
PLANNING COMMITTEE 29 July 2024

Present: **Councillor Elwyn Edwards (Chair)**
 Councillor Huw Rowlands (Vice Chair)

Councillors: Delyth Lloyd Griffiths, Louise Hughes, Elin Hywel, Gareth T Jones, Anne Lloyd Jones, Cai Larsen, Edgar Owen, Gareth Coj Parry, John Pughe Roberts and Gruffydd Williams

Others invited – Local Members: Councillor Menna Trenholme and Councillor Gareth Williams

Officers: Gareth Jones (Assistant Head of Planning and the Environment), Keira Sweenie (Planning Manager), Gwawr Hughes (Development Control Team Leader), Arwel Thomas (Development Control Officer), Miriam Williams (Legal Services), Sion Huws (Propriety and Elections Manager – for item 5.1 only) and Lowri Haf Evans (Democracy Services Officer).

1. APOLOGIES

Apologies were received from Councillors Huw Wyn Jones and Gareth Roberts; Local Members: Councillors: Elwyn Jones, Linda Ann Jones and Rhys Tudur

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) Councillor Huw Rowlands (a Member of this Planning Committee), in item 5.3 C23/0556/19/LL on the agenda, because he was the clerk of Bontnewydd Community Council.

The Member believed that it was a prejudicial interest, and he withdrew from the meeting during the discussion on the application and did not vote on the application.

- b) Miriam Williams (Legal Services), in item 5.1 C24/0011/30/AM on the agenda because she knew the applicant.

The officer believed it was a prejudicial interest, and she left the Chamber during the discussion on the application.

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

- Councillor Gareth Williams (not a member of this Planning Committee), in item 5.1 C24/0011/30/AM on the agenda
- Councillor Menna Trenholme (not a member of this Planning Committee), in item 5.3 C23/0556/19/LL on the agenda

3. URGENT ITEMS

As a matter of course, it was reported that since the Chair was joining the meeting virtually, the Legal Officer would announce the results of the voting on the applications.

4. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 24 June 2024 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.

5.1 Application Number C24/0011/30/AM Bodernabwy, Aberdaron, Pwllheli, Gwynedd

Outline application, with some reserved matters (appearance, landscaping) to create five self-build plots for affordable housing.

- a) The members were reminded that the Committee had deferred the decision in April 2024 to be able to visit the site and to give the applicant the opportunity to submit more information. It was reported that the site visit had been undertaken and that a Housing Statement, Landscape Statement and Plot/Site Valuation had been received from the applicant, and the application had been re-amended in light of the additional information. It was stated that the original recommendation had been to refuse the application for three reasons, namely: the visual impact of the development, lack of information regarding the need and housing mix, and lack of information to be able to complete an assessment under the Habitats and Species Protection Regulations.

It was reported that in respect of biodiversity, the Biodiversity Unit had confirmed that because the site was 750 metres north of the Pen Llŷn a'r Sarnau SAC, the development would not cause loss of marine habitats or cause noise in the sea which could disturb marine mammals (dolphin, whale, seals). Neither would it cause harm to coastal processes, and it was highly unlikely that pollution from the development could reach the sea. As a result, it was concluded that the development was unlikely to have an impact on the SAC and that the proposal was now acceptable and in accordance with the requirements of policies PS 19 and AMG 5.

In the context of 'need' issues, based on the housing statement and likely valuation of the plots that had been received, together with information from the Strategic Housing Unit, the overall need was considered to have been proved. It was reiterated that the individuals would still need to prove the 'need' fully through the Tai Teg assessment process, but by imposing and discharging an affordable housing condition before commencing any development work, there would be an opportunity to confirm the type of tenure, housing mix and an opportunity for the individuals to complete the Tai Teg assessment process.

With the application only being outline, it was noted that it was not possible to value any property until detailed plans were in place. Nevertheless, a high-level valuation had been received, based on the size of a 94m² 3-bedroom house on the open market which was in line with the size of a 3 bedroom two-storey house in the SPG Affordable Housing and was therefore relevant for consideration in the context of the application. The valuation appeared to show that a discount could be applied, but a discount of around 40% would be required to ensure affordability. It was also noted that consideration could be given to applying an individual discount on each dwelling based on its final design, through a

condition discharge application and a section 106 agreement. Consequently, since receiving the additional information, and given the ability to impose a condition to agree on the provision of affordable housing, the officers were of the view that the 'need' had been established and that the principle of the development was now acceptable.

In the context of visual effect, a landscape statement had been received which highlighted the ability to impose conditions to ensure landscaping and careful use of materials and colours. It was added that officers remained concerned about the visual impact, as the setting of the proposed dwellings within an existing open field would stand out, changing the visual appearance of the site and spreading the built form further into the open countryside. However, after considering all the relevant planning issues, they considered that the need for affordable housing for local residents outweighed the conflict with the relevant policies regarding visual impact, and that the impact could be handled by agreeing details of the design and size of the dwellings, landscaping and the final layout of the site. Although the proposal did not fully comply with policy in respect of visual impact, it was not considered that the application should be refused contrary to policies PS 5, PCYFF 3, PCYFF 4 and TAI 16, given the need for affordable housing.

- b) Taking advantage of the right to speak, the Local Member made the following observations:
 - He was pleased that the additional information had been received and that the members had visited the site.
 - He welcomed the latest recommendation to approve.
 - He was fully supportive of the application – this was a golden opportunity for five young families to buy a house locally in the area where they had been brought up.

- c) It was proposed and seconded to approve the application.

- ch) During the ensuing discussion, the following observations were made by members:
 - They appreciated that the additional information had been submitted.
 - The site visit had been beneficial.
 - There was benefit in deferring and holding a discussion – pleased that this had happened.
 - There was an opportunity here for Aberdaron to carry on as a Welsh-speaking community.
 - Disappointed that a 106 agreement was the context being considered, and not self-build.

RESOLVED: To approve with conditions

1. **Time**
2. **In accordance with the plans**
3. **Materials**
4. **Affordable housing condition**
5. **Highway conditions**
6. **Biodiversity condition/biodiversity enhancements**
7. **NRW condition**
8. **Welsh Water condition**
9. **Reserved matters condition**
10. **Removal of PD rights for extensions and restrict to C3 residential use only**
11. **Protection of the public footpath**

5.2 Application Number C24/0083/18/LL Penisarwaun Nursing Home, Caernarfon, Gwynedd

Change of use from a care home (C2 Use Class – residential establishments) to a serviced hostel for holiday use (Unique Use) with ancillary warden's living accommodation (resubmission).

Attention was drawn to the late observations form.

- a) The Development Control Team Leader highlighted that the proposal related to changing the use of a former older people nursing home to a 25-room serviced holiday hostel use with living accommodation for a warden. It was noted that the site was located on the outskirts of the village of Penisarwaun, and the care home had been redundant since 2018. It was reported that the building would provide storage areas, drying rooms, games, washing/shower facilities, a kitchen and dining room and would also provide a small extension to form a lobby for the main entrance. No other external change was proposed.

It was highlighted that the application was a re-submission of a similar scheme that had been refused in 2023 due to a lack of information regarding bed capacity, which would raise concerns about harmful amenity impacts to local residents along with a lack of information about the warden accommodation and parking provision.

It was clarified that the application, in response to the above refusal reasons, confirmed that the maximum number of residents would be 60; the warden's accommodation was completely separate, and 42 parking spaces had been provided on the site which met the Welsh Government's parking standards requirements.

In considering the application, the importance of the site's planning history and the nature of its previous legal use as a care home was noted; and, the number of residents, the high level of staff necessary to provide the care along with additional attendees such as families and health services. It was considered that the development would not significantly increase the site's density of use compared with the former use, and that this could be ensured by imposing a condition to limit the facility to a maximum of 60 at a time. It was recognised that the nature of holiday accommodation use of this type could cause disruption that was significantly different to previous uses, however, it was highlighted that these impacts could be managed by imposing a planning condition to ensure that a management plan was in place that would commit the managers to adopt appropriate measures to control noise, transport and residents' behaviour and to deal with complaints.

In addition, it was noted that the proposal would provide serviced accommodation for visitors, which was different to self-service accommodation, and there was no excess of this type of accommodation in the local area.

Having considered all the relevant planning issues, the principle of the development, visual, general and residential amenities, transport and access matters, sustainability, infrastructure, biodiversity and the Welsh Language, the proposal was considered acceptable.

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

- The application was identical to the refused application.
- The increase in use was significant – it would affect the local image – the use was doubled – how then was the scale the same?
- This would be the largest hostel in the area.
- It would increase the population of the village by 10%.
- Who in the village would benefit?
- It did not comply with Policy TWR2.
- Not enough parking spaces had been provided.
- A significant increase in noise pollution – creating disruption and a negative impact on the local residents' standard of living.
- The site would be suitable for housing – affordable housing for a Welsh-speaking community.
- The proposal was an over-development – why did we need such a large hostel in such a small village?

c) Taking advantage of the right to speak, the applicant's agent made the following observations:

- The site's former use was as an older people's home which had been disused since 2019.
- The site had been bought by a young man from the village.
- The original application had been refused on the grounds of lack of clarity and the impact on residential amenities.
- This was a re-submission of the application which provided information that was missing from the original application. The officers were satisfied with what had been provided and recommended approving the application with conditions.
- The report confirmed the number of beds – 25 bedrooms with 60 beds, with space for a warden and 3 to 4 full-time staff. The hostel's capacity would be 62, but it was unlikely that it would be full all year due to the seasonal nature of the business. As a care home there would have been 30 residents and 26 staff.
- An extension for the home had been granted permission which would have provided an additional 40 bedrooms with 56 staff – this would have been much more than what was being presented here.
- A potential impact assessment had been provided which concluded that there were no unacceptable effects.
- The applicant was prepared to submit a management plan through a condition which would set out measures to control resident noise and behaviour along with clear processes for dealing with complaints.
- There was sufficient parking provision – the Highways Unit had not refused the application.

ch) Although he was not present, the Local Member had submitted the following comments for the officer to read out:

- The application had been presented to the Committee before. At the time I was neither in favour or against it, because at the time I considered that the benefits of developing a disused building back into use and creating some local work balanced out the disadvantages that would come with increased traffic in the area which would lead to parking problems as well as increased noise.
- That application was refused in part due to insufficient detail.

- Naturally, he had discussed the case and the reasons for refusal and had thought about how it would be possible to develop something that could benefit the wider community e.g. a type of shop that would obviously reduce the number of places to stay.
- While more detail had been presented this time, it was essentially the same application.
- Although the speed limit of the road past the site had now been reduced from 60 mph to 30 mph, its width remained the same; it was a narrow road with few passing places, some wider than others, along it.
- Many, many residents of Penisarwaun had since been in touch expressing their concerns. Residents who did not live nearby as well as the nearest residents were concerned about the increase in traffic.
- It was obvious from the parking provision that visitors would be arriving with cars/vans or perhaps larger vehicles – they would be using these vehicles to go back and forth to do their shopping as there was no shop nearby.
- There were no entertainment facilities of any kind here either, and it was scarcely believed that each one of the visitors craved the tranquillity of Penisarwaun while here on holiday. It would therefore be necessary to travel to different places to enjoy our area because on top of the lack of resources there was also a lack of public transport services.
- Given therefore the lack of existing resources and services available in the community, it had to be considered that the development as it stood was an over-development in the countryside.
- Therefore, as much as one is keen to see the site being developed, I consider that the disadvantages brought about by this development outweigh the advantages, and as such I cannot support it.

d) It was proposed and seconded to refuse the application because it was an over-development – no services available, no pavement, the site was inappropriate and unsuitable for its circumstances. Concern about the scale, and the impact on the residential amenities of local residents.

- dd) During the subsequent discussion, the following observations were made by members:
- It would be better to see affordable housing on the site.
 - The Community Council and the Local Member had presented valid reasons for refusing.
 - The village was not supportive of the application, therefore we must listen to the voice of the people.
 - The agent was misleading in comparing the previous use with the proposed use – this used to be a small residential home with staff living locally – nothing like what was being discussed.
 - There was no shop or services in Penisarwaun – this would lead to overuse of the road as people went in search of services.
 - The hostel might attract people who were not considerate of local people's amenities.
 - Increased traffic would bring additional hazards.
 - Impact on local people's quality of life – this was sufficient grounds to object.
 - The hostel was too large.
 - The proposal was contrary to Policy TWR 2 in terms of scale and density and the impact on local residents.

- There had been a lot of coming and going in the residential home.
- Permission had been received to expand the site.
- This was a local man who had bought the site – he needed encouragement to succeed.
- Better to see a hostel than an eyesore.

In response to a question about how confident were the officers that sufficient parking had been provided, the Assistant Head stated that one of the shortcomings of the original application was inadequate information regarding the parking provision. Consequently, additional information had been submitted and the Transport Unit had no objection to the provision being proposed which was also in line with the requirements of the Welsh Government's parking standards. He reiterated that there was no evidence that transport was grounds to refuse the application.

RESOLVED: TO REFUSE the application, contrary to the recommendation

Reasons:

- **Concern about the nature, scale and density of the development having a negative impact on the residential amenities of local residents - contrary to policies PCYFF 2 and TWR 2.**
- **Overuse of the narrow road leading to the site.**

5.3 Application Number C23/0556/19/LL Land at Cae Stanley, Bontnewydd, LL55 2UH

Development of 21 residential units comprising 6 one-bedroom apartments, 12 two-bedroom apartments and 3 three-bedroom dwellings along with associated landscaping and a new vehicular entrance.

- a) The Development Control Officer highlighted that the site was located within the development boundary of Bontnewydd and was designated for 10 dwelling-units within the LDP.

In the context of the principle of the development, the developer's intention was to provide 21 new units. It was suggested that the provision of an additional 11 units was significantly higher than the 10 units set out in the development plan policies for this site in Bontnewydd. To this end, it was reported that justification was needed with the application outlining how the proposal for an additional 11 units would meet the needs of the local community.

In terms of assessing the element of affordable housing on the site, there had been considerable uncertainty by the developer during the application. Initially, he had intended to provide 100% of affordable housing, but the scheme was then changed to 50% affordable housing, and by today the plan was to provide 30% affordable housing which was 6 affordable units on the site. It was added that the applicant had not provided an open market valuation for the site nor for affordable units at an intermediate level. It was also noted that no valid information had been submitted to prove the need for one- and two-bedroom affordable (intermediate) flats within the village of Bontnewydd. Based on the lack of information, it had been very difficult for officers of the Council's Housing Unit to assess the true affordability of the residential units for the site.

Considering the discrepancies and the invalidity of the information submitted by the applicant, neither the Local Planning Authority nor the Housing Strategic Unit were

convinced that the applicant had justified the provision of 11 additional residential units within the scheme or that the mix of 18 residential units as one- and two-bedroom flats were truly needed. As a result, the proposal was not considered to meet the needs of the local community in accordance with the LDP's housing policies.

In respect of visual amenities, it was reported that the area was mainly residential, and that the proposal in terms of its scale and setting was acceptable. Regarding design, it was noted that initial discussions had identified concern about movement within and across the site along with the site's accessibility for wheelchair users, because of varying levels across the site and the fact that no disabled parking spaces had been designated. The department had enquired about the treatment and cross-section levels of the northern boundary abutting the river, with the retaining wall extending along the northern boundary. It was recognised that there were concerns about the design and the lack of information regarding the levels and treatment of the northern boundary, and had other elements of the application been acceptable, further discussions or the imposing of conditions could have resolved these concerns.

As part of the public consultation process, several observations had been received about the need for the houses and regarding flooding issues, and references to the traffic and parking situation. Despite the comments, it was considered that the reports submitted with the application addressed the parking concerns, and the Transportation Unit had no objection to the proposal. It was not considered that the proposal would have a material adverse effect on the amenities of the local neighbourhood.

In the context of Drainage and Flooding issues, NRW and the Water Unit had been consulted on the matter of flooding. NRW had confirmed that the flood basin, which also acted as a surface water attenuation basin, increased the risk of flooding on the site. It was added that the Land Drainage Section were in the process of constructing a detailed flooding model for this particular area, and the current data submitted as part of the Flooding Statement to the application was not deemed to be up-to-date with the projections. It was also noted that no water conservation statement had been submitted with the application. As a result, without up-to-date information, it was not considered that flooding and drainage issues could be effectively managed on the site. With regard to Biodiversity and Trees issues, it was reported that the Biodiversity Unit required a further study relating to protected species and the impact on those habitats, and also reptile reports before making any decision. The trees officer had also highlighted concern over the loss of a corridor of trees along the northern boundary of the site as part of the development. Without a response to the comments relating to protected species by NRW and the Biodiversity Unit, the Ecological concerns remained with the development.

In the context of the Welsh Language, it was reported that in response to the statutory consultation process, the Language Unit had stated that in order for them to undertake a fair and balanced analysis on the application, the latest information from the 2021 Census would need to be included. Further to this, as there was no hard evidence in proving the need for the number of additional houses and the mix of housing that had been offered as part of this proposal, no evidence had been presented to prove the certainty that the development would have a positive impact on the language.

In discussing matters relating to open spaces, it was highlighted that the Policy and supplementary planning guidance on open spaces emphasised that the provision of play/open spaces should be "within the site" in the first instance. It was noted that the applicant had suggested that he would be willing to contribute to improving the existing

provision within the community if the application was approved, but that alone was not sufficient to meet the requirements of the play spaces policies, as the policy required "on-site provision in the first instance". In addition, because the housing density was high on the site there was no room to provide a play area. Also, without justifiable evidence of the need for the number of houses and the development density it was not possible to meet the LDP's policy needs for playing spaces.

Although the Council recognised that the site had been designated for 10 residential units, based on the lack of information in proving the need for an additional 11 units and the mix of housing, it was believed that granting this application would lead to an imbalance in this type of residential accommodation provision in the village and that it would not respond positively to identified housing needs in Bontnewydd. It is also considered that the information presented as part of the application had been inadequate and inconsistent, there were significant concerns regarding flooding and biodiversity matters in the local area, and that full consideration had not been given to the development's effect on the Welsh language and open spaces within the site.

- b) Taking advantage of the right to speak, the applicant made the following observations;
- Because of the officers' recommendation to refuse the application, his intention was to discuss the refusal reasons.
 - It was clear that one of the main reasons for refusal was the proposed mix of smaller units being offered, and the lack of demand and justification for dwellings of this type.
 - It had been noted that originally, they planned to deliver the scheme as 100% affordable, but neither the planning officers nor the Housing Team had supported the scheme or the mix, suggesting that there was no demand within Bontnewydd or the surrounding housing market area for these types of units and that they would not provide the required grant funding to see the site being developed for affordable housing – as a result, the developer had then considered a mixture of market and affordable housing.
 - However, the information that the Strategic Housing Unit had provided counter-claimed this situation. In April 2024 the number of applicants on the Social Housing Register in Bontnewydd was 291, with 28% or 81 of those people in search of a 1-bedroom accommodation and 40% or 116 people looking for a 2-bedroom accommodation. Therefore, 68% or 197 of those on the social housing register in Bontnewydd were looking for the type of accommodation that the proposed development was aiming to provide.
 - It was also found, within the 2021 Census data, that household size (i.e. the number of residents living in a dwelling) in Bontnewydd comprised mainly of 1 or 2 people - accounting for 66% of the village's households. However, the current development pattern of Bontnewydd included an under-supply of these types of housing. In Bontnewydd there were only 11 one-bedroom properties and 85 x two-bedroom properties available. Only 21% of the houses in Bontnewydd were 1- and 2-bedroom properties, but yet, 1- and 2-person households occupied 65% of the current housing stock.
 - With 79% of the housing stock in the village being three-bedroom or more, there was evidence that most of the houses were being underoccupied because of a shortage of smaller properties to move into.
 - It was noted that the Planning Policy Unit had supported the justification and the mix of units in their response to the consultation in May 2024, although this had not been included in the officers' report.

- Gwynedd had since adopted the Article 4 Direction in an attempt to overcome the housing crisis in the area, to give local people access to suitable and affordable homes. It was noted that it was confusing having to justify the demand for housing on a designated site in a sustainable location, and the fact that more evidence was required – beyond what had been submitted in the planning statement and housing statement – this was contrary to the local and national housing policy.
- Had the housing mix and the scheme been acceptable, the planning department would probably have allowed more time for the applicant to address the concerns raised regarding ecology, trees and the flood risk.
- It was noted that there was agreement that the floods attenuation basin would be installed underground to overcome the concerns around flooding; the green infrastructure statement was in the pipeline to address the requirements for a further survey and the trees that had been proposed to be felled were of a poor quality; and the effect on bats could be mitigated with a lighting scheme. Those documents were to be provided once the principle of the proposed development had been accepted by the planning officers, however, that support had not been received.

c) Taking advantage of the right to speak, the Local Member made the following observations:

- Although acknowledging that housing was needed in Gwynedd, the units in this development were not suitable for the centre of the village of Bontnewydd.
- The applicant had not submitted enough evidence to support the application.
- Knowing the local area, there was not enough demand for 1 and 2-bedroom properties in Bontnewydd; there was more demand for 2 / 3 and 4-bedroom properties for families – she was therefore unsure where the applicant had got the figures.
- The number of units was higher than what was stated in the LDP.
- The development squeezed the houses into the site – it did not offer enough green spaces or adequate parking provision.
- The site was close to a river – this risked the nature of the river corridor and also affected floods prevention work that had been carried out on the river.
- From speaking and discussing with local residents and the community council, the feeling was the same – the development as it stood was not suitable for the village of Bontnewydd.
- She objected to the application.

ch) It was proposed and seconded to refuse the application.

RESOLVED: TO REFUSE

Reasons:

- 1. The proposal was contrary to the requirements of Policies PS 17, TAI 1 and TAI 8 of the Anglesey and Gwynedd Joint Local Development Plan (2017) as it was considered that the applicant had not submitted sufficient evidence with the application to convince the Local Planning Authority that there was a need for additional one- and two-bedroom flats in Bontnewydd considering that this proposal exceeded the indicative figure stated in the Plan and would create an imbalance in the type and mix of small units within the village, and no evidence had been received that the proposal would respond positively to the needs of the local community.**

2. Evidence had not been received about the need for the number of dwellings and up-to-date information within the Welsh Language Assessment to be able to assess whether the proposal met the requirements of criterion 1c of Policy PS1 of the Anglesey and Gwynedd Joint Local Development Plan which required a Welsh Language statement to demonstrate how proposed developments would protect, promote and strengthen the Welsh Language. On this basis, the Local Planning Authority was not convinced that the proposal would not have a negative impact on the Welsh language in the plan area.
3. The site lay within an area at risk of surface water flooding, and because sufficient information was not submitted with the Flood Consequence Assessment including a Water Conservation Statement which would have considered the safe development of the site and demonstrated that the proposed development would not displace surface water towards other properties, it was not believed that the proposal was acceptable based on flood risk and that it was, consequently, contrary to criterion 8 of policy PS 5, criterion 7 of policy PCYFF 2, criterion 6 of policy PCYFF 3, criterion 4 of policy PS 6, policy PCYFF 6 together with the instruction provided in paragraph 11.1 of Technical Advice Note 15.
4. Not enough information had been submitted as part of the application to assess the impact of the proposal on the Special Area of Conservation, protected species and wildlife on the site. No Green Infrastructure Statement had been submitted either, therefore the proposal was contrary to the requirements of policies PS19 and AMG 5 of the Anglesey and Gwynedd Joint Local Development Plan (2011-2026) which protected species and wildlife, and also the requirements within Chapter 6, Edition 12 of Planning Policy Wales.
5. The proposal was contrary to policy ISA 5 and the SPG for open spaces as there was no justification for the lack of provision of open spaces within the development while also taking account of the lack of evidence of the need for the number of dwellings and the high development density.

5.4 Application Number C23/0556/19/LL Tŷ'n Lôn, Afonwen, Pwllheli, Gwynedd, LL53 6TX

An application for nine additional caravans on the caravan field

Attention was drawn to the Biodiversity Unit's observations on the late observations form, and to the appeal decision of November 2023

- a) The Planning Manager highlighted that the application involved increasing the number of touring caravans on the current site from 19 to 28, and that there was no intention to extend the boundaries of the site. It was explained that the proposal had been designed to meet licensing requirements in terms of spacing between units, and no concerns had been raised about the density of the units in relation to the size of the site. It was not considered that the proposal would be an over-development of the site, and there was sufficient space to locate nine additional units on the existing touring caravan site.

The criteria of policy TWR 5 were highlighted, which concluded that the proposal was acceptable in principle. It was noted that the policy considerations included access, proximity to the main roads network, visual impact, holiday use as a touring caravan site only, and no excessive provision of hard standings.

The members were reminded that they had refused a planning application on the site (March 2023) but following an appeal the application had been approved (November 2023). Since then, the permission had been implemented and the site was being operated as a touring caravan site. On the previous application, concerns had been raised by Members about the cumulative impact given the site's proximity to other caravan sites in the area. Although there were several static and touring sites in the vicinity, the area in question was not an example of a location that was under extreme pressure from such tourism developments. Unlike policy TWR 3 that dealt with static caravan sites, cumulative impact was not a consideration within the criteria of policy TWR 5 since touring use was a temporary use, with less impact than static structures.

However, the criteria themselves responded to the cumulative impact in the sense that sites in obtrusive places that were not close to the main roads network should not be permitted. Even during the winter months, the site was considered to be well screened by existing landscape features. Paragraph 6.3.81 of the policy was referenced, which stated that caravans should not be permitted in open locations near the coast nor within Areas of Outstanding Natural Beauty; this site was situated away from an open coastal location and there were no landscape designations in its vicinity. It was reported that the Afon Wen Farm touring site opposite was relatively well hidden, and although it might share the same visual context from the county highway, due to the nature of the vegetation it was not considered that the development would appear excessive or harmful to the landscape at this site. It was explained that the issue of cumulative effect had also been considered and dismissed by the Inspector as part of the appeal, therefore it was deemed that the cumulative effect of developing a touring caravan site on the land had been duly addressed during the appeal on the application.

In response to observations that had been received by the Caravans Licensing Enforcement Unit from a third party, highlighting concerns that the caravan site was not operating in compliance with the current planning permission, it was noted that the Planning Service was aware of those issues and was investigating the matters raised. Whilst acknowledging the possibility that the site was not being operated strictly in accordance with the planning permission, that in itself was not reason to refuse the current application.

Having considered all the material planning issues, including local and national policies and guidance, as well as the observations received, it was considered that the proposal was acceptable and that it would not have a significantly harmful impact on the landscape, the amenities of the neighbourhood or road safety.

- b) Although they were not present, the Local Member had submitted the following comments for the officer to read out;
- The Community Council was concerned that the applicant was making retrospective planning applications regularly, and that he was not attempting to make planning applications before developing sites.
 - Concern that the application was an early addition after the original permission on the same site, with the addition leading to an excessive amount of caravan sites in the area, putting pressure on the community and transforming the natural conditions around the site.
 - Concern that the conditions on the original application C21/1038/41/LL had not been met, because there was no evidence that the biodiversity conditions had been addressed.

- The area around the site contained high numbers of caravans. It could be argued that there were no other sites in Gwynedd with as many caravans as there were within a five-mile radius of the application. If there was no means of refusing this application based on excess, then it could be argued that the Local Development Plan had no power to be able to control the numbers of touring caravan sites.
- To consider 6.2.1 as a relevant clause for refusing the application:
 - '6.2.1 Although often in use for only part of the year, touring caravan and camping sites are often situated in prominent and open locations and can be very intrusive in the open countryside, particularly on the coast. Particularly heavily pressurised areas exist in many communities located on or near to the coast, including extensive parts of the Areas of Outstanding Natural Beauty. Appropriate consideration will need to be given to the cumulative impact of the proposal. As part of the consideration of the cumulative impact, the Council will require strong evidence to show that proposals for further units of accommodation in such areas will not add to servicing problems, unacceptable traffic impact or unacceptable harm to the character or natural resources of these areas, following mitigation measures'.
- According to the above clause, THE APPLICANT was required to provide evidence that this proposal would not lead to problems, and he was required to propose appropriate mitigation measures. No such evidence had come to hand, therefore the application should be refused.

c) It was proposed and seconded to approve the application.

ch) During the ensuing discussion, the following observations were made by members:

- The applicant should be enforced to carry out the required work – the site should be closed until the work had been completed.
- Any conditions imposed must be adhered to.
- The site was not visible from the main road.
- Disappointment that the inspector had expressed that there was no evidence to support the opinion of 'excessive amount' despite the local member having highlighted the evidence.
- What were the costs of an appeal?
- The area was suffering from the effects of over-tourism – we had a responsibility to highlight this in order to protect communities.

In response to the observations, the Assistant Head noted that a draft copy of the information that had been prepared for the appeal had been submitted to the Local Member and the proposer for comments, and the final document that had been submitted to the inspector contained all the evidence and information together with additional observations that the Local Member had presented. He added that although the appeal had approved the application, there were no costs against the Council, only costs relating to officers' time and work in preparing the appeal which defended the committee's decision to refuse the application. In terms of the timing of submitting applications, he noted that there was no control over when applications may be submitted.

He stated that the application was for nine additional caravans and following the outcome of the appeal, it would be difficult to refuse the application in question based on the effect on the landscape and the surrounding area.

- d) A registered vote was requested on the proposal to approve, and over a quarter of the members voted in favour of having the registered vote.

In accordance with the Procedural Rules, the following vote was recorded on the proposal to approve

In favour: 3 Councillors Elwyn Edwards, Anne Lloyd Jones, Edgar Owen
Abstentions: 0
Against: 9 Councillors: Delyth Griffiths, Louise Hughes, Elin Hywel, Gareth Tudor Jones, Cai Larsen, Gareth Coj Parry, John Pughe Roberts, Huw Rowlands, Gruffydd Williams

The proposal fell.

It was proposed and seconded to refuse the application.

RESOLVED: TO REFUSE, contrary to the recommendation

Reasons:

- **The proposal was an over-development – it would create a cumulative tourism impact in an area where there was an excessive amount of existing touring and static caravans.**
- **It would cause harm to the visual quality of the landscape and would cause an unacceptable adverse impact on the amenities of local people, contrary to the objectives of policy TWR 5.**

5.5 Application Number C24/0289/03/LL Wynne's Arms Hotel, Manod Road, Manod, Blaenau Ffestiniog, Gwynedd, LL41 4AR

Conversion of the former Wynne's Arms into five residential flats

- a) The Development Control Officer highlighted that this was an application to convert a public house into five residential, self-contained flats (three 2-bedroom flats and two 1-bedroom flats), along with the creation of parking spaces and alterations to the access. He explained that the use as a public house had ceased in early 2017 and the building had been closed. The existing building provided a public house facility on the ground floor, a storage cellar below and one flat that was located on the first and second floors. The proposal would involve interior changes to create the flats, and the external changes would be limited to the side extension with slight alterations to the layout of window and door openings at the rear.

The building was described as being situated on a triangular plot in a prominent place in Manod, within the development boundary of Blaenau Ffestiniog and within a residential area. He highlighted that it was proposed to provide parking for 6 cars, a vehicular access to the county road and a small garden with a patio together with a space for storing waste bins and a bicycle storage.

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

In terms of the principle of the development, it was noted that the principle of losing its use as a public house had been agreed by granting those previous applications, and

there had been no change in circumstances since approving those applications. Consequently, the Council had accepted the conversion of the public house for alternative use, therefore the loss of the property's use as a public house within the town would not contravene the policy on communal facilities in the LDP. It was explained that Policy TAI 9 permitted the sub-division of existing properties into self-contained flats provided they comply with the relevant criteria of the policy. From assessing the proposal against the relevant criteria, the proposal to convert the building into five flats was not considered contrary to the objectives of policy TAI 9.

In light of the indicative housing supply level for Blaenau Ffestiniog, it was felt that the proposal could be supported. In accordance with criterion 4 of policy TAI 15, the applicant had submitted viability information which indicated that it was not viable to provide affordable housing as part of the application. This information had been assessed by the Planning Policy Team who agreed with the analysis, however it was highlighted that the open market prices of the flats were reasonable, and thus it was assumed that the flats would be affordable regardless. It was considered that the proposal complied with the requirements of policy TAI 15 of the LDP.

Also, further to the legislative change regarding the use classes of residential units, it was intended to impose a condition that the flats were restricted to use class C3 only, namely dwelling-houses used as a sole or main residence.

In respect of general and residential amenities, the building stood in a prominent and public place, and objections had been received claiming that the proposal would have a significant negative impact on the occupiers of a neighbouring property. However, it must be considered that the building's former use was as a public house and could be used as such to its full potential without planning permission or any planning conditions. It was therefore considered that a residential use would be more suited to the area, and that the proposal would not exacerbate the current situation substantially in terms of overlooking and loss of privacy, particularly considering the location and surroundings of adjacent properties.

In respect of transport and access matters, it was reported that observations had been received from the Council and the Welsh Government's Transportation Unit regarding the proposal stating that they had no objection. The Welsh Government's Transportation Unit were keen to impose a condition on the permission that the development must be carried out in accordance with the Construction, Highways and Environmental Management Plan. Subsequently, the residential nature of the proposal met the LDP's Transport and road safety policies.

When discussing flooding issues, although concerns had been received regarding floods in the area, the site does not fall within any high-risk flood zone, however, on a previous application to this site, local information about recent flooding on the site had been received, and the flooding issue had been the reason for refusing that application. As part of the current application a Floods Consequences Assessment (FCA) was submitted to assess the flooding issues. The observations of the YGC Water and Environment Unit had been received stating that they had reviewed the Floods Consequences Assessment (FCA) submitted and agreed that the flood risk associated with the proposed development was acceptable. As a result, the applicant would be required to provide flood risk mitigation measures within the proposed development as described in the Floods Consequences Assessment, and a condition could be included to ensure this.

Based on the additional information submitted, it was not considered that the proposal was contrary to local or national policies and there was no material planning matter that outweighed these policy considerations.

- b) Taking advantage of the right to speak, the applicant made the following observations
- The report was balanced and sincere.
 - The proposal addressed the local and national policies.
 - There was C3 use to the flats – there was no intention to let them as temporary accommodation.
 - There was sufficient parking as part of the scheme and space for bicycles.
 - There had been no objection from the Transportation Unit.
 - There was a demand for this type of mix and size of flats in the area.
 - Enquiries regarding the availability of the flats had already been received – this was evidence that there was a demand for them.
- c) Although she had apologised for her absence, the Chair noted that the Local Member wished to note her objection to the application because the one-bedroom flats were too small.
- d) It was proposed and seconded to approve the application - the proposal offered a good mix of flats and made good use of a building that was now an eyesore in the village

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

1. 5 years.
2. In accordance with the amended plans.
3. The external walls of the extension and any work undertaken to the external walls to complement the existing property in terms of colour and texture.
4. Restrict the occupancy of the flats to class C3.
5. In accordance with the FCA.
6. In accordance with the Construction, Highways and Environmental Management Plan.
7. Ensure that biodiversity improvements are undertaken in accordance with the Green Infrastructure Statement and plans prior to the flats being occupied for the first time.
8. Parking spaces to be operational before the flats are occupied for the first time.
9. Provision and securing of bin and bicycle storage.
10. Ensure a Welsh name for the development and for the dwellings.

Notes: -

- Vigilance of the presence of protected species when undertaking the work.
- Culvert note.
- Welsh Government's Transportation advice.
- Welsh Water advice.
- SuDS.

5.6 Application Number C24/0436/11/LL Former Coed Mawr Infants School, Bangor, LL57 4TW

A proposal to erect 10 no. affordable housing and associated developments.

Attention was drawn to the late observations form which contained observations from the Education Department, confirming there was adequate capacity to cope with the likely increase in pupil numbers from this development.

- a) The Development Control Team Leader highlighted that this was a full application to erect 10 intermediate affordable dwellings in the form of 4 two-bedroom two-storey semi-detached houses and two terraces of 3 three-bedroom two-storey houses along with associated work on the redundant site of the former Coed Mawr Infants School, within a residential area and within the development boundary of Bangor. It was explained that the proposal was a re-design of the scheme permitted under application number C22/0525/11/LL to respond to drainage requirements, and although there was a material change from what had already been permitted in respect of the site's design and layout, there was no change in the total number of units, or the tenure method compared to the previous consent. It was considered that the application was consistent with the previous permission and that the principle of developing 10 intermediate affordable dwellings on this site remained acceptable.

It was added that the design and form of the proposed dwellings reflected a traditional design and incorporated contemporary elements within the design. Although some trees would be lost as a result of the proposal, the main trees that were of high quality would be preserved and it was aimed to further landscape the site. Consequently, the visual effect of the proposal was considered acceptable. Having debated the proposed distance between the dwellings, the setting and orientation of the proposed dwellings in relation to the existing houses nearby together with the existing trees and shrubs and the proposed landscaping along the boundaries of the site, it was not believed that the proposal would create oppressive structures or cause significant overlooking or loss of privacy at the expense of neighbouring occupants' amenities. It was noted that planning conditions would protect local residents' amenities during the construction work.

- b) Although he had apologised for his absence, the Chair noted that the Local Member wished to note that he was fully supportive of the development.
- c) It was proposed and seconded to approve the application.

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

1. **Five years.**
2. **In accordance with the plans/details submitted with the application.**
3. **Compliance with the landscaping scheme together with future maintenance work.**
4. **Secure a plan/arrangements for the provision of the affordable units e.g. occupancy criteria, timetable and arrangements to ensure that the units are affordable now and in perpetuity.**
5. **Compliance with the recommendations of the Ecological Survey, Arboriculture Impact Assessment and the Biodiversity Enhancements Plan.**

6. Ensure a Welsh name for the development and for the dwellings, and the signs advertising and promoting the development.
7. Working hours limited to 8:00-18:00 Monday to Friday; 08:00-13:00 Saturday and not at all on Sundays and Bank Holidays.
8. Submission of a Construction Method Statement to the LPA to include measures to reduce noise, dust and vibration, parking of development operators' vehicles, loading/unloading of goods, storage of equipment on the site, security fences, facilities to wash wheels and a recycling/waste disposal plan.
9. Relevant conditions by the Transportation Unit.
10. Agree on the external finishes for the dwellings.
11. Natural slate roofing.
12. Ensure timely provision of the play area.
13. Restrict occupancy of the Dwellings to C3 use.

Notes:

- Sustainable Drainage.
- Welsh Water.
- Natural Resources Wales.
- Transportation.

5.7 Application Number C23/0618/39/LL Fferm Cim, Bwlchtocyn, Gwynedd,

Full application for the demolition of three existing open market dwellings and erection of three replacement dwellings (to be used as holiday units), demolition of existing storage buildings, erection of 4 new build holiday units, relocation and replacement of existing static caravan (for holiday purposes) together with associated works and landscaping.

- a) The Planning Manager highlighted that a request had come to hand from the applicant's agent for the committee to defer consideration of the application in order to allow time to respond and to discuss revised plans with the officers.

It was proposed and seconded to defer the application.

RESOLVED to defer the application to allow time to respond and to discuss revised plans with the officers.

The meeting commenced at 13:00 and concluded at 15:10

CHAIR