
PLANNING COMMITTEE 06-09-21

Present:

Chairman: Councillor Eric M Jones

Vice-chair: Councillor Gareth A Roberts

Councillors: Stephen Churchman, Elwyn Edwards, Simon Glyn, Anne Lloyd Jones, Berwyn Parry Jones, Gareth T Jones, Huw Wyn Jones, Louise Hughes, Dilwyn Lloyd, Edgar Owen, Eirwyn Williams and Owain Williams

Officers: Gareth Jones (Assistant Head of Planning and the Environment), Sion Huws (Senior Solicitor), Keira Sweeney (Planning Manager), Gwawr Hughes (Development Control Team Leader), Aneurin Rhys Roberts (Development Control Officer), Idwal Williams (Senior Development Control Officer), Iwan ap Tefor (Senior Engineer - Development Control) and Lowri Haf Evans (Democracy Services Officer)

Others invited:

Local Members: Councillors Menna Baines, Judith Humphreys, Dewi W Roberts, Paul Rowlinson, Angela Russell and Elfed Williams

1. APOLOGIES

None to note

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

- Councillor Paul Rowlinson (not a member of this Planning Committee) in relation to item 5.1 on the agenda (C20/0805/13/LL)
- Councillor Dewi Roberts (not a member of this Planning Committee), in relation to items 5.2 and 5.9 on the agenda, (C21/0367/39/DT) and (C21/0277/39/DT)
- Councillor Elfed Williams (not a member of this Planning Committee), in relation to item 5.3 on the agenda (C20/0485/18/AC)
- Councillor Owain Williams, (a member of this Planning Committee), in relation to items 5.5 and 5.6 on the agenda, (C21/0495) and (C21/0376/34/LL)
- Councillor Angela Russell, (not a member of this Planning Committee), in relation to item 5.7 on the agenda, (C21/0337/38/DT)
- Councillor Judith Humphreys (not a member of this Planning Committee), in relation to item 5.8 on the agenda, (C19/1089/22/LL)
- Councillor Menna Baines (not a member of this Planning Committee) in relation to item 5.10 on the agenda (C20/1056/25/LL)

3. URGENT ITEMS

None to note

4. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 12 July 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 C20/0805/13/LL LAND NEAR GWERNYDD, GERLAN, BETHESDA

Creation of a car park for 30 vehicles, create a new vehicular access, footpaths together with the installation of 2 charging points for electric cars and a pay and display machine

- a) The Planning Manager elaborated on the background of the application, noting that the site was located opposite the development boundary of the Bethesda local service centre. It was noted that there was no specific policy within the LDP that referred particularly to the provision of new car parks, however, it was considered that policies PCYFF 2, PCYFF3, TRA 2 and TRA 4 were relevant in this case.

It was explained that the proposal's purpose was to provide vehicular parking bays for the communities of Gerlan and Gwernydd. It was reported, due to the built nature and narrow streets in this residential area, there was a serious lack of parking places (private and public) off the public roads network. It was not considered that this proposal was likely to promote or lead to an increase in use of private vehicles but would rather mitigate the existing parking issues in the community.

It was noted that the Transportation Unit had confirmed that the proposal conformed to the parking standards and the proposed access would not have a detrimental impact on road safety. It was considered that the location, size and setting of the extension was logical and acceptable based on principle, design, scale, materials, local building forms, highway matters and residential amenities. Therefore the proposal complied with the relevant local and national policies and guidance.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- He supported the application
 - There was a real need for additional parking sites in the area - the streets were narrow and the lack of parking space was a matter of concern to many
 - Buses had difficulties
 - He thanked the Community Council (the applicant) for submitting the application
 - That many had highlighted concerns regarding visitors to the Carneddau parking in the area - this happened anyway
 - Creating a parking site would not add to flooding concerns
 - The traditional stone wall would be demolished and re-used
 - Hedges would be planted for wildlife
 - He welcomed the installation of electric vehicle charging points - this was a step in the right direction
 - There was a need to ensure that the site was well-managed

ch) It was proposed and seconded to approve the application

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

- That parking was evidently a problem in the area
- Concern that residents would have to pay for parking, however, this was probably a matter for the Community Council to discuss and control
- There was a suggestion that a feasibility assessment needed to be undertaken - would local residents be willing to pay or continue to park on the road? If not enough would pay for the parking site would this have an impact on the Community Council's plan to repay their debt?

RESOLVED: To delegate powers to the Assistant Head of the Environment Department to approve the application, subject to the following conditions:

1. **5 years**
2. **In compliance with plans**
3. **Provide a CEMP**
4. **Provide a Landscaping Plan**
5. **Provide a Construction Traffic Plan**
6. **Archaeological matters**
7. **Conform to the Initial Environmental Assessment requirements and suggestions**
8. **No lighting except for what has been agreed**
9. **Boundary treatment to be completed prior to using the parking bays**

Notes

- **Ordinary Watercourse Consent**
- **SUDS**
- **Welsh Water**

5.2 Application Number C21/0367/39/DT Sandpiper Lôn Rhoslyn, Abersoch, Pwllheli, Gwynedd

Extensions and adaptations

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

- a) The Development Control Manager elaborated on the background of the application and noted that the work included:
- Erecting a two-storey side extension on the site of an existing single-storey garage - this would extend to the east (side) for the same distance as the existing garage but it would extend 1.4m in front of the existing house and 1.8m to the rear and of the same height as the roof of the existing house. A garage, utility room and bathroom would be located on the ground floor, and a bedroom and bathroom on the first floor. There would be new gable ends to the front and rear of the house, and a Juliette balcony on the first floor to the rear.
 - Erection of a two-storey rear extension on the western end of the property, with a garden room on the ground floor and a bedroom on the first floor. The extension would extend 3.7m to the rear and it would create a new rear-facing gable end.
 - The two-storey extensions would have slate pitch roofs and the new pitch roof on the front and rear would be lower than the roof level of the main house.
 - It was also intended to erect a new porch to the front, and a mono-pitch slate roof across the porch with another existing single-storey extension.

Attention was drawn to the objections received that suggested that the design was not in keeping with the street and was an over-development that would cast a shadow onto neighbours' premises. Reference was made to Policy PCYFF 3 of the LDP that dealt with the location, design and visual impact and stated that all proposals should exhibit a high-

quality design that gave full consideration to the context of the built environment. It was considered that the proposal met with the requirements of policy PCYFF 3 of the LDP and the reasons were listed in the report.

In the context of over-looking and shadowing neighbours' premises, the urban nature of the site and the inter-visibility that already existed between the houses and gardens in the locality were considered. It was not considered that the extensions would lead to added significant harm to neighbours' privacy and there would be no additional significant harm to neighbours' amenities, or those of the area in general, deriving from the development. It was considered that the proposal was acceptable under policy PCYFF 2 of the LDP.

- b) Taking advantage of the right to speak, the applicant noted the following points:
- Sandpiper was built in 1967 as holiday accommodation for his Grandfather.
 - The property was in a dire state - no recent investment
 - There were two bedrooms upstairs and one bedroom downstairs with a bathroom; the house was heated by storage heaters but without insulation - this was unsuitable for the environment. There was a need to completely upgrade electricity and water systems as they were dangerous and unsuitable
 - It was proposed to extend above the garage and out to the back into the garden - very similar to other extensions in the street. This would provide four bedrooms upstairs and this was a priority due to the number of children and the Grandmother who stayed there regularly
 - The precedent for modernisation had extended along the street and even if the application was approved the property would be one of the smallest houses compared to the size of the plot.
 - It was proposed to use a local builder and tradesman
 - That adapting and modernising the house would ensure that it conformed to the current environmental requirements and met with the current building regulations. Insulation of the loft, walls, floors and external walls together with the replacement of every window would reduce the carbon footprint. The new central heating system would also meet with the government's new requirements
 - In order to save time, the plans had been discussed with neighbours and they had given their sweeping support. No formal objections had been received and all were in agreement that the main benefit would be to modernise a house that had been neglected over the last few years.
 - Positive observations had been received from the Planning Department (March 2021) stating that there were no objections to the application in terms of planning considerations.
 - The design was not contrary to any planning policies and the area was not considered to be an area of outstanding beauty.
- c) Taking advantage of the right to speak, the Local Member made the following points:
- That he was highlighting the concerns of neighbours
 - There was no objection to the extension on the garage but there was disagreement regarding the rear extension
 - The adaptations would be an improvement to the property, however, the extension at the back would have a serious impact on a neighbour's garden.
 - The property was (currently) a holiday home for family use
 - It was suggested that a site visit should be conducted or that a few members of the Committee visited the site
 - That the proposal was an over-development

In response to a comment regarding conducting a site visit, the Assistant Head - Planning and the Environment noted that a site visit was not practical under covid regulations and there was sufficient evidence submitted via photographs and the officer's presentation.

- d) It was proposed and seconded to approve the application.
- e) During the ensuing discussion, the following observations were made by members:
- There was a need to improve and modernise the house
 - It was suggested that further discussions should be held with the applicant regarding rear extensions
 - There was a need to consider the concerns of neighbours and the Community Council
 - 'No parking' sign in front of the house - a bilingual sign was needed
 - It was necessary to re-establish a site inspection panel - the suggestion of holding a site inspection visit was acceptable - care could be taken and social distancing in accordance with the guidelines
- f) In response to a question regarding the applicant's 'need' for a larger house; that the adaptations improved the condition of the house for future letting; why was it necessary to change the character of house? Did a house with occasional use 'need' an extension? The Planning Manager noted that justification of the 'need' for an extension was not a consideration under Policy Cyff 3. It was added that the extension at the back extended 1.8m out into the garden from the existing house and it was likely at the end of the day that there would be a shadowing impact.
- g) The members voted on the proposal to approve the application.
- The proposal fell
- h) It was proposed and seconded to refuse the application, contrary to the recommendation.

RESOLVED: To refuse the application

Reasons:

Over-development and detrimental effect on adjacent property.

5.3 Application Number C20/0485/18/AC Victoria Terrace, High Street, Deiniolen, Gwynedd

Varying condition 2 of planning permission number C17/0438/18/LL for a residential development in order to extend the period of three years to enable the submission of a reserved matters application

Attention was drawn to the late observations form that noted that the application area had now had a statutory designation by UNESCO as the Slate Landscape of North West Wales World Heritage Site. Despite the designation it was not considered that the proposal, if approved, would undermine the designation by considering the observations of CADW.

- a) The Senior Development Control Officer highlighted that this was a full application to vary condition 2 of outline planning permission number C17/0483/18/LL to extend the time permitted to submit a reserved matters application. As previously, it was explained that the details related to scale, appearance, landscaping and access to the site had been reserved for future consideration through the submission of an application for reserved matters. It was noted that the proposal continued to entail developing the site for 27 houses (including

five affordable dwellings for general local need), the creation of a new access and provision of an amenity space. It was added that the original application (C09A/0396/18/AM) was subject to a legal agreement under Section 106 in order to provide an element of affordable housing and the legal agreement that was originally signed by the applicant remained valid.

It was reported that the principle of developing the site for residential development had already been accepted be that in 2014 and 2017, however, there was a need to consider if planning circumstances or the situation had changed since the previous applications were approved. In light of local policies, the Local Planning Authority determined the outline application based on the policies of the Gwynedd Unitary Development Plan and the application for a three-year extension was determined partly based on the Gwynedd Unitary Development Plan and partly on the Anglesey and Gwynedd Local Development Plan - Composite Version. By now, the LDP was the adopted local planning policy document and reference was made in the report to the relevant policies.

It was noted that the indicative supply level for Deiniolen over the Plan's period was 45 units and the indicative supply was expected to be met through the T65 housing designated site and through windfall sites - as a result it was possible to support the proposal under Policy TAI3. Five affordable houses would be included in the proposal that equated to 18% of the development. To this end, the proposal continued to meet the affordable housing threshold identified within Policy TAI15.

The proposal provided a broad variety of housing to address the need for such housing in Deiniolen in line with the Gwynedd Housing Needs Assessment, and the assessment for Deiniolen village which indicated the need for two and three bedroom affordable housing and two, three and four bedroom open market housing.

Having considered all the relevant matters including the objections, it was not considered that the proposal of extending the time given under permission number C17/0438/18/LL in order to submit reserved matters was contrary to the policies or the relevant local and national guidance.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- A number of other houses had been constructed during the period - there was concern regarding the capacity of the primary school
 - It was suggested that the Council should purchase a parcel of land near the school and the proposed site for a future school extension
- c) It was proposed and seconded to approve the application

RESOLVED to delegate the right for the Assistant Head of the Environment Department to approve the application subject to conditions:-

- 1. Commencement period for the work**
- 2. Submitting reserved matters.**
- 3. Materials and finishes (including natural slate for the roofs).**
- 4. Access and parking**
- 5. Landscaping.**
- 6. Removal of permitted development rights for the affordable houses.**
- 7. Welsh Water conditions relating to safeguarding the sewers.**
- 8. Conditions of Natural Resources Wales regarding land and surface water drainage.**
- 9. Update the conditions regarding mitigation measures of the ecological assessment.**
- 10. Agree on details regarding Welsh names for the development together with advertising signage informing and promoting the development**

Note: Need to submit a sustainable drainage system application to be agreed with the Council.

5.4 Application Number C21/0546/00/LL Richmond House High Street, Barmouth, Gwynedd,

Conversion of lower ground and ground floor of the building into a farm shop including a wooden advertising box on the forecourt.

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that the application involved converting part of the lower floor and ground floor of the building from residential use to a farm shop. The lower floor would comprise two storage areas for the shop, a food preparation room and toilet and the farm shop would be located on the ground floor. The remainder of the building would continue with its residential use. The existing window on the north-eastern elevation would be replaced with wooden double doors and a new shop front. As part of the development, it was also intended to install a wooden advertisement box in the property's forecourt. It was noted that the site was situated within the development boundary and within the town centre designation.

The application was submitted to the Committee as the applicant was a Local Member.

In accordance with Policy PS 15 and MAN 1 town centres are protected for uses that are associated with town centres such as retail, commercial, leisure uses provided that the scale and type of development was appropriate to the size, character and function of the centre and provided the proposal complied with the criteria listed in the Policy. It was considered that the principle of the proposal was acceptable in terms of Policy PS 15 and MAN 1 of the LDP in terms of promoting the vitality and viability of town centres and the adaptations complied with the requirements of the relevant policies.

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

RESOLVED: To approve with conditions

- 1. Commencement within five years.**
- 2. In accordance with plans.**
- 3. Welsh and / or bilingual signs.**

5.5 Application Number C21/0495/34/LL Penlon, Clynnog Fawr, Caernarfon

Construction of a new house

- a) The Development Control Team Leader highlighted that there was a request from the agent for the Committee to defer the application in order for them to have an opportunity to respond to matters included in the report.

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

RESOLVED: To defer in order to hold further discussions with the agent to discuss the way forward, e.g. is there an intention to amend the plans?

5.6 Application Number C21/0376/34/LL Land near Plas Beuno, Clynnog Fawr, LL54 5P

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

- a) The Development Control Officer highlighted that the application site was within the development boundary of the village of Clynnog Fawr on an empty plot of land located parallel to a standard vehicular access leading to existing residential dwellings to the rear and side of this proposed development.

It was explained that a previous application for this proposal was refused under C20/1049/34/LL due to its size, scale and design and its impact on nearby properties. It was acknowledged that this proposal was approximately 0.5m lower than the plan refused under the previous application, and the application's agent had provided additional plans that included the streetscape and a plan of the existing levels.

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

The application had been deferred in the Committee on 12.07.2021 in order to correct the site address and re-consult to ensure that consultees and neighbours were aware of the application site.

In considering the general, visual and residential amenities, it was noted that the site was located in a fairly prominent location, adjacent to the main road in and out of the village and was surrounded by buildings of various sizes, design and elevations.

Officers had not been convinced in this case that this was the right building size and design for the site. It was considered that there was a need to consider its location and land levels better to enable the development to contribute to the area's character and enable it to integrate more and in an acceptable way with the pattern and character of the local area. It was not considered that the design conveyed this and, as such, the development could not be supported in the form it was submitted. It was considered that the proposal was contrary to the requirements of policies PCYFF 2, 3 and 4 and PS5 of the LDP.

It was noted that the proposal avoided the inclusion of windows (on the northern elevation) in number and form that would affect the residents of neighbouring properties. Nevertheless, the plan indicated that some of the windows would be opaque, however, it was considered that this would have a worse impact than what was approved in the past and would give the feeling of overlooking (due to their number and height) from the perspective of the properties next door.

Also, it was reported that the site was considerably higher than the neighbouring property, and the proposal to erect a full two-storey property on this level of land would create an incompatible feature in the area as well as cause a markedly oppressive effect on the neighbouring property. It was added that the land level would also increase overlooking into the back garden of the neighbouring property - although the garden was currently visible from the site, the site was not used, therefore any current overlooking was only occasional.

Having considered all the relevant planning matters, including local and national policies and guidelines, it was considered that the proposal was unacceptable in terms of its scale, design, location and land/ground levels for this site. In addition, it was considered that the proposal had a detrimental impact on the privacy and amenities of the neighbouring properties due to its size, height, location and number of windows that are relevant considerations forming part of the considerations to recommend the refusal of the application. Although the site was located within the development boundary, and

planning history indicated that a residential dwelling was approved on this site in the past, it was not considered that the proposal was suitable to justify approving the development in its submitted form.

b) Taking advantage of the right to speak, the applicant noted the following main points and presented a video that had been made in a bedroom of a property opposite to the site:

- That it was proposed to build a two-storey dwelling on land adjacent to Plas Beuno that would create a significant impact on their property and would spoil the view from the front of their property. Certainly, the views boasted in the pamphlets during the property sale period would not exist.
- The impact of the development together with the loss of views would cause a sense of overlooking and of being 'hemmed in'.
- They had moved from Telford to this rural area of north Wales to look for a better life, and had chosen this location specifically for its beautiful views and there was no overlooking from nearby houses.
- They had made an effort to settle in the local community, had learnt to speak Welsh and built their forever home, they did not want to be forced out
- If they had been aware when their offer on the house (plot 1 Plas Beuno) was accepted that it was proposed to build a two-storey dwelling on land near Plas Beuno, they would definitely not have proceeded with the purchase. Many weeks after their offer had been accepted and when they had committed financially to the purchase and could not withdraw, it was advertised that it was intended to build on the land adjacent to the property they had bought.
- He believed that the timing of the latest amended planning application C21/0376/34/LL was a deliberate act in order not to endanger the sale of the other houses being developed on the site near Plas Beuno.
- That all the marketing and promotion materials associated with the sale of the property at Plas Beuno clearly indicated that the proposed area for planning appeared as a green space.
- Planning permission had been refused on the site on two previous occasions - there was no logic or reasonable grounds to approve it this time bearing in mind that the development would have a significant impact on nearby housing

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

- He had been brought up and lived in Clynnog and was an active member of the community
- The application was to build a home for him and his family
- The site had been purchased in 2017 and he was aware that permission had been given on the site in 2008 to construct a family home
- He had discussed the proposal with the Planning Manager in 2016 and had received assurance that planning permission would be approved on the site as long as the design was suitable and similar to the one approved in 2008
- In 2020, an architect was commissioned to plan a suitable house by amending previous plans in order that the plan was in keeping with the houses opposite and in accordance with the Planning Manager's recommendation
- It was proposed to move tonnes of soil in order to sink the house and to follow the streetscape pattern and reduce overlooking
- It was disappointing that the recommendation was to refuse the application - no correspondence had been received. He felt that he had been misled by the Planning Manager and it was suggested that erecting a house was acceptable as long as the design was striking
- The report was misleading in the context of the housing pattern - it was considered that the current design fitted in better than the houses opposite.

- There would not be overlooking - it was proposed to install opaque windows to avoid this
 - A six-foot fence would be erected for privacy
 - The owner of the house next door had submitted a letter of support stating that he was happy with the overlooking measures
 - It was disappointing that other letters of support submitted by neighbours had not been mentioned in the report
 - There was a lack of housing locally and there was no house for sale in Clynnog - his wish was to build a suitable home for him and his family so that he could stay in the village and continue to contribute to the local community
 - Approving the application would ensure that an affordable house would be released to local people in the area.
- d) Taking advantage of the right to speak, the Local Member made the following points:
- There was a suggestion by objectors that the administrative arrangements were misleading
 - Some had bought houses under the understanding that there was no intention to build on the green area
 - A request for correspondence letters from the Planning Department to the applicants to be shared with the Local Member
 - A suggestion to defer the decision - disagreement on both sides
- ch) It was proposed and seconded to refuse the application.
- e) During the ensuing discussion, the following observations were made by members:
- The applicant was referring to the previous planning guidance
 - The design was not in-keeping with the area
 - The type of house and design was wrong and unsuitable
 - Detrimental, oppressive impact on the nearby houses
 - The house filled the plot - an overdevelopment
 - The size of the house was too big for the site

RESOLVED

To refuse the application for the following reasons:

- 1. The proposed house is contrary to criterion 13 of policy PS5, criterion 1 of policy PCYFF 2 and criterion 1 and 10 of policy PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan 2017 because of the size and scale and design of the new dwelling specifically its height, bulk, land and ground levels which means that the proposal is not in keeping with the area's building pattern.**
- 2. The proposed house is contrary to criterion 13 of policy PS5, criterion 7 of policy PCYFF2 and criterion 10 of policy PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan 2017 due to the size and scale and design of the new dwelling specifically its height, bulk, land and ground levels and the location of the windows on the northern elevation which means that the proposal causes a significantly detrimental impact on the amenities and privacy of the residents of the property situated in adjacent to the site.**

5.7 Application Number C21/0337/38/DT Derwen Deg, Llanbedrog, Pwllheli

Demolition of a single-storey garage. Erect a double garage with annexe above, for the personal use of the applicant and family and friends occasionally.

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that the application was to demolish an existing outbuilding and erect a two-storey building in its place with a double garage on the lower floor and a residential annexe ancillary to the main house. The site was located within the garden of Derwen Deg, a detached property within the Llanbedrog development boundary

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

It was reported that a number of objections had been received including one from the Community Council stating concern that the proposal was an over development, that the site was unsuitable and first floor windows would overlook a private property and would create a detrimental impact on nearby neighbours

It was noted that on the whole the principle was acceptable, although the proposal was substantially larger than what already existed on the site. However, it was considered that the proposal was in keeping with the urban area that had a scattered nature and respected the context of the site. It was added that the design was acceptable and was not detrimental to the area's character and did not have a significant impact on neighbours - a condition could be imposed to ensure that the windows that overlook had permanent opaque glass and the proposed materials could be controlled via an appropriate planning condition.

The proposal would be used as a garage and residential annexe and the use could be controlled by imposing a condition to ensure that it was only used as ancillary use to the main house and not for any other use. Additional planning permission would be required for any material change of use of the annexe.

It was considered that the proposal was acceptable in terms of visual amenities, the effect on the AONB and general amenities.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- A number of concerns had been highlighted by local residents
 - The property was located at the base of Mynydd Tir y Cwmwd
 - The sewerage system at the location was unsuitable
 - The annexe was far from the house - there was potential for the unit to be self-contained in the future
 - It set a dangerous precedent of creating a second house in the garden
 - An extension would be best if they required an additional bedroom
 - Issues regarding crossing the road were a cause of concern - the road was unsuitable for the houses
 - That the Community Council objected to the application
 - The proposal was an over development
- c) It was proposed to refuse the application, contrary to the recommendation for the following reasons:
- The proposal was an over development of the site
- d) During the ensuing discussion, the following observations were made by members:

- An extension on the house would be more natural
- Although it was within the development boundary, the proposal appeared to be a new house in the countryside
- It was situated in a prominent site within the village

RESOLVED

**To refuse
Reasons:**

Over-development and harmful visual impact

5.8 Application Number C19/1089/22/LL Tredafydd, High Street, Penygroes

Full application to construct 12 dwelling houses with an access, parking and associated infrastructure

- a) The Planning Manager highlighted that the application was a full application to;
- Provide 12 two-storey houses in the form of detached houses, semi-detached houses and terraced houses, including 8 three-bedroom houses and 4 two-bedroom houses.
 - Creation of infrastructure to include estate roads and associated footpaths, fences/railings and stone walls.
 - Provision of parking spaces for each house, bin storage area and creation of individual gardens to the side and rear of the houses.
 - Provision of amenity spaces within the site along with an area to collect water.
 - The application was amended since its original submission following observations by the Transportation Unit and the Municipal Unit regarding access matters and the location of the bin collection location.

It was explained that the application site was currently empty but in the past it was a busy commercial site as a goods sales warehouse and previously it was a site with a mechanic garage and filling station. It was noted that the site, located within the Penygroes development boundary, was fairly flat and surrounded by residential housing.

Members were reminded that a full application was approved recently in Penygroes to provide 24 residential units, with each of them being affordable houses. It was explained that this site had been included and designated specifically for a residential development and was not a windfall site as in this case. It is not believed that the consent and the associated numbers changed the situation in terms of the numbers of houses identified for Penygroes and it did not affect the threshold identified for the village. Policy TAI 15 of the LDP states that Councils will attempt to ensure an appropriate level of affordable houses in the Plan's area. In Penygroes, two or more housing units were the threshold, whilst noting that 20% of the units should be affordable. As the proposed development proposed 12 units, this corresponded with the threshold noted in Policy TAI 15 to make a contribution to affordable housing.

In the context of educational matters and in accordance with the requirements of the SPG, consideration should be given to the situation in the school that served the catchment area where the development was located. In response to the statutory consultation the Education Department's Information officer stated that Ysgol Gynradd Bro Lleu was over its capacity. As per usual and in accordance with the requirements

of the relevant formula in the SPG, there was justification here to ask for a contribution of £50,480 to meet the lack of capacity in the primary school.

It was added, in accordance with ISA 5 of the LDP, that proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, would be expected to provide suitable provision of open spaces in accordance with the Field in Trust (FIT) benchmark standards. Although the proposal included open spaces, they did not meet the need for spaces with equipment. In order to comply with the requirements of policy ISA5 of the LDP and the SPG: Open Spaces in New Housing Developments, confirmation had been received by the Gwynedd and Anglesey Joint Planning Policy Unit that it would be required for the developer to provide a contribution of £8911.54 through a 106 agreement to secure appropriate provision in the local area.

Therefore, having weighed up the policy requirements and the guidance provided within the SPG and detailed information submitted as part of the application relating to the viability of the development, including considering house prices, it was believed in this case that there was justification for ensuring and agreeing on a contribution towards play areas and education. The figures showed that it would be possible to secure the playing area contributions, but that it would not be possible to provide the educational contribution in its entirety as the development would not be viable. It was highlighted that discussion had taken place with the agent and should the plan be approved, it was subject to reaching an agreement on the level of contribution via a 106 agreement and also, ensuring that the development complies with policies ISA 1 and ISA 5.

It was considered that the proposal for a residential development on this site would make good use of previously used land within the current development boundary. It was deemed that it would be a positive response to the various housing needs identified in the area. It was not considered that the proposal was contrary to local or national policies and there was no material planning matter that outweighed these policy considerations. Consequently, it was considered that the proposal was acceptable subject to the conditions noted below and the completion of a 106 agreement relating to financial contributions.

- b) Taking advantage of the right to speak, the applicant noted the following points:
- That the application comprised 12 properties, access, landscaping and drainage
 - That no objections had been received from statutory consultees
 - Originally, the plans comprised 12 properties with two affordable houses. Having undertaken a viability assessment, the need for financial contributions was highlighted (lack of capacity in the primary school) and to provide an open space. It was considered that the development would not be viable if contributions were to be made and to provide two affordable houses on the site. Officers from the Planning Department were consulted and it was agreed that an educational and open space contribution would be acceptable and the houses would be marketed as open market housing. Having considered the site and the location it was deemed that the housing would be affordable although they would not be recognised officially as 'affordable housing'
 - There were no ecological or drainage concerns and no concerns in relation to noise and transportation had been submitted
 - The development was within the development boundary of the village.
- c) Taking advantage of the right to speak, the Local Member made the following points:
- She supported the comments of the Community Council that were a current reflection of the local views

- She was concerned about the type of houses that would be built - there was a demand for affordable housing in the area and therefore the general opinion was that some should be affordable housing.
- Gwynedd was facing a dire situation in terms of the access of young people to homes in their communities. With the increase in open market prices this could lead to very expensive houses being constructed that would lead to a situation where individuals from outside the area could offer tens of thousands above the asking price by estate agents. Time after time, local people who offered the asking price for houses, lost out to people from outside the area who were able to offer tens of thousands above the asking price. Receiving the views of estate agents regarding the possible value of these houses was a totally pointless exercise.
- The site was in part of the village that already suffered a great deal from traffic and there was concern about the increase as a result of the housing development. Although there was a great deal of traffic along the adjacent road, no traffic had come in and out of the site for many years - the site had been quiet for a long while. The claim that staff vehicles and customers had used both entrances until recently did not reflect reality, neither was the claim that people were used to consistent disturbance at the location. People living nearby were used to a quiet location and the nearby road was busy.
- In terms of the number of houses in the application - parking was a huge problem at Penygroes and if residents of the new estate started to use plots outside the estate to park the side effect of this to nearby residents was very concerning and caused great frustration. Therefore the concern was that 12 houses was too many.
- Dyffryn Nantlle had lost several surgeries over the last few years and now there was only one surgery left. It had to be noted that the increase in population would mean an increase in the need for more GPs in the area.
- Concern about the capacity situation of the local primary school namely Ysgol Bro Lleu.
- Highlighted the need to deal with the petrol tanks and pollution and possible hazards at the location.
- In terms of the lack of play areas in the area and getting to grips with this, it would be useful if the applicant consulted with the Community Council in terms of identifying the areas and the type of equipment the community would favour.

It was proposed and seconded to approve the application

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

- If they were open market housing, an assurance was needed that local people would be able to buy the houses
- The value of the houses was now more than the value noted in the assessment - therefore there was justification to provide two affordable houses, educational contribution and a contribution towards an open space
- The area was recognised as a deprived area - was £185,000 affordable?
- People 'from outside' were pricing local people out of the market
- The prices had been assessed in 2019 - by today the prices were higher and therefore there was a possibility of making the development viable.
- Following the construction of the houses - a request for information on the number of local people who would own the houses

In response to a comments regarding ensuring the need for local people, the Assistant Head of Planning and Environment noted that evidence highlighted the need for intermediate housing within the Penygroes development boundary. He added that the size and floor area of the houses in question made them affordable and 24 social

housing houses had already been approved to meet with the 'affordable housing' need in the area. It was added that the Local Development Plan had identified the number (89) and the type of housing needed in Penygroes with 19 living units built between 2011 and 2020 - this highlighted sufficient capacity within the area. Although it was expected for a % to be affordable, it was noted that more than expected of affordable housing had already been approved.

In response to an observation regarding the language statement, and who had completed it, it was noted that the language statement had been assessed by language officers. It was the duty of the applicant to commission a language statement and if it was deficient or insufficient, language officers would have noted this

In response to an observation regarding the housing valuation period, it was highlighted that the viability assessment had been received in 2021 and if the condition of two affordable houses was imposed it would be possible to look at the value of houses in January 2021 and to make an application for an assessment and further valuation of the price.

- d) An amendment was proposed and seconded that a condition to provide 2 affordable houses together with reaching an agreement on the level of the financial contribution towards education and to complete a 106 Agreement to secure a financial contribution towards play areas and education.

A vote was taken on the amendment.

RESOLVED

To delegate the right for the Assistant Head of Department to approve the application, subject to reaching an agreement on the level of the financial contribution towards education and to complete a 106 Agreement to secure a financial contribution towards play areas and education and a condition to provide two affordable homes and the following conditions:-

- 1. Five years.**
- 2. In accordance with the documents/plans submitted with the application.**
- 3. Natural slate.**
- 4. Samples of materials and colours for the houses to be agreed with the LPA.**
- 5. Highways Conditions.**
- 6. Soft and hard landscaping.**
- 7. Biodiversity conditions**
- 8. Agree on details regarding Welsh names for the development together with advertising signage informing of and promoting the development within and outside the site.**
- 9. Removal of general development rights.**
- 10. Submit a Construction Method Statement including parking provision for the builders' vehicles, working hours, deliveries, etc.**
- 11. Submit outdoor lighting details to be agreed with the LPA before they are installed.**
- 12. Safeguard the open space for the future**
- 13. Provision of bin sites**
- 14. Contaminated land matters**
- 15. Drainage / Welsh Water conditions**

Note: Inform the applicant of the need to submit a sustainable drainage strategy plan for approval by the Council's Water and Environment Unit.

Note: Inform the applicant of the response of Welsh Water and Natural Resources Wales.

Note: Various Highways notes

5.9 Application Number C21/0277/39/DT Tŷ Coed Lôn Gwydryn, Abersoch, Pwllheli

First-floor extension above the existing garage together with a first-floor extension to create a veranda

- a) The Development Control Officer highlighted that the application was for an extension and changes to an existing residential property. The changes would include:
- First floor extension above the existing garage - the final extension would be 7.6m high, 0.7m lower than the roof of the house itself. There would be a slate hip roof with a 'Juliette' balcony on the front of the first floor.
 - Erecting a balcony along the first floor of the existing premises (that would act as a ground floor verandah) - there will be a privacy screen on both ends of the balcony
 - Erection of a rear one-storey extension with a slate hip-roof

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

It was reported that Policy PCYFF 2 of the LDP encourages the refusal of proposals that will have a significantly harmful impact on the amenities of local property occupiers. Concern was expressed by a neighbour that creating a balcony on the front of the property would enable overlooking that would be detrimental to their privacy and as a result of those observations the plans had been amended to include privacy screen on the sides of the front balcony. Although it was possible to see a little of the neighbours' front gardens from the balcony as re-designed, the front of the houses on Lôn Gwydryn were already open to the street and were visible from public spaces. It was not considered that the balcony would add significantly to the harm to the privacy of the property that faced the street.

Having assessed the application against the relevant policy requirements, it was considered that the proposal was acceptable in terms of visual amenities, the effect on the AONB and general amenities.

- b) Taking advantage of the right to speak, the applicant noted the following points:
- That the Officer's report, that supported the proposed development, addressed all the concerns that had been noted in the responses.
 - That pre-planning application discussions had been held with the planning officers and the observations had been fully incorporated in the final design.
 - There were some objections from local residents that included matters that were not based on planning matters and were therefore irrelevant
 - That concerns raised in relation to noise and possible disruption from the proposed balcony were assumptions that more people would reside in the house - this was not correct as the number of rooms would not change. The response to concerns regarding the increase in traffic was the same
 - That the objections to a great extent noted that the development was oppressive and nearby property would lose privacy
 - Careful consideration was given to the design of the additions using the current footprint to improve the premises. Although it was accepted that the proposal gave the impression of a larger size, the extension would be located above the current garage, that was over 5 metres away from the nearby property.

- That it was possible to respond to overlooking matters by imposing a condition that additional windows on the back to mitigate concerns - happy to conform to this condition
- No observations had been received from the Highways Unit and no concerns had been raised by the AONB unit.
- The officers' report confirmed that the scale of the proposal was appropriate for the location and the proposed development would comply with all the local and national policies and would improve the character and appearance of the property. The proposal would not in any way be detrimental - in reality it would improve the streetscape.

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

- He supported the concerns of the Community Council - the proposal was an over-development
- It was not in keeping with the area
- It would affect the privacy of nearby residents.
- Every bedroom door opened out onto the balcony and therefore noise would derive from its use
- A similar application in 2004 had been withdrawn.
- The balcony looked over the village hall and down into the village - it created a dominant feeling

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

- The proposal was an over-development
- It was a dangerous precedent
- The impact on the amenities of the neighbours

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

- That there was a need to consider the over looking element
- There was no view from the balcony, therefore what would be its use?

In response to an observation regarding over-looking, it was noted that a condition to ensure opaque glass for windows at the back of the building and there was approximately 22m between the property and the nearest house that was considered a sufficient distance.

RESOLVED

To refuse the application contrary to the recommendation

- **Over-development, harmful visual impact and harmful impact on the privacy of neighbouring houses**

5.10 Application Number C20/1056/25/LL Tŷ Menai, Ffordd Penlan, Parc Menai, Bangor

Change of use of building from Use Class B1 (offices) to Use Class D1 (non-residential establishments) together with changes to the external elevations of the building, creating an access road, bus parking and footpaths

- a) The Senior Development Control Officer highlighted that there was a request for the Committee to present their views on the report that formed an appeal statement to the planning inspectorate to recommend to refuse the planning appeal

A full application was received to change the Tŷ Menai/Technium building located on the Parc Menai Employment site, which was currently empty, from its existing Use Class B1 (offices) to Use Class D1 (education non-residential establishment) together with

creating an access road, bus parking, foot paths and changes to the building's external elevations.

It was reported that the development was at a scale that meant that it would have been submitted to the planning committee on 6 September, 2021 however, the applicant had submitted an appeal to the planning inspectorate on the grounds of a lack of decision. It was explained that when an appeal was submitted on the grounds of a lack of decision, the local planning authority had an additional period to determine an application during the first four weeks after the appeal was received. The appeal was submitted on 4 August 2021 and, therefore, the four week period came to an end on 1 September 2021. Having considered the timetable and the fact that no meeting of the Planning Committee would be held in August, it was not possible for the application to be determined within the four week period. Under such circumstances, the system did not allow the Council to determine the application.

It was added that as part of the appeal process, the planning inspectorate gave the local planning authority the opportunity to submit an appeal statement, where the authority could express opinions and recommend a decision. As officers had no delegated rights to determine the application, the application was submitted to the committee in order to receive their opinion. The opinion would be submitted to the planning inspectorate as part of the appeal statement.

Reference was made to the main concerns of the Planning Authority together with the Economy and Community Department, Gwynedd Council and these included:

1. Bangor City Centre Regeneration Scheme

Bangor city was facing several challenges - and the condition and performance of the city centre undermined its function as a regional centre. It was noted that major shops such as Debenhams had closed and Aldi would be relocating to Caernarfon Road, which had a detrimental impact on the viability of the city centre. Part of the scheme to regenerate the city was to increase activities and use in the city centre.

Coleg Menai was an important employer and service provider in the city. The existing site was within reach of the city centre with access and convenient links. There were concerns that relocating the campus to the outskirts of the city would be likely to undermine the business and function of the city centre and would reduce the number of people visiting the centre. As a result, it was considered that the application would undermine the 'Town Centre First' principle.

2. Impact on Parc Menai

The Parc Menai site was one of the most successful employment sites in Gwynedd. It offered an environment of quality and provided sites and property to a wide range of employers. It must be ensured that the proposed development would not have a detrimental impact on the estates pattern of use and thus made it less attractive and competitive. It was noted that Bangor had been identified as a 'Regional Growth Area' in the Welsh Government document 'Future Wales. The National Plan' with a focus on relocating developments within growth areas

3. B1 Employment Use

Parc Menai had been designated as a main employment site within the Local Development Plan. It was not considered that there was an over provision of employment properties within the area, especially property that was greater than 2,000 square metres.

Given the assessment and information submitted as part of the application, it was not considered that providing a further and higher education facility/main campus (for Grŵp Llandrillo Menai) on a site that was designated and safeguarded for use within Use Class B1 and which was designated under the LDP as a Sub-regional Strategic Employment site was acceptable on policy grounds. It was recommended that the Council submitted a statement to the Planning Inspectorate recommending that the appeal be refused.

- b) Taking advantage of the right to speak, the applicant noted the following main points:-
- That a Minister in the Department for the Economy had resolved to close Tŷ Menai and to sell it to Coleg Llandrillo Menai. The Education Minister had agreed to a grant to adapt the building for training and to install the most current equipment in place.
 - As a result, there were £12m grants on the table for investment to create a resource that would, from new cost £30m and outside our reach. This had to be invested and spent by 2023. Our application had been known to the planning department for three years now and therefore the matter had to be brought to attention

The Application

- Change of use of Tŷ Menai, a £17m building that had never been more than half full, to create a training resource for young people that Gwynedd could be proud of.
- We are convinced that it was necessary to leave the Ffriddoedd Campus - the buildings were poor and situated inconveniently in Bangor
- The main area of expertise at the new campus would be digital skills, business and media. The skills were perfectly in keeping with the Parc Menai jobs. Being there would be a catalyst to industry! There were examples across the country of education and industry being co-located and flourishing.

Response to the officers' ground for objection

- There was no objection from the departments of transportation, environmental agencies or the Language Unit - Policy was the only barrier.
- There was no lack of space at Parc Menai. There were at least 29,000 square feet available and possibly more following the change in peoples' work patterns to working from home following COVID.
- There was not sufficient space for a campus in the centre of the city - this had been proven beyond doubt.
- There was no basis to say that students would change the feel of the parc.
- The building was on the edge of the park.
- There were two buildings nearby Ysgol Glanaethwy and Llwyn Brain
- For anyone who had been on a further education college campus, the feeling was more similar to an university than a primary school. The comment was a discredit to the behaviour of our young people.

Conclusion

- That any policy would have to enable a unique out of the norm opportunity to proceed.
- We received legal counsel that stated that there was plenty of flexibility within the policy to approve a unique project.
- That common sense had to prevail. I am certain that Gwynedd ratepayers would not wish to see Tŷ Menai derelict - the next Plas Glynllifon? Ratepayers would prefer to see the resource being used to create a future for their children with a £30m campus for a cost of £12m.
- I trust that you will see the potential of this opportunity and you will be able to support our application for the benefit of generations to come.

- c) Taking advantage of the right to speak, the Local Member made the following points:
- The matter was wider than a ward matter - it included County wide implications
 - The site would re-locate from 'within the boundary' to 'outside the boundary'
 - Although the existing site was not within the Bangor City 'boundary', evidently it played a prominent part
 - There was agreement with the need to regenerate city/town centres to guide towards the centre - the function of town centres had to be re-thought and the associated requirements
 - Accepted the need for an accessible, sustainable location, however, there was a need to protect employment areas
 - The need to create modern education establishments as agreed and for the sectors to have good services.
 - The timetable was tight
 - They hoped for a solution
- d) It was proposed and seconded to recommend that the appeal be refused

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

- Parc Menai was not the appropriate place to relocate Coleg Menai
- Parc Menai was unsuitable
- The current location caused traffic problems, litter amongst residents - Parc Menai enabled the College to thrive.

RESOLVED: Recommend that the appeal is refused on the following basis:-

- 1. The proposal is contrary to Criteria 1 and 2 of Policy ISA3 of the Anglesey and Gwynedd Joint Local Development Plan (2017) which states that the sequential test should be adopted when determining the location of proposals for further and higher education with priority given firstly to existing further or higher education sites or, secondly, on sites which have a close association with an existing campus.???? On this basis, it was considered that the proposal does not comply with criteria 1 and 2 of Policy ISA3 of the LDP or with national policies based on the requirements of 'Future Wales: The National Plan 2040 (2021)' and 'Building Better Places: The Planning System Delivering Resilient and Brighter Futures' (July 2020).**
- 2. The proposal is contrary to the requirements of Policy PS13 and CYF1 of the Gwynedd and Anglesey Joint Local Development Plan (2017) which states that land and units on existing employment sites (Parc Menai is listed in the Policy) are safeguarded for employment/business enterprises.**
- 3. The proposal is contrary to the requirements of Policy PCYF 5 of the Gwynedd and Anglesey Joint Local Development Plan 2017 and Supplementary Planning Guidance: Change of Use of Community Facilities and Services, Employment Sites and Retail Units (2021), which states that proposals to release land on existing employment sites that are protected for Use Class B1, B2 or B8 in accordance with Policy PCYF1 for alternative use will only be approved in exceptional circumstances. Based on the information submitted with the application (and the separate reason for refusal, based on Policy ISA 3), the Local Planning Authority does not consider that exceptional circumstances have been proven. Furthermore, and without robust marketing activity and robust evidence regarding why buildings cannot be adapted to overcome the matters identified, there is no evidence that the site is unlikely**

to be used in the short or long term for the original use or safeguarding use, and that there is no viable business or industrial use for the site. In addition, there is no over-provision of employment sites within the vicinity; educational use would have a detrimental impact on employment use in nearby sites and the Local Planning Authority is not convinced that other suitable alternative sites exist for the proposed purpose.

4. The proposal is contrary to the requirements of Policy PCYFF2 of the LDP, which states that proposals will be refused if: (i) they have a significant detrimental impact on health, safety or amenities of the owners of local property, land uses or other property or the features of the local area due to an increase in activities, noise disturbance, litter or other forms of pollution or disturbance and (ii) land that has been designated for other developments. It is anticipated that the nature of the use of the further and higher education facility would increase the noise/disturbance and movements of pedestrians/students within and around the site, e.g. during lunch hours or free lectures.

The meeting commenced at 11.00 and concluded at 15:00.

CHAIR