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## PLANNING COMMITTEE 04/04/16

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

**Councillors:**, Elwyn Edwards, Simon Glyn, Gwen Griffith, Eric M. Jones, June Marshall, W.T. Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, Eurig Wyn and John Wyn Williams

**Others invited:** Councillors Sian Gwenllïan, Gareth A. Roberts and Stephen Churchman (Local members).

**Also in attendance:** Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Rhys Roberts (Coast Path Project Officer), Idwal Williams (Senior Development Control Officer), Gareth Roberts (Senior Development Control Officer - Transportation), Rhun ap Iarll (Senior Solicitor) and Lowri Haf Evans (Member Support and Scrutiny Officer).

1.    **APOLOGIES:** Councillors Dyfrig Jones and W. Gareth Roberts (Local Member)

### 2.    **DECLARATION OF PERSONAL INTEREST**

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

- Councillor Sian Gwenllïan (not a member of this Planning Committee) in relation to item 5 on the agenda
- Councillor Gareth A. Roberts (not a member of this Planning Committee) in relation to item 6.1 on the agenda (planning application C13/113/11/AM);
- Councillor Stephen Churchman (not a member of this Planning Committee) in relation to item 6.2 on the agenda, planning application C15/1296/36/LL);
- Councillor Gruffydd Williams (a member of this Planning Committee), in relation to item 6.3 on the agenda (planning application C15/0034/42/LL);
- Councillor John W. Williams (a member of this Planning Committee), in relation to item 6.5 on the agenda (planning application C16/0154/25/LL);
- Councillor Michael Sol Owen, (a member of this Planning Committee) in relation to item 6.8 on the agenda (planning application C14/1118/45/LL).

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.

### 3.    **URGENT ITEMS**

None to note

### 4.    **MINUTES**

The Chair signed the minutes of the previous meeting of this Committee held on 14 March 2016, as a true record subject to including the name of Councillor Gwen Griffith on the list of attendees in the English version.

### 5.    **PROPOSAL TO CREATE A PUBLIC FOOTPATH IN THE COMMUNITY OF FELINHELI UNDER SECTION 26 OF THE HIGHWAYS ACT 1980, OVER A PIECE OF LAND IN THE OWNERSHIP OF PORT DINORWIC HOTEL, FELINHELI, TO FACILITATE THE WALES COAST PATH PROJECT AND IN THE INTERESTS OF THE AREA'S RESIDENTS.**

- a) Submitted - the report of the Senior Planning Service Manager requesting that the Committee approved a proposal to prepare a Section 26 Creation Order to be submitted to the Planning Inspectorate for a decision should the Council receive an objection to the order that could not be resolved. It was noted that Local Authorities had discretion under Section 26 of the Highways Act 1980 to prepare a Creation Order if they considered that a footpath was required in a designated area.

The Coast Path Project Officer reported that a number of discussions had been held with the current landowner regarding adopting a piece of land for public right of way through the Marina area over nearly eight years. It was explained that circumstances and the complexities of the ownership of the property had meant that the process to date had been slow and very frustrating at times. The Coast Path scheme was now close to reaching its completion, with the exception of this 8m piece of land.

The wish was to seek to ensure public right of way by agreement; however, as an agreement had not been reached, despite all the efforts, the option now was to follow the S26 order procedure in order to proceed to complete the Coast Path.

It was noted that the proposal was supported by Natural Resources Wales as it was a key part of the National Coast Path and funding had been allocated to undertake the necessary work to create the footpath. Completing the footpath would bring significant advantages in terms of providing an attractive, safe and convenient link for users of the Coast Path as well as benefits in terms of leisure and enjoyment for the local community which would include parents with prams, wheelchair users etc.

- b) The local member (who was not a member of this Planning Committee) made the following observations:
- That the scheme was very complex and that many obstacles had been overcome along the journey
  - That officers had been working very hard to secure the Coast Path
  - That locating the Coast Path near the coast was an asset and would be of economic benefit to Felinheli and Bangor. It was noted that several small businesses had opened in the Dock area and that completing the public footpath would be a further boost to the local economy.
  - Creating an Order was the best option to move on
  - An alternative option had been considered but was not suitable in terms of road safety
  - Supportive of the application and asked for the Committee's support to the order
- c) It was proposed and seconded to approve the Section 26 Creation Order in accordance with the planning officers' recommendation.
- ch) During the ensuing discussion the following points were highlighted by individual members:
- Supportive of the work and needed to reach an agreement in order to complete the footpath
  - The Coast Path was important in order to promote tourism in the area
  - Welcomed the development

#### **RESOLVED**

- **To submit a Section 26 Creation Order in order to ensure public access over 8m of land that is in the ownership of the Plas Port Dinorwic Hotel, Felinheli.**
- **Should an objection be received which is not withdrawn, that the Council submits it to the Planning Inspectorate for a decision.**

## **6. 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 C13/1143/11/AM – Land at Pen y Ffridd, Bangor

Outline application to construct up to 366 living units with ancillary developments including an access road, parking spaces and ancillary resources

Attention was drawn to the additional observations submitted.

(a) The Senior Planning and Environment Service Manager expanded upon the background to the application, and outlined that the application had been submitted to the Planning Committee in December 2015 originally. The decision of that committee was to refuse the application, contrary to officers' recommendation, on the following grounds

- i. that it would have a detrimental impact on the Welsh language,
- ii. that there was a lack of evidence regarding how the infrastructure would cope,
- iii. that sufficient evidence had not been submitted showing that local schools could cope,
- iv. that there was no evidence showing that the roads network was sufficient.

As a result of the Committee's decision, the matter had been referred to a cooling-off period in accordance with the Committee's standing orders.

In response to the concerns raised by the planning committee about the aforementioned aspects, a report was submitted responding specifically to these matters. It was highlighted that there was a delay to the response because additional information had been submitted by an objector, and the applicant, and the service had decided to undertake a second formal consultation on this additional information. It was noted that the cooling-off period report contained an assessment of all the information submitted in the context of the four reasons for refusal given by the Committee at the meeting in December 2015. Reference was also made to the full planning report in Appendix 1 which contained an assessment of all the planning considerations in the context of the relevant planning policies.

(b) It was reported that the site was located within the development boundaries of the city of Bangor, and had been designated specifically for housing in the Gwynedd Unitary Development Plan (July 2009) and therefore the principle of housing on the site was acceptable.

(c) In the context of the four reasons for refusal given by the Committee at the meeting in December 2015 the Senior Manager confirmed :

- i. That a thorough assessment had been undertaken of all the information submitted in the context of the possible impact on the Welsh language. The information submitted by the applicant based on a Statement of Linguistic and Community Impact was in accordance with the requirements of the Council's planning policies and based on the evidence the development was in accordance with the relevant planning policies
- ii. Neither Welsh Water nor Natural Resources Wales had any objection to the application subject to planning conditions and, therefore, the development was acceptable in terms of infrastructure matters.
- iii. Education matters, in terms of capacity, had been assessed in accordance with the requirements of the relevant Supplementary Planning Guidance including input by the Council's Education Department. Consequently, the developer would provide a financial contribution of £907,018 via a 106 agreement arrangement in order to meet the education needs arising from the development. Therefore, the development was in accordance with the relevant policies in terms of education matters.

- iv. Substantial evidence had been submitted and assessed in the context of transportation matters and consequently the Council's Transportation Unit did not oppose the application.
- (ch) The Senior Manager also referred to housing availability / need matters which had been included in the cooling-off period report though this was not a refusal reason. He stressed that the information in terms of need was important in the context of this application which provided 366 houses (110 affordable houses) and proved that there was firm evidence of the need for housing in the area.
- (d) It was stressed that there was no firm evidence to refuse the application, and based on the information and the evidence submitted and the responses received, the application was acceptable and complied with the requirements of the relevant local and national policies and guidance. Attention was drawn to the risks to the Council of refusing the application and also the options open to the Committee when determining the application. It was highlighted that there were substantial risks associated with refusing the application with financial risks associated with each of the refusal reasons, because an appeal against refusal would likely lead to a successful application for costs against the Council as there was no evidence to support the refusal reasons.

Based on the evidence, a recommendation was made to approve the application subject to completing a 106 agreement for affordable housing and a financial contribution towards education, with relevant conditions as outlined in the reports.

The Senior Manager also noted that if the Committee intended to refuse the application, the proposer and seconder would be expected to represent the Council to defend an appeal against refusal in accordance with the usual procedure.

- (dd) The local member (not a member of this Planning Committee), who opposed the application, noted the following main points:-
- That the development was a contentious one
  - That the development was too large and was unnecessary
  - It was a new village on the outskirts of an existing community - there was a need to develop and invest in these communities and not build from scratch
  - Large neighbouring developments, less than 1km from the site. Over 250 houses were for sale in Bangor at present and therefore there was no need for more.
  - If it was approved, what would the implications be? The existing local infrastructure would not cope with the size of the development and local schools were full. The education contribution was insufficient.
  - The Council had a duty to protect the Welsh language and cultural identity
  - Penrhosgarnedd was a Welsh-speaking area - the only area by now where Welsh was spoken regularly - the development would certainly have a detrimental impact here
  - The City Council opposed together with many local residents
- (e) Proposed and seconded – to approve the application.
- (f) During the ensuing discussion, the following main observations were noted in support of the application:-
- It must be considered that there was a need for new high standard houses in Bangor to attract people to work in the area and to encourage young people to remain locally
  - There was a need for a condition to ensure that the development was developed in phases so that it was not oppressive
  - Welcomed 110 affordable housing

- That the site was located within the development boundary
- There was a need to comply with the policies of Gwynedd
- That the houses were available for Welsh-speakers to purchase
- There was no sufficient evidence that student houses were returning to family use
- Welcomed the development - of benefit to the people of Bangor.

(ff) One member suggested considering a moratorium, namely to temporarily postpone making a decision until such time as a better procedure for analysing data had been established. It was suggested that a better methodology was needed when assessing language assessments and education contribution assessments and to receive a more detailed report regarding how the information was weighed up. It was outlined that this was a significant matter in terms of the identity and future of the Welsh language.

In response to the observation, the Senior Solicitor noted that the Committee did not have the right to request a moratorium or request to adapt policies. It was explained that, should the application be postponed, it was likely that it would be referred to appeal due to non-determination.

The Senior Planning Service Manager noted that Local and National Policies together with Supplementary Guidance set out definite regulations for the planning procedure and it was added that the information submitted had been assessed thoroughly and all the findings had been included in the report within the context of Gwynedd policies. In the context of education contributions, it was reported that there were national guidance and formula in order to identify financial sums corresponding to the need. It was added that the Education Department had been included in the discussions. It was emphasised that the current Gwynedd policies had been considered when assessing education and language matters, and that Gwynedd Council went above and beyond what was required nationally when assessing linguistic matters.

- (g) The following main observations were noted opposing the application:
- That the development was too large and was a threat to one of the strongholds of the Welsh language in Bangor
  - That the land had not been allocated for development in the Joint Local Development Plan and therefore the need no longer existed
  - Although there was a proposal to build in phases, this would not be viable - it was consolation on paper only
  - It would be foolish to rely on assessments

In response to an observation about the Joint Local Development Plan, the Senior Solicitor noted that the Joint Local Development Plan had not been through the Public Inquiry process as yet, and therefore very little weight could be given to the matter in the context of this application

- (ng) In accordance with the Procedural Rules, the following vote to approve the application was a registered vote:

**In favour (4)** Councillors Gwen Griffith, Anne Lloyd Jones, June Marshall and Michael Sol Owen

**Against (10)** Councillors Elwyn Edwards, Simon Glyn, Eric M. Jones, Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, John Wyn Williams and Eurig Wyn

**Abstaining (0)**

- (h) It was proposed and seconded to refuse the application.

- (i) In accordance with the Procedural Rules, the following vote to refuse the application was a registered vote:

**In favour (10)** Councillors Elwyn Edwards, Simon Glyn, Eric M. Jones, Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, John Wyn Williams and Eurig Wyn

**Against (3)** Councillors Gwen Griffith, Anne Lloyd Jones and June Marshall

**Abstaining (0)**

**RESOLVED to refuse contrary to the officers' recommendation.**

**Reason:**

**The Local Planning Authority has not been fully persuaded that the submitted information proves that there will not be a detrimental effect on the Welsh Language and it is therefore considered that the application does not comply with the requirements of Policies A2 and A3 of the Gwynedd Unitary Development Plan, SPG: Planning and the Welsh Language (November 2009) and national policy and guidance contained in TAN 20: Planning and the Welsh Language and within paragraph 4.13 of Planning Policy Wales (Edition 8 January 2016).**

It is noted in that in the context of a possible appeal against refusal, Councillor John Wyn Williams was the proposer and Councillor Simon Glyn was the seconder.

**2. Application number C15/1296/36/LL - LLYSTYN CANOL, GARN DOLBENMAEN,**

Erect a 85kw wind turbine on a 25m column, with a total height of 37m to the tip of the blade

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that this was a full application to erect a 85kw wind turbine on a 25m tower with a total height of 37m to its tip (including the blades) on agricultural land between the villages of Bryncir and Garndolbenmaen. It was explained that the location of the turbine was within 260m of the residential property of Llystyn Ganol and within 150m of the existing turbine on the land. It was highlighted that the boundary of Snowdonia National Park was located approximately 440m to the east of the site.

The application had been screened formally for an Environmental Impact Assessment under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) and it was not considered that the impact of the proposed development on the environment was sufficiently substantial to justify submitting an environmental statement with this application.

In terms of the principle of the development, it was noted that this was acceptable and that relevant national planning policies involving renewable energy developments had been considered together with policy C26.

In the context of general and residential amenities, it was highlighted that there was a significant distance between the site of the proposed turbine and any nearby dwelling (except for the applicant's property). The noise assessment submitted with the application was assessed by the Public Protection Unit and it was confirmed that the noise levels of the proposed turbine together with the noise of the existing turbine would not be raised higher than the appropriate noise levels. Consequently, it was suggested that a condition should be included to ensure that the noise levels did not change to an unacceptable level and impair on the general and residential amenities of the neighbouring area and in terms of shadow flicker.

In relation to visual amenities, confirmation had been received from the AONB Unit stating that it had no concerns regarding the impact of the proposed development in terms of views in and out of the AONB. In response to the objections of the National Park, Snowdonia Society, Campaign for the Protection of Rural Wales (CPRW) and members of the public which noted that the proposal would have a detrimental impact on the setting of the Park, and that there was an unacceptable cumulative impact given that there was another turbine on the site and on other land nearby, it was noted that the proposal would not likely harm the special characteristics and character of the Park by being significantly intrusive visually and/or by means of insensitive and incompatible siting within the landscape.

Having considered all the observations received as well as local and national policies and guidance, it was reiterated that this proposed development would not have a detrimental impact on the amenities of the local area including the general landscape or on views into and out of the nearby National Park.

- (b) The local member (not a member of this Planning Committee) made the following main points:-
- That he did not object to the application and that the details of the report were accurate
  - That the turbine was a little larger than the one currently on the site, but blended in well to the background
  - That the National Park opposed every turbine near its boundaries
  - That the application complied with current policies
  - That there was no objection from local residents - no objections / observations had come to hand
  - The applicant kept a traditional farm and needed to diversify

Proposed and seconded to approve the application in accordance with the planning officers' recommendation.

In response to a question regarding what weight is given to the observations of the National Park in order for them to be disregarded, the Development Control Manager noted that these observations had been assessed in full in the report and in the context of the observations of NRW which did not object despite the location of the Park.

- (c) During the ensuing discussion, the following main observations were noted:
- That the proposed turbine was in a less prominent site than many others
  - Supportive of renewable energy
  - Welcomed diversification given that basic payments would reduce and would end in 2020

### **RESOLVED to approve the application**

#### **Conditions**

- 1. Time - commence work within two years.**
- 2. Comply with plans**
- 3. Permission for a period of 25 years**
- 4. Colour / finish**
- 5. Noise**
- 6. Decommissioning**
- 7. Archaeology**
- 8. Biodiversity**
- 9. Underground cables only**
- 10. Submit details of any equipment or machinery**
- 11. Planning condition to protect bats**

### 3. Application number C16/0034/42/LL - FRON HYFRYD, MYNYDD NEFYN,

Construction of a single-storey extension and porch to house, conversion of existing garage to a self-contained holiday unit and construction of stables

Attention was drawn to the additional observations submitted.

- (a) The Development Control Manager elaborated on the background of the application, noting the proposal to construct a single-storey extension and porch to the house, convert the existing garage to a self-contained holiday unit and construct stables. It was noted that the site lies in the countryside within the Llŷn Area of Outstanding Natural Beauty (AONB) and within the Llŷn and Bardsey Landscape of Outstanding Historic Interest.

It was noted that the Mynydd Nefyn area characteristically has houses and associated buildings which are sparsely located within the area and are seen from a fairly vast area. Without doubt, the area was visible in the landscape. Nevertheless, it was noted that, though the site was visible, this did not make every development unacceptable and if developments were of a suitable design and finish they could be acceptable. Many of the houses in Mynydd Nefyn have been painted white and it was therefore considered reasonable to impose a condition to agree on the finish of the external render for the extensions in the proposal in question. Given its location, it was considered that white would be most suitable as this would ensure consistency with other houses in the surrounding area. The 'L' shaped stables would be located in the corner of the field with a *clawdd* towards the north and east and it was also intended to landscape around the stables. The proposal to dispose of the existing static caravan was also a substantial improvement to the site.

Attention was drawn to the site's planning history and to a retrospective application (C09D/0039/42/LL) to retain a garage and change the use of part of field into residential use connected to the dwelling and retain a static caravan and shed on the land. One of the reasons why the application had been refused on appeal was because the size and height of the garage as built created an unsatisfactory relationship between the garage and the dwelling house as a result of their close proximity. The Inspector had also considered that the proposal as a whole had an impact on the natural beauty of the AONB. The roof level of the garage had been reduced after that and a further application (C10D/0183/42/LL) had been submitted and approved in order to extend the curtilage of the dwelling and build a new *clawdd* and retain a shed and caravan. The improvements had been shown in response to the Inspector's concerns on appeal.

Considering all the relevant matters including local and national policies and guidance, and the observations received, the proposal was not unacceptable or contrary to the requirements of the relevant policies.

- (b) Taking advantage of the right to speak, the applicant noted the following main points:-
- They were grateful of the officers' support
  - They were new owners of Bryn Hyfryd
  - They accepted the objectors' observations but their intention was to improve the site and retain the character of the traditional cottage.
  - The size of the garage would not increase
  - The caravan would be removed entirely
  - The stables plan had been adapted and that it was intended to landscape by planting a hedge
- (c) The Local Member (who was a member of this Planning Committee) noted:
- That he had called the application in before the Committee
  - That the priorities and principles of the AONB needed to be considered - concern



that the priority given to protecting and considering the natural beauty of the area was not adequate

- Insensitive adaptations having an impact on the countryside
- Accumulative impact of all the additions on the setting of the AONB
- That several public footpaths passed the site
- Disappointed that there had been no consultation with CADW
- Town Council had refused the application
- Needed to ensure that the situation was managed following the history of several application on the site in the past

- (ch) In response to the observations, the Development Control Manager noted that the adaptations to the garage had been implemented in accordance with the requirements of the Inspector and that control of the site had been realised.

In response to a suggestion that the static caravan could return to the site, it was highlighted that it would be possible to impose a specific condition noting that permission would not be granted to place a caravan within the curtilage of the property and therefore the applicant would lose the right to re-site the caravan.

- (d) A proposal to undertake a site visit was made and seconded.

**RESOLVED to arrange a site visit.**

#### **4. Application number C16/0073/30/LL - BODRYDD, RHOSHIRWAUN, PWLLHELI,**

##### **Create 12 pitch touring caravan site including highway improvements**

Attention was drawn to the additional observations submitted.

- (a) The Senior Development Control Officer elaborated on the background of the application and noted the proposal to establish a new touring caravan site to locate 12 caravans together with highway improvements. The 12 touring caravans would be located near the field's boundaries and would be placed on hard standings made of fine slate. It was added that it was also intended to make improvements to two existing informal lay-bys and a new septic tank to serve the proposal would also be installed. The site had been used for many years for the siting of five touring caravans with caravan clubs where there was no need for formal planning permission. It was understood that there was provision for bathing, washing and recycling facilities already on the site.

Policy D19 permitted proposals to develop new touring caravan and touring unit sites provided they conformed to all of the relevant criteria. The site was located in the countryside and within the Llŷn and Bardsey Landscape of Outstanding Historic Interest. It was not considered that the site was located in an obtrusive spot in the landscape, as it was fairly concealed and surrounded by existing hedgerows and mature boundaries. In relation to general and residential amenities, it was explained that some dwellings could be found in the vicinity; however, it was not considered that a site of 12 touring caravans would constitute an over-development of the site.

In terms of proximity to the roads network, the site was located approximately 850 metres from a third class county road. There was no need to make alterations to the access as part of the application; however, it was highlighted that there would be a condition to ensure that the work of improving the lay-bys would be undertaken before the use as a caravan site would commence. It was also considered that an addition to traffic would not have significant harm to local amenities.

Although there were a few other touring caravan sites in the vicinity, the proposal did not go

beyond the locality's reasonable capacity to accommodate such a development when considering the cumulative impact of existing sites within the area.

It was noted that, as the proposal involved a tourism development which would create ten or more holiday units there was a requirement for a Language and Community Statement to be prepared in order to comply with the Supplementary Planning Guidance: Planning and the Welsh Language. It was confirmed that a linguistic statement had been included as part of the application and that the Joint Planning Policy Unit had responded by noting that the nature and scale of the development were not likely to have a detrimental impact on the Welsh language.

- (b) It was noted that the Local Member did not object to the application.
- (c) Taking advantage of the right to speak, the agent representing the applicant noted:
- That there were five caravan pitches already on the site - the application was to increase to 12 pitches
  - That the resources and the facilities on the site could cope with the additions without any further adaptations
  - Two passing bays would be created in order to improve road safety
  - The farm had fishing rights and there it was a resource to attract visitors to promote the local economy
  - That the development safeguarded local jobs
- (ch) It was proposed and seconded to approve the application.
- (d) In response to an observation regarding the number of planning applications which were relevant to the property in question, it was noted that the previous applications were not relevant to the caravans application. It was outlined that they had been applications to improve the house and farm resources and therefore there were no concerns about over-development of the site.

In response to a further questions regarding who provided guidance on the number of caravan parks in the countryside and along the coast, it was noted that the relevant policy required the consideration of any cumulative effect and that this would be undertaken for every such application. It was also outlined that recent work on the capacity of the landscape by Gillespies as well as Land Map would be used to assess planning applications.

- A comment was made that no observations had been received from the Community Council.

- (dd) Resolved to approve the application in accordance with the amended recommendation.

### **RESOLVED to approve the application**

#### **Conditions:**

- 1. In accordance with submitted plans.**
- 2. The number of units on the site at any one time to be restricted to 12.**
- 3. Conditions on the timeframe for siting caravans/holiday period/moving the caravans when not in use.**
- 4. No storing on the land.**
- 5. Records list.**
- 6. Landscaping.**
- 7. Passing spaces to be completed prior to commencing the permitted use**

#### **Notes:**

1. **Highways notes**
2. **A copy of standard observations from Natural Resources Wales**

5. **Application number C16/0154/25/LL - The Book People Ltd, Ffordd y Parc, Parc Menai, Bangor**

An extension of 75,000 square feet to the existing warehouse.

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that it was a full application to extend The Book People's book warehouse at Parc Menai in order to create an additional storeroom that was supplementary to the existing warehouse.

It was noted that the site of the extension was located at the western gable-end of the existing building and included a plot of flat land with a slate surface that was created when the original building was erected in 2002.

It was noted that the principle of expanding existing enterprises was based on Policy D8 of the GUDP, which stated that such proposals would be approved subject to compliance with a number of guidelines relating to ensuring the existing use did not cause significant harm to the surrounding area, that the proposal was located within the existing development, that the proposal was ancillary to the work that existed there already, and that the scale of the proposal would not significantly impact environmental amenities and the local roads network. It was noted that the details of the proposal had been included in the original application in 2002 to erect the existing building which confirmed the applicant's intention to expand the enterprise.

It was confirmed that the extension would reflect the existing building and would be screened significantly by an established coppice. As the extension would be of the same appearance and height there would not be a substantial or significant difference in the impact of the extension on visual amenities. It was also noted that the site was located within the GUDP's Landscape Conservation Area and that it was within a Registered Historic Landscape. It was noted that, as the site had already been designated for high quality industrial uses, it would not have a significant impact on the setting and character of this part of the historic landscape. It was noted that the site was to the south of the Vaynol Estate conservation area as well as a grade II listed estate wall which was located to the east of the site - despite these this it was believed that there would be no significant negative impact on the setting or integrity of the conservation area nor the listed wall considering the location and design of the extension along with the screening and landscaping that reduced its impact on the local environment.

It was highlighted that Natural Resources Wales had not agreed to the application originally as insufficient information had been submitted in order for them to respond to it in full. The applicant was asked to submit additional information regarding introducing a lighting scheme, a biodiversity risk assessment and further details regarding protected species. Although no written response had been received after further consultation with Natural Resources Wales, it was proposed that it would be possible to impose appropriate conditions to control the situation should NRW's observations require this.

In compliance with relevant requirements, a Linguistic and Community Statement was submitted with the application and reference was made to the response in the additional observations circulated.

Given the assessment and subject to receiving favourable observations from Natural Resources Wales, it was believed that the application was acceptable based on scale, location, design, form, materials, road safety, parking, visible and residential amenities and complied with local and national planning policies and guidance.

- (b) The local member (a member of this Planning Committee) made the following main points:-
  - That he was supportive of the application.
  - That the site had already been allocated for an extension to the existing business
  - This was the largest employer within Parc Britannia, Parc Menai
- (c) It was proposed and seconded to approve the application.
- (ch) During the ensuing discussion, the following main observations were noted:
  - Welcomed the development and pleased that the company wanted to continue to invest in Bangor
  - That The Book People was a very important employer to the Bangor area
  - The books were affordable and therefore encouraged people to read

In response to a question regarding further landscaping, it was noted that the site had already been landscaped significantly and was fairly concealed; however, it was noted that a recommendation had been proposed in the report to ensure a management scheme for landscaping.

**RESOLVED to approve the application**

**To delegate powers to the Senior Planning and Environment Manager to approve the application, subject to receiving favourable observations from NRW.**

**Conditions:**

1. Five years
2. In accordance with the plans.
3. Biodiversity conditions in relation to undertaking mitigation measures as included in the Phase One Extended Habitat Survey submitted with the planning application.
4. External materials.
5. NRW's conditions regarding safeguarding protected species.
6. Submitting a Lighting Scheme to be agreed upon with the Local Planning Authority.
7. Submitting a landscape management plan to be agreed upon with the Local Planning Authority.
8. Restrict the mezzanine floor to the location shown in plan number BAS-DR-A 023 Rev. P3. P3.

**6. Application No. C16/0155/11/R3 – Ysgol Glan Cegin, Maesgeirchen, Bangor**

Demolition of the existing school building, erection of a new school building and associated works.

Attention was drawn to the additional observations submitted.

- (a) The Development Control Manager elaborated on the background of the application, noting that it was a full application for the construction of a new school building on the land of the existing school and the demolition of the existing school once the new school had opened. It was also noted that the plans included substantial landscaping work, provision of new playgrounds, accesses and new parking provision. It was explained that the site was located within the Maesgeirchen estate which was within the development boundaries of Bangor. The new school would provide space for 210 children and 30 nursery spaces. Due to the steep nature of the land the building would be on two levels in order to make the best use of the land and current levels.

It was added that the principle of the development was acceptable and complied with the requirements of relevant policies. In the context of visual and residential amenities it was noted that the site was located in a residential area with a scattered mixture of community facilities throughout the estate. It was recognised that the existing school building had reached the end of its lifespan and there was no design / architectural reason to justify preserving the building.

When considering the size, design and the proposed materials, it was not believed that the proposal was likely to cause any significant harm to the visual amenities of the local area. Observations had been received regarding shadowing and loss of light, but given the current land levels, the location of the new school and the sun's path, it was not considered that the location of the new school would be likely to have a substantial detrimental impact on the residential amenities of neighbouring houses nor create an oppressive feature. It was recognised that there would be a period of unusual disturbance during the construction phase; however, this was not sufficient to warrant refusing the application and it was possible to include a condition to control this.

In the context of transportation and access matters, it was highlighted that the department had had significant input to the discussions prior to the submission of the application and in terms of linguistic and community matters it was suggested that the development could make an important contribution to the community and therefore contribute towards protecting and strengthening the community's social, linguistic and cultural fabric.

Having considered the observations received, all the policies and relevant planning matters it was not believed that the development would have a significant negative effect on the area's visual and residential amenities, road safety or biodiversity and in the context of national policies it is not believed that the proposal was contrary to these relevant policies.

- (b) It was proposed and seconded to approve the application.
- (c) During the ensuing discussion, the following observations were made:-
- Welcomed investment in the area
  - A new school would certainly raise the ambition and confidence levels amongst the area's children
  - Disappointment that the Local Members were not present to welcome and support the new school

**RESOLVED to approve the application:**

**Conditions**

1. **Time**
  2. **In accordance with the plans**
  3. **Transport conditions**
  4. **Biodiversity conditions (if necessary)**
  5. **Submit a detailed land drainage plan**
  6. **Demolish existing school, restore land and complete landscaping work within a reasonable period ( to be agreed).**
  7. **Submit detailed plans of the bin storage area.**
  8. **Working hours during the construction period.**
7. **Application number C16/0157/11/LL – Maesgeirchen Social Club, 90 Penrhyn Avenue, Bangor**

Demolition of existing social club building and erection of a three-storey building with shop (including cafe, fascia signage and ATM) on ground floor and 10 single bedroom flats on the floors above.

The application had been withdrawn prior to the Committee.

**8. Application number C14/1118/45/LL – Land near Ala Cottage, Ala Road, Pwllheli, Gwynedd**

Demolish existing buildings and erection of retirement living houses (30 units) along with communal facilities, landscaping and car parking.

The item was chaired by the Vice-chair, Councillor Anne Lloyd Jones.

- (a) The Development Control Manager elaborated on the background of the application and noted that it had been deferred at the Planning Committee on 22 February 2016 in order to receive further information relating to the open market price of the units, viability matters and an explanation as to why the design was for a three-storey house.

It was further noted that the development was to demolish existing buildings and construct a new building to provide 30 retirement apartments along with community facilities for the residents within the development. The proposal in question would contribute towards a provision of local retirement homes and where such homes were not available locally. From the information submitted with the application, it was noted that the units would be sold on a 125 year lease with the accommodation would be occupied by a person aged over 60 years or in the case of a couple that one of them was aged over 60 years and the other was aged over 55 years.

It was noted that, as part of the application, a Planning Obligations and Affordable Housing Statement had been submitted by the applicant. Within this document it was noted that the open market prices of one bedroom units was £157,000 and the two bedroom units was £215,000. It was also noted that the applicant continued to argue that it was not viable to have any contribution towards affordable housing as part of the development. Members were reminded that when the application was submitted to Committee on 22 February 2016, the applicant had offered a commutative sum towards affordable housing of £40,000 in order to proceed. Following the Committee's decision to defer the application, the applicant had been contacted regarding viability issues and he had been challenged regarding a higher commutative sum. It was reported that the applicant had now made an offer of £94,000 towards affordable housing which was in line with the amount that the Joint Planning Policy Unit's assessment had expressed. It was noted that this financial contribution had been earmarked for off-site affordable housing provision. As a result of the viability issues with the development it was considered to be reasonable to accept the offer of £94,000 towards an off-site affordable housing provision, in this case, and that the proposal therefore complied with the requirements of Policy CH6 of the GUDP.

In addition, since February 2016, Natural Resources Wales and the Biodiversity Unit had been convinced that the proposal was not likely to cause disturbance or unacceptable harm to protected species and thus it complied with policy A1 and B20 of the GUDP.

- (b) The local member (a member of this Planning Committee) made the following main points:-
- That he had received several calls and there was strong local support to the development
  - Good consultation work had been undertaken between the officers and the applicant
  - The flooding issue had now been resolved - this was encouraging
  - Welcomed that the viability sum had been increase to the full amount
  - He strongly suggested that the Committee approved the application
- (c) It was proposed and seconded to approve the application.

- (ch) In response to an enquiry regarding who would decide on the expenditure of the £94k, it was noted that it was the responsibility of the Strategic Housing Unit which had close links with the County's Housing Associations. It was confirmed that the Llŷn Dependency Area would receive the money.

In response to a further question regarding ensuring that the company recognised the Welsh language in all aspects of its work, whether that be administratively or visually, it was noted that it was not possible to impose a specific condition but that it was possible to draw the applicant's attention to the comment.

In response to a question regarding the number of parking spaces, it was noted that the proposal of 22 parking spaces was adequate, and it was noted that it would be possible to use the public car park nearby and that it was intended to create a footpath in this direction.

- (d) During the ensuing discussion, the following observations were made:-
- Welcomed the development - encouraged older people to live independently
  - Welcomed that the financial contribution had increased, but continued to consider the sum low given the cost of the houses
  - Concern regarding additional payments - the unit costs seem high and therefore concern that local residents would be priced out of the market.

**Resolved to approve subject to signing a 106 Agreement for the commutative sum of £94,000 towards off-site affordable housing and to conditions -**

1. **Commence within five years**
2. **In accordance with plans.**
3. **Agree materials for the external elevations and roofing slate.**
4. **Highways conditions to include - parking spaces to be operational prior to the occupation of the units, retain 22 parking spaces at all times, completion of the access in accordance with plans, access to be completed with compacted and levelled rocks and to ensure that the surface water system is completed.**
5. **Natural Resources Wales conditions in terms of flooding matters - site level plans, ground level to be no lower than 3.87m**
6. **Natural Resources Wales and Biodiversity Unit conditions in terms of landscaping matters, lighting levels and in accordance with the bats details submitted.**
7. **Welsh Water conditions relating to surface water, foul water and land drainage.**
8. **Work to comply with the trees report and tree root preservation plan.**
9. **No work to be carried out on trees without permission.**
10. **To replant trees lost within five years.**
11. **To complete a programme of archaeological work.**
12. **Undertake the work in accordance with the recommendations in the Land Contamination Report.**
13. **Need to eradicate Japanese knotweed.**
14. **Restrict the age of the occupants of the living units to those aged over 60 years or in the case of a couple that one of them was aged over 60 years and the other was aged over 55 years.**

The meeting commenced at 1.00pm and concluded at 4.00 p.m.

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**CHAIR**