

PLANNING COMMITTEE	DATE: 14/05/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

**Number: 2**

**Application Number:** C17/0903/16/LL

**Date Registered:** 15/09/2017

**Application Type:** Full - Planning

**Community:** Llandygai

**Ward:** Tregarth and Mynydd Llandygai

**Proposal:** Creation of sacred healing acoustic research and enterprise centre including the erection of four new buildings, the formation of parking areas and erection of 2.3m high boundary wall (revised application to one previously withdrawn - C16/1158/16/LL)

**Location:** Carreg y Fedwen, Sling, Tregarth, Bangor, Gwynedd, LL57 4RP

**Summary of the Recommendation:** TO APPROVE SUBJECT TO CONDITIONS

PLANNING COMMITTEE	DATE: 14/05/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

## 1. Description:

- 1.1 This is an application to create a new research centre for Carreg y Fedwen Cyf. community enterprise company. The centre will research the use of sound for body and mind healing. The site will consist of a main domed acoustic building connected, via a corridor, to an entrance building which will consist of a greeting area and office. There would be three further domed buildings, of a smaller size, designed to resonate with specific sound wavelengths.
- 1.2 The main building would be 6.4m high and 11.6 wide with the smaller domes 4.9m high with a diameter of 5.2m. The buildings would be of a timber construction with timber cladding over the domes and a living grass roof on the entrance building. The intention is to formalise the parking arrangements on site but not to increase the parking provision from the existing five spaces. The site would be surrounded by a 2.3m high wall of rendered hay bales.
- 1.3 The scale of the development was reduced during the consultation period and there was a re-consultation on the revised plans.
- 1.4 The site is in an isolated wooded area approximately 1km to the south west of the village of Tregarth on the slopes of Moel Yci. The site is in a Special Landscape Area as defined by the Gwynedd and Anglesey Local Development Plan.
- 1.5 The decision on this application was originally deferred at the Planning Committee meeting held on 15 January, 2018 in order for the Committee to hold a site visit. Unfortunately, due to poor weather, it was not possible to hold a site visit on the intended date (19/03/18) and, consequently, along with the fact that late information was received from the applicant, the Planning Committee decided on that day to defer determining the application again in order to provide another opportunity to visit the site and to give officers an opportunity to assess the information received.
- 1.6 The information received from this applicant includes a detailed explanation of the nature of the proposed development, which includes a change in the proposal's description to "Office, Multi-purpose Room and Research Facility" in line with the Design and Access Statement submitted.
- 1.7 The applicant explains that there would be three elements to the facility:
  1. Office.
  2. A multi-purpose room (the main dormer) - to be used to play and record acoustic instruments and voices to test their effects on human health. The building has been designed to provide high quality sound and it has mitigating measures so that the sound will not be heard from the outside.
  3. Three small dormers designed to resonate with specific frequencies.
- 1.8 It is proposed that the individual buildings would be "tuned" so that the impact of any frequency is maximised. It is hoped to provide architectural models that could be recreated to be installed in the existing buildings. This could be done either by building appropriate units in a manufacturing unit off site, or by offering advisory services to developers.

PLANNING COMMITTEE	DATE: 14/05/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

1.9 There is no intention to treat patients on site - it is proposed to carry out research to understand, model and test the efficiency of acoustic features.

1.10 It was also confirmed that the venture was collaborating with a range of partners at scientific organisations, with the intention of becoming leaders in the field of the health effects of noise.

## 2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Gwynedd and Anglesey Local Development Plan.

2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act, and in making the recommendation the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

2.3 **Gwynedd and Anglesey Joint Local Development Plan. (July 2017) (as amended by the Inspector's Report, 30 June 2017)**

PS 13: PROVIDING OPPORTUNITIES FOR A PROSPEROUS ECONOMY  
 PCYFF 2: DEVELOPMENT CRITERIA  
 PCYFF 3: DESIGN AND PLACE SHAPING  
 PCYFF 4 : DESIGN AND LANDSCAPING  
 TRA 2: PARKING STANDARDS  
 TRA 4: MANAGING TRANSPORT IMPACTS  
 AMG 2: AREAS OF SPECIAL LANDSCAPE  
 CYF 6 : RE-USE AND ADAPT RURAL BUILDINGS OR A RESIDENTIAL UNIT FOR BUSINESS USE OR CONSTRUCT NEW UNITS FOR BUSINESS/INDUSTRY

2.4 **National Policies:**

Planning Policy Wales, Edition 9, November 2016.

## 3. Relevant Planning History:

C16/1158/16/LL: CREATION OF SACRED HEALING ACOUSTIC RESEARCH AND ENTERPRISE CENTRE INCLUDING THE ERECTION OF FOUR NEW BUILDINGS, THE FORMATION OF PARKING AREAS AND ERECTION OF A 2.3M HIGH BOUNDARY WALL - withdrawn 28/11/16

PLANNING COMMITTEE	DATE: 14/05/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

C08A/0631/16/LL: ERECTION OF A NEW GREENHOUSE AND CREATION OF A NEW ACCESS ROAD, CREATING A POND, RETAIN A POLYTUNNEL AND HARDSTANDING AREA (RETROSPECTIVE) - Approved 25/11/08

C03A/0646/16/LL: LEVEL PART OF THE LAND TO CREATE A CAR PARKING AND TURNING AREA (RETROSPECTIVE) AND ERECT A POLYTUNNEL BUILDING (Approved 20/11/03)

#### 4. Consultations

Community/Town Council:	Objection - the structures would be too high and unsuitable for the site and the access road would not be able to cope with the increase in traffic
Transportation Unit:	P
Footpaths Unit:	Footpath number 59 must be safeguarded during and after the development
Biodiversity Unit:	It is possible that birds nest on the site; a condition is, therefore, needed to ensure that any clearance of overgrowth must be undertaken outside the nesting season
Natural Resources Wales:	No objection - Standard observations for the developer.
Welsh Water :	No observations to offer
Public Protection Unit :	No objection subject to appropriate conditions relating to noise control
CADW :	No objection
Gwynedd Archaeological Planning Service :	Not received

PLANNING COMMITTEE	DATE: 14/05/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

Public Consultation:

A notice was posted on the site and in the press, and neighbours were informed. The advertising period has ended and the observations below were received objecting to the proposal on the grounds of material planning matters :

- Concern about the safety of the highway that leads to the site
- The current use of the site is too intensive and already creates traffic problems
- Concern about the possible effects the noise generated would have on the health of local residents and animals
- It is not a brownfield site - it used to be a wholesale plant nursery
- The buildings would be highly visible from public areas and would be detrimental to the rural landscape
- Concern about the impact on wildlife
- The design of the development is not in-keeping with local architecture
- The development is not in a sustainable location
- Concern regarding water drainage from the site
- The risk to pedestrians and cyclists on the entrance road will increase

The objections below were also received; these are not material planning matters:

- The information submitted with this application is different from what was submitted with the withdrawn application
- Doubt about Bangor University and the NHS's commitment to the plan
- Concern that Himalayan Balsam is present on the site
- The application does not correspond to the information provided in pre-planning consultations
- Consideration should be given to building the facility in a more suitable location, possibly closer to Bangor
- The pre-planning consultation was insufficient
- The site design is incorrect
- The application does not conform to the previous application
- Concern that identifying the site as "sacred" would mean that the site would be exempt from council tax
- It would be possible to use the buildings for residential use in future

PLANNING COMMITTEE	DATE: 14/05/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

- Confirmation from the Dean of the College of Health and Behavioural Sciences, Bangor University that he was not aware of any research links between this initiative and the University (discussions had been held in the past but no formal agreement was established).

## 5. Material Planning Considerations:

**Location, Design and Visual Effect**

### The principle of the development

- 5.1 Strategic Policy PS13 of the LDP aims to provide opportunities for facilitating economic growth by:
- "Supporting economic prosperity and the sustainability of rural communities by facilitating appropriately scaled growth of rural enterprises, the extension of existing businesses and diversification by supporting the re-use of existing buildings, the development of 'live and work' units, working from home, and by encouraging the provision of sites and premises in appropriate accessible locations consistent with the Plan's Spatial Strategy and in line with Strategic Policies PS5 and PS6"*
- 5.2 Essentially, this is an application for a small new rural enterprise that would offer employment opportunities for between two and five people (a number of whom already live close to the site). It would also provide the opportunity to diversify the local rural economy and would be a means of using the previously used site for business purposes. For these reasons, it is believed that the principle of the proposal meets with the aims of Policy PS 13.
- 5.3 In addition, Policy CYF 6 of the LDP encourages the approval of applications for new business units in rural areas if two criteria can be met:
- "1. That the scale and nature of the development is acceptable given its location and size of the building in question;*
- 2. That the development would not lead to a use that conflicts with nearby uses or has an impact on the viability of similar uses nearby."*
- 5.4 The site of this application is in an isolated position in a mixed woodland and it is believed that the buildings, because of their size and materials, would be in-keeping with their site as they would be hidden from distant viewpoints. They would be visible to those travelling along the nearby rights of way but it is not believed that their impact would be any more detrimental than the poly-tunnel that is currently on site, or the existing timber building nearby.
- 5.5 In terms of general intervention, it was confirmed that there would be two members of staff on the site initially (possibly increasing to five, eventually), with the numbers of customers in the "low single numbers" at any given time. From this low level activity, no significant harm is expected on the quality of life of nearby residents; it is therefore, believed, that the proposal is of an acceptable nature and scale for the location and that it is, therefore, in-keeping with Criterion 1 of Policy CYF 6.

PLANNING COMMITTEE	DATE: 14/05/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

- 5.6 Because of the nature and location of the proposed development, it is believed that the development would neither lead to conflict with use of nearby land, nor would it impact the viability of any other enterprise. It is therefore considered that the proposal complies with Criterion 2 of Policy CYF 6.

#### **Visual amenities**

- 5.7 The site lies within a Special Landscape Area (SLA) and, as such, policy AMG 2 of the LDP is a material consideration. The policy requires that appropriate consideration be given to the scale of the development, ensuring that it will not have a substantial detrimental impact on the landscape. It also states that proposals should give due attention to the relevant "Statement of Value and Significance". In this case, the site is within ATA 7 "North-western Fringes of Snowdonia" and the Statement explains the importance of this landscape as a 'buffer' around the National Park, which improves and safeguards its setting, and allows gradual transformation from the protected landscape to the rural lands on the outskirts.
- 5.8 Considering the relatively small scale of this development along with the fact that the materials would be in-keeping with its woodland location, it is not believed that the development would have a significant detrimental impact on the wider landscape. It is believed that the screening offered by the land formation and existing vegetation would be sufficient to satisfactorily screen the site and that the site would blend into the landscape in accordance with the aims of policy PCYFF 4 relating to Design and Landscaping.
- 5.9 Given the above, it is considered that the proposal is acceptable under the requirements of policy AMG 2 of the LDP.

#### **General and residential amenities**

- 5.10 Policies PCYFF 2 and PCYFF 3 of the LDP relate to these matters. It appears that there are three existing dwellings near the site (including the applicant's dwelling) and no observations were received from the residents of the other two dwellings during the consultation period. Because of its distance from other dwellings, it is not believed that any significant harm would derive from the site in terms of matters such as overlooking or shadowing, and it is believed that the impact on amenities stemming from the development would, in general, be in accordance with the requirements of PCYFF 2 and PCYFF 3. Nevertheless, local residents raised concerns about the possible impact of the noise generated from activities at the facility. A response from the Public Protection Service to these concerns is expected and the matter will be reported further at the Committee.

#### **Transport and access matters**

- 5.11 The agent suggests that the worst case scenario would be that five vehicles would arrive at the site at the same time and, acknowledging that the scale of the development is quite small, and that there would be a number of passing places along the county road that serves the site, the Transportation Unit did not object to the application. The parking and access arrangement is acceptable to the Unit and, therefore, it is considered that the development is in-keeping with the requirements of policies TRA 2 and TRA 4 as they relate to parking and highways safety.

PLANNING COMMITTEE	DATE: 14/05/2018
REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION MANAGER	CAERNARFON

## **Response to the public consultation**

- 5.12 The above assessment has given full consideration to the objections received in response to the public consultation, and it is not considered that any material planning objections have been submitted that outweigh the relevant planning policies noted in the assessment. It is, therefore, believed that there is no reason why the Council should not support this application to contribute towards delivering the objectives of the Local Development Plan insofar as it relates to the diversification of the rural economy.

## **6. Conclusions:**

- 6.1 As a result of the above assessment, it is not considered that the proposal is contrary to any material planning policy within the LDP and that the proposed development is an appropriate use of such a site and it is, therefore, acceptable in principle. Consideration was given to all material issues raised during the consultation process and it is not believed that the proposal is likely to cause any unacceptable detrimental impact in relation to relevant planning policies. None of the new information submitted by the applicant changes the recommendation.

## **7. Recommendation:**

- 7.1 To approve the application subject to material planning conditions involving:
1. The commencement time of the development
  2. In full accordance with the plans
  3. Materials
  4. Biodiversity Condition
  5. The parking provision must be completed before the site can be operational
  6. Regulation of hours of operation - 09:00 - 17:00 Monday to Saturday
  7. Noise control measures must be submitted and agreed upon before the resource is operational.
  8. Condition to restrict the level of noise that could reach the nearest residential property.

Notes: Welsh Water  
Natural Resources Wales  
Footpaths Unit