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## PLANNING COMMITTEE 16/12/13

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**Present:** Councillor Gwen Griffith – Chair  
Councillor Michael Sol Owen – Vice-chair

**Councillors:** Elwyn Edwards, Louise Hughes, Anne Lloyd Jones, Dyfrig Wynn Jones, June Marshall, Dafydd Meurig, William Tudor Owen, Eirwyn Williams, Hefin Williams, Eurig Wyn and Gruffydd Williams (substitute).

**Others invited:** Councillors Jean Forsyth, Charles Wyn Jones, Elin Walker Jones, John Wyn Williams and R. H. Wyn Williams (Local members).

**Also present:** Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Sion Huws (Language and Compliance Manager), Gareth Roberts (Senior Development Control Officer – Transport), Glynda O'Brien and Bethan Adams (Member Support and Scrutiny Officers).

**Apologies:** Councillor Owain Williams.

**Councillors Louise Hughes and Gruffydd Williams apologised for their absence from the Site Visit held prior to this meeting.**

### 1. DECLARATION OF PERSONAL INTEREST

(a) The following members declared a personal interest for the reasons noted:

- (i) Councillor Jean Forsyth, (not a member of this Planning Committee), in item 5 on the agenda, (planning application number C13/0545/11/LL), as she lived behind Tŷ Glyn, Bangor.

The member was of the opinion that it was a prejudicial interest, and after submitting personal observations as a neighbouring resident, she withdrew from the Chamber during the discussion on this application.

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

- Councillor Charles Wyn Jones (not a member of this Planning Committee) in relation to item 5 on the agenda, (planning application number C13/0710/23/LL);
- Councillor Dafydd Meurig (a member of this Planning Committee) in relation to item 5 on the agenda, (planning application number C13/0405/21/LL);
- Councillor Jean Forsyth (not a member of this Planning Committee) in relation to item 5 on the agenda, (planning applications number C13/0545/11/LL and C13/0723/11/LL);
- Councillor R. H. Wyn Williams (not a member of this Planning Committee) in relation to item 5 on the agenda, (planning application number C13/0561/39/LL);
- Councillor Michael Sol Owen (a member of this Planning Committee) in relation to item 5 on the agenda, (planning applications number C13/0640/45/CR and C13/0667/45/LL);
- Councillor Eurig Wyn (a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C13/0658/26/LL);
- Councillor John Wyn Williams (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C13/0765/25/LL);
- Councillor Elin Walker Jones (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C13/1028/11/LL).

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

## 2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 25 November 2013 as a true record, subject to adding the name of Councillor Dyfrig Wynn Jones to the list of apologies of those absent from the meeting.

## 3. PLANNING APPLICATIONS

The Committee considered the following applications for development.

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

### RESOLVED

#### 1. Application no. C13/0710/23/LL – Land at Parc Uchaf, Llanrug

Erect two dwellings and garages together with associated access.

- (a) The Senior Planning Service Manager expanded on the background of the application and noted that the application had been submitted to a meeting of the Planning Committee held on 4 November 2013, where it had been decided to approve the application contrary to the officers' recommendation for the following reasons:

- That there was no need for more affordable housing in Llanrug
- That the development satisfied the applicant's special need

Because the above decision represented a significant risk to the Council, the matter was referred to a cooling off period in line with the Committee's standing orders. It was explained that the purpose of reporting back to this Committee was to highlight the planning policy issues, and the possible risks and options for the Committee before reaching a final decision on the application.

In light of the Committee's decision, further research and enquiries were undertaken by the planning officers, and it was noted that sound evidence existed which proved undoubtedly that there was a need for affordable housing in the Caernarfon dependency catchment area. The proposal to hand was for two very large open market houses which did not satisfy the proven need for affordable housing.

The Committee was reminded of the details of the application, namely two houses with garages on land that had been designated in the Gwynedd Unitary Development Plan (GUDP) for residential development, but for a density of 30 units a hectare, which was tantamount to erecting six residential units on the site that was the subject of the planning application. It was noted that planning permission already existed on the land adjacent to the site, with permission for six houses of which two would be affordable, namely around 30%. Additional information had been received connected to the application to hand which noted that one of the houses was needed for circumstances of special needs, and the Manager hastened to note that there was no doubt at all of these details, but that these needs could be addressed through an application that complied with the relevant planning policies and provided sustainable development of the land and included a provision of affordable housing. It was noted further that there were some exceptional situations in which personal circumstances could be a material planning consideration, but these very rarely overcame land use planning considerations.

The two reasons for refusing the application were outlined:

- (i) That the development did not include an element of affordable housing
- (ii) That the land was being significantly under-developed, and consequently it was not effective use of the land.

Reference was made to the considerations and the Manager gave an explanation of the local and national planning policies context, noting that the purpose of land designations for housing in the Unitary Development Plan was to meet the identified need for housing for the 15-year life of the Plan. If sites were not developed to their full potential, additional lands would need to be designated for housing in villages like Llanrug. It was noted that policy CH6 permitted housing developments subject to an element of affordable housing, with the target for this site being 30%.

The Committee's attention was drawn to the risks to the Council in respect of acting contrary to the planning officers' recommendation, specifically undermining policies such as affordable housing and making the best use possible of the lands designated for development in the Gwynedd Unitary Development Plan.

The possible options for the Committee were outlined:

- (a) Refuse the application in accordance with the recommendation.
- (b) Refuse the current application (and suggest the re-submission of an application for a development that made more efficient use of the site and which included an element of affordable housing).
- (c) Grant permission but that one of the houses was an affordable house (it would be necessary to ask for the right to act in order to agree on detailed plans which would satisfy the definition of an affordable house).
- (ch) Approve the application as it had been submitted.

Having considered all the local and national planning policies and considerations, the officers' recommendation was to refuse the application on the grounds that the proposal did not include an element of affordable housing and that the site was being under-developed.

- (b) The Local Member (not a member of this Planning Committee) stated the following in support of approving the application:

- The village of Llanrug had expanded with over 300 houses having been built there over the past few years, which had led to infrastructure problems, the primary school being full to capacity with over 250 children attending it, traffic and safety problems on the square i.e. the busy and complex junction in the centre of the village, and serious parking problems along Station Road, which was the village's main street.
- The above points had been taken into account by the Planning Policy Unit when preparing the Gwynedd Unitary Development Plan, particularly the school's capacity, therefore only two sites had been designated for housing in the village, with a total of 21 houses. Following a public inquiry, this figure was changed to a total of 30, with nine of them being affordable, namely 30%.
- To date, 12 houses were being developed on one of the sites, and not 18 as had been designated in the Unitary Development Plan, and the Member considered this decision wise given the capacity of the primary school.
- In respect of the site that was the subject of the application to hand, the member highlighted that there were two fields on the site, but only one field was in the applicant's ownership.
- The adjacent field had been granted planning permission to develop six houses, with two being affordable units, with no special circumstances attached to them.

- The applicant wished to build two houses for his two daughters, and one of his daughters had a child who had profound physical and mental disabilities which meant that the family required a special house in terms of design, size and parking spaces.
- The two houses were affordable to the two daughters as they could get a mortgage against the value of the land.
- The two of them could live near each other so that the whole family could assist with the child's needs, who suffered from a rare disease.
- Since 2009, the Celtica Windows Company had moved from the village of Llanrug to Parc Menai.
- In 2012, the Company obtained the right to demolish the building and was granted permission to build seven houses on the site, and the completed houses were now homes to 10 children who had not been born and bred in the village.
- Since 2009, 21 affordable houses had been built in the village which was a very respectable figure.
- The primary school had received an extension recently of one additional classroom in terms of capacity, and this was the last extension possible.
- The Community Council and the residents of Llanrug supported the application.
- Since the cooling off period, support had been pledged by several individuals and organisations, and the member quoted part of a letter of support from an Occupational Therapist, Derwen, Disabled Children's Integrated Team, which noted the need for this type of development for the child's long-term needs, such as purpose-built rooms with suitable wheelchair access. Approving the application would enable the family to stay local so that they could have their family's support. The letter emphasised the need for both houses to have purpose-built facilities for a wheelchair, for the sake of family support and respite for the child's parents.
- The member appealed on the Planning Committee to stick to the decision it had made on 4 November 2013, and approve option (ch), namely approve the application as it had been submitted.

Proposed and seconded – to approve the application as it had been submitted.

(c) The following observations were noted in favour of the recommendation:

- There was so much emphasis on the policies and not enough consideration to the applicant's needs.
- In the past the Committee had relaxed policies and there was a real case in this application to make an exception and approve it because of the family's special circumstances.
- The family's circumstances were exceptional, and meant an enormous strain on them because of their child's profound needs, and the second house, namely the sister's house, would be a means of providing respite care for the child and the family.

(ch) The following observations were noted contrary to the recommendation:

- Whilst accepting that the local Member had presented a strong case for approving the application, a comment in the planning officer's report was quoted which noted "...it is necessary to provide more affordable housing in Llanrug and the neighbouring area and the current proposal does not contribute to satisfying this need".
- The Committee must be extremely careful if it were to breach the policy, as this would weaken the policies and would possibly lead to further exceptions, and would ultimately undermine the planning policies completely. A compromise could

be offered to grant permission to the family who had the child with the profound needs, but that the other house must be affordable. This would seek to relax the policy slightly without breaching it, and would be less of a risk for the Council. The development would therefore meet the special needs but would at the same time contribute to the need for affordable housing.

The Senior Planning Service Manager responded to the observations as follows:

- Whilst accepting that there were exceptional situations where personal circumstances could be relevant, those examples were very rare.
- It was accepted that there was a personal need here, but he questioned the need for two 4-bedroom open market houses to meet this need.
- In terms of the capacity of the primary school, the affordable housing designation had been made giving consideration to the school, and the Education Service had been part of the process.
- Given that there was no doubt regarding the need for affordable housing in the Caernarfon dependency catchment area, it would be very difficult to approve the application on the grounds that there was no need for affordable housing.
- Option (c) offered a compromise and permitted a house of a particular size to meet one family's personal needs, but with the other house being provided to address affordable housing needs. Should this option be approved, the surface area and size of the second house would have to be discussed.

A vote was taken on the proposal to approve the application as it had been submitted, and on the Chair's casting vote, the proposal fell.

Proposed, seconded and voted unanimously on option (c), namely approve the application but with the other house being an affordable house.

**RESOLVED: To delegate the right to the Senior Planning Service Manager to approve the application, but that one of the houses is an affordable house, giving the right to the Senior Manager to act on discussing and agreeing on detailed plans which will meet the definition of an affordable house, together with relevant planning conditions determined by the officer.**

**2. Application no. C13/0405/21/LL – Ogwen Bank Caravan Park & Country Club, Bethesda**

An application to extend the holiday season for all-year round use.

- (a) The Senior Planning Service Manager expanded on the background of the application, which was to extend the holiday season on a caravan park to 12 months, by deleting a planning condition on the planning permission which restricted the holiday season to 10<sup>1</sup>/<sub>2</sub> months a year. This meant an addition of six weeks a year for holiday use purposes.

Reference was made to the relevant planning policies, namely Policy D18 which related to extending the holiday season and the supplementary planning guidance relating to holiday accommodation. No objections had been received in the consultations. It was noted that national policy was supportive in principle of developments that encouraged and promoted tourism, but with reasonable control of them. Policy D18 supported extending the holiday season to 10<sup>1</sup>/<sub>2</sub> months based on the standard of the holiday units, but the standard of units was now acceptable for holiday use at any time of the year. Furthermore, it was noted that the supplementary planning guidance was also supportive in principle of extending the holiday season.

It was noted that there would be no material change in the visual effect or on general and residential amenities.

In terms of language matters, the supplementary planning guidance set specific thresholds for developments where community and language statements would be required. The thresholds did not apply to this type of development due to its scale. Since this was a development for a holiday purpose for an additional six weeks a year, it was not considered that it would have a negative impact on the Welsh language.

It was emphasised that a number of appeal cases had been listed within and outside Wales lately, where planning conditions had been used in relation to restricting the use, and those appeals had been approved. Specific reference was made to the application of Ocean Heights, Chwilog, where the application had been refused by the Committee on the basis that it was contrary to policy D18 and the concern regarding the negative impact on the Welsh language. The Inspector's ruling had been received recently that this appeal had been approved, because there was insufficient evidence that there would be a negative effect on the Welsh language, and that a condition restricting the development to holiday use only was sufficient to ensure appropriate management of the situation. The decision on the claim for costs against the Council on the appeal was awaited.

To close, the Senior Planning Service Manager emphasised that there were risks to the Council if it refused the above application given all considerations, and the officers' recommendation was to approve the application.

- (b) The Local Member (a member of this Planning Committee) noted the following main points:
- Although the Council had lost the appeal of Ocean Heights, Chwilog, the Member was still concerned that some static caravan sites were under enormous pressure from people who wished to live in them permanently.
  - There was anecdotal evidence that this was already happening and this put pressure on local services by people who did not contribute financially to them at all, and they impacted on communities, especially in those communities where the Welsh language was already fragile.
  - The risk to local communities from approving such applications outweighed the tiny economic benefit that would be had from approving them, and in the case of Ocean Heights, the committee shared this view.
  - Several Assembly Members also shared the above concern.
  - However, in the case of Ocean Heights, the Inspector did not agree – this was an Inspector who worked for the Wales and England Inspectorate, and who was accountable to the Westminster Government. It did not make sense that the view of a caravan site owner carried more weight than the view of local Elected Members in such sensitive matters which affected communities.
  - This was no criticism of the planning officers since they were acting in accordance with guidelines, but it must be realised that the planning system for Wales was not fit for purpose and that a revolutionary change was needed until we had a system that planned for local areas. It was hoped that this message would be conveyed to the Welsh Government and beyond.
  - The Member had no choice, and under protest, but to accept the planning officers' recommendation to approve the application, because refusing the application would lead to an appeal which would be lost.
  - He appealed on his fellow members, should they hear of definite cases of breach of conditions where people lived in caravan sites throughout the year, for them to inform the Planning Service so they could control the situation.

Proposed and seconded – the recommendation to approve.

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

- There were a number of examples where this type of application had been approved, but if relevant conditions were imposed, the development could be controlled.
- The matter of taxes was not a planning matter.
- A national consultation had been published last week by the Welsh Government on issuing a new planning act for Wales, and the Council would submit a formal response to the consultation, where the concerns could be incorporated.
- The Council could not defer a decision on the application until the consultation process had been completed in full, as there was a risk for the Council that the applicant would appeal on grounds of delay.

The members voted on the proposal to approve the application.

**RESOLVED to approve the application and delete the relevant condition in order to allow a 12 month holiday season per annum and subject to imposing the following condition on the site:**

‘The caravans will be used for holiday purposes only and they will not be occupied as the sole or main residence of an individual. The owners/operators of the caravan park will keep an up-to-date register, record and licence agreements of all the names of owners/occupiers of the caravans on the site and the addresses of their main residences and they will ensure that the information is available at all reasonable times to the Local Planning Authority.’

**3. Application no. C13/0545/11/LL – H M Revenue & Customs, Tŷ Glyn, High Street, Bangor**

An application to create 60 self-contained units and communal spaces within an existing building.

The members of the Committee had visited the site prior to the meeting.

- (a) The Development Control Manager expanded on the background of the application and noted that it was an application to convert a former office into 60 self-contained student units. It was noted that the building had character, although it was fairly new, and that very few external changes would be made to the building in accordance with the plans. It was confirmed that the fire stairs would be removed from the side of the building and that the only other changes would be a few windows, a bin storage area and a system for concealing windows at the rear of the building in order to avoid overlooking.

It was further noted that:-

- the building had been marketed for an acceptable period of time, but this had proved unsuccessful
- Bangor City Council objected to the application because of overdevelopment, a shortage of parking and amenity areas, no bin storage area, and an excessive supply of student accommodation in this part of Bangor
- the Transportation Unit had no objection to the 15 parking spaces that appeared as part of the application
- the Waste Management Unit noted that the bins provision was adequate for the proposal
- four letters of objection had been received on the grounds of overdevelopment, the effect on the amenities of neighbouring residents, overlooking, parking, no evidence that retail was not suitable for the building, not enough communal areas
- a late letter had been received from a local resident asking the developer to install double-glazing windows on her property in order to reduce any noise impact from the development, and erect a boundary wall to the rear of her property to a height of at least 2m to ensure that no person could gain access to her property from the back

- the principle of the development was acceptable and complied with the criteria of policies C4, CH15 and D23 of the Unitary Development Plan
- the proposal had no connection with the University apart from the fact that the proposal provided student accommodation, and the requirements of policy CH30 were considered relevant. The Policy Unit had provided a report which spoke of the need for student accommodation and which predicted that the University would increase student numbers to approximately 9,000 in the future, and the University could currently only offer accommodation to approximately 2,500 students. Therefore, the evidence was clear for proving the need for this type of purpose-built accommodation.
- In terms of visual and residential amenities, it was emphasised that there were windows currently facing 23 and 24 Maes y Dref but that it was intended to install a “louvre” system to ensure that there was no direct overlooking on the property, and alleviate the effect. The proposal was therefore considered acceptable in respect of the requirements of policies B23 and B24 of the Unitary Development Plan.
- A language and community statement had been submitted which stated that the proposal would not attract an extra population to the area since the students would already be living within the Bangor area.
- Further to the above considerations, it was recommended to approve the application in accordance with the conditions noted in the report.

(b) Taking advantage of the right to speak, the objector (who was the elected Member of Hirael ward, and who emphasised that she was present as a private individual rather than as a Member) noted the following:

- After examining the application, she believed it would be an overdevelopment of the site which would lead to a detrimental impact on the living conditions and general amenities of the prospective residents of Tŷ Glyn, and on the general amenities of the local residents of 23 and 24 Maes y Dref, behind Tŷ Glyn.
- She further believed that there would not be enough communal spaces within the building, as well as the site’s curtilage, to provide for the needs of 60 individuals.
- Tŷ Glyn had previously been used as general offices from Monday to Friday. The current proposal to create 60 self-contained living units would lead to Tŷ Glyn being used 24 hours a day, seven days a week, leading to a serious effect on the privacy of the residents of 23 and 24 Maes y Dref.
- The greatest impact of the proposed development would be on the resident of 24 Maes y Dref, and she had written to the developer asking him to erect a suitable solid brick wall, at least two metres high, to prevent any trespassers from using her garden to gain access over the boundary wall to Tŷ Glyn.
- The resident of 24 Maes y Dref was a single parent who did not have double glazing in the back of her property, and she anticipated that the noise and disturbance by the residents of the proposed site would be detrimental to her and her family. She had already made a written request for the developer to install double glazing on the back of her property in order to reduce the potential nuisance.
- She pleaded with the committee to refuse the application on the grounds of overdevelopment and a detrimental effect on the general amenities of the residents of Maes y Dref.
- Should the committee approve the application, she suggested that suitable conditions were included regarding the height of the boundary wall and installing double-glazing windows in the back of 24 Maes y Dref.

(c) Taking advantage of the right to speak, the applicant’s representative noted that:

- The site was ideal for student units – it was within reach of the town centre and the train station, the town’s main bus stops and the University itself.



- It would be a boost for this part of the town where businesses had been closing down during recent years.
- The Tŷ Glyn building was close to residential houses and currently contained clear windows, but should the application be successful, the developer would ensure that these windows would not overlook onto adjacent houses and would be a significant improvement to the current building.
- The building currently had legal use for class B1 as offices, and the applicant had marketed it for 12 months, but no interest had been shown. He added that the building could be used as an office from 9.00 - 5.00 but there was nothing preventing it from being open for extended hours as a contact centre.
- There was a real need for student units, therefore if the need had been identified, they must consider how to meet the need.
- Tŷ Glyn was one of the best sites in Bangor for this type of development as it used an existing building, without the need to extend it and also offered clear improvements for the neighbours.
- In respect of a request by a resident to erect a taller boundary wall, the Committee could consider it as standard planning conditions.

(ch) Councillor Lesley Day on behalf of the Local Member noted the following main points:

- In some parts of Gwynedd there were problems of second homes, but in Bangor student accommodation was the concern.
- She listed a number of existing student accommodations in Bangor including the University's halls of residence, together with prospective proposals which made a total of 3,150 accommodation units.
- She also outlined student accommodation that was available in the private sector.
- There were 656 houses in multiple occupation in Bangor which had actually been registered and licensed with Gwynedd Council (these would be for properties that had more than three unassociated people sharing an accommodation).
- There were at least a further 453 houses in multiple occupation that were not paying Council Tax, which more than likely meant that they were student accommodations.
- There were another 809 properties that did not pay Council tax, and again it was believed that these were student accommodations.
- Also being submitted to the Planning Committee today was an application for four new buildings for 109 student units on the former Jewsons site, which would be in addition to the 60 proposed units in Tŷ Glyn.
- Maes y Dref and Ffordd Glynne were essentially residential areas for families and approving 60 student units at Tŷ Glyn would be inappropriate and contrary to policy B23 of the Gwynedd Unitary Development Plan as it would have a detrimental impact on the general amenities of neighbouring residents.
- It was understood that there were currently at least 140 houses in multiple occupation that stood empty and were available to be rented in Bangor – solely for the student population.
- It was also understood that the University had an entire hall of residence at Ffriddoedd that was empty.
- Obviously, there was too much accommodation for students in Bangor at present – and every inch of land available in Bangor should certainly not be used for student accommodation.
- Students were exempt from having to pay Council tax, yet they used many of the Council's services.
- She pleaded with the Planning Committee to refuse the application based on the detrimental effect on the general amenities of the residents of Maes y Dref and Ffordd Glynne.

It was proposed and seconded to approve the application.

(d) The following observations were noted in favour of the recommendation:

- Bangor benefited economically from the students and the city would be a very bleak place without them.
- There was no basis to the allegation that student houses were empty.
- The economic drivers of Bangor were Ysbyty Gwynedd and the University; therefore it was unavoidable that a provision of student accommodation was needed.
- There was clear evidence of a proven need for student accommodation, and the building already existed – there would be no need to take it down and re-build a purpose-built accommodation.
- Appropriate guidelines regarding the boundary wall would be reasonable.

(dd) The following observations were noted contrary to the recommendation:

- The student accommodation provision was growing while the student population was decreasing, and later on in Bangor there would be a problem of un-needed accommodation and hostels.
- Should the application be approved, it was trusted that the provision would be managed and that the residents of Maes y Dref would be informed who to contact to rectify any problems.
- It was enquired whether it was known what the University's wishes were in terms of expanding, given all the pressure that was placed on resources and people having to move from the city because they could not afford to buy houses in Bangor.
- The members sympathised with neighbouring residents but it would not be appropriate to impose a condition with regard to installing double glazing for them.

In response to the above observations, the Senior Planning Service Manager explained as follows:

- A condition could be imposed with regard to providing a boundary wall, but it would be inappropriate to impose a condition for the provision of double-glazing windows on a building that was outside the development. However, should the developer wish to offer this, this would be something outside the planning system.
- The University had published an accommodation strategy for the next 2/3 years, and consideration would be given to the strategy as part of the joint development policy process.
- There was historical office use to the buildings and a proposed treatment for the elevations would reduce noise levels and disturbance for nearby residents.

The members voted on the proposal to approve the application.

**RESOLVED to approve the application.**

Conditions:

Five years

Ensure that the development is completed in accordance with the plans

Receive a detailed plan of the 'louvres' system to be approved

External materials to be agreed

Bin storage to be completed before the building is occupied.

**4. Application no. C13/0561/39/LL – Land opposite Anhywel, Lôn Pont Morgan, Abersoch.**

A new house and associated works.

- (a) The Development Control Manager elaborated on the background of the application, namely a modern 3 bedroom, two-storey house with two front balconies and the creation of a parking/turning space for two vehicles near the entrance. It would involve considerable groundwork to respond to land that was rather steep in nature, meaning that the roof level of the house would be similar to that of nearby houses, and approximately 0.85m higher than the nearest house to its ridge.

It was further noted that:

- The site was within the development boundary of the village of Abersoch and within the Area of Outstanding Natural Beauty (AONB)
- It formed part of the current garden of Anhywel (the applicant's property), and the site was unkempt and had overgrown
- There were houses around the site, but there was no definite development pattern or character to the area
- The Town Council objected on the grounds of overdevelopment and observations had been received from the AONB Unit stating that the site was prominent, concern regarding the development being squeezed into a sensitive site together with concern about the design, particularly the substantial glass element.
- The Biodiversity Unit did not object, but stated that conditions were required.

Three letters of objection had been received on the grounds of:

- Overdevelopment
- Creating a danger on the highway
- Impact on neighbours' privacy
- Damage to tree roots and lack of information on the impact on trees
- Incorrect plans
- Loss of light to next door's window
- Loss of privacy to next door's garden
- A deterioration in the area's character
- Impact on the AONB and the Heritage Coast
- No details regarding raising the ground level and how next door's lands would be protected

The applicant's agent had revisited the site to re-measure the levels and it was confirmed in writing that the levels shown on the side elevation on plan 1080/03 were a reasonable reflection of the situation, given the uneven nature of the land and that it was covered with vegetation. Following a re-consultation after receiving revised plans the same objections had been received, as well as observations in relation to the application site being much higher than Carrog, which was the adjacent dwelling, the need for supporting walls, trees matters, overlooking into Carrog as well as overlooking from the parking area because of the raised ground level.

It was noted that the development complied with policies C1, CH4, B22, B23 and B25 of the Gwynedd Unitary Development Plan. It was not considered that the proposal had a detrimental impact on the AONB, or that it was contrary to policy B8.

In respect of the requirements of policy B23 relating to the general and residential amenities of the two adjacent dwellings, namely Glŷn Dŵr Chalet and Carrog, the owner of Carrog had expressed concern regarding the effect on the property and objected on this basis. It was explained that the eastern side of the proposed property would be approximately 10m from the south-western elevation of the Carrog dwelling, and in the planning officers' view, it was not considered, therefore, that the proposal would cause unacceptable harm to the amenities of the residents of the nearby dwellings. In respect of overlooking from parking

areas, it would be possible to plant or erect a fence to overcome the concern. It was intended to install opaque glass on the sides of the balconies to alleviate the concern relating to overlooking.

It was noted that the Transportation Unit was supportive of the application, and conditions could be imposed with respect to parking and the entrance.

On a point of accuracy, the site was not contained within the Heritage Coast as had been noted by one of the objectors, and there was a difference of opinion regarding the standard of the plans and the levels received, therefore a second set had been obtained to overcome any concerns.

It was considered that the site was large enough and that the house was suitable for the site, and that it would not cause any harmful effect to the area's amenities, therefore the proposal was not contrary to the relevant policies. The planning officers' recommendation was to approve the application.

(b) Taking advantage of the right to speak, the objector noted the following main points:

- The design and access statement was misleading, which noted that the property was in the same building line as Carrog, but in actual fact it was 2m in front of Carrog and also included two balconies which extended over to the patio areas on the side facing the sea, which could be seen clearly on the plans, but this had been ignored in the officer's assessment that had been submitted to the Committee.
- Measurements that were supported by the objector's surveyor were provided as there were serious errors on the plans submitted, including the resubmitted plans.
- The current level of the ground and the boundary wall was misleading; therefore the officers had considered this application based on incorrect plans.
- A mature 60 foot pine tree was noted as being part of the development site, but this tree stood on Carrog's side of the boundary, and the roots could be affected by the excavation work required.
- A file had been submitted to the Planning Committee on 4 November, but this file was incomplete as no levels had been noted, although this was part of the Council's validation criteria.
- The only amendment since was that details of some levels had been provided, but unfortunately these were meaningless. Policy B8 emphasised that full information should be submitted, particularly so in the case of steep sites.
- There had also been a blank site assessment form on file, which had since been completed dated 25/11/13, which was relevant because the site was small, narrow, and tapered under the level of the road and sloped towards the sea.
- An appropriate assessment of the effect on ground levels should have been undertaken and dealt with as part of the process of making an application.
- Full consideration should be given to policies B23 and B8 before granting permission, in order to ensure that the application documents complied correctly with the requirements of the planning process.
- Carrog benefited from two covenants against the site.
- The objector objected based on the inaccuracy of the application, lack of compliance with the Council's validation criteria and loss of privacy and he requested that the application be refused because of overdevelopment.

(c) Taking advantage of the right to speak, the applicant noted that:

- The report was comprehensive and complied with the development plan, and that it was located within the development boundary and was an infill site

- The design was modern with a substantial glass element to take advantage of the views of the sea
- The design was in keeping with recent developments in the area
- A large house had been built close to the site, which contained a substantial glass element on two or three storeys, and had a glass balcony running along one whole floor which extended over 40-50 metres.
- Another house could also be seen on the other side of the harbour that had a substantial glass element, and which was located in a prominent and visible site.
- The site was very well concealed and could not be seen from the beach unless one stood below the site, and it could not be seen when travelling up from Abersoch. It could be seen when travelling from Pwllheli, approximately 50/60 yards from the site, but the hedge would conceal it.
- The Planning Department had dealt with the concerns of the owner of Carrog and the applicant was more than happy to accept a condition on the application regarding privacy.
- Access had been approved.
- The two mature pine trees were at least 6m away.

(c) The Local Member (not a member of this committee) noted the following main points:

- The site was narrow and steep and it was dangerous to place a building on it as it sloped down towards the precipice
- The property in question would be an additional holiday home
- An application had been refused on appeal for Cysgod y Graig on the basis of policy CH4, since the only dwellings that would be permitted were affordable houses or a house for local need
- The report did not refer to the path to the beach, which was relevant to the nearby houses, and neither did it refer to the Llŷn Coastal Path and that this was the only spot where views were available.
- Permission had been refused for the Glyndŵr site on the grounds of overdevelopment of the site.
- Approving the application would create a precedent for 3 / 4 additional houses
- The Community Council objected and he appealed on the Planning Committee to refuse the application on the grounds of overdevelopment and that it was contrary to the requirements of policies B8, B13, CH4, CH10, B22 and B28

(ch) In response to the above observations, the Development Control Manager explained that:

- The Biodiversity Unit had assessed the pine trees and had stated that they were not worthy of protection through a Tree Preservation Order, but they were on someone else's land which was a civil matter. Should work be carried out, the roots could be protected by complying with the relevant requirements.
- The appeals had been refused in the past based on overdevelopment and not on the basis of local need.
- There was no visual effect in respect of the Coastal Path since this area had a high density of housing and the proposed development was 6.5m to its ridge which was no greater than a normal dormer bungalow.
- Policy CH10 which related to holiday homes was no longer used because a number of appeals had been lost in recent years as several Inspectors had stated that the policy was not acceptable or suitable.
- In respect of the measurements being incorrect, as far as the Planning Department was concerned, the information was adequate and relevant for dealing with the application, and this would be a matter for the applicant together with civil cases regarding next door's boundaries.

Proposed and seconded – to approve the application.

(d) The following observations were noted in favour of the recommendation:

- There was no sound justification for refusing the application based on the policies, and the applicant and/or the objector were bound to submit an appeal.
- The Members had had the opportunity to visit the site and it was clear that this was an infill development, and the notion that it was proposed as a holiday home should be disregarded.

(dd) The following observations were noted contrary to the recommendation:

- The report contradicted concerns regarding the AONB and the observations of the AONB Unit's officers should be taken into consideration
- It was a matter of opinion to describe the design as being modern, and it was felt that it did not complement the character of the surrounding area.

(e) In response to these observations, the Senior Planning Service Manager noted that:

- The officers did not disregard the observations of the AONB Unit, but there was a need to take into account all the relevant planning policies, and in the context of this particular application and all the relevant policies, the effect on the AONB was considered acceptable.

A vote was taken on the proposal to approve the application and it fell. As a result it was proposed, seconded and voted to refuse the application as it would create an overdevelopment and that it impacted on the AONB.

**RESOLVED: To refuse the application because it would be an overdevelopment of the site contrary to Policy B23, and would also affect views into and out of the Area of Outstanding Natural Beauty (AONB) contrary to Policy B8.**

## 5. Application no. C13/0640/45/CR – Whitehall, Gaol Street, Pwllheli

A retrospective application to retain changes on application C12/0960/45/CR to include two extractors on the rear of the building.

(a) The Development Control Manager expanded on the background of the application for listed building consent for a Grade II listed building within the Pwllheli Conservation Area. She noted that the matters in question were two extractors on the rear of the building, the render used on the walls and the internal staircase. She explained that the proposal involved concealing the arch-shaped extractor within a dormer window which would correspond to a pitched roof over an adjacent door, which would be in keeping with the current building. The second extractor would be lowered in height and would be painted a dark grey colour to match the slate roof, and to all intents and purposes it would also be concealed by the dormer window around the first extractor.

It was reported that discussions had been held between the applicant and the Council's Conservation Officer.

It was noted that the internal work completed did not impact on the historic character or architecture of the building, and that the like for like render used was acceptable although it was not in line with the permission. It was reported that the CADW Officer was satisfied with the proposal and the plans in this form.

(b) It was noted that the following additional observations/information had been received:-

5/12/13 – Two letters had been received from neighbours supporting the application from the perspective of a new restaurant and a local business.

(c) Taking advantage of the right to speak, the applicant noted the following main points:-

- The original plans had been changed to respond to Health and Safety requirements;
- The kitchen was originally at the front of the building, but it was now at the rear so that the extractor could be controlled and was located in a less obvious place;
- They employed 12 part-time employees and three full-time employees, and it was hoped to increase the number of full-time employees to five by Easter;
- The kitchen was essential to the success of the business;
- In respect of the extractor, it was noted that there was one main objector who was afraid of the effect the establishment would have on his business;
- The local business community was supportive of the application;
- The report stated strongly that the alterations to the plan were within the policy.

(ch) The local member (a member of this Planning Committee) expressed support for the application and he made the following main points:-

- The render used was not in accordance with the original application but it was still acceptable;
- In respect of the staircase, he had visited the site and the staircase was acceptable and added to the architecture;
- In respect of the two extractors, lengthy discussions had taken place regarding their location, but he considered that the solution of a dormer window over one extractor and lowering the height of the second extractor overcame the problem of prominence;
- The extractor should be painted a colour that made it less prominent.

**RESOLVED to approve the application.**

Conditions:

Work to be completed within three months of the date of this permission

Slates on the roof

Finish to match

Paint the second extractor a grey colour, to be agreed

**6. Application no. C13/0667/45/LL – Whitehall, Gaol Street, Pwllheli**

A retrospective application to retain an extractor at the rear of the building.

(a) The Development Control Manager expanded on the background of the application. She explained that the proposal involved concealing the arch-shaped extractor within a dormer window which would correspond to a pitched roof over an adjacent door, which would be in keeping with the current building. The second extractor would be lowered in height and would be painted a dark grey colour to match the slate roof, and to all intents and purposes it would also be concealed by the dormer window around the first extractor.

She reported that the Public Protection Unit had received a noise and odour assessment, and recommended that the application be approved subject to including conditions which would restrict the type and level of noise. She noted that late observations had been received challenging the noise assessment, but that there was no evidence to contradict the observations of the Public Protection Unit.

(b) It was noted that the following additional observations/information had been received:-

5/12/13 – Two letters had been received from neighbours supporting the application from the perspective of a new restaurant and a local business.

- (c) Taking advantage of the right to speak, the applicant noted the following main points:-
- The company in charge of the extractor, in the original application, could not provide an extractor that reached the acceptable standard;
  - Another company was now responsible for the extractor;
  - They had invested in an extractor that made less noise and operated with water, which stopped odour from affecting the neighbouring residents;
  - The members should look at the plan in its entirety, as a listed building in the town centre that had been renovated to a high standard.
- (ch) The local member (a member of this Planning Committee) expressed support to the proposal, provided that the amenities of the residents next door were protected.
- (d) A member expressed concern that the extractor was close to the bedroom window of the house next door.

Another member noted that he had visited the site and that the noise and odour from the extractor were not unreasonable.

- (dd) In accordance with Procedural Rule 22(6), the following vote was recorded to **approve the application**:

**In favour of the proposal to approve the application, (9)** Councillors: Elwyn Edwards, Gwen Griffith, Anne T. Lloyd Jones, June Marshall, Tudor Owen, Eirwyn Williams, Gruffydd Williams, Hefin Williams and Eurig Wyn

**Against the proposal to approve, (1)** Councillor Louise Hughes

**Abstaining, (0)**

**RESOLVED to approve the application**

Conditions:

Work to be completed within three months of the date of this permission

Slates on the roof

Finish to match the existing property

A noise condition

Hours for using the extractor

Paint the second extractor a grey colour, to be agreed.

**7. Application no. C13/0658/26/LL – Outbuildings, Pen y Cefn, Caeathro, Caernarfon**

Convert existing empty buildings to create seven holiday accommodation units and a new entrance (a revised plan to that refused under reference C12/1164/26/LL).

- (a) The Development Control Manager expanded on the background of the application and drew attention to the nature, condition and structure of the buildings in question, and noted that the buildings must be structurally sound without having to substantially reconstruct them in order to comply with the definition of a building conversion. She highlighted that changes to the external appearance of building no. 2 undermined the statement that they were structurally sound.

It was intended to close up the existing entrance which was dangerous and create a new one further down, together with a new drive to serve the buildings. It was noted that the



provision of sufficient visibility at the entrance depended on land that was outside the application site and the applicant's ownership.

It was noted that the application was a follow-up to a previous application that had been submitted and refused in November 2012.

It was noted that the structural report submitted did not convince officers that reconstruction would not be necessary, as only a visual inspection had been completed; therefore the application did not correspond with policies B24, C4 or D15 of the GUDP.

(b) It was noted that the following additional observations/information had been received:-

Biodiversity Unit – awaiting a tree report before submitting detailed observations.

(c) Taking advantage of the right to speak, the applicant noted the following main points:-

- The Council had sold the site to them in 2009 without any planning conditions;
- They were a local family who intended to create jobs and attract tourists to the area;
- He had submitted a copy of a trees and bat survey after being requested to do so by the Council on 4 December;
- The Transportation Unit had no objection;
- The entrance had been agreed in 2006;
- Two structural reports had been prepared but the Planning Unit did not want the second one, and he could not see how they could be disregarded;
- The application was similar to application 10 where it was recommended to approve with conditions, and there should be consistency;
- He referred to the observations of Carl Sargeant AM, "Local Planning Authorities in Wales must adopt a can do not can't do attitude to planning applications".

(ch) The local member (a member of this Planning Committee) expressed support for the application and he made the following main points:-

- Local enterprises should be encouraged rather than killed;
- The existing building was redundant and needed improving;
- The site had been sold by the Council as a brownfield site;
- The application site was made up of brownfield land which meant that something needed to be done with it;
- The Council should work with the applicant to have a plan that was acceptable;
- Thorough work had been carried out with respect to the structural surveys;
- There was an opportunity here to have self-serviced buildings for tourists rather than leave it as a ruin which attracted wanderers.

(d) Proposed and seconded – to refuse the application.

In response to a question by a member regarding the concrete/stone buildings, the Development Control Manager noted that the applicant would have to submit a new application to convert these buildings only and demolish the rest. She added that there was evidence that there had not been slates on the building's roof since 2003, and that there was uncertainty that the buildings were structurally sound since the visual survey was inadequate.

A member enquired why external experts carried out the structural surveys rather than the Council. In response, the Senior Planning Service Manager noted that the Council received reports from a number of experts, and that the officers assessed the information submitted.

A member noted that the buildings were not structurally sound, therefore they did not comply with the policies, and from the photos shown, it appeared that substantial reconstruction work would be required.

**RESOLVED to refuse the application**

Reasons:-

1. The proposal is contrary to the requirements of Policy B20 of the Gwynedd Unitary Development Plan as insufficient information has been submitted with the application with regard to which trees will be felled, and what impact this will have on protected species.
2. The proposal is contrary to the requirements of policies C4, D15, B22, B23, B24 and B25 of the Gwynedd Unitary Development Plan and the Supplementary Planning Guidance: 'Converting buildings in open countryside and in rural villages', as it is not considered that the buildings are suitable to be converted into holiday units without the need for substantial reconstruction work, which is tantamount to constructing a new building in the countryside.
3. The application is contrary to the requirements of Policy CH33 as there is no certainty that acceptable visibility splays could be created to the west of the entrance and within the application site.

**8. Application number C13/0693/38/LL – Mountain View, Trem y Mynydd, Llanbedrog**

New dwelling and access

- (a) The Development Control Manager elaborated upon the background of the application and noted that the application site was within the development boundary of the village of Llanbedrog and was located within a Landscape Conservation Area. In accordance with policy CH4 of the GUDP, it was noted that it was acceptable to build in an undesignated area if the site was within the development boundary of villages provided that the proposal complied with all relevant policies and criteria. In the context of the application, it was considered that the proposal was in accordance with all relevant policies.

It was reported that the Transportation Unit had confirmed that the proposal was acceptable in terms of access and parking spaces for this house and the existing house, in accordance with policies CH33 and CH36 of the GUDP.

- (b) In response to concerns expressed by members that the name of the house would be changed from 'Trem y Mynydd' to 'Mountain View', the Development Control Manager noted that this was not a planning matter. A member noted that he would bring the matter to the attention of the Language Committee.  
In response to an enquiry in relation to the concerns of the Community Council, the Development Control Manager noted that the concerns had been considered as part of the assessment.

**RESOLVED to approve the application.**

Conditions:

Five years

Work in accordance with the plans

Materials / slates

Highways / parking

Sustainable homes code

Welsh Water conditions  
Solar panel frames to be grey in colour

**9. Application number C13/0723/11/LL – Former Jewsons site, Penlon Works, High Street, Bangor**

Amended application to a previously refused application (application number C10A/0614/11/LL) for the redevelopment of the former Jewsons site by erecting four separate buildings to provide 109 student living units, creation of a new vehicular access, creation of parking facilities and site landscaping.

The members of the Committee had visited the site prior to the meeting.

- (a) The Senior Planning Service Manager elaborated upon the background of the application and noted that the site was within the development boundary, in a prominent position, with the gable ends of the buildings facing nearby buildings. It was reported that the appeal had been dismissed by the Planning Inspectorate on the grounds that the proposal would be unacceptable because of the impact of the development on the residential amenities of the residents of the surrounding area.

It was noted that late observations had been received from the applicant, noting that design matters were not valid reasons for refusing the appeal. The applicant had requested that the decision should be deferred in order to have time to submit amended plans to address the concerns of the Planning Service. It was reported that a number of discussions had been held with the applicant regarding the importance of design matters and that they could not see that deferring the decision would be of any benefit.

It was emphasised that there was no objection in terms of use and that the site was within the development boundary. Also, the latest evidence that had been provided as part of the process of preparing the Local Development Plan also proved that there was a need for student accommodation.

In the context of visual amenities, it was noted that the site was prominent and that the scale of the development had reduced since the previous application, with the number of buildings reduced from 7 to 4 buildings, and thus there would be more space between the buildings.

The concern of officers that the design was unimaginative and did not convey the character of the area was noted. It was added that the Design Commission for Wales noted that there was a need for buildings that reflected and endorsed the existing character, form and interest of the local area.

It was noted that there were some positive elements in the development and that there was a need for a student accommodation provision; however, this site was large and prominent and more emphasis should be placed on the design matters in this case. It was not considered that the design was acceptable and therefore it was noted that the application should be refused.

- (b) It was noted that the following additional observations/information had been received:-

Joint Planning Policy Unit

Evidence had been gathered for the Joint Local Development Plan relating to Student Accommodation in Bangor (December 2013).

A copy of the document had been submitted to members.

### Design Commission for Wales

The Commission had held two reviews into previous proposals for the site in April and September 2010. In the second review, the Commission confirmed that significant matters remained unresolved. In brief, they consisted of the following:

- The architecture was unconvincing in comparison with the landscaping element that had been developed to a high standard. It was suggested that professional architectural input was required.
- Concern regarding the level of information submitted for the application.
- The organisational character of the plan; had been created in part because of one point of access to large buildings.

Following the reviews, the application was amended and submitted as a formal application in December 2010. Permission was refused in November 2011 and the appeal was refused in July 2012. The commission did not provide observations on this plan.

An amended plan had now been submitted to the Planning Authority.

Reference was made to review reports dated May and October 2010 – the contents of which should be considered in parallel with the following observations:

#### **Impact on local residents**

The size and number of blocks had been reduced since the previous application and the setting of blocks 2, 3 and 4 in parallel with the boundary had assisted to reduce overlooking into nearby gardens and homes. Nevertheless, part C-C in plan BM2460-A1-62A showed the proximity of block 1 to the property known as 32 Strand Street. The elevation facing the property included windows that would overlook into the property and the garden.

#### **Form and Materials**

The applicant had provided a document entitled 'Supplement to the Design and Access Statement to Explain the Design and Appearance of the Proposed Buildings', dated November 2013. It explained how the pallet of materials and finishes had been selected for the buildings in response to the existing buildings in the area. Nevertheless, the standard of the design of local appearances referred to was questioned, along with the propriety of proposing these materials on a building of this size, form and proposed use. The large overhang of the roofs had been designed *'to give a distinct style, add interest and assist in avoiding the "monolithic character" of the previous scheme'*.

A number of matters had arisen because of this proposal:

The large roofs exaggerated the size of the blocks and made them appear bulkier, complicated roof and rainwater details were created and the underside of the eaves was particularly prominent. It was unclear as to which materials were proposed for the underside of the eaves; the details would have to be very well designed.

- (c) Taking advantage of the right to speak, an objector noted the following main points:-
- That he was present on behalf of the residents of Hiraal to support the recommendations of officers to refuse the application;
  - That the original application had been refused on appeal and that one consideration had been the noise nuisance that would be created, contrary to Policy B23 of the GUDP and that moving the buildings would not make a difference;
  - That policy CH39, as noted by the Inspector, provided additional protection to nearby residents in the context of further and higher education developments and that nothing had changed with this application;

- That there was a lack of demand for student accommodation and that he had received information from a local estate agent that a high number of empty houses and rooms affected the prices of local houses;
- That there was an excessive number of student accommodation and that approving the application would make the situation even worse;
- That there was a need to address the possible challenges in the future when applications for organisational accommodation on a large scale in Bangor were received, and that the policy framework should be considered in order to address these challenges.

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

- That the report and the officers' presentation noted that there was no objection to the principle of controlled student accommodation on the site, or in terms of the size of the development, nor was there an objection to the scale of the development or its setting;
- That the original application for 161 units had been refused on appeal in July 2012 because of the relationship of the proposed development with nearby houses;
- That the Inspector had undertaken a detailed assessment of the application and had provided a blueprint for an acceptable development of the site;
- That all points highlighted by the Inspector had been addressed in the application submitted before the committee;
- That the design was central to the development of the proposal, with an application submitted for 109 units in 4 buildings to replace the original application where there were 161 units in 7 buildings;
- That the report recommended refusing on two points, namely the appearance of the buildings and that the plans were not up to a required standard;
- That they felt strongly that the criticism of the appearance and standard was invalid because they were of the same standard as those in the previous application that was refused and that neither the Council, the Inspector nor the Design Commission for Wales had criticised those elements in the past;
- Should the application be refused, the applicant would appeal and make a claim for costs against the Council;
- That they had requested for the application to be deferred in order to discuss with planning officers and reach an agreement on an acceptable development;
- That lengthy discussions had been held with officers before submitting the application in July, but that no criticism of the design had been received until November;
- If the appearance of the buildings was acceptable to the Committee then the application should be approved.

(d) The local member (not a member of this Planning Committee) objected to the application and she noted the following main points:-

- That the Hirael community had a unique identity;
- That there was a close-knit community in Hirael and that this had been highlighted in the interest shown in the Hirael Bay Plan exercise in 2008;
- That the Hirael Bay Group had been established to represent the viewpoints of the community and that there was high attendance at the meetings;
- That the University had a large presence in the City but that it had no presence in Hirael Bay;
- That previous plans for a Medical University on the site had caused concern to the community; however, the University had decided not to continue with the proposal;
- That the community wished to see a development of family homes on the site; namely the applicant's original proposal;

- That the proposal was not in keeping and that such a development should not be located in a residential area;
- That there was a petition in objection to the development with 125 signatures on it.

The local member presented the petition to the Chair.

- (dd) A member referred to the observations of the Design Commission for Wales and noted that the principle was acceptable but that the design was not to the required standard. It was noted that the applicant needed to readdress the plans and that there would be no benefit from deferring the application.

**RESOLVED to refuse the application.**

Reason:-

The proposal is contrary to Policy B22 and B23 of the GUDP as the design does not incorporate good design principles by using methods that are consistent with the nature, location and scale of the development and as the plans submitted are not to an acceptable standard that convey clearly and sufficiently what is proposed in order to be able to assess the impact of the proposal on the amenities of the local neighbourhood.

**10. Application number C13/0765/25/LL – Tŷ Coch, Glasinfryn, Bangor**

Conversion of outbuildings into 4 holiday units together with the installation of a sewage treatment system and soakaway and provision of passing bay and alterations to the access.

- (a) The Senior Planning Service Manager elaborated upon the background of the application and it was noted that the previous application to convert the buildings into 2 holiday units and a house for the manager had been refused. It was reported that an appeal to the decision had been refused by the Planning Inspectorate as there was no justification to having a living unit on the site; but that the principle of holiday units on the site had been accepted. In addition, it was emphasised that the Inspector, when dealing with the appeal on the previous application, did not consider that there was any unacceptable impact on residential amenities or on the safety of road users.

It was noted that the proposal respected the existing buildings and that the buildings were structurally sound and that the buildings were worth retaining in terms of their design and architecture.

In the context of visual and residential amenities, it was noted that the development respected the architecture of the buildings and that there were no windows to the rear of the building facing the nearby properties.

Taking all relevant planning matters into account, along with the recent appeal decision, the development complied with the Unitary Development Plan.

- (b) It was noted that the following additional observations/information had been received:-

29/11/13 – A response had been received from Natural Resources Wales stating that there was no objection to the application.

- (c) Taking advantage of the right to speak, the objector noted the following main points:-
- That the proposed soakaway system was located in an unsuitable field that would divert additional water to the ditches located adjacent to the track;
  - That the manhole tests were sufficient for surface water but that a hole needed to be burrowed to test how the system would cope with foul water, in accordance with building standard BS6279;

- That the land was on a substantial slope and it would contribute to the problem where the drainage system had failed already and therefore did not comply with policy C7;
- In accordance with the observations of the Transportation Unit, there was a need to ensure that water did not discharge immediately onto the road as was currently the case;
- That a combination of substantial water flowing onto the track and the condition of the track meant that it was not possible for vehicles and emergency services vehicles to use the track and thus it did not comply with policy CH33;
- That the development resulted in a detrimental impact on the residents of Neuadd Tŷ Coch as the site was not controlled;
- That it did not comply with Strategic Policy 17 as the development would have a detrimental impact on her family, and in particular on her autistic son.

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

- That the Transportation Unit did not object;
- That the appeal decision noted that there was no impact on the access, the road or highway or on nearby residents. The only reason why the appeal had been refused was because the need for an affordable house for the manager had not been proven;
- That there was previous permission for 10 holiday units;
- That the application complied with policies C4 and D15 and were satisfactory in terms of size, condition, design, location and appearance;
- That the small extension proposed complied with the design of the existing buildings;
- That the conclusions of the officers and Inspector noted that there were no grounds to the allegation that there was a detrimental impact on the amenities of residents;
- That the drainage system had been designed to ensure that water did not run to the nearby property and that there was no objection from Natural Resources Wales;
- That the ecological report was acceptable;
- That a condition had been included that they were units for holiday use only;
- That the appeal decision had provided guidance on what was acceptable and complied with planning policies.

(d) The local member (not a member of this Planning Committee) noted the following main points:-

- That the residents of Neuadd Tŷ Coch and local people had concerns regarding the surface water that discharged onto the road;
- That water collected in a dip in the road and that the deep water did not drain away for days and that this happened regularly;
- That it was important to obtain assurance that the new system would work;
- That the existing access needed to be widened somewhat to improve visibility;
- That the proposed sewerage system should be given serious consideration when reaching a decision.

(dd) In response to the observations of the local member, the Senior Planning Service Manager noted that there were existing buildings on the site and that a purpose-built drainage plan for the surface and foul water was included in the application. He added that the Planning Service had consulted with Natural Resources Wales and the Public Protection Unit who had confirmed that they considered that the development was acceptable subject to conditions relating to meeting the standard.

The Senior Development Control Officer (Transportation) noted that a passing place and an improvement to the visibility at the access of over 20 metres in the direction of Bangor was more than what had been noted in the previous application.

- (e) A proposal was made and seconded to refuse the application as the proposal was contrary to policy CH33 – Safety on Roads and Streets because of the water that discharged onto the road and an increase in traffic, and policy CH34 - Small Rural Lanes.

The Senior Planning Service Manager noted that the Inspector did not object in terms of the access or road safety, and neither did the Transportation Unit.

If the Committee decided to refuse the application based on the reasons submitted, he noted that he would consider referring the matter to a cooling-off period.

A member noted that he supported the recommendation to approve the application as 17 conditions had been included with the permission and that the sewerage and drainage system had been addressed.

In response to an observation by a member regarding the soakaway system and the condition of the track, the Senior Planning Service Manager noted that there were existing buildings on the site and that although the condition of the track was not ideal, it was not in the ownership of the applicant.

A vote was taken on the proposal to refuse and it fell.

- (f) Proposed and seconded – to approve the application.

The members voted on the proposal to approve the application and it carried.

**RESOLVED to approve the application.**

Conditions:

Commence permission within five years;

Complete the development in accordance with the plans;

Complete the mitigation methods in accordance with the plans and survey submitted;

Cover the roof of the holiday units in slate to be approved with the LPA;

The type and colour of doors and windows to be confirmed;

Withdrawal of permitted development rights;

Use the holiday units for holiday use only and not as the main residence of any person;

A register of the visitors must be kept;

Improvements to the entrance and to the passing bay must be completed prior to work commencing on the remainder of the proposal approved here;

The applicant must take every care to prevent surface water from the curtilage of the site from discharging onto the highway;

It must be ensured that two parking spaces are available for each holiday unit at all times;

Any lighting installed in connection with the development approved must be low voltage lights;

The proposed septic tank / sewerage treatment system and the associated soak away system must comply with BS 6297 and no part of the system is to be located within 10 metres of any water course;

Roof lights must be of conservation type;

Nothing in excess of 1m high within the visibility splay;

Submit and agree upon a landscaping plan;

No tree shall be felled without the prior written consent of the LPA.

Notes:

Permission must be received from the Street Work Manager in order to undertake work on the access.

**11. Application number C13/1028/11/LL – 20 Trem Elidir, Maes Tryfan, Bangor**

An application to erect a two-storey pitch roof rear extension.



- (a) The Development Control Manager elaborated upon the background of the application and referred to the objection of Bangor City Council to the application as it was tantamount to creating a house in multiple occupation for students and she noted that this was not an application of this type.

It was noted also that a neighbour was concerned about loss of light and casting a shadow over the rooms in the house and it was explained that the rear of the site was relatively dark and sheltered already and due to vegetation, trees and the nature of the rear gardens. Attention was also drawn to what could be built without formal planning permission under permitted development rights. Consequently, it was not considered that the proposal was likely to have an unacceptable detrimental impact on the amenities of the adjacent house contrary to Policy B23.

- (b) The local member (not a member of this Planning Committee) objected to the application and she noted the following main points:-
- That the plan did not comply with policies B22, B23, B24 or CH33;
  - That the gardens of the houses were on a hill and thus the inside of the houses were dark already;
  - That she agreed with the objection of Bangor City Council and other residents;
  - That the proposal had a substantial impact on the light of the house known as number 19 where an elderly and senile lady lived; and thus had a substantial impact on her quality of life;
  - That it was completely obvious that it was an application for a house in multiple occupation and that there was only one parking space for each house and that there was no room to create a driveway;
  - That the owner of the house was not local and that the house was already being rented. Therefore, the proposal was to increase the number of bedrooms in order to create more profit;
  - That there were examples of empty houses and an empty hostel in Bangor already because there were fewer students there than expected; and thus there was no need for further rooms;
  - That the Bedroom Tax made it difficult to rent a larger place; therefore, smaller houses were needed.

**RESOLVED to approve the application.**

Conditions:

Five years;

Ensure that the development is completed in accordance with the plans submitted;

External finish to match the existing house;

Slates on the roof;

Welsh Water Note.

The meeting commenced at 1.00pm and concluded at 5.45pm.