he asked the Committee to refuse the application.

ch) In response to the observations, the Planning Manager noted that the ridged roof would be constructed in slates as this had been included in the plans.

d) It was proposed to refuse the application for the following reasons:

- The development was overbearing.
- Affected the privacy of nearby neighbours - overlooking

dd) In response to the proposal, the Head of Legal Services noted that the reasons for refusal highlighted a misinterpretation of the application in question. Members were reminded that the application before the Committee was an application for a non-material amendment and not a planning application.

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

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

- The proposal noted a slate roof - needed to ensure that the applicant adhered to this - a possibility to change but there was a need to monitor.
- Confirmed that a veranda was in question and not a balcony.

ff) In response to an observation about confirming that a veranda was in question, a reference was made to the plans on page 164 of the agenda.

DECISION

To approve with conditions

Non-material Amendment:

The amendment hereby permitted shall be carried out in strict conformity with the details shown on plan 03/DR19, submitted to the Local Planning Authority on 21 June 2021, and contained in the application form and in any other documents accompanying the application, notwithstanding any condition(s) to amend that plan included in this planning decision. Notwithstanding the amendments hereby permitted, the remainder of the development must be completed in strict conformity with the details and conditions included in planning permission number C19/0982/42/LL.

5.8 Application Number C21/0111/45/LL Land near Cae Llan, Denio, Penrallt, Pwllheli

A full application for a residential development to include 14 new dwellings together with access, estate road and footway, parking, landscaping and sewage pumping station.

Attention was drawn to the late observations form.

a) The Development Control Team Leader highlighted that the application was a full application to construct 14 two-storey dwellings, with four of them as affordable homes. The site was located to the north of Pwllheli above the town centre in an area known as Denio. Although the site was located within the defined development boundary of Pwllheli, the existing development density is lower than the rest of the town. It was explained that Pwllheli was identified as an Urban Service Centre under policy TAI 1 of the LDP, which encouraged a higher proportion of new developments within urban centres by means of housing designations and windfall sites. When adopting the LDP, the site was allocated for 14 units, therefore, the application met the requirements of policy TAI 1.

It was reported that the applicant had submitted the open market value of the dwellings to show that a suitable discount could be applied to ensure they remained affordable in perpetuity. Having assessed the figures in consultation with the Housing Department, it was agreed to give a 40% discount when preparing a section 106 agreement.

In the context of open spaces, it was noted that Policy ISA 5 of the LDP required new housing proposals for 10 or more new houses in areas where existing open spaces could not satisfy the needs of the proposed housing development to provide a suitable provision of open spaces. In exceptional circumstances, where it was not possible to provide an outdoor play area as an integral part of a new housing development, the developer would be required to provide suitable provision off the site; a site that is accessible and close to the development in terms of walking or cycling distance or, where this was not practically possible, to make a financial contribution towards new facilities including equipment, improving existing facilities on sites with access or improve access to existing open spaces.

It was highlighted that the application did not include the provision of an open / play area on the site but that the plan provided the number of anticipated dwellings in accordance with the site allocation. Having assessed the plan, it was not unreasonable that there was no provision on the site and after using the formula within the SPG Open Spaces in New Housing Developments, the Joint Planning Policy Unit had calculated a financial contribution of £5855.71 towards provision off the site. A discussion was held with the applicant and it was agreed that the contribution would be ensured via a section 106 agreement.

In the context of a linguistic impact, although there was no need to submit a formal statement, consideration should still be given to the Welsh language in accordance with the guidance in Appendix 5 of the 'Maintaining and Creating Distinctive and Sustainable Communities' SPG. It was highlighted that the applicant had considered the Welsh language and that the application complied with the requirements of section 'CH', Appendix 5 of the SPG. However, the information submitted did not comply in full with the requirements of criteria 4 and 5 of policy PS 1 in terms of signage, street names and house names. Compliance with the policy could be ensured by imposing a condition to ensure that details on marketing materials were in Welsh or bilingual and that the names of the estate and the houses were Welsh names.

In the context of highway impacts, attention was drawn to the concerns of local residents regarding the impact of the proposal on the local roads network, considering other developments that had been approved, existing movements made in relation to existing houses and the Coleg Meirion Dwyfor site nearby. In response, to improve road safety and visibility for vehicles using the site, it was noted that the proposal included the provision of a footpath from the estate access, along the boundary to the south-west along the road junction that extended downwards towards Allt Salem. It was considered that this would prevent collisions between vehicles and pedestrians and would give sufficient visibility of all directions to pedestrians.

It was recognised that the site stood alone and away from the town centre and that there was no public footpath (pavement) between the site and the town. However, it was considered that the lack of a footway was a well-established feature between the site and the town, as well as the areas of Penrallt and Denio in general. Additionally, traffic calming measures to keep traffic speeds low and appropriate were already in place.

Having considered all the relevant matters, including local and national policies and guidance, as well as the observations received during the consultation period, it was deemed that the proposal was acceptable.

b) Taking advantage of the right to speak, the applicant noted the following points:

- Discussions had been held over the past nine months to carefully discuss the planning and transport matters before the application was submitted to the committee.
- The officer's report highlighted that attention had been given to every planning matter and any concerns from neighbouring residents.
- A local company that was run by a father and son –who lived in Pwllheli, and supported local houses for young local people.
- Over the years, the company had constructed 39 houses with 36 of them sold to Welsh-speaking local residents. 30 of these houses were affordable homes sold to a housing association or sold privately under a 106 agreement. This meant that +90% of their homes had been sold to local residents.
- It was not possible to make all of the houses affordable due to costs, land price etc. In an attempt to sell the houses to families in the area, they marketed the new houses locally for the first three months before starting to market them via an agent or on-line. He explained that this gave priority to local residents.
- Accepted that some of their house prices were out of the reach of young buyers, but by marketing locally it would be possible to sell to someone searching for their second or third purchase, which would release a terraced house for an affordable price to a young person.
- James Lloyd Developers was a local company, constructed houses for local people and employed local people.

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

ch) During the ensuing discussion, the following observations were made by Members:

- Welcomed affordable homes but access to the houses raised a concern.
- An increase of 14 houses doubled the number of dwellings in the area and, therefore, created traffic problems.
- Needed to create a safe road for pedestrians and drivers.
- Urged the Transportation Department to consider a way to tackle the problem.
- Housing for local people needed.
- The site had been earmarked for housing in the Local Development Plan.
- The marketing plan was impressive.
- Condition was needed for an open space.
- Advance discussions had been advantageous.

d) In response to concerns about public safety along the road, the Senior Development Control Engineer accepted that the road was very narrow from the town to the Denio area. He added that traffic speed restrictions had been imposed and that there were speed humps along the road. Installing a pavement would narrow the road, which would lead to having to consider measures such as installing traffic lights or creating a one-way system.

The Assistant Head of Planning and the Environment Department added that transport matters had been submitted during the period of consulting on and establishing the Local Development Plan.

RESOLVED

To delegate the right for the Assistant Head of Department to approve the application, subject to completing a Section 106 Agreement to secure a financial contribution towards play areas and to ensure provision of four affordable dwellings. Also, conditions involving the following should be implemented:

1. Timescales

2. In accordance with the approved plans.
3. Permitted development restriction on the affordable dwellings.
4. Materials.
5. Welsh Water / SUDS
6. Construction times
7. Finished floor levels
8. Privacy screens for balconies on plots 5 and 10
9. Highways access conditions
10. Landscaping.
11. Protecting trees
12. Archaeological investigation
13. Welsh language mitigation measures - to advertise the site, names of the estate and the houses

For information: SUDS

5.9 APPLICATION NUMBER C21/0368/42/DT Tyn Y Mynydd, Mynydd Nefyn, Nefyn, Pwllheli

Single-storey side extension

a) The Planning Manager highlighted that the application was a full application to construct a single-storey extension that would measure 4.5 metres x 3.6 metres, which would include a garden room in a single-storey cottage located on the slopes of Mynydd Nefyn. It was noted that the nearest residential homes were over 40 metres to the north and north-east of the proposed extension and that the application was being submitted to the Committee at the request of the Local Member.

It was explained that Policy PCYFF3 stated that proposals would be approved, including extensions and changes to existing buildings and structures, if they complied with a number of criteria that included, that the proposal

- added to or enhanced the character of the site, the building or the area in terms of setting, appearance, scale, height, mass and elevation treatment;
- respected the context of the site and its place in the local landscape;
- used materials that were appropriate to its surroundings and incorporated soft and hard landscaping;
- improved a safe and integrated transport and communication network;
- limited water run-off and flood risk and prevented pollution;
- achieved an inclusive design;
- enabled access for all;
- helped to create healthy and lively environments considering the health and well-being of future users.

It was highlighted that the extension would include a garden room with significant glazed windows of acceptable and suitable size and scale for the location. Although the site was high on the slopes of Mynydd Nefyn with views over the coast, it was not considered that the proposal would have a substantial detrimental impact on the amenities or character of the nearby AONB due to the nature of the local landscape and vegetation within the local area. In response to an objection received claiming that the proposal would have an impact on the cottage and the AONB, although there was an intention to construct an extension of modern material and design, it was noted that the location of the extension on the gable end of the cottage, and its size, would not significantly impair the appearance and character of the property or the AONB.

b) Taking advantage of the right to speak, the applicant noted the following points:

- It was an application for a small garden room on the Western front side of the cottage.
- The purpose of the extension was to provide an additional living space and to get more light into the property.
- As it was a small Welsh cottage, it was quite dark with very small north-facing windows.
- By opening up the gable end and installing glazed windows, it was hoped to get more light into the property and allow them to make the best of the beautiful views across the Bay of Nefyn and Porthdinllaen.
- The extension on the gable end would be mainly constructed in glass, but using Welsh slate tiles on the roof to assimilate with the existing tiles, thus retaining the character of the original structure.
- The proposal was in accordance with the character of the area and was a relatively moderate proposal compared to many similar extensions.

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

- Members were reminded of the statutory requirements to protect the AONB
- There were traditional cottages along the mountain.
- Overdevelopments were not needed on the Mountain-side.
- Three public footpath joined together on the yard of the property.
- The impact of bright lights on the dark sky status - lights drew attention.
- Although small in size, it could have a substantial impact.
- The cottage was a holiday unit.
- Pleaded with the Committee to refuse the application.

ch) It was proposed and seconded to refuse the application for the following reasons:

- Needed to protect traditional buildings.
- Needed to consider the dark sky status.
- The adaptation would change the character of the cottage - likely to set a dangerous precedent.

d) In response to the proposal, the Planning Manager noted that the size of the extension was a development that could be constructed without planning permission; however, the materials intended for use (glazing in this case) had meant that the applicant had to submit an application to the Committee. In terms of design matters and the impact on the AONB, these were accepted as fair reasons for refusal.

In response to a question regarding the observations of the AONB Officer, it was confirmed that the Officer's observations had been included and not the observations of the AONB Joint Committee.

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

- A small extension was in question.
- Needed to consider the professional observations of officers.
- A holiday unit was not a planning matter.
- Accepted the need for more light in a dark house.
- Planning conditions and regulations were needed to manage the proposal.
- A duty to protect the 'traditional appearance of the house' for the future.
- The gable end of the house could be seen clearly from Nefyn.
- It would not assimilate with the rest of houses on Mynydd Nefyn.
- The extension would appear as a 'bulb' - it would be seen from all directions.
- A glazed gable end would be alien - it would stand out and affect the dark sky.

In response to an observation regarding the need for permission for a sun-room made of stone and a glazed roof, it was noted that permission would not be required for the size of the room and a room finished with rendered material to retain the appearance of the existing house, but planning permission would be needed for a glazed construction.

DECISION

To refuse the application contrary to the recommendation

- **Design and materials of the extension were out of character**
- **Impact on the AONB and the Dark Sky Status**

The meeting commenced at 11:00 and concluded at 13:15.

CHAIR