
PLANNING COMMITTEE 14/03/16

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

Councillors: Endaf Cooke, Elwyn Edwards, Simon Glyn, Eric M. Jones, June Marshall, W. Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams and Eurig Wyn.

Others invited: Councillors E. Selwyn Griffiths and Aeron Jones (Local Members).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Dafydd Gareth (Senior Planning Officer Minerals and Waste), Rhun ap Iarll (Senior Solicitor) and Glynda O'Brien (Member and Scrutiny Support Officer).

Apologies: Councillors Dyfrig Jones, John Wyn Williams (Substitute), Gweno Glyn, Peter Read and Dilwyn Lloyd (Local Members).

1. DECLARATION OF PERSONAL INTEREST

(a) The following member declared a personal interest in relation to the item noted below:-

- Councillor Endaf Cooke (a member of this Planning Committee) in relation to item 5.1 on the agenda (planning application number C14/1197/22/LL) because of a relation to the objector.

The member was of the opinion that it was a prejudicial interest, and he withdrew from the Chamber during the discussion on the application noted.

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

- Councillor E. Selwyn Griffiths (not a member of this Planning Committee) in relation to item 5.4 on the agenda (planning application number C15/1132/44/LL);
- Councillor Eric Merfyn Jones (a member of this Planning Committee) in relation to item 5.5 on the agenda (planning application number C15/1248/17/LL);
- Councillor Aeron Jones, (not a member of this Planning Committee), in relation to item 5.6 on the agenda (planning application C16/0063/17/MW)

The members withdrew to the other side of the Chamber during the discussions on the applications in question and did not vote on these matters.

2. MINUTES

The Chairman signed the minutes of the previous meeting of this Committee, that took place on 22 February 2016, as a true record.

3. PLANNING APPLICATIONS

The Committee considered the following applications for development.

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

RESOLVED

1. Application number C14/1197/22/LL – Bryn Melyn, Nasareth

Replace existing animal shelter facilities with new facilities to include reception, dog kennels, cat kennels, parking spaces, cesspit and associated facilities.

- (a) The Development Control Manager elaborated on the background of the application, and noted that the application had been deferred at the February Planning Committee and that an inspection visit to the site had been undertaken by some of the Members prior to the main planning meeting. It was noted that the principle of establishing an animal shelter on the 'Freshfields' (Bryn Melyn) holding had been established back in 1997.

It was deemed that the scale of the proposal would not substantially impair the environment given the impact and setting of the existing structures on the landscape, together with the design and elevations/external materials of the new structures that would reduce the visual impact within the local landscape and would be an opportunity to improve the site's appearance.

It was noted that the main objection from nearby residents to the application was noise disturbance stemming from the site and the noise that may emanate from the proposal by increasing the number of dogs proposed to be accommodated on the site itself. It was considered that the proposed mitigating and sound insulation measures would negate the noise disturbance stemming from the new kennels building in order that the noise levels would conform to the statutory noise levels, in the hope that as a result there would not be a significant or substantial impact on the residential and general amenities of nearby residents.

The development complied with the Gwynedd Unitary Development Plan (GUDP) for the reasons noted in the report.

The site was busy and the changes would formalise the facilities and comprise formal parking spaces. It was noted that the Transportation Unit did not have any objection and considering the context and subject to imposing relevant planning conditions, it was believed that this proposal was acceptable on grounds of scale, location, design, materials, road safety, parking, residential and visual amenities and complied with relevant local and national planning policies and guidance.

- (b) It was proposed and seconded to approve the application.
- (c) In response to the evident concern of a Member regarding increasing the number of dogs proposed to be accommodated on the site, the Development Control Manager explained that no statutory case of nuisance had been proven and the application was an improvement on the structure and it was possible to insulate the noise via a specific provision. Attention was also drawn to the fact that there would be conditions to control this.

Regarding a further enquiry of a trial period for the site, the Development Control Manager explained that it would be unreasonable to do this bearing in mind that there were five dogs already on the site and the application was an opportunity to improve the facilities.

She added, when replying to another enquiry regarding an increase in traffic, that there would be no more coming and going to and from the site than there currently was.

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

1. **Three years to commence the work.**
2. **In accordance with the amended plans.**
3. **External materials.**
4. **Landscaping.**
5. **The insulation plan for the kennels building to be submitted and approved by the Local Planning Authority (LPA) prior to the commencement of any construction work in line with the approved details, and it will not be permitted to board dogs in any other building or on any other part of the site following that.**
6. **Noise assessment to be submitted to the LPA and approved prior to the installation of mechanical ventilation equipment in any building.**
7. **Limit the numbers of dogs who need to be accommodated on the site at any time to 8 only**
8. **Limit the public opening hours of the facility to between 10.30am and 13.00pm.**
9. **The sewage treatment system will not be located within 15m of any stream, ditch or watercourse and at least 50m from any private water supply source.**
10. **The outcomes of porosity experiments must be submitted prior to the commencement of any development on the site.**
11. **Development to be completed in phases with details to be agreed with the LPA (including details of buildings to be demolished, the order of the work on the site and so on). Each phase will need to be completed to the full satisfaction of the LPA.**
12. **Safeguard public footpath no. 73 in the community of Llanllyfni during and after the completion of the development.**

2. Application number C15/0215/40/LL – Land adjacent to Tan yr Eglwys, Abererch

Erect nine new dwelling-houses to comprise three affordable dwellings together with the construction of internal access road and footpath.

(a) The Development Control Manager elaborated on the background of the application and noted that determination had been deferred in order to conduct a site inspection and receipt of amended plans.

The Planning Committee visited the site and an amended application had been submitted to erect eight houses instead of nine within the development boundary of Abererch, which was allocated within the Gwynedd Unitary Development Plan for new housing for the general market. In light of reducing the number of houses from nine to eight, the number of affordable houses being offered was two out of the eight.

A Language and Community Statement had been received on the morning of this Planning Committee and officers were in the process of consulting on its contents with the Joint Planning Policy Unit.

Reference was made to an assessment of the material planning considerations as submitted in the report. No objections had been received from the Transportation Unit, Biodiversity Unit nor from Natural Resources Wales. One letter of objection has been

received to the amended proposal, however, the planning officers were of the opinion that the objections did not justify refusing the application.

On the basis that the Language and Community Statement had been received that morning, the Officers' recommendation was to delegate the right to approve the application subject to the receipt of favourable observations from the Joint Policy Planning Unit on the Linguistic and Community Statement together with that the applicant signs a 106 Agreement to ensure that there are two affordable houses for local need and to relevant planning conditions as noted in the report.

(b) It was proposed and seconded that the application be approved in accordance with the officers' recommendation.

(c) During the ensuing discussion the following points were highlighted by individual Members:

- Concern regarding the language impact and that the Planning Committee had not had an opportunity to see the statement and it was therefore felt that it was premature for the Committee to determine the application until they had received full details and information in the Language and Community Statement.
- There was a fundamental weakness in the policies that note that applicants are not required to submit a language assessment. The policies should be changed to include the requirement for a language assessment.
- Concern that if a determination on the application was deferred then the likelihood was that the applicant would submit an appeal against the Council for no determination within a specific period of time.
- It was disappointing that the number of affordable housing had been reduced to 2 two-storey two bedroom detached dormer houses

(d) In response to the above observations, it was explained:

- that it would be possible for the Planning Committee to defer the determination on the application or trust in the officers to consult on the contents of the language statement and if confirmation was received from the Joint Policy Planning Unit that the contents was acceptable, to approve the application subject to the completion of a 106 agreement and relevant planning conditions.
- the applicant was quite entitled to submit an appeal and it was assured that the officers would assess the language statement in detail

(e) An amendment to defer determining the application was proposed and seconded until feedback was received on the contents of the Language Statement.

There was a vote on the amendment to defer the application and the original proposal to approve the application fell.

Resolved: To defer determining the application until confirmation is received that the contents of the Language and Community Statement is acceptable.

3. Application number C15/0793/32/LL – Stad Nanhoron, Botwnnog

Construction of solar farm and associated works

(a) The Development Control Manager elaborated on the background of the application, noting that the application had been deferred at the February Planning Committee in order to conduct a site inspection visit. Some members of the Planning Committee had visited the site on 7 March 2016 and they also went to see the site from Mynydd y Rhiw. It was explained that this was an application to install photovoltaic solar panels on agricultural land, along with ancillary work including a new access track.

The site lies on a gentle slope approximately 700 metres south east of the village of Botwnnog and in open countryside amongst undulating landscape with mature trees towards the eastern boundary and hedgerows surrounding the majority of the fields.

Reference was made to the public consultations together with additional late observations received and submitted to Members.

It was noted that the principle of the proposal was acceptable and conformed to the strategic policy regarding the provision of energy from renewable sources.

One of the main points to consider regarding this application were visual amenities and the inspection site visit was of helpful to understand the landscape better as well as the site itself. It was noted that the site itself was not within the AONB but was visible from some places. These would be views from a distance such as from higher ground in the Mynydd y Rhiw and Garn Fadryn area with views of the rear or side of the solar panels. Observations had been received from the AONB Unit on the proposal and they were of the opinion that the proposal would not have a significant impact on the AONB itself. A statement had been received from Natural Resources Wales stating that they were satisfied that the solar panels could be utilised without significant impact on views from the AONB. Consequently, it was considered that the proposal was acceptable in respect of visual amenities. In terms of design, it was evident from the site that there were quite high mature 'cloddiau' surrounding the fields and beyond, as well as a band of mature trees that were an effective screen from one direction. It was considered that it would be possible to impose a condition to agree on the details of more landscaping work in order to reinforce the existing hedgerows that were fairly weak and thin in places. In light of this, it was considered that the proposal would be acceptable.

Correspondence has been received from the owner of a nearby property who objected mainly on the grounds of the impact on views as well as the impact of glint and glare. It was noted that the property was located approximately 270m east of the site with the property's main elevation looking towards the south west. Having considered the distance of the property from the site and that the sides of the panels would be seen from it, it was not believed that the development would be oppressive to the property's occupants or that its impact on the landscape would justify refusing the application. Whilst recognising that there was a low potential for glint and glare, it was considered that the proposal to plant a new hedgerow as well as a landscaping scheme would not cause significant harm in terms of the loss of amenities to the property in question.

It was noted that the Gwynedd Archaeological Planning Service needed to undertake further work before they could be satisfied that the impact on the site was acceptable, but it was noted that this was fairly common for this type of development. It appeared that it was possible to overcome the concerns and that the applicant was willing to comply following the receipt of the Planning Committee's support for the application.

It was seen in the report that biodiversity issues, flooding and the operational period were acceptable. It was emphasised that paragraph 5.30 in the report referred to community benefit and was merely for information as it was not material to planning.

It was considered that it would be reasonable to delegate powers to approve the application, subject to the receipt of sufficient archaeological information that satisfies the Gwynedd Archaeological Planning Service together with the conditions noted in the report.

(b) It was proposed to approve the application in accordance with the recommendations before them as it was obvious that there was robust support for the development in the area.

(c) During the ensuing discussion the following concern was highlighted by a Member:

- a loss of 22.6 acres of agricultural land.
- cost of the electricity
- the height of the solar panels
- community benefit
- disturbance during the construction work in the middle of the tourist season
- disregard for what was stated by the Gwynedd Archaeological Planning Service
- that the Committee had statutory duties to protect views within the AONB.

(d) In response to the above observations, the Development Control Manager noted:

- That it was possible to graze under the solar panels and that the land was not recognised as the best grazing land and there was no concern that it would be lost for the development
- That the cost of the electricity or community benefit were not material to planning when assessing the application. The Senior Solicitor added that the Planning Committee could not consider community benefit as a material planning consideration for the application before them, or for any other application.
- That highway matters were acceptable and the Transportation Unit was satisfied with the application and the construction period subject to appropriate conditions to ensure that everything was acceptable.
- In terms of protecting the landscape and the AONB, a full assessment was submitted as part of the report and consultations had been conducted with all the statutory consultees concerning the relevant designations and no objection was received and therefore full consideration had been given in terms of visual amenities
- Whilst accepting that the site was visible it was not considered to have an unacceptable impact and was not harmful. It was concluded from the assessment and via consultation that the most prominent views would be to the side and to the rear of the panels. A comment was received that the hedgerows were very thin in places but it was noted that they were old hedgerows and it was possible to reinforce some weak spots.

(e) The Senior Planning Service Manager added that there was a risk if the Council refused the application without any evidence to do so, and bearing in mind that no objection had been received from the statutory bodies. It was stated that the site was historical and no objection had been received from CADW. As an option, the determination of the application could be deferred giving instructions for the officers to receive information from the Gwynedd Archaeological Planning Service and / or trust in the officers to consider the information and if they had any concerns to submit a further report to Committee.

(f) An amendment was proposed and seconded to defer the decision on the application until observations had been received from the Gwynedd Archaeological Planning Service.

(g) The following observations were noted in favour of the amendment:

- Whilst trusting in the officers that it was a matter for the committee to take responsibility to consider the additional information requested
- That there were many ancient sites in the vicinity of the area
- Would it not have been useful to submit the information fully to Committee prior to submitting the application for consideration.

(h) Before voting on the amendment to defer, the Chair noted that it necessary for the Committee to take stock regarding deferral, as several applications had been deferred recently and consequently the Department could not proceed with the processing.

(i) A vote was taken on the amendment to defer making a decision, however this amendment fell. A vote was taken on the original proposal to approve the application in accordance with the planning officers' recommendations and this proposal was carried.

RESOLVED: Delegate the right to the Senior Planning Manager to approve the application subject to the receipt of sufficient archaeological information that satisfies the Gwynedd Archaeological Planning Service and to conditions:-

1. Commence within five years
2. In accordance with plans.
3. The panels must be located as shown in the plans, or as agreed in writing with the Local Planning Authority.
4. Agree on the external materials of all the buildings, fence and camera poles.
5. Agree on the materials/colour of the frames and anti-glare covers.
6. Submit additional landscaping details for approval to include reinforcing the existing hedgerows along the boundaries.
7. Undertake work in accordance with the landscaping scheme during the first planting season following commencement.
8. To incorporate the additional landscaping details in the revised Landscape and Biodiversity Management Plan.
9. Construct the temporary site access in accordance with the details submitted.
10. Construct the permanent access in total accordance with the plan submitted and to be completed within a month of completing the solar farm development.
11. The site to be developed in accordance with the Access Appraisal and Traffic Management Plan and the Construction Method Statement.
12. The development to be completed in accordance with Table 1 Management Activities Schedule to the Landscape and Biodiversity Management Plan.
13. Submission and agreement on a Construction Environmental Management Plan (CEMP) prior to the commencement of the work. This should include pollution prevention measures in the form of a Pollution Incident Control Plan.
14. Submit and agree the details of the pasture seed mixture with the authority for approval prior to the commencement of the re-seeding work.
15. To submit and agree on the details of the locations of the bird and bat boxes with the Authority.
16. Submission of the results of the annual assessments, together with a revised management plan, at the end of the initial five years of the Plan as detailed in Objective 6 of the Management Plan.

17. **Work to be completed in accordance with section 4 Summary and Recommendations, of the Tree Restrictions Survey.**
18. **Need to submit and agree a surface water management plan and then implement the development in accordance with the agreed plan.**
19. **No buildings, structures or raising of ground levels within 4 metres to the bank of any watercourse**
20. **Except for lighting during the construction phase, no lighting will be permitted on the site unless this is agreed beforehand with the Local Planning Authority.**
21. **Any electricity cables from the development to link to the electricity connection should be installed underground, in accordance with the details shown on Botwnnog Solar Farm _P23_POC_RevB Plan.**
22. **Permission for 30 years.**
23. **If the solar panels approved in this application remain unused for the purposes of generating electricity for 12 months, they must be permanently removed from the site and the site should be restored to its original condition**
24. **The development to be undertaken in accordance with the landscape mitigation measures included in section 7 of the LIVA (Wardell Armstrong, August 2015).**
25. **25. Any relevant archaeological conditions**

Notes

1. **Need permission under Section 171/184 Highways Act 1980 for any work done within the road / pavement / green verge.**
2. **All costs for road signs, road markings and traffic order to be paid by the applicant.**
3. **Need permission under Section 40 of the Highways Act 1980 to install equipment within or under the highway.**
4. **Every care should be taken to prevent surface water running from the site curtilage onto the highway.**
5. **Need a copy of the 6 December letter 2015, Welsh Water, and the requirement to be aware of the guidance in it.**
6. **Safeguarding water courses.**
Copy of the Natural Resources Wales letter 16 December 2015, and the need to be aware of the guidance in it regarding avoiding pollution and waste management.

4. Application no C15/1132/44/LL – Lidl Store, Ffordd Penamser, Porthmadog.

A full application to demolish existing shop and reconstruct a new shop in its place with ancillary work including diverting the existing footpath.

- (a) The Development Control Manager expanded on the application's background and stated that the proposal would make use of the existing shop site and parking spaces as well as the adjacent site.

The site was located within the development boundary of the town of Porthmadog and once the existing building was demolished it was intended to revamp the site by constructing the new building in a new location adjacent to the existing estate road and creating parking spaces within the location of the existing shop.

Reference was made to the public consultations, the late comments form and the relevant planning policies within the report.

It was noted that the principle of the proposal was acceptable and reference was made to the site's planning history. In terms of visual amenities, attention was drawn to the fact that the unit's floor surface area would increase and would be larger than the existing shop.

However, this was not deemed to be unreasonable in terms of its size within the context of the size of other existing buildings in the vicinity of this extensive site.

It was not believed that this proposal would affect the local area's general and residential amenities to a more substantial unacceptable degree than already exists. No objection to the proposal had been received from the Council's Transportation Unit. Attention was drawn to concerns highlighted by Natural Resources Wales in respect of flooding issues. Following a discussion, it was understood that it was possible to reach an acceptable result and agreement on the details of the Flooding Consequence Assessment and it was believed that the development would be acceptable and would comply with the requirements of the relevant policies.

On the grounds of receiving confirmation from NRA that the proposal was acceptable, the planning officers' recommendation was to approve the application subject to relevant conditions.

(b) Taking advantage of the right to speak, the applicant's Agent noted the following main points:

- That Lidl intended to invest £1.5b over the next few years by introducing new shops to a higher standard
- There were a handful of high quality shops in the UK and Porthmadog would be one of the first in north Wales.
- The new shop would benefit from a substantial investment in the building's fabric both internally and externally.
- The external and internal design would be of a much higher specification
- The new shop would provide a higher quality shopping environment for customers and a better working environment for staff.
- Existing members of staff would be retained with 10-20 new posts created and filled by local people
- There would be an improvement to the link to the footpath from the town.

(c) The local member (who was not a member of this Planning Committee) noted his support for the proposal and he was proud that Lidl had chosen Porthmadog to upgrade the shop and this would certainly benefit the local economy. No concern was anticipated with the public footpath, however, attention was drawn to ensure that there was control with the times for loading and unloading goods. A request was also made for the sign at the side of the highway not to be illuminated as well as to ensure that the sign on the shop itself would be switched off when the shop was closed.

(d) In response to observations made by individual Members, the Senior Planning Service Manager noted as follows:

- A request may be made to Lidl to provide bilingual signage, however, no condition could be imposed on the application. An application for signage would be separate and there would be appropriate consultation when such an application was received.
- Similarly, a letter may be sent to the company stating that the Committee was anxious that they employ local people.
- In terms of restricting the hours, this would be done via standard conditions to avoid any impact on amenities from noise from the loading trolleys, lorries reversing etc.

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

RESOLVED: To delegate powers to the Senior Planning Manager to approve the application subject to the receipt of confirmation from NRW that it was possible to manage flood prevention measures to an acceptable degree.

To approve – with conditions

1. Time
2. Comply with plans
3. Landscaping
4. Lighting plan to be agreed
5. Restrict use/type of goods/time/delivery of goods
6. Highways
7. Welsh Water
8. Restrict additional floors
9. Restrict to one retail unit only which is not to be divided in the future
10. Materials to be agreed
11. Demolition period/method
12. Working hours during the construction period
13. Relevant conditions relating to flood management/prevention
14. Public footpath conditions
15. Natural Resources Wales conditions

5. Application number C15/1248/17/LL - 35, Y Grugan, Groeslon, Caernarfon

Application to erect a garage.

(a) The Development Control Manager elaborated on the background of the application and noted that some Members had visited the site prior to this meeting. The proposal was to erect a new single garage on a section of land outside the property's specific curtilage, in the far end of an estate road. It was noted that a concrete foundation already existed on the site which provided a parking space, with the foundation extending outside the application site and providing approximately two additional parking spaces for other houses.

A number of objections had been received to the proposal regarding the location of the garage in terms of land ownership, land ownership dispute, access to maintain a section of property and use by the public of a path running past the side of the garage.

It was noted that the proposal extended the existing concrete foundation to the side (towards property number 23) and to the back with the plans submitted indicating that the land was in the applicant's ownership. It was explained that ownership issues were civil matters rather than planning matters, therefore a land ownership dispute was not a reason to refuse planning permission.

It was noted that extending the foundation would impair upon the path that runs between the proposed garage and property number 23 Y Grugan. It appeared that the path was in the applicant's ownership, the applicant's agent had received written confirmation from the Footpaths Unit stating that this was not a public footpath and was not in the ownership of Gwynedd Council and had not been adopted or maintained by the Council. It was noted that the proposed garage would be erected totally on land located within the applicant's ownership, and it was not considered to be an over-development of the site and did not have a detrimental impact on the privacy or amenities of any nearby person.

It was confirmed that the objections received did not outweigh relevant policy considerations or material planning issues. The development complied with the Gwynedd Unitary Development Plan (GUDP) for the reasons noted in the report.

(b) The local member (a member of this Planning Committee) made the following main points:-

- That the application was a very sensitive matter for village residents
- It was noted in the report that a garage had been on the site in the past, however, then it was part of property 35 with an agreement between friends
- The garage was in a poor state of repair and had to be demolished
- Looking at the plans it could be seen that the garage roof sloped back and there was concern that water would run down towards the gate of property 37 and cause flooding
- In addition, the garage would extend over the pavement and it was asked how work to the garage would be undertaken
- That the concrete section would be for parking only and not for building
- If a garage was built on the concrete then it would be difficult for the owner to come out of the car
- Whilst accepting that the site had a planning history during the 1960's it did not have any recent planning history
- That there were parking spaces for numbers 35, 36 and 37 and if the application was approved then a garage larger than the existing concrete foundation would impair on the central space and on the path and the property of number 23;
- A strong appeal was made to the Planning Committee to refuse on the grounds that people would be deprived of parking spaces

(c) In response to the above observations, the Senior Solicitor stressed that whilst he accepted that there were strong local feelings regarding the application, they had to be mindful as many of the issues raised were civil matters. Whilst sympathising with the stance of the Local Member, attention was drawn to the fact that the report before them was clear in terms of the planning aspects.

(d) It was proposed and seconded to approve the application.

(e) In response to enquiries from individual Members, the following points were noted:-

- Regarding land ownership, that any individual had the right to submit a planning application and that whoever currently parks on the site was not relevant to planning considerations.
- There was an option to have pedestrian access from the other side and it appeared that the remainder of the U shape path was in the ownership of others
- In accordance with planning regulations, there was no need for a fire door at the rear and/or side of the garage
- That the Planning Department had consulted with Welsh Water and they had no objection.
- It was noted that it was the applicant who owned the land at the rear of the site and the water was likely to stand on his own land
- In terms of further concern with water collecting, it was noted that no more water would flow/collect as a result of building the garage that was likely to be already on a concrete area and that it was a matter of the Building Control Unit to organise a soakaway.
- It had to be borne in mind that the application was for a single garage and care should be taken not to intervene with other issues.
- Assurance was given that the area was not within a flood zone.
It appeared that it was the Council who maintained sections of the pavement

RESOLVED: To approve in accordance with the following conditions:-

- 1. 5 years**
- 2. Ensure that the development is completed in accordance with the plans submitted**
- 3. Use to be ancillary to the property known as 35, Y Grugan, Groeslon/no business use**

Welsh Water Note
Party wall note

6. Application Number C16/0063/17/MW – Moel Tryfan Quarry, Rhosgadfan

Application under Section 73 to vary condition 6 on permission number C14/0471/17/LL to enable an increase in output.

- (a) The Senior Planning Manager – Minerals and Waste expanded on the background of the application, noting the site's most recent history. Work was recommenced in 2007, following the Council's submission of an amended list of conditions under the Environment Act 1995, to extract and work minerals together with associated operations at the above quarry.

Several applications had been received recently to improve the site's infrastructure, such as the consent in 2013 to improve the haulage road and the access to the highway. Following this, permission was granted in 2014 to vary the same condition, with the previous permission in 2007 granted to increase the output of the quarry from 10,000 to 20,000 tonnes per annum subject to hauling four loads a day. It was emphasised that the principle of four loads a day had already been established.

Reference was made to the matters concerning traffic and access within the report and it was noted that no objection had been received from the transportation unit in terms of increasing the number of movements to and from the site. The Planning Committee's attention was drawn to the additional observations received from the Public Protection Department stating that they had no objection to the proposal and the current conditions in relation to noise from the development were sufficient.

Two letters of objection had been received and these noted concerns regarding traffic, noise, vibration, dust etc. It was noted that the Public Protection Department had requested to look again at dust issues from the quarry to reflect the requirements of modern regulations.

It was intended to retain the section of the condition that required the applicant to submit the number of movements to the Planning Department within a specific time and as a result it was recommended that it should be approved.

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

- That the extant permission controlling the development of the site limited the site's output to 20,000 tonnes per annum and conditional to four loads a day
- This was an application to remove part of condition 6 limiting the quarry's output and instead to be dependent on the number of loads that may leave the site every day.

- That the applicant was eager to increase the annual output but was aware of the local concerns regarding any increase in heavy traffic.
- That it was possible to increase the levels whilst adhering to the permission and benefiting from the maximum size and number of daily loads and by so doing there would not be a detrimental impact on residents' amenities as the level of heavy traffic would not increase above what was currently permitted.
- Although two letters of objection had already been received the statutory consultees had no objection.
- No objection had been received from the Community Council nor from the Council's Highways Department
- There would be no increase in the number of daily loads
- The report confirmed that the proposal conformed to the relevant policies of the Gwynedd Unitary Development Plan.
- The site would contribute to a sustainable supply of aggregates and to the local economy

(c) The neighbouring Local Member (who was not a member of this Planning Committee) stated that a section of the quarry was in his ward and on the whole he had no objection to the proposal, however, he stated the following concerns:

- He made reference to photographs he had showing a lorry travelling down from the quarry via Rhosgadfan and he was concerned about the public's safety, especially children on the narrow lanes in small village
- There was no figure in the report for the output
- The Planning Department objected to more than four loads and he was of the view that this was open to discussion and he was more than willing to discuss this jointly with the applicant and the relevant officer in the Planning Department as he had received complaints stating that more than four loads were already being transported.
- He had received a complaint from an individual regarding damage to a wall and also that seven lorries a day transported loads from the quarry
- Concern that heavy lorries would damage the roads
- Firm rules were requested to limit the hours when the lorries could not carry loads before 9.15 am and after 3.00 pm from Monday to Friday; maximum lorry size 20 tonnes; discussion between the local members and the company to discuss any problems; that the company contributes to a central local fund; establish enforcement as a conditional part of the application for lorries to travel up through Rhostryfan / Rhosgadfan and down through Carmel / Groeslon.
- It was suggested that it would be useful for the Planning Committee to visit the site

(d) In response to the above, the Senior Planning Service Manager stressed that this was an application to vary a condition and that the principle of the quarry work had already been established. It had to be borne in mind that the application did not ask for the quarry's operational hours and this would be unreasonable. Regarding movements outside the quarry, it was not possible to control which network the lorries would use for travel.

It was agreed in terms of communication, that it would be useful to establish a Liaison Group in order to air matters that caused concern to Local Members. It was noted that this was something that could be offered, however, this could not be imposed in the planning permission. It was further noted that the application gave flexibility to be able to meet with the market demand

(e) It was proposed and seconded to approve the application as well as to recommend that a Liaison Group is established.

(f) The following points were noted against the recommendation:-

- That it would be useful to undertake a site visit in order for Members to see for themselves what the issues were.
- Concern that the application had been refused last year due to a surplus of aggregates in Gwynedd and that a restoration plan was not part of the application

(g) In response, the Senior Planning Service Manager explained that every application had to be dealt with on its own merit and he added that the Public Protection Department had no objection to the application.

(h) In terms of a surplus of aggregates, it was confirmed that the situation was being consistently monitored with the output of each site submitted to the Aggregates Working Group.

(i) It was understood from a telephone conversation with the Local Member (Cllr.Dilwyn Lloyd) that he had no objection to the application.

(J) An amendment was proposed and seconded to visit the site.

(k) A vote was taken on the amendment to defer and visit the site, however, this amendment fell.

(l) A vote was taken on the original proposal to approve the application and to request that the Planning Department suggests to the applicant to establish a Liaison Group to air the problems outlined by the Local Member in his statement to the Committee and this proposal was carried.

RESOLVED: To approve the application subject to varying condition 6 as follows:

Except with the prior written permission of the mineral planning authority, no more than than four HGV loads per day will be taken from the quarry. It should be ensured that the output figures from the site over any specified period shall be made available to the local planning authority within 21 days of request.

In addition, all the conditions on the existing consent to control noise, dust, vibration from blasting, drainage of site, pollution control, archaeological matters, procedure and review of operations and restoration will be included in the new consent.

The meeting commenced at 1.00pm and concluded at 3.45pm.

CHAIRMAN