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## PLANNING COMMITTEE 28-02-22

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**Present:** Chair: 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, Cai Larsen, Edgar Owen, Eirwyn Williams and Owain Williams

**Officers:** Gareth Jones (Assistant Head - Planning and Environment), Iwan Evans (Head of Legal Services), Keira Sweeney (Planning Manager), Aneurin Rhys (Development Control Officer), Rhys Cadwaladr (Senior Planning Officer - Minerals and Waste), Iwan ap Trefor (Senior Engineer - Development Control) and Lowri Haf Evans (Democracy Services Officer)

**Others invited:**

Local Members: Councillors Gareth Griffith, Glyn Daniels and Cemlyn Williams

### 1. APOLOGIES

Apologies were received from Councillor Louise Hughes and Councillor Dilwyn Lloyd

Councillor Cai Larsen was welcomed as a new member of the Committee

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

- a) Councillor Owain Williams in item 5.1 (C21/0645/33/LL) on the agenda, as he was the owner of a caravan site, and in item 5.2 (C21/0411/46/LL) on the agenda as his daughter had connections to Tyddyn Du.
- b) Councillor Berwyn Parry Jones in item 5.4 (C21/0446/20/LI) and 5.5 (C21/0445/20/LL) on the agenda, as he was a friend of the objector, and in item 5.9 (C21/0767/14/LL) on the agenda as he was a member of the Adra Board.
- c) Councillor Cai Larsen in item 5.9 (C21/0767/14/LL) on the agenda, as he was a member of the Adra Board.

The members were of the view that it was a prejudicial interest, and they withdrew from the meeting during the discussion on the applications.

- d) The following members declared that they were local members in relation to the items noted:
  - Councillor Simon Glyn (a member of this Planning Committee), in relation to item 5.2 (C21/0411/46/LL) on the agenda
  - Councillor Gareth Griffith, (not a member of this Planning Committee) in relation to items 5.4 (C21/0446/20/LL) and 5.5 (C21/0445/20/LL) on the agenda
  - Councillor Glyn Daniels (not a member of this Planning Committee), in relation to item 5.8 (C21/0922/03/LL) on the agenda
  - Councillor Cemlyn Williams (not a member of this Planning Committee), in relation to item 5.9 (C21/0767/14/LL) on the agenda

### 3. URGENT ITEMS

None to note

### 4. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 31 January 2022, 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 C21/0645/33/LL BODVEL HALL, LÔN BODUAN, EFAILNEWYDD, PWLLHELI, GWYNEDD, LL53 6DW

Change of use of agricultural land into a proposed touring caravan park including amenity block, access track and entrance

- a) The Development Control Officer highlighted that this was an application to change the use of agricultural land, to a touring caravan park. The work would include:
- Installing 40 informal grassed pitches measuring at least 8m x 8m
  - Creating a 3.6m wide hardcore access road forming a one-way network through the site
  - Construction of amenity block providing toilets, showers and washing facilities.
  - Creating a new 'clawdd' along the western boundary of the site

It was reported that the application had been submitted to committee on 22 November, 2021, when a decision was made to defer the application to allow officers to consider additional information received and to further discuss the details of the development with the applicant.

It was explained that the site was located in open countryside approximately 300m along the road, which is partly private and partly unclassified, from the A497 highway leading from Pwllheli to Nefyn.

Members were reminded of the concerns referred to at the previous meeting, namely the lack of consideration to biodiversity matters and access to the caravan park. In response, it was noted that additional information had been submitted:

- An Initial Ecological Assessment that included measures to protect ancient trees together with an ecological improvement plan to include the planting of native hedgerow, growing flowers and erecting bird boxes. It was noted that the Biodiversity Unit was satisfied with the proposals.
- An amended plan for the junction with the A497, which would involve widening the grass verge near the road, felling two trees and managing the height of the 'clawdd' in order to create a visibility splay of up to 160m to the west. It was noted that the Transportation Unit was satisfied with the proposals and the Planning Officers accepted that the amendments overcame the safety issues.

It was considered that the proposal with the additional submitted information, met with the requirements for developing a new seasonal camping site as noted in Policy TWR 5 of the LDP and by imposing appropriate conditions in order to ensure the required changes to the highway access and mitigation steps to protect biodiversity, that the development would meet the requirements of the relevant policies in the LDP.

- b) Taking advantage of the right to speak, the applicant noted the following observations:
- That he came from a Welsh farming family with Welsh values.
  - His family had lived and farmed in north Wales for over 200 years and he himself had farmed at Bodvel for over 50 years.
  - During this period his policy was always to support the values of the local community, the local people themselves, and local businesses and services.
  - He had always employed local people from local families and stated with pride that generations of the same local families had worked on the farm and had been directly responsible for managing agricultural aspects and care of farm animals.
  - He had been involved with a number of businesses in the area including restaurants, hotels, riding schools, a building company, garage and a visitors' centre in Bodvel. With every business he had adhered to the same principle of keeping everything local. He would continue with these values if the application was successful.
  - It would also be his honour to host the 2023 National Eisteddfod at the farm in Bodvel. This would allow him to promote his ethos of supporting the Welsh language together with its traditions, values and way of life - not only locally but with a much wider audience by promoting the Welsh way of life to future generations.
- c) It was proposed and seconded to approve the application
- d) It was highlighted that the Local Member, Councillor Anwen Davies, declared an interest as she was the owner of a touring caravan park
- e) During the ensuing discussion, the following observations were made by members:
- That improvements to visibility matters from the access to the A497 were acceptable
  - That biodiversity matters had been addressed

**RESOLVED to approve the application subject to the following conditions:**

- 1. Commence within five years**
- 2. In accordance with submitted plans**
- 3. The number of units on the site at any one time to be restricted to 40**
- 4. Restrict the season to between 1 March and 31 October**
- 5. Holiday use only**
- 6. Maintain a register of users**
- 7. No caravans to be stored on the site outside the season**
- 8. All internal and external signs to be in Welsh only or bilingual with a priority given to the Welsh language**
- 9. The recommendations of the Ecological Assessment Report must be observed**
- 10. The visibility with the A497 must be maintained to the standards shown on the plans on an ongoing basis**
- 11. Welsh Water Condition**
- 12. Landscaping conditions**

• **Note - Welsh Water, Natural Resources Wales, Licensing Unit**

**5.2 APPLICATION NUMBER C21/0411/46/LL Land at Tyddyn Du, Dinas, Pwllheli, LL53 8SU**

**Erection of building to store agricultural equipment and feed including two stables and a tack store.**

Attention was drawn to the late observations form.

- a) The Development Control Officer highlighted that the application was a full application for the erection of a multi-purpose (Agricultural / Horses) shed that would include two stables and a tack store, along with a sheep shelter, a place to store machinery and feed and a first-floor store. It was noted that the site was located in open countryside approximately 700m to the south west of the village of Croeslon Dinas; within the Special Landscape Area designated by the Anglesey and Gwynedd Joint Local Development Plan and within the Llŷn and Bardsey Landscape of Outstanding Historic Interest; The site was 180m to the west of the boundary of the Llŷn Area of Outstanding Natural Beauty.

The application was submitted to the Committee as the applicant was a relative of an elected member of the Council.

It was resolved to defer making a decision on the application at the Committee on 13 December 2021, in order to give officers an opportunity to consider late information received from the applicant, giving a further explanation of the need for the development. This included:

- That there were no agricultural buildings located near the house (on Tyddyn Du land) - some of the original buildings were now owned by Tyddyn Gwyn farm.
- The access to the field near the house was unsuitable for large vehicles as it crosses a ditch and water pipes; electricity supply and telephone cables pass overhead in the entrance, which was an obstruction preventing machinery from gaining access to the field near the house.
- Not much work needed to be done to the land in order to create a level site for the development; any soil moved would be recycled to create a level area around the building.
- Native shrubs and trees would be planted around the building.
- The building would not affect the visual amenities of any of the neighbours, other buildings or any nearby settlement,
- The site was hidden and on a secluded and desolate site; with the hedges providing a natural hiding place for the building.

It was reported that further discussions together with a site meeting had taken place with the applicant. Consequently, the proposed location of the building was changed - and set at a lower level than the original proposal and located closer to the mature hedge that surrounds the field.

As a result of the changes made to the plan since the previous Committee meeting, and further explanation received from the applicant regarding the need for the building and justification for the location, officers accepted that the agricultural need had been proven to erect a building on the site and therefore the proposal was acceptable under the principle of a fundamental rural

development and specifically policy PCYFF 1 of the LDP. In addition, as the proposal would now be partly hidden from public viewpoints, it was accepted that the building would not create an obtrusive feature in the landscape. It was considered that the application was acceptable under policies PCYFF2, PCYFF 3 and AMG 2 of the LDP.

- b) Taking advantage of the right to speak, the local member made the following points:
- That discussions had been held to discuss the concerns submitted and to be resolved - these discussions had been beneficial and positive.
  - The building had by now been re-located to a less prominent location in the corner of the field
- c) It was proposed and seconded to approve the application

**RESOLVED to approve with conditions**

- 1. The development must be commenced no later than five years from the permission date**
- 2. The development is completed fully in accordance with the submitted plans**
- 3. Agreement must be reached on the materials / external colours prior to the commencement of the development**
- 4. The building must be used for agricultural purposes only**

**5.3 APPLICATION NUMBER C21/0831/23/LL Lleifior, Llanrug, Caernarfon, Gwynedd, LL55 4AN**

**Residential development of 8 dwellings (including 4 affordable homes)**

**APPLICATION HAD BEEN WITHDRAWN**

**5.4 APPLICATION NUMBER C21/0446/20/LL Plot 11 Caernarfon Road, Y Felinheli, Gwynedd, LL56 4RZ**

**Application for the erection of a three-bedroom, three-storey house with a parking area**

- a) The Planning Officer highlighted that it was intended to erect a three-storey dwelling, which would appear to be two-storey from Caernarfon Road. It was explained that there was extant planning permission on the site to erect of a four-storey building to include 4 self-contained residential units (reference C09A/0182/20/LL) - the permission was extant (had commenced) as the former residential property on the plot had been demolished. This meant that the previously approved 4 units had been included already in the land bank and therefore there would be a reduction in the number of residential units provided. Therefore the proposal would not be contrary to policy TAI 4 and did not provide more units than the indicative housing provision set for the settlement in that policy. As a result, no special justification was needed for the development.

Due to the nature of this plot, the new property would be in a very prominent location from public viewpoints and would be an addition to the row of houses erected on Caernarfon Road. It was noted that this part of the village of Felinheli had a significant variety in terms of architecture, scale, design and setting.

In the context of general and residential amenities, it was highlighted that the proposed plans noted that the back wall of the dwelling was to be located 2m further to the north-west than the building that could be erected as part of the extant permission. The part of the proposed dwelling that extends 2m further included the balconies on the three floors and a different shaped roof that would be 1m higher than the approved building.

Due to the size of the blank elevation that abuts/faces property no. 14, Caernarfon Road it had to be accepted that the current proposal was likely to create a structure that would have some obtrusive impact on parts of a residential garden and a conservatory extension to the rear of this property. It was explained that the garden was located to the rear of 14, Caernarfon Road and due to the site's topography it enjoyed high levels of residential amenity with unobstructed views towards the north west. Despite this, the proposed dwelling was not significantly different to the four-storey building subject to the extant permission in terms of the form and setting of the rear wall as shown clearly on the proposed plans. For these reasons, it was not considered that the development would be likely to cause harm to the residential amenities that was significantly worse than the impact that would derive from constructing the building that was part of the extant permission.

In the context of transportation and access matters, it was noted that a response had been received from the Transportation Unit noting that the design of the front curtilage should be amended to coincide with the front curtilage of application C21/0445/20/LL. Following receipt of amended plans in line with the suggestions of the Transportation Unit, no further objection to the design of the footway was received and it was confirmed that other aspects of the proposal (such as parking provision) were acceptable. Attention was drawn to the number of conditions and notes about reminding the developer that there was a need to secure the relevant permits/licences to undertake street works suggested by the Transportation Unit.

Reference was made to the conditions that the Biodiversity Unit had confirmed should be imposed on the planning permission.

In the context of Safeguarding Existing Open Spaces and Disused Railway Lines, it was noted that the site abuts a designated open space to be safeguarded which runs between Crossing Cottage, Glan y Môr and Cwrt Menai. Following discussions with the agent, the Joint Planning Policy Unit and the Council's Property Service (which is the landowner of a section of the designation), it was established that the lack of clear boundaries and detail in old maps of the site meant that the original designation (re-used from the previous local plan), extends beyond the disused railway and on a section of plot 11A. It was understood that the purpose of this specific designation (under policy ISA 4) was to safeguard the disused railway line with the potential of extending Lôn Las Menai from its current end point on Ffordd Glan y Môr, along the disused railway line to meet Caernarfon Road.

The agent provided an amended site plan to show that there was sufficient distance between the property and the residential garden and the development would not overlap the disused railway line. Similarly, the proposal would not disrupt the use of the protected open space.

Having considered all the relevant matters, including local and national policies and guidance, as well as all the planning background, it was considered that the proposal was acceptable and satisfied the requirements of the relevant policies.

- b) Taking advantage of the right to speak, an objector to the application made the following observations:

- An image taken from the garden was highlighted - this outlined a sketch of the proposal on its current site
  - The proposed structure would protrude out by around 10 metres in front of her home and approximately 5m in front of her sun lounge - this was a few metres from other nearby properties in the row and was uncharacteristic
  - The height of the development would be approximately 9m above the road level compared to their property that was around 6m above the road level - this was 50% higher than their property and added to their concerns regarding shadowing. Neighbours on the other side of the road shared these concerns, although they accepted that planning permission had already been given for this height on the property
  - They had made an effort to contact Cadnant Planning, however, they appeared to be unwilling to discuss the matter. They very rarely received replies to their e-mail messages or calls. Last time they had suggested that they 'should proceed with our objections' - there was no indication that they were willing to discuss a compromise (copies of e-mails available)
  - Cadnant believed that the proposed plans were within the boundaries of the existing planning permission. However, it was very difficult to measure this as there were no measurements in the original plans. In comparing the site plans of the existing planning permission (C12/0986/20/LL) with the current plans, it appeared that the new plans protruded out by approximately one or two metres beyond the approved plans. We request detailed, correct measurements of the previously approved plans prior to making a decision.
  - It was reasonable to ask for the development location to follow the natural line of the existing property. We ask that consideration is given to the impact such a large and imposing structure has on more traditional property. It had also been noted that the owners would not live permanently in the property - this was a cause for concern.
  - To ask that the development, including the balcony is constructed behind the red line (or as close as possible), (as noted in a drawing by the applicant). This would be in-keeping with nearby property.
  - Local builders had informed them that drainage pipes ran adjacent to this line (at the side of the Menai Strait). Although these could not be located on drainage maps, it would be wise to investigate this further.
  - There was a request to move the rear boundary to be in line with their property and as a result would create a dwelling that would be better in-keeping with the local area.
- c) Taking advantage of the right to speak, the applicant's agent noted the following points:
- That the site was located within the development boundary of the village of Felinheli and bordered with Caernarfon Road that runs along the southern boundary of the site. The site was in a residential area with number 14 Caernarfon Road situated to the south-west.
  - Pre application discussions had taken place with the Local Planning Authority prior to the submission of a full application - the discussions had continued with planning officers, highway officers and neighbours since the application's submission.
  - There was previous permission on the site for a four-storey development to provide 4 flats. This permission was protected and was a material planning consideration when determining planning application C21/0446/20/LL.
  - There was also permission on site for the erection of a three-storey residential house and this could be implemented up until January 2023 - the fall-back position that could exist under the developments that have been previously

approved on the site had to be considered.

- The requirements of the highways department had influenced the location where the house may be sited on the site, this meant having to move further into the plot (different to the plan originally submitted). The proposed plan was similar to the previously approved plan in terms of its scale, design and setting.
- Although an objection had been raised by the neighbours of number 14 Caernarfon Road, the officer's report highlighted that detailed consideration had been given to the impact on the residential amenities of the nearby house - the assessment confirmed that the proposal would not have any different impact to the protected plan (i.e. the 4-storey building for the flats). Officers therefore confirmed that they considered that the proposal was acceptable in terms of the impact on residential amenities.

- ch) Taking advantage of the right to speak, the local member made the following points:
- The proposal was oppressive, likely to have a large impact on 14 Caernarfon Road
  - An extant permission existed on the site and therefore it was accepted that some type of development would take place, but running level with the rest of the houses on the road
  - That the Community Council was concerned about transportation matters
  - It was disappointing that an aerial photograph had not been included in the report - one had been submitted by the applicant
  - That the proposal was enormous and out of character
  - The gable-end of the proposed house would have an oppressive impact on the neighbours
  - There was a lack of contact and communication between parties
- d) The Planning Manager displayed plans of the previous permission in comparison with the application in question outlining its size and layout
- dd) It was proposed and seconded to defer the application for the following reasons:
- To hold further discussions between the relevant parties to seek to reduce concerns
  - The proposal appeared to be oppressive and obtrusive.
  - There was a need to re-consider the design and it was suggested that parking spaces should be positioned under the building

The Head of Legal Services highlighted that if the application was deferred for re-design reasons, that the aim of the deferral suggested that a new application was sought.

In response by a Member, it was noted that there was room to hold further discussions regarding the building's design, its density and its obtrusive feature without having to consider a new application.

The Assistant Head of Environment highlighted that it was necessary to consider if there was an additional impact to the extant permission and the opinion of the officers was there was no additional impact. He added that an 'alternative' application would be a new application, however, it would be possible to amend the density and impact.

- dd) During the ensuing discussion the following points were made by members:
- That the existing plan was better than the previous permission
  - Parking concerns needed to be considered - this was an integral part of the development



- Deferring the application and re-designing would be additional costs to the applicant.

ee) An amendment to approve the application was proposed and seconded

**RESOLVED: To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions:**

1. Time
2. In accordance with the plans
3. Slate
4. Exterior finishes
5. Access and parking
6. Reasonable Avoidance Measures for reptiles
7. No vegetation to be cleared during the bird nesting season
8. A Welsh name for the house.

## 5.5 APPLICATION NUMBER C21/0445/20/LL Plot 11a, Ffordd Caernarfon, Felinheli, LL56 4RZ

**Application for the erection of a three-bedroom, three-storey house with a parking area**

- a) The Planning Officer highlighted that the application shared the same design as application 5.4 - it was a full application for the erection of a three-bedroom, three-storey house with a parking area. It was noted that the site was located within the development boundary of the village of Felinheli (as defined in the LDP), near a class 3 public road (Caernarfon Road). It was added that the applicant intended to move to live permanently in the unit that would be called Heulyn.

It was explained that extant planning permission existed for the erection of a three-storey residential property (an application was approved to erect a three-storey dwelling under reference C12/0986/20/LL, as well as to extend the period when the development can be commenced by an additional 5 years under reference C17/1232/20/LL). This meant that the previously approved unit had already been included in the land bank. Having considered this situation, no change has occurred in the residential units being provided and therefore the proposal would not be contrary to policy TAI 4 and did not provide more units than the indicative housing provision set for the settlement in that policy. As a result, no special justification was needed for the development. To this end, therefore, it was believed that this latest proposal was acceptable in principle.

In the context of visual amenity, with the setting of the proposed house in relation to nearby dwellings, its design and scale, it was considered that the proposal would not have a detrimental impact on the residential and general amenities of nearby residents on the grounds of loss of privacy/overlooking and noise nuisance - the proposal was therefore acceptable in terms of the requirements of Policy PCYFF 2 of the LDP.

In the context of protecting existing open spaces and disused railways, the agent submitted an amended site plan to show that there was sufficient distance between the property and the residential garden and the development would not overlap the disused railway line. Similarly, the proposal would not disrupt the use of the safeguarded open space and it did not overlap substantially in this space (the property's garden would be located within the boundary of the designation). To this end, it was considered that the proposal was acceptable as it would not affect the

protected open space or the disused railway and would therefore comply with the requirements of policies ISA 4 and TRA 3 of the LDP.

Having considered all the relevant matters, including local and national policies and guidance, as well as all the planning background, it was considered that the proposal was acceptable and satisfied the requirements of the relevant policies.

- b) It was noted that the objector wished to state the same observations as those in application 5.4
- c) Taking advantage of the right to speak, the applicant's agent noted the following points:
- That the site was located within the development boundary of the village of Felinheli and bordered with Caernarfon Road that runs along the southern boundary of the site. The site was in a residential area and the plot was situated on land next door to the application discussed in 5.4.
  - Pre application discussions had taken place with the Local Planning Authority prior to the submission of a full application - the discussions had continued with planning officers and highway officers since the application's submission.
  - There was previous permission on the site for a four-storey development to provide 4 flats. It was noted that this permission was protected and was a material planning consideration when determining the planning application.
  - That there was also permission on the site to develop a three-storey residential house and this permission may be implemented up until January 2023 - the fall-back position that could exist under the developments previously approved on the site had to be considered.
  - During the period of considering the application, there had been extensive discussions with the planning officers and the highways officer and amendments had been presented to the plan in response to the observations received.
  - The highways department and planning officers were satisfied with the proposal.
- d) Taking advantage of the right to speak, the local member made the following points:
- The building did not have the same impact as application 5.4, however, the same matters arose.
- e) It was proposed and seconded to approve the application

**RESOLVED to delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions;**

1. **Time**
2. **In accordance with the plans**
3. **Slate**
4. **Exterior finishes**
5. **Access and parking**
6. **Reasonable Avoidance Measures for reptiles**
7. **No vegetation to be cleared during the bird nesting season**
8. **A Welsh name for the house.**

**5.6 APPLICATION NUMBER C21/0721/17/AC Chwarel Foel Tryfan, Y Fron, Caernarfon, Gwynedd, LL54 7RF**

**Application under Section 73 to vary condition 10 on planning permission C18/1125/17/LL to increase the number of HGV lorry movements from 5 loads per day to 9 loads per day, Monday to Friday with no HGV movements on a Saturday.**

- a) The Senior Planning Manager – Minerals and Waste highlighted that this application was part of planning application C18/0125/17/MW approved for the disposal and processing of existing mineral working deposits with conditions, on 6 September 2018. It was noted that two planning permissions already existed for this site and they related to the extraction and processing of minerals from different areas in the quarry. For the sake of accuracy and to avoid doubt concerning output rates, it was highlighted that a sister application, C21/0491/17/LL, was subject to a decision to increase output and consolidate output from the entire quarry to a total of 9 HGV loads on working days.

Under Section 73 of the Town and Country Planning Act 1990, the Local Planning Authority may amend or remove conditions, but may not amend any other part of the permission. A successful s.73 application results in the grant of a new planning permission and therefore the original permission remained intact. When determining a s.73 application, Local Planning Authorities may impose conditions beyond those proposed in the original application (although they have to be those that could have been imposed on the original permission). Previously, it was held that the amendments permitted should not amount to a 'fundamental alteration' of the proposal put forward in the original application.

It was reported that the application involved increasing the output from 5 to 9 loads on work days with the removal of the same amount of material with permission from the quarry complex, albeit at a quicker rate and that the main material planning considerations relating to the application was the intensity of the production process and that of additional highway impact.

In the context of transport and access matters, no unfavourable observations had been received from statutory consultees. The Highways Department noted that the proposed increase in vehicle movements would be minimal and it was further noted that there was an ongoing voluntary agreement of circular touring where HGVs arrive at the site from Groeslon and access through Rhostryfan that, in effect, halves traffic movement to and from the quarry prior to rejoining the A487. It was added, that this arrangement could not be conditioned, the applicant and the Minerals Planning Authority was eager for this to continue - developing such arrangements would be discussed in the ongoing Planning Liaison Group that sits annually to discuss the site's operations.

It was noted that there was support to the application from Llandwrog Community Council subject to HGV movements avoiding school traffic in the morning and afternoon - this arrangement was voluntary and would be agreed and developed via the Planning Liaison Group for the site.

Given that there would only be a minor change to the current output restrictions the proposal was considered acceptable in principle and in compliance with Policy TRA 4 of the Anglesey and Gwynedd Joint Local Development Plan. In the context of impact on amenity, reference was made to the planning conditions already imposed on permission C18/0125/17/MW that meet modern standards and allow sufficient control on the potential nuisance impacts of noise and dust on the area's amenities. Gwynedd Public Protection had no observations on the application.

Because of the flexibility of the existing planning condition that involves daily loads, the MPA had approved an informal arrangements to increase output to 9 loads a day for the past 12 months to compensate for Covid lockdown measures that restricted output during 2020. Although no complaints had been made to the MPA as to operations at the quarry, comments have been received as part of this planning application process from a nearby resident noting that dust has become

more of an issue during dry weather and there had been instances of vehicles arriving at the site as early as 6.30am. Having raised this issue with the quarry operator they had increased dust suppression measures and had been made aware that more frequent monitoring would be undertaken by the North Wales Minerals and Waste Planning Service with site compliance measures. In relation to issues of vehicles accessing the site at 6.30am, this matter had now been resolved and no HGV vehicles enter the site until 7.30am. These matters will be discussed with the operator and community at the next Planning Liaison Group Meeting.

It was considered that all the material planning considerations had been assessed and the proposal was consistent with the Anglesey and Gwynedd Joint Local Development Plan together with National Planning Policies and Guidance. This application was submitted under s.73 that allows for the varying of condition 10 of the permission, and also allows sufficient control with all the other planning conditions being reimposed, such as conditions relating to the impact on the landscape, industrial archaeology, heritage, environmental and amenity safety, hours of operation, phasing, restoration, biodiversity, public rights of way and designated sites.

- b) It was proposed and seconded to approve the application
- c) During the ensuing discussion, the following observations were made by members:
  - That the work offered local employment
  - The clearance of old rubble from the quarry made the site more attractive in the long-term
  - Despite the increase in traffic this could be equivalent to one load every hour and was not extremely heavy
  - To accept the concerns of local people

**RESOLVED To approve subject to the following amendment to condition 10 of planning application C18/0125/17/MW:**

***Except with the prior written agreement of the mineral planning authority quarry output, alone or in combination with any other extant minerals planning permission at the site, shall not exceed a maximum rate of no more than five HGV loads per day Monday to Friday, with no HGV movements on a Saturday. Figures of the output from the site over any specified period shall be made available to the local planning authority within 21 days of request.***

**Development to be subject to the same schedule of conditions under the previous grant of planning permission C18/0125/17/MW to control noise, dust, vibration, hydrology, protection of the water environment, sequence of operations, compliance with the application plans, archaeology, ecological mitigation, review of operations and progressive restoration.**

**5.7 APPLICATION NUMBER C21/0491/17/AC Chwarel Foel Tryfan, Y Fron, Caernarfon, Gwynedd, LL54 7RF**

**Application under Section 73 to vary condition 6 on planning permission C18/1126/17/LL to increase the number of HGV lorry movements from 5 loads per day to 9 loads per day, Monday to Friday with no HGV movements on a Saturday.**

- a) The Senior Planning Officer - Minerals and Waste highlighted that planning permission C18/0126/17/MW was approved on 18 February 2019, subject to conditions, to vary condition 6 of planning permission C16/0063/17/MW to allow five HGV loads per day, Monday to Friday, with no HGV movements on Saturdays.

It was noted that two planning permissions already existed for this site and they involved the extraction and processing of minerals from different areas in the quarry. For the sake of accuracy and to avoid doubt concerning output rates, a sister application, C21/0721/17/AC, was subject to a decision to increase output and consolidate output from the entire quarry to a total of 9 HGV loads on working days.

In the context of transport and access matters, no unfavourable observations had been received from statutory consultees. The Highways Department noted that the proposed increase in vehicle movements would be minimal and it was further noted that there was an ongoing voluntary agreement of circular touring where HGVs arrive at the site from Groeslon and access through Rhostryfan that, in effect, halves traffic movement to and from the quarry prior to rejoining the A487. It was added, that this arrangement could not be conditioned, the applicant and the Minerals Planning Authority were eager for this to continue - developing such arrangements would be discussed in the ongoing Planning Liaison Group that sits annually to discuss the site's operations.

It was considered that all the material planning considerations had been assessed and the proposal was consistent with the Anglesey and Gwynedd Joint Local Development Plan together with National Planning Policies and Guidance. This application was submitted under s.73 that allows for the varying of condition 6 of the permission, and also allows sufficient control with all the other planning conditions being reimposed, such as conditions relating to the impact on the landscape, industrial archaeology, heritage, environmental and amenity safety, hours of operation, phasing, restoration, biodiversity, public rights of way and designated sites.

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

**RESOLVED To approve subject to the following amendment to condition 6 of planning application C18/1126/17/LL:**

***Except with the prior written agreement of the mineral planning authority quarry output, alone or in combination with any other extant minerals planning permission at the site, shall not exceed a maximum rate of no more than five HGV loads per day Monday to Friday, with no HGV movements on a Saturday. Figures of the output from the site over any specified period shall be made available to the local planning authority within 21 days of request.***

**Development to be subject to the same schedule of conditions under the previous grant of planning permission C18/1126/17/LL to control noise, dust, vibration, hydrology, protection of the water environment, sequence of operations, compliance with the application plans, archaeology, ecological mitigation, review of operations and progressive restoration.**

**5.8 APPLICATION NUMBER C21/0922/03/LL Former Woolworths building, 30 High Street, Blaenau Ffestiniog, LL41 3AE**

**Application to demolish existing shop and erect 1 shop, 3 open market houses and 1 affordable house together with new vehicular access and parking provision (re-submission) at the former Woolworth site, High Street, Blaenau Ffestiniog.**

**Attention was drawn to the late observations form.**

- a) The Planning Manager highlighted that the development would be split into two parts, namely one building facing the High Street and the other building facing Glynllifon Street. The front building would be split into the shop area (A1) with a flat (2 bedrooms) above the shop and a two-storey house (1 bedroom) adjacent to the back of the shop with a garden. The second building would include two residential units (1 bedroom) that would extend over three storeys each with amenity gardens and parking provision.

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

It was explained that the site was located within the development boundary of the Blaenau Ffestiniog Urban Service Centre. It was noted that the vacant retail unit (of significant size) has been marketed for a long period without much interest shown. It was added that there was reasonable demand for small units and it was considered that the proposal would not lose a retail unit and the proposal met with the principles of policies MAN 1 and PS 15 of the Local Development Plan.

It was also reported that Blaenau Ffestiniog has been identified as an Urban Service Centre and the site was within the centre's development boundary. It was added that there was a need for more new houses and the proposal offered one affordable unit that met the policy requirements of policy TAI 15 and policy TAI 8 An Appropriate Mix of Housing

In the context of visual matters, it was considered that the development was likely to blend into its urban context retaining the traditional development forms and patterns and using suitable materials for the location. The proposal would make positive use of the site of an extensive previously used building that has stood vacant and had been deteriorating for a long period. Therefore, it was considered that the proposal met with the requirements of policies PS 5 and PCYFF 3 in the LDP.

Attention was drawn to the concerns received regarding the impact of the development on neighbours and it was explained that the application was a resubmission of planning application C21/0295/03/LL which was withdrawn to respond to the concerns of the Planning Officers. Following discussions with the applicant the applicant amended the application and the plans. It was considered that the impact had been assessed in detail and imposing conditions would overcome the concerns.

It was highlighted that the proposal would include two parking areas for two units on Glynllifon Street. Although the proposal did not offer an individual parking provision for each unit, this was deemed reasonable for a town centre location, with parking opportunities on nearby streets and in public car parks. It was noted that the site was an accessible location to the High Street where there was convenient access to public transport and priority should be given to develop accessible and sustainable sites as everyone does not own a vehicle. Regarding the concerns received about highway matters and parking in the vicinity, it was considered that the density of traffic of the previous shop e.g. delivery lorries and

staff parking generated heavy traffic movements. It could be argued that the traffic movements of two cars would cause much less disruption than delivery lorries and staff and customer movements as with the previous use.

It was reported that priority would be given to the development of sites that have been previously developed, and it was considered that the proposal would achieve this and improve the visual quality of a prominent site on the High Street with a design and scale of the development in-keeping with the vicinity.

- b) Taking advantage of the right to speak, the local member made the following points:
- That neighbours to the site had highlighted concern that the proposal was an over development
  - Concerns about the safety of the foundations of nearby buildings
  - Fire exit of a nearby building was on this building
  - The Meirion public house toilets were on the wall of the building that was to be demolished
  - Concerns about parking places
  - There was a suggestion in the report that the nearby shed was a lean to - it was not a lean to
  - A need to consider the privacy of neighbours - the proposal was higher than the existing
  - Photographs with the report suggested that it was an untidy and empty area - this was misleading
  - More consideration was needed of health and safety issues - there was a need to hold discussions with neighbours
  - There was a suggestion that a site visit should be conducted - correct information and facts had not been submitted with the application
- c) It was proposed and seconded to undertake a site visit.
- d) During the ensuing discussion, the following observations were made by members:
- That the Town Council objected
  - That there was a need to consider the safety element and the proximity of the proposal to other buildings
  - The proposal appeared to be an over development of the site
  - A visit would be better than trying to come to a decision by looking at photographs
  - That appropriate consideration needed to be given to safety matters and to the complaints noted
  
  - What was being proposed was better than what currently exists - the site was likely to become untidy if it was kept as it was
  - It would be possible to consider an amended plan with fewer houses?  
This would overcome the issues

In response to the observations regarding building matters, the Head of Legal Services noted that these would be addressed by the Building Control Unit and Private Land Law as the proposal would have to comply with building regulations. It was added that 'the construction of the building' was not a planning matter.

In response to a comment regarding suitable photographs, the Planning Manager noted that the photographs were a good reflection of the site and several discussions had taken place with the applicant regarding over development and

loss of privacy - amended plans had been submitted to relax the impact in certain places.

**RESOLVED: To undertake a site visit (subject to undertaking a risk assessment that would consider the appropriateness and safety measures in the context of Covid-19 guidelines)**

**5.9 APPLICATION NUMBER C21/0767/14/LL Former Cae'r Glyn Allotments, Bethel Road, Caernarfon, LL55 1HW**

**Construction of 17 affordable housing, access, parking spaces, landscaping and associated works.**

**Attention was drawn to the late observations form.**

a) The Planning Manager highlighted that the application had been submitted to committee as the proposal would involve constructing more than five houses. Members were reminded that the application had been submitted to the Planning Committee on 10/01/22 where it was determined to defer the application for the Committee to receive additional information regarding the following:

- More detailed response in response to the Town Council and confirmation about the period when the Transportation Assessment was conducted.
- A more detailed plan indicating the access for pedestrians and vehicles to the school
- Photographs / video showing the site in relation to the school.
- More details about the speed restriction and the possible traffic calming measures.

In response to the deferral, the agent had submitted the following additional information:

- A copy of the Safety Audit conducted and referred to in the Transportation Assessment.
- A statement by Cadarn Consulting, specialist Highway Engineers, who conducted the transportation assessment in response to the Concerns of the Committee and the Town Council.
- Plan and details regarding the access to vehicles and pedestrians to the school.
- An additional statement in the context of how reliable the traffic calculation figures were and the findings of the pedestrians survey undertaken on 7 February 2022

Reference was made to the response to the transportation concerns and of the time when the survey was conducted. It was noted that the assessment had been conducted by using an Automated Traffic Counter installed near the site on Bethel road for a period of seven days (over periods of 24 hours) between 21/06/21 - 28/06/21. In response to a concern that the assessment had been conducted during Covid restrictions, the additional information received from the applicant's highway specialist confirmed this and that the schools were open and when the number of Covid cases were low.

The statement referred to historical traffic data for the B4366 from the Department for Transport (DfT) that came from the manual traffic counting station located approximately 250m West of the proposed site, that had collected traffic data for 10



years. The mean annual average daily traffic (AADT) from the 10 years of data held by the DfT for this road was calculated as 5,389 (AADT calculated from the automatic traffic counter data gathered during the June 2021 survey is included in the report).

In response to members' concerns regarding peak school times and pedestrians, the applicant's highway consultants carried out a pedestrian assessment on the 7 February 2022. The assessment found that the majority of pupils used the western pavement to walk to the school but 90% were dropped off at the eastern lay-by and utilised the safe crossing provision on the road. It should be noted that proposal will not lead to a loss of parking provision. Parking will be provided within the site to replace the area lost on the lay-by.

It was reported that Caernarfon Town Council continued to be concerned about the application and had suggested that the decision should be deferred in order to get more information and a request to meet with Officers from the Highways Department on the site. It was noted that it was the duty of the applicant to submit information to enable the Local Planning Authority to assess a planning application and in this case it was considered that the applicant had gone beyond the policy requirements to assess the impact of the proposal and to provide additional information, that had been undertaken by qualified highway engineers in response to the concerns of the committees. It was added that the applicant had offered a financial contribution to the Transportation Service so that measures may be put in place / highway improvements made to improve highway safety.

It was considered that the proposal to develop 17 affordable homes would be a positive response to the various housing needs that had been identified in the area. There was no objection to the design of the houses and it was not considered that the proposal would have a substantial impact on the residential amenities of nearby houses. It was noted that the Council's Transportation Unit had submitted observations stating that the proposal would not detrimentally disrupt road safety although the observations received objecting to the application on the grounds of road safety were acknowledged. With relevant conditions and notes to ensure that the work would be completed in accordance with statutory standards and a financial contribution via a 106 agreement to secure road improvements, it was considered that the proposal was acceptable on the grounds of the requirements of Policy ISA 1, TRA 2 and TRA 4 of the LDP.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- He thanked the officers for the comprehensive report
  - He also thanked the officers for the additional information and for the good relationship that had been nurtured with Adra officers
  - The safety of children continued to be a matter of concern for him

He presented a video of a car journey along the road in front of the school during busy times

- c) It was proposed and seconded to approve the application
- d) During the ensuing discussion, the following observations were made by members:
- The Local Member was thanked for the video - a very useful contribution
  - It was noted that every application refused due to transportation reasons were always lost in appeal
  - That traffic caused problems in front of every school
  - There was a real need for affordable housing in the area - this was in-keeping with Gwynedd Council's Housing Strategy

- There was a need to avoid an appeal and costs for the Council
- The additional information had been useful
- Satisfied that the transportation matters were acceptable and safe

**RESOLVED: To delegate powers to approve subject to signing a 106 Agreement in order to secure a financial contribution to improve the road / install traffic calming measures and provide open spaces.**

**Conditions:**

1. **Five years.**
2. **In accordance with the plans and documents submitted with the application.**
3. **Natural slate.**
4. **Highway conditions.**
5. **Tree planting plan.**
6. **Biodiversity mitigation measures conditions to include compliance with the requirements of the Preliminary Ecological assessment; provision of Pollution Prevention Plan; ensuring that the site is permeable for hedgehogs and submission of a biodiversity improvement plan**
7. **Limit working hours between 08:00-18:00 Monday to Friday, 08:00-13:00 Saturday and not at all on Sunday or Bank Holidays.**
8. **Agree on details regarding a Welsh name for the development together with advertising signage informing of and promoting the development within and outside the site.**
9. **Removal of development rights from the affordable housing.**
10. **Ensure a plan/arrangements to provide the affordable housing.**
11. **Submit an Environmental Management Plan to include noise, vibration and dust.**
12. **Ensure compliance with British Standard BS number 5837:2012.**
13. **Samples of the materials and colours for the houses and hard and soft landscaping.**
14. **Ensure financial contributions for road improvements and open spaces.**
15. **Erection of fence along the boundaries.**

The meeting commenced at 10.00 and concluded at 12.25

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**CHAIR**