
PLANNING COMMITTEE 07-11-22

Present:

Councillors: Edgar Owen (Chair)
Elwyn Edwards (Vice-chair)

Delyth Lloyd Griffiths, Elin Hywel, Elwyn Jones, Gareth T Jones, Huw Wyn Jones, Cai Larsen, Anne Lloyd Jones, Gareth Roberts, Huw Rowlands, John Pughe Roberts, Gareth Coj Parry and Gruffydd Williams

Officers: Gareth Jones (Assistant Head of Planning and the Environment), Iwan Evans (Head of Legal Services), Keira Sweeney (Planning Manager), Aneurin Rhys (Senior Development Control Officer), Rhys Cadwaladr (Senior Planning Officer - Minerals) and Lowri Haf Evans (Democratic Services Officer)

1. APOLOGIES

Apologies were received from Councillor Louise Hughes and Councillor Beca Roberts (Local Member)

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) The following members declared that they were local members in relation to the items noted:
- Councillor Gareth Tudor Jones (a member of this Planning Committee) in relation to item 5.2 (C21/1030/42/LL) on the agenda
 - Councillor Huw Wyn Jones (a member of this Planning Committee), in item 5.5 (C22/0662/11/LL) on the agenda

3. URGENT ITEMS

None to note

4. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 17 October, as a true record.

5. PLANNING APPLICATIONS

The Committee considered the following applications for development. Details of the applications were expanded upon and questions were answered in relation to the plans and policy aspects.

RESOLVED

5.1 APPLICATION NUMBER C22/0667/38/AM

Land adjacent to Dolwar, Ffordd Pedrog, Llanbedrog, Pwllheli, LL53 7PA

Outline application to erect five houses to include two 2-storey four-bedroom houses, one three-bedroom house and two single-storey houses.

- a) The Planning Manager highlighted that this was an outline application for the erection of 5 houses, including 2 two-storey, four-bedroom houses, 1 two-storey three-bedroom house, and 2 one-storey houses on a site located within the development boundary of Llanbedrog. It was noted that the application form noted that access, appearance and setting matters formed a part of the application and that landscaping and scale were reserved matters.

It was reported that the site was located within the development boundary of Llanbedrog as noted in the Joint Local Development Plan (JLDP) and that it was not designated or protected for any specific use in the Plan. It was noted that the indicative housing provision for Llanbedrog over the Plan period was 16 units and that during the period between 2011 and 2022, 19 units had been completed in Llanbedrog (each of these being windfall sites). It appears that the figure is higher than the indicative supply figure and as the settlement has seen its expected growth level through completed units, there was a need for justification with the application, highlighting how the proposal meets the needs of the local community.

In the LDP, Llanbedrog is known as a Coastal Village in policy TAI 5 'Local Market Housing'; which notes, subject to the requirements of Policy TAI 15 regarding the provision of affordable housing, that local market housing are permitted within the development boundaries of settlements that are relevant to the policy. Providing new open market housing in Llanbedrog would not be acceptable. The agent was notified at the time the application was registered, that evidence of local need was required to conform to the requirements of policy TAI 5, and no such information had been submitted.

It was reiterated that the application made no reference to the provision of local market housing or affordable housing and that information had not been provided in terms of the justification for the houses, their affordable price and how the proposal would meet the needs of the local community. To that end, it did not comply with the requirements of policies TAI 5, PS17 or TAI 15 of the Local Plan.

In the context of transportation and access matters, it was noted that there was a proposal to use two ways to gain access to the site. It was explained that the two roads were narrow, one off Ffordd Pedrog and one off Cae Hendy estate. The roads were not wide enough for vehicles to pass each other or to provide a pedestrian footpath. Although there was a proposal to provide a one-way system where vehicles would use one road for access and another road to leave, there were no details about how pedestrians could reach and leave the site safely, nor were there details about how the one-way system would be implemented and enforced, i.e. signage, access barriers, etc. introduced.

It was noted that the Transportation Unit had confirmed that neither of the roads were suitable for use as access and that they did not meet the safe access standards. Furthermore, it was not possible to provide a footpath and the road that leads to Cae Hendy has a bend and it would be difficult for a car to reach and leave

the site not to mention any larger vehicles such as emergency or delivery vehicles. The Transportation Unit also confirmed that the parking provision was insufficient.

In the context of matters relating to Welsh Language considerations and in accordance with criterion (1b) in Policy PS 1 'The Welsh Language and Culture' as the housing provision in Llanbedrog had already exceeded the figure for the indicative supply set for the settlement in the LDP, a Welsh Language Statement must be submitted for the proposal.

It was reported that no information was submitted regarding the impact of the development on the Language, and because of the fundamental objection to the proposal, no request was made for information from the application's agent. Nevertheless, as the information submitted was insufficient to assess the proposal against the requirements of policy PS1 and SPG Maintaining and Creating Distinctive and Sustainable Communities, and the need for the affordable housing or the open market housing was unclear, the proposal was contrary to the requirements of this policy and guidance.

As a result of the assessment, it was considered that the proposal was unacceptable due to the following matters:

- Lack of information regarding the impact on the Welsh Language
- Significant impact on road safety as a result of the proposed access/exit, lack of provision for pedestrians and bicycle users and a lack of sufficient parking provision.
- Significant impact on the amenities of specific houses in terms of overlooking and general significant impact in terms of noise and disturbance as a result of the one-way access system and the lack of provision for pedestrians
- Lack of information regarding the need for local market housing and affordable housing and their price.

Attention was drawn to an adaptation to the second refusal reason in the late observations form

- b) It was proposed and seconded to refuse the application in accordance with the recommendation.

RESOLVED: To refuse

1. **No information was provided regarding the impact of the development on the Welsh language, and therefore it cannot be ensured that the proposal is not contrary to the requirements of policy PS1 of the Anglesey and Gwynedd Joint Local Development Plan 2017, together with the SPG on Maintaining and Creating Distinctive and Sustainable Communities.**
2. **The proposal is unacceptable and would be likely to have a significant impact on the amenities of nearby residents and the area in terms of disturbance and noise, along with significant impact on road safety in terms of providing access to vehicles, lack of provision for pedestrians and bicycle users and the parking provision. The proposal, therefore, is contrary to the**

requirements of criterion 7 of policy PCYFF 2 and policies TRA 2 and 4 of the Anglesey and Gwynedd Joint Local Development Plan 2017.

- 3. The application did not refer to the provision of local market housing or affordable housing at all and no information had been provided in terms of justifying the houses, their affordable price and how the proposal would address the needs of the local community, therefore to that end it did not comply with the requirements of policies TAI 5, PS17, TAI 15 or PS1 of the Anglesey and Gwynedd Joint Local Development Plan 2017.**

5.2 APPLICATION NUMBER C21/1030/42/LL

Former St Mary's Church, Lôn yr Eglwys, Morfa Nefyn, Pwllheli, Gwynedd, LL53 6AR Erection of seven dwellings and associated works.

- a) The Senior Development Control Officer highlighted that this was a full application for a residential development including 7 residential houses, an access road and ancillary work on the site of a former Catholic Church "Resurrection of Our Saviour", Morfa Nefyn (which had now been demolished). It was reiterated that the site was a brownfield site, measuring approximately 0.4 ha, located in a residential area of the Morfa Nefyn Coastal-Rural Village and the development would be in the form of a "cul-de-sac" with a vehicular access, parking space and separate garden for each unit.

It was noted that the plan was an update of a plan for six houses on the same site as was previously refused under reference C19/1174/42/LL for the reasons below:

- It was not believed that the proposal would meet the acknowledged local needs for housing, and as a result, the development would lead to an over-development of open market housing in the community.
- Lack of affordable provision as part of the plan
- Harm to the amenities of local residents and users of Lôn yr Eglwys due to the narrowness of the access road
- The Local Planning Authority had not been convinced that the development would not cause significant harm to the character and balance of the Welsh language in the community

As a result of the Committee's decision to refuse application C19/1174/42/LL, the decision was taken to Appeal (APP/Q6810/A/21/3266774) and it was refused on appeal for the following reasons:

- "based on the evidence to hand, I have not been convinced that the proposal would make an appropriate contribution to local housing supply, including affordable housing. I conclude, therefore, that the proposal would not comply with policies PS 17, TAI 4 and TAI 15 of the LDP."
- "In the absence of such information, I conclude that the proposal would be contrary to policy PS 1 of the LDP and Planning Policy Wales that seeks to promote and support the use of the Welsh language."

While accepting that every application must be considered on its own merits, when considering the history of the site and the observations of the Planning Inspector on the previous decision, it is believed that the two main questions to consider when determining this application were,

- would the new plan contribute towards meeting the needs of the local community for housing?
- would the proposal promote and support the use of the Welsh language in the community?

It was reported that Morfa Nefyn was earmarked as a Coastal-Rural Village in the LDP, and policy TAI 4 supports housing developments in order to meet the Plan's strategy by encouraging the use of suitable windfall sites within the development boundaries of settlements in this tier, when the size, scale, type and design of the development are balanced with the character of the settlement. It was noted that the indicative housing provision for Morfa Nefyn over the Plan period was 15 units and that during the period between 2011 and 2022, 33 units had been completed in Morfa Nefyn (each of these being windfall sites; 21 units more than the indicative supply for the Plan period).

In the context of the general and residential amenities, it was noted due to the location, design, layout and size of the proposed houses, it was not considered that there would be a significant harmful impact on private amenities deriving from the development. While accepting that the houses around the area of the proposed development currently back onto a vacant site, this was an infill site within the development boundary, and it was not considered unreasonable for development for housing.

In the context of transportation and access matters, it was highlighted that the Transportation Unit had highlighted concerns regarding the impact of the development on the safety and convenience of the nearby roads network, as well as defects in the design of the estate's internal roads. Additional information was provided by the applicant showing amendments to the footways within the site and proposals for traffic calming measures.

Although there were some positive features to the plan submitted, it was not possible to recommend approving the application due to the failure to meet the LDP's TAI policies and the potential harmful impact of the development on the Welsh language in the community.

- b) Taking advantage of the right to speak, the applicant's agent noted the following observations:
- That the houses were to be built on a previously developed site
 - That 2 affordable houses and 5 open market houses that were a part of the application reflected the local need - affordable housing were not a part of the previous application
 - That Policy TAI15 requested 10% affordable housing - this application offered more than that
 - Evidence highlighted that developing the site as 100% affordable housing was not viable, therefore, open market housing would have to be built
 - That the Gwynedd Local Market Housing Assessment 2018-2023 acknowledged the need for housing and that the proposal met that
 - That the developer offered a local marketing strategy - local people would have first refusal
 - That an effort was being made to look for local families
 - That the developer committed to ensure houses as a home only, and not as holiday homes and second homes

- c) Taking advantage of the right to speak, the Local Member made the following points:
- That a small, modest Church was located on this small, half-acre site
 - The site was unsuitable for 7 substantial houses with a garden, garage and parking spaces
 - The Transportation Unit highlighted that there would only be one access to the site and that this was unsuitable
 - That the access was too narrow - only enabled one vehicle at a time. There was no space to widen the access and it was not suitable as it was for a fire engine or refuse vehicle
 - It would create a negative impact on the amenities of neighbouring houses
 - The development added to traffic problems in front of the Primary School
 - The development would cross a public footpath - that the Council had an open application regarding having better use of the public footpath
 - There were too many holiday homes and open market houses in Morfa Nefyn - only affordable houses were needed
 - That the application was an over-development - contrary to Policy TAI17 and TAI4
 - That local residents were against the application - the prices of the houses were beyond the reach of local people
 - Did not want to see a cul-de-sac that was empty for half of the year
 - Accepted that there was a local demand for housing but not for this price (£500,000) - there were at least 15 houses for sale in the village that were beyond the reach of locals
 - That the previous application for 6 houses had been refused by the Committee and on appeal - this was the same application again, with one of the houses converted into two.
 - The Committee was encouraged to support the recommendation of the officers and Community Council to refuse the application
- ch) It was proposed and seconded to refuse the application in accordance with the recommendation
- d) In response to a question regarding ensuring the suitability of the road leading to the site for utilities, the Planning Manager noted that this was subject to the principle of adopting the road. He reiterated that it would be unlikely that the road leading to this site would be adopted and that this had been a part of the initial refusal (although the appeal inspector had disagreed with this principle). In response to a supplementary question regarding the necessity to adopt the road if the application was for 5 or more houses, the Monitoring Officer noted that there was no obligation to adopt the road and that the observations of the Transportation Unit were in response to the propriety of this specific situation.

RESOLVED: To refuse – Reasons

- 1. The housing provision in Morfa Nefyn is already significantly higher than the provision set by the Joint Local Development Plan, and therefore it is not believed that the proposal would meet the recognised local need for housing. As a result, the development would lead to an over-provision of open market housing in the community, which is contrary to the requirements of policy TAI 4 of the LDP and the settlement strategy included in policy PS 17.**

2. **Due to the potential market value of the proposed units for affordable homes, it is not possible to ensure that these units would remain affordable in order to meet the needs of the local community in the long-term and, therefore, the application is contrary to the requirements of Policy TAI 15 of the LDP.**
3. **Based on the submitted information in the Linguistic Statement, the Local Planning Authority has not been convinced that the development would not cause significant harm to the character and balance of the Welsh language in the community and, therefore, the application is contrary to the requirements of policy PS 1 of the Anglesey and Gwynedd Joint Local Development Plan.**

5.3 APPLICATION NUMBER C22/0336/16/MW Penrhyn Quarry, Bethesda, LL57 4YG

Application for extension to slate extraction operation

Attention was drawn to the late observations form.

- a) The Senior Planning Officer - Minerals, highlighted that this was an application for a side extension to the working area of Penrhyn Quarry. It was explained that the quarry was located to the south of the town of Bethesda, with vehicular access along a private road leading off the B4409, a Class 2 public road, at Pont y Tŵr; that the application site was located immediately adjacent to the south-western corner of the existing rock face, and within the boundary of the existing planning consent for a side extension (reference C12/0874/16/MW), and a Review of Old Minerals Consent under the Environment Act 1995 (ROMP) (permission number C16/1164/16/MW) for the whole quarry approved in 2017.

It was noted that the proposed extension would include around 1.6ha of land, with the application site including a total of 2.26ha (that would also include keeping the boundaries and the stream in the south-east). It is proposed to work the extended excavation area in the same manner as the existing workings agreed under ROMP 2017 and application C12/0874/16/MW, including waste tipping, stockpiling, producing roof slates, etc.

The need for the extension arises as a result of a vertical dolerite dyke that crosses the south-western existing rock face. Slate within 25m of this dyke are seriously damaged to the degree where it is not possible to obtain any material to work from them, which leads to the loss of around 1.11 tonnes of the best slate. The proposed extension would release around 250,000 tonnes of purple roofing slate and 1.9 million tonnes of red/blue decorative slate, therefore ensuring that there is no deficit in the existing mineral reserve, and maintaining the land bank in accordance with the requirements of Strategic Policy 22: Minerals and MWYN 3 of the JLDP.

In the context of the visual amenities and the landscape, it was noted that the area immediately surrounding the site included a number of sensitive land designations, i.e. Snowdonia National Park, Welsh Slate Area World Heritage Site, Dyffryn Ogwen Landscape of Outstanding Historic Interest (LOHI), Special Landscape Area of the North Western Fringes of Snowdonia. Further afield were the Anglesey Area of Outstanding Natural Beauty (AONB), Faenol and Penrhyn Castle Historic Parks and Gardens, Menai and Bangor Mountain SLA and the Dinorwig Landscape of

Outstanding Historic Interest - all have been identified within the Assessment of Impact on the Landscape and Visual Impact.

Considering the scale of the development, it was likely that it would be difficult to differentiate the extension site from the existing excavation site and workings at the quarry from further away. The LVIA concludes that any prominent impacts on the landscape will be restricted to areas immediately adjacent to the site; specifically Gwaun Gynfi and Elidir Fach.

The existing restoration strategy for the whole site is a condition in the ROMP (C16/1164/16/MW) and it is proposed to incorporate the restoration work for the proposed extension in the broader plan. Although a restoration plan exists for the site, NRW noted that they would recommend introducing a detailed restoration plan before the end of the quarrying work. The MPA considers that this is a reasonable addition to the application (along with application C22/0327/16/AC), and that it would ensure that the whole site is restored in the most effective manner. To this end, it was not considered that the proposal would have a substantial impact on the character of the area's landscape, considering the proposal's proximity to the existing and historic quarry works along with the landscape in which it is located. Therefore, the proposal complies with the requirements of planning policies PCYFF 3, PCYFF 4 and MWYN 9 of the JLDP.

In the context of noise and vibration, the potential noise from the proposed works was measured against the noise conditions of the existing planning permission. It was considered that the situation could be managed effectively through mitigation measures and appropriate conditions. It was reiterated that a condition would demand that the developer continued with the current procedure of monitoring dust and the condition of the atmosphere, implemented mitigation steps to keep the dust down, and kept a log of dust-related complaints. With this condition, it was considered that the proposal complied with the relevant policies - MWYN 3 and PCYFF 2 of the LDP.

In the context of traffic matters, public rights of way and common land, it was reported that the proposal did not include an intention to increase the number of HGV movements from the site and no observations had been received from the Council's Transportation Unit (although comments on a sister-application C22/0327/16/AC had been submitted noting no objection since there would not be any proposed increase in traffic movements from the site).

When discussing hydrology and hydro-geology matters, attention was drawn to the interception leat that had been implemented as a part of the existing extension. It was explained that the leat ran along the boundary of the quarry void and the boundary of the proposed extension, and captured surface water and re-directed it to the Gwaun Gynfi wetland and peat-land. This made good for the previous loss of hydro-geology catchment area from previous applications to extend, and maintained a water source for the wetland. It was concluded that there was no greater impact on hydro-geology features from the proposed extension, alongside the existing quarrying, provided that the recommended mitigation and monitoring measures were implemented.

A consultation was undertaken with the Local Authority's Biodiversity Unit and they confirmed that they did not have any objection to the development and that they agreed with the mitigation measures recommended and the inclusion of appropriate conditions.

In the context of archaeology and cultural heritage matters, reference was made to a post-medieval cellular sheep pen within the area of the proposed extension and that a programme of recording and controlled demolition was undertaken prior to the development of the extension. In addition, it was noted that CADW and the Gwynedd Archaeological Planning Service had confirmed that they did not have any objection to the proposed work and that they agreed with the summary of the chapter on Cultural Heritage in the Environmental Statement. The chapter concluded that the proposals did not have any impact on the World Heritage Site designation nor on its Outstanding General Value and it would have a small or very small indirect visual impact on the Historic Landscape Area.

It was reported that Section 1 (a) strategic policy PS 1 'The Welsh Language and Culture', noting that a Welsh Language Statement will need to be provided with an offer for 'Retail, industrial or commercial development that employs more than 50 employees and/or with a surface area of 1,000 m.sq. or more. In response to this need, the applicant provided a language statement which concluded that the quarry had a long-established workforce with a substantial number of people who could speak Welsh or possessed Welsh language skills. As the intention of the proposed extension was to help maintain the operations of the quarry, it was unlikely that the company needed to employ more workers and it would sustain the existing workforce.

It was considered that the proposed development complied with all relevant planning policies and considerations and it was recommended that the planning application should be approved with appropriate conditions.

- b) Taking advantage of the right to speak, the applicant noted the following observations:
- That he was thankful of the opportunity to explain the need for an extension
 - That the extension responded to the impact on a geological anomaly that would allow the company to reach suitable products
 - That Welsh slate was unique
 - That approving an extension would lead to a reduction in the waiting list for material
 - That the company was well-established
 - That the extension would secure employment for 115 until 2035
- c) The Chair noted that Cllr Beca Roberts (Local Member) had noted in an e-mail that she was in favour of the proposal
- ch) It was proposed and seconded to approve the application
- d) During the ensuing discussion, the following observations were made by Members:
- That the quarry was important to the local economy
 - Protected jobs in the area

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

- 1. Duration of working period 31/12/2035 and restoration up to 31/12/2037 to coincide with terms of overarching planning permission.**

2. Permitted activities and compliance with submitted details/plans.
3. Mark boundary of site and mineral extraction zones.
4. Revoke Part 19 and 21 rights of the General Permitted Development Order for fixed plant or machinery, buildings and structures and mineral waste.
5. Working Hours.
6. Method of working and blast limitations.
7. Detailed Restoration Plan.
8. Control of external lighting.
9. Control of daytime and night time noise limitations.
10. Control of fugitive dust.
11. Five yearly review of operations.
12. Soils and restoration media storage.
13. Controls on soil stripping and vegetation clearance.
14. Updated tipping and waste (slate, soils etc.) scheme.
15. Long-term monitoring plan of the leat.
16. Protection of nesting birds.
17. Lichen management plan.
18. Reptiles protection measures.
19. Restrict access of livestock to restored areas.
20. Monitoring of invasive species.
21. Detailed restoration scheme at least 12 months prior to cessation of operations.
22. Archaeological recording and mitigation.

5.4 APPLICATION NUMBER C22/0327/16/AC

Breedon, Penrhyn Quarry, Bethesda, Bangor, Gwynedd, LL57 4YG

Application under Section 73 to vary condition 1 and 3 of planning permission C16/1164/16/MW (Application under the Environment Act 1995 for the determination of conditions under periodic review) so as to extend the time for winning and working of material to 2035, extend time to restore site to 2037 and amend drawings so as to accommodate a proposed extension to extraction area

Attention was drawn to the late observations form.

- a) The Senior Planning Manager – Minerals, highlighted that this was an application under Section 73 of the 1990 Planning Act to vary conditions 1 and 3 of planning application C16/1164/16/MW (Review of Old Mineral Planning Consents under the 1995 Environment Act (ROMP)) to extend the slate excavation work and associated operations for three years, allow more time to restore the site and amend plans to make room for a proposed extension to the area that was currently being worked.

It was explained that the application site included the quarry as a whole and its operations; excavating for minerals (including the area of the proposed extension), mineral waste tips, processing, stockpiling, removal of historical mineral waste tips, site office/welfare facilities, weighbridge and restored areas. Under this current planning consent (ROMP), condition 1 stated that all operations could continue up to 31/12/2032, with the final restoration to be completed by 31/12/2034. The proposed change to this condition would change the date when operations would cease to 31/12/2035, and the restoration work to be completed by 31/12/2037.

It was noted that the principle of extending works at the quarry on the site was based on Strategic Minerals Policy PS22 and Policy MWYN 3 of the LDP where it was noted that the Council would contribute to the permanent demand locally and regionally for the supply of minerals by sustaining a land-bank of at least seven years of Sand and Gravel, and a ten-year reserve land-bank of crushed rock aggregate in accordance with national guidance.

In the context of traffic matters, public rights of way and common land, it was reported that the proposal did not include an intention to increase the HGV movements from the site. Observations were received from the Council's Transportation Unit, noting no objection to the proposal since it was unlikely to have any impact on the highways network.

In addition, it was noted that the Public Rights of Way Unit had confirmed that a permitted path had been established and that it followed the path used to transport customers to the highest zip-wire in Zip World. This path had been agreed with the Council and it currently was the subject of some work in order to be able to open the path to the public. Therefore, it was considered that although the original Public Rights of Way that crossed the quarry had been impacted for a substantial period of time, the permitted path agreed upon provided a safe access between Llandygai and the slopes that ascended above the quarry. It was reiterated that steps to secure the closing period and agreement for a permitted path to coincide with the date of the quarry's cease of operations were included as conditions on this permission. It was considered that these steps would be an acceptable method to secure a path for the public and that the proposal did not cause unacceptable harm to Public Rights of Way in order to comply with policy TRA of the LDP.

When discussing hydrology and hydro-geology matters, attention was drawn to the water management methods that were currently being implemented on the site, which included; drainage and open channels, pumped drainage, surface water attenuation, stilling lagoons and an interception leat that were implemented as a part of the extension in 2012. It was noted that the leat ran along the boundary of the quarry void and the boundary of the proposed extension, capturing surface water and re-directing it to the Gwaun Gynfi wetland and peat-land. It was reiterated, although Natural Resources Wales (NRW) had stated that they accepted the majority of the findings, they were however dubious about the efficiency of the leat and had therefore stated that a condition should be imposed on any planning consent to ensure a long-term monitoring plan.

In the context of the economy, it was noted that the proposals that the application related to were essential to the company's future economic contribution. It was noted that the company made a direct and substantial contribution to the local economy and direct/indirect employment as a result of the quarry's operations. In addition, retaining local workers would have positive impacts on the culture, and more specifically, on the status of the Welsh language in the area. Therefore, it was considered that the proposal made a positive contribution to the area's economy in accordance with Strategic Policy PS 13 of the LDP and TAN 23.

It was considered that the proposed development complied with all relevant planning policies and considerations and it was recommended that the planning application should be approved with appropriate conditions.

- b) The Chair noted that Cllr Beca Roberts (Local Member) had noted in an e-mail that she was in favour of the proposal
- c) It was proposed and seconded to approve the application in accordance with the recommendations

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

1. Duration of working period 31/12/2035 and restoration up to 31/12/2037.
2. Permitted operations and compliance with submitted details/plans/drawings (including extension area).
3. Mark boundary of site and mineral extraction zones.
4. Working Hours.
5. Apply to extend the closure and diversion of Public Rights Of Way numbers 46 and 50.
6. Hours of Working at the working face.
7. Method of working and blast limitations.
8. Restoration and detailed habitat creation and restoration plan in accordance with the application details.
9. Restoration scheme for the plant site by 31 December 2035.
10. Five yearly review of operations.
11. Control of external lighting.
12. Control of daytime and night time noise limitations.
13. Control of fugitive dust and provision/maintenance of a weather station.
14. Soils and storage of restoration materials.
15. Restriction on permitted development rights.
16. Restriction on vegetation clearance at specific times of the year unless it can be proven in writing that the work will not disturb birds and reptiles.
17. Updated lichen monitoring.
18. Moorland habitat management plan for the ecological compensation area in accordance with the details provided.
19. Long-term monitoring plan of the leat.
20. Gwaun Gynfi habitat monitoring.
21. Archaeological recording and mitigation
22. Protection of nesting birds.
23. Lichen management plan.
24. Reptiles protection measures.
25. Restrict access of livestock to restored areas.
26. Monitoring of invasive species.

5.5 APPLICATION NUMBER C22/0662/11/LL

Hillgrove School, Ffordd Ffriddoedd, Bangor, Gwynedd, LL57 2TW

Change of use of a former school (Use Class D1) to a hostel (Use Class C2), which offers living support for residents including an extension and associated building work

Attention was drawn to the late observations form.

- a) The Senior Development Control Officer highlighted that this was an application to change the use of a site from its use as a former school into a hostel/supported living unit to be used by a charitable organisation. It is proposed to undertake internal reorganisation to the buildings on the site to provide a facility that is fit for purpose and it is intended to erect a single-storey, flat roof extension, in order to connect the three main buildings of the existing property. The organisation would provide 18 bedrooms with en-suite facilities dispersed across two floors of the building, along with communal facilities.

The Officer referred to the reports, highlighting that the English version did not include adaptations and additional observations from the objectors. They went through the report, detailing the differences in section 5.3, 5.4, 5.15 and 6.1.

When referring to the background of the application, it was noted that the current activities of the charity happened at the site of Tŷ Penrhyn in Bangor - a property that was in a poor condition and requiring a substantial investment. It was reiterated that the applicant's lease of Tŷ Penrhyn was to end in around 18 months, and although discussions had been held with the owner of Tŷ Penrhyn to buy the site, it appeared that it was not financially viable to buy it. Hillgrove School closed in 2017 and the site had been identified by the applicant as being suitable to relocate the service, enabling the charity to stay in Bangor. It was noted that there was no reason for the Local Planning Authority to doubt these explanations.

Attention was drawn to the lawful use of the site, such as a school (non-residential education centre), which fell under Use Class D1 in the Town and Country (Use Classes) Planning Order 1987 (as amended), meaning that no planning consent would be required to change the building into a clinic or health centre. As a result, no planning permission would be needed to implement this facility as a day treatment centre for people with alcohol and drug problems. The residential element and the proposed extension only required planning permission.

In the context of general and residential amenities, it was highlighted that many objections had been received to the application but the grounds to these considerations, to a great extent, related to matters outside the normal material planning considerations on planning applications. Although the concerns were acknowledged, it was noted that they were based on the facility's management matters and law and order policies and that they were not under the direct control of the planning system.

In terms of noise impacts and general disturbance, the nature of the existing lawful use of the site, such as a school, was considered, and therefore it was not likely for the proposed use to cause a worse significant impact on the amenities of neighbours. It was accepted that school use was concentrated into shorter hours during the day; however, a restricted number of adults operating within a robust management system would use the facility and so there would not be a significant harm as a result.

Despite the concerns noted by the plan's objectors, it was considered that developing a hostel to offer support for those with an alcohol or drug dependency was acceptable in relation to the relevant planning policies and it was not considered that it would have an additional significant detrimental impact on the amenities of the area or nearby residents. In addition, in line with the requirements of policy PCYFF 1, it was considered

that the location, nature and form of the development were acceptable and in-line with the urban context of its location within the development boundary of Bangor Sub-regional Centre, as defined by the LDP.

- b) Taking advantage of the right to speak, an objector to the application made the following observations:
- Accepted that the charity did good work
 - Concern that the site was unsuitable due to its proximity to schools
 - Concern about school children, during free lessons and lunchtime, if they ventured to the vicinity of the site
 - It did not make sense that a hostel for vulnerable people was being located near schools
 - That no comment or recommendation had been made to safeguard children aged between 3 and 18 years of age
 - That no detailed management plans had been submitted on dealing with any potential problems
 - A consultation period was needed to discuss how to avoid a serious situation
 - The potential implications were cause for concern
 - A risk assessment / consultation needed to be undertaken to discuss and resolve who would be accountable should anything go wrong
- c) Taking advantage of the right to speak, the applicant's agent noted the following observations:
- That he was eligible to make observations as a construction / residential service development consultant
 - That the majority (85%) of similar developments were located in residential areas
 - That there was no evidence to support the 'feeling' that bad things would happen
 - That there would be no change in the site's character - the buildings were suitable
 - That there were no grounds to the allegations that the site would attract criminals - the Penrhyn House site had a good reputation
 - That the Ffriddoedd student campus was more likely to attract drug problems
 - That there was no evidence to support the allegation that the site would create a risk to children
 - That staff would be on duty 24 hours a day
 - That the resource would be of benefit to the community
 - The resource would be able to offer and implement community services
- ch) Taking advantage of the right to speak, the Local Member made the following observations:
- There were no grounds to the allegations that the resource would attract criminals
 - That the Police could not recall an occasion when they were called out to Penrhyn House
 - That the Ffriddoedd student site was located nearby - likely drug / alcohol concerns
 - No grounds to the allegations that the site would cause problems
 - Acknowledged concerns, but no planning reason to refuse

- That the application protected an old, distinctive building in the City
- Wished to see the building being protected
- Supported the application

d) It was proposed and seconded to approve the application

dd) In response to a comment that a number of concerns about the development had been received from local residents and that the proposal did not sit comfortably with some policies, e.g. community safety and that it was the location that caused concern, and not the property, the Assistant Head of Department noted that the use already existed in Maesgeirchen and that evidence noted that the resource had operated successfully there. He reiterated that there were no grounds to the concerns and that there were no planning grounds to refuse the application. He noted that the application complied with policies and that the use was suitable in this location. He referred to detailed descriptions of the suitability of the use of the site in the report and he reminded the Members that it would be possible to make a similar use of the site without planning consent.

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

- 1. Commence within five years.**
- 2. In accordance with the submitted plans.**
- 3. All internal and external signage to be bilingual, with priority given to the Welsh language.**
- 4. The recommendations of the Ecological Assessment Report must be observed.**
- 5. Welsh Water Condition.**
- 6. Photographic survey in order to record archaeological features.**

Welsh Water Note

The meeting commenced at 13:00 and concluded at 14:30

CHAIR