
PLANNING COMMITTEE 3/3/14

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

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

Others invited: Councillors E. Selwyn Griffiths, Eric Merfyn Jones, John Wynn Jones and Edward T. Dogan (local members).

Also present: Gareth Jones, (Senior Planning Service Manager), Cara Owen (Development Control Manager), Rhun ap Gareth (Senior Solicitor), Gareth Roberts (Senior Development Control Officer – Transport) and Glynda O'Brien (Member Support and Scrutiny Officer).

Apologies: Councillors Dyfrig Wynn Jones and Anwen Jane Davies (Local Member). Councillors Elwyn Edwards and June Marshall apologised for their absence from the site visit at Borth y Gest and Porthmadog that was held on the morning of this Planning Committee.

1. DECLARATION OF PERSONAL INTEREST

- (a) The following members declared that they were local members in relation to the items noted:
- Councillor E. Selwyn Griffiths, (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C13/0577/44/LL).
 - Councillor E. Selwyn Griffiths, (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C13/0873/44/LL).
 - Councillor Edward T. Dogan, (not a member of this Planning Committee), in relation to item 5 of the agenda, (planning application number C14/0041/11/LL)
 - Councillor John Wynn Jones (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C14/0041/11/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 3 February 2014 as a true record.

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.

1. Application number C13/0577/44/LL – Bron y Garth, Garth, Porthmadog

Erection of new dwelling and parking spaces.

Members of the Committee had visited the site prior to the meeting.

- (a) The Development Control Manager expanded on the background of the application noting that the proposal involved an innovative and modern house constructed on different levels and across four storeys. It was noted that the site was located within the development boundary of Borth y Gest and was located within the Porthmadog Conservation Area and the Aberglaslyn Landscape of Special Historic Interest. Attention was drawn to the fact that the development formed part of the existing Bron y Garth garden. A number of objections had been received following the first consultation period, however, following the receipt of additional information a second consultation was held with nearby residents and five correspondences of objection had been received.

The Development Control Manager noted that the principle of the development was acceptable and was of the opinion that it was in keeping with the site and the area. Reference was made to the general and residential amenities noting that given the steep landscape between the proposed house and nearby houses that it was not considered that the proposal would cause unacceptable harm to the amenities of nearby residents or to the local neighbourhood and was therefore acceptable in respect of Policy B23.

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

- That the amended plans were acceptable to the Roads Officer in terms of parking and roads.
- The Biodiversity Officer did not consider that there would be a negative impact on bats.
- The Trees Officer proposed conditions asking for a final landscaping plan. It was stated that a Tree Preservation Order would not be suitable as permission was needed to carry out work on trees within a Conservation Area. Losing some of the trees and replanting of others would provide a range in the age of the trees on site which would be an improvement in the long term. It was confirmed that some trees had been felled in the last year following a formal tree report and following agreement with the officer that the trees were in a dangerous state. The Trees Officer confirmed that many trees had fallen in the storm on 12 February 2014.

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

- That Bron y Garth was a historic property and that he did not intend to sell the property.
- That old houses were expensive to maintain and that a section of the house was being let out as holiday flats which had been a relatively successful business for them and they intended to continue with this.
- That he had been working on the design with Council officers for three years and appreciated the advice he had received.
- In terms of the objections, a large number of them were from owners of holiday homes in Borth y Gest and of the six houses that abutted Bron y Garth, four of them were holiday homes.
- As a result of the damage from recent storms, it was intended to plant many more trees than the application noted in order to restore the land to its original condition.

(c) The Local Member (not a Member of this Planning Committee) noted the importance of the site visit in terms of considering the number of objections made on grounds of intrusive visual impact and loss of privacy. He appealed for the Committee to weigh up what they had seen during the visit and the impact on the nearby houses and also whether or not the proposed development would be visible from Borth y Gest.

(ch) In response to questions from the Members, the Senior Planning Service Manager noted as follows:

- That the Town Council objected on grounds of it being a development that was too prominent and that it set a precedent for more development on open land, however the planning officers were of the opinion that the development was acceptable.
- In terms of the sustainability of the timber cladding, this was a matter for the applicant to maintain.

From what was seen on the site and the fact that the proposal would not affect nearby housing, it was proposed and seconded to approve the application.

RESOLVED to approve the application in accordance with the following conditions:

Conditions:

1. Commence the work within five years;
2. Work in accordance with the plans;
3. Materials/slate;
4. Highways/parking
5. Sustainable homes code;
6. Landscaping;
7. Water;
8. Withdrawal of general permitted rights.

2. Application number C13/0873/44/LL – Greenacres Caravan Site, Morfa Bychan

Relocation of site for 45 touring units on the existing Pitch and Putt site and erection of toilet block, installation of servicing road and landscaping.

Members of the Committee had visited the site prior to the meeting.

(a) The Senior Planning Service Manager expanded on the background of the application and emphasised that this was an application to relocate 45 touring caravans that were currently located within the Greenacres caravan site, to a section of land which was also part of the site and which formed part of a current ‘pitch and putt’ site. He also emphasised that the application would not involve any increase in the number of caravans on the existing caravan site. It was noted that Policy D20 of the Gwynedd Unitary Development Plan was the most relevant to this application and in principle, the policy supported applications that were an environmental improvement. In terms of the standard and quality, it was noted that the development complied with relevant policies and in terms of visual effects it was intended to undertake landscaping that would improve the appearance of the site in its entirety and strengthen the landscape along the site’s boundaries. Reference was made to a similar scheme undertaken by the company at Hafan y Môr. In terms of residential amenities it was noted that the pitch and putt site was already in use as part of the caravan site and with relevant conditions to manage the season and implementation of a suitable landscaping plan, no

unacceptable impact would derive from the proposal by using the site for touring caravans.

(b) A letter was received from the Applicant's Agent stating that the proposal reflected the high standard of recent development on the touring caravan site at Hafan y Môr, Pwllheli. The advantages of a new location near the access were emphasised in order to reduce vehicular movements within the park to improve road safety. The proposal would be a way of improving the management of the proposed wildlife site in order to promote biodiversity. The proposal offered a reduction in the number of touring caravans and an improvement to the quality of the provision along with the means to employ site wardens in the interests of economic growth, the environment and the area's visual amenities.

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

- Strong concerns and feelings from the residents of Borth y Gest that the site would extend nearer to the village and create an encroachment.
- Concern regarding the visibility and the suitability of the proposed development in relation to nearby housing
- He referred to the petition that had been submitted and signed by the majority of the village's population objecting to the development on grounds of the loss of the buffer and loss of the wildlife conservation site.

(ch) The following observations were noted in favour of approving the application.

- It was not anticipated that it would affect the village due to its design and that the subject of the application was a site for touring caravans and they would not be on the site throughout the year.
- That the site was already part of the caravan site and was not a new application for an extension to Greenacres.
- It was not considered that there were any planning reasons to refuse the application.

(d) The following observations were noted against approving the application:

- That the size of the site was much larger than the village and there were inconsistencies in the information relating to flooding matters.
- Approving it would deprive the site of play areas.
- That assurance and commitment should be sought from the company that the proposal was for a touring site and not a site for permanent caravans.

In response to these observations, the Senior Planning Service Manager explained that:

- The application was not the subject of an increase in caravan numbers, rather, it was to relocate touring units and there would be a condition with the permission to note that only touring units could be sited on the plots shown in the plan.
- There were a number of play areas within the site including a swimming pool and that the play provision was sufficient for the number of customers who attended the site.
- Relocating the units would be an improvement in terms of road safety as it would separate the associated traffic and the touring caravans from the remainder of the site.

It was proposed, seconded and voted to approve the application.

RESOLVED to approve the application in accordance with the following conditions:

Conditions:

1. Commence the work within five years;
2. Work in accordance with the plans;
3. Materials;
4. Conditions to restrict occupancy / holiday season (1 March – 31 October);
5. Holiday only condition;
6. Limit the total number of caravans on the site to 1036 to include the 45 touring caravans that are the subject of this application;
7. Only touring units to be sited on the plots shown;
8. External lighting details;
9. Landscaping;
10. Biodiversity conditions – ecological management plan, Japanese knotweed, mitigating measures etc.

3. Application no. C13/0920/17/LL – Parc Llanfair, Dinas Dinlle, Caernarfon

Erect a wind turbine, measuring 20.5 metres to the hub, with a maximum height of 27.1 metres to the tip of the blades.

The Development Control Manager reported that late information had been received which required further investigation and suggested that the committee should postpone determining the application in order to be absolutely certain as to the safety of operating at Dinas Dinlle airport.

It was proposed and seconded that the Planning Committee should visit the site.

RESOLVED: (a) To postpone determining the application in order to fully investigate the further information received in terms of the safety of operating at Dinas Dinlle airport.

(b) To ask the Senior Planning Service Manager to arrange for the Planning Committee to visit the site.

4. Application no. C13/0955/33/LL – Land near Tu Hwnt i'r Afon Farm, Rhydyclafdy.

Construction of shed for storage of agricultural equipment and material along with storage of training equipment for the strongest man competition.

(a) The Development Control Manager reminded the Committee that the members had visited the site recently while visiting another site in the area. She expanded on the background of the application noting that this was a proposal to construct a shed for storing training equipment for a strongest man competitor and to store tools and agricultural materials in a small section of it. The site was in open countryside and outside the development boundary and within a Landscape Conservation Area. The site was surrounded by fields with the remains of old stables on the site and a static caravan located on the field.

The application was called to Committee in accordance with the wishes of the Local Member. No observations were submitted by the Community Council and the Transportation Unit had no objections to the access element. No observations were received from the public consultation period. It was noted that the circumstance and the use of the development was unique to the applicant, however due to its location in the countryside, the use was considered to be contrary to the basic principles and policies

C1, C3, CH44, CH46, D5, D7 and D9 of the Gwynedd Unitary Development Plan. On grounds of visual amenities, there were no concerns as it was accepted that this type of building would be suitable for this type of site for regular agricultural use. Nevertheless, it was emphasised the development would not be supported on such a site as it was considered that the proposed use was not suitable to this location in open countryside. The planning officers' recommendation was to refuse the application.

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

- The planning application was crucial for the applicant's son's target to represent Wales on the highest level at the strongest man competitions and that he needed to train to become a professional competitor.
- The training required using enormous specialist equipment and that the use of the farmyard and disused milking shed were no longer suitable as it was exposed to weather and was subject to whether or not the farmyard was available.
- The above was unsuitable for the future and he needed a permanent space for the next ten years given also that the farmer was approaching retirement age.
- Under usual circumstances the parameters for agricultural planning applications was a formality but due to this being a different use, there was a cost of £1,000 for the planning application to reflect this.
- Establishments including Bangor University, S4C and the BBC had already recognised the applicant's son's potential to succeed as a competitor for the world's strongest man competition.
- He pleaded for the Committee to support the application as he needed to progress from the farmyard to a more robust arrangement in terms of his training regime.

It was noted that the local Member had apologised for her absence from the meeting but that she supported the application.

Proposed and seconded – to approve the application.

(ch) The following observations were noted in favour of approving the application.

- That the application was very deserving for a craft that would raise the nation's profile.
- This was an application to re-erect a shed that already existed rather than an application to build a skyscraper, office blocks or high-rise flats.
- It was important to support such an application to help the young people living in the countryside and farmers who were battling to make a living.
- Approving the application would help the local young person to represent his country and to be a champion from Dwyfor.
- There was a possibility that a champion could be lost here and it was important for farmers to be able to diversify in light of problems in the countryside.
- That the young man was to be congratulated for his commitment to the sport and in light of the fact that he was not asking for an enormous shed the Committee should approve the application given that permissions had recently been granted for wind turbines within areas of outstanding natural beauty.
- A shed had existed on the site for decades and the application in question would allocate a section of the shed for storing agricultural equipment.

(d) The following observations were noted against approving the application:

- While sympathising with the applicant, it was not possible to deviate from seven policies within the Gwynedd Unitary Development Plan and there was a possibility that it could set a precedent.
- It was not practical to approve applications based on the individuals involved, rather it should be done on the use of the building and acting in breach of policies would open the floodgates for a number of similar applications throughout Gwynedd.
- The Committee had to focus on its responsibility and its role and permission could not be granted on grounds of empathy with individuals, rather, it had to be done on the grounds of the proposed use of the development and to consider this use in future.
- It was anticipated that there would be no problem with approving the application should it be for an agricultural building, but as it did not comply with the policies, it was not possible to approve it.

In response to a Member's observation regarding building a gym, the Senior Planning Services Manager explained that the use had to be considered in this case. No problems were anticipated in terms of visual matters or transportation but consideration had to be given to whether the location in open countryside for a gym was acceptable. The policies noted that there was no justification for this type of use and although it was accepted that each application had to be considered on its own merit, there was also a need to ensure consistent implementation of the relevant planning policies.

A vote was taken on the proposal to approve the application contrary to the planning officers' recommendation, and on the Chair's casting vote, the proposal fell.

A proposal to refuse the application in accordance with the planning officers' recommendation was proposed, seconded, and on the Chair's casting vote, the proposal to refuse was carried.

As a matter of clarity for a Member in terms of the voting, the Senior Solicitor explained that there were 13 Members present, six members had voted in favour, six against, one member had abstained and the Chair used her casting vote during both of the abovementioned motions.

RESOLVED to refuse the application as the proposal is tantamount to erecting a new Building in the countryside without justification for locating it in open countryside and where there are no specific location needs. The proposal is therefore contrary to policies C1, C3, CH44, CH46, D5, D7 and D9 of the Gwynedd Unitary Development Plan (July 2009).

5. Application number C14/0041/11/LL – Former Ysgol Glanadda, Bangor

Erection of two blocks of flats to include a total of eight living units.

- (a) The Development Control Manager elaborated on the background of the application that the land was on a slope and that the proposed development made the best use of the site. It was emphasised that the site access was in the exact location of the existing access but it was intended to widen it to include a pedestrian access that would run adjacent to the existing driveway. It was noted further that the site was within a development boundary and until recently the buildings of the former school had remained on the site. The responses to the public consultations had been positive and two letters of objection had been received on grounds of overdevelopment, access, inadequate parking spaces, etc. It was noted that the principle of the development in terms of the policy was acceptable and that the site was relatively prominent in the

streetscape and was in an area which was a mixture of land uses and of different designs. In terms of amenities, as the development was on a domestic scale, there were no concerns about overlooking or being dominant. Attention was drawn to the fact that it was close to the hairdressing shop but it was considered that it would not have an excessive impact on amenities and given that that building had a businesses use it was considered to pose even less of an impact.

The applicant had submitted further details following discussions with the Highways Unit that showed measures to avoid collision between pedestrians (including school children and their parents) and vehicles that would visit or leave the application site. Attention was drawn to the fact that the past use of the site as a school needed to be considered and that use of the site could be approved again without much objection. It was noted that the parking spaces on the site were acceptable and complied with the relevant standards for this type of development.

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

- In response to concerns regarding the site access and the question of the possibility of opening a new access to the highway (Caernarfon Road) the applicant had responded by referring to the following points:
 - (i) Prior to submitting the application it was confirmed that the option of using the existing access from Tan y Graig would be the option most likely to be approved by the Transportation Unit.
 - (ii) Two other options were considered in order to gain access to the site and the first option involved using and sharing the existing access to the hairdressing shop next door and the second option involved creating a new direct access to the site by demolishing part of the boundary wall.
 - (iii) The option of sharing the access with the hairdressing shop was not practical based on the fact that the business' consent would have to be obtained to cross the land, the business would lose parking spaces and they would have to be paid substantial compensation to compensate for the loss of parking spaces and it would be difficult for the residents of the proposed flats to gain access to the highway due to the sharp angle of the access.
 - (iv) The option of creating a new access was not practical either based on the fact that the Highways Unit would not allow this (opposite a roundabout) from a technical and road safety perspective, there would be a need to redesign the layout of the flats and the parking spaces, leaving only four flats on the site, and losing 50% of the proposed units would mean that the plan would no longer be financially viable.
 - (v) The existing access has been adapted in accordance with the requirements of the Transportation Unit and these changes were appropriate to support road safety.
- Housing Strategic Unit – The proposal met the need for smaller units in light of welfare changes and the bedroom tax.
- Joint Planning Policy Unit:
 - (i) The principle of the development was acceptable under the relevant policies of the Gwynedd Unitary Development Plan.
 - (ii) The type of affordable units was acceptable and met with the recognised need in Bangor for such houses.
- The response of the Joint Policy Unit to the Language and Community Statement:

- (i) It was not believed that the scale of the proposal was likely to cause significant growth in the population that would have a detrimental impact on the Welsh language.
- (ii) The proposal ensured that every affordable unit was beneficial in terms of keeping the current population in their communities and encouraging Welsh people to return to their area.
- (iii) The development was located in a convenient area in Bangor.
- (iv) The development was not likely to have a detrimental impact on the local primary school.
- (v) The development should improve the visual environment and make the area a more attractive place to live.

Therefore, based on the above information, and taking into consideration that the development complied with relevant local and national policies, the officers were of the opinion that the application should be approved.

(b) Taking advantage of the right to speak, the applicant's representative noted the following points:-

- That the concerns highlighted by the City Council and members of the public regarding the access to the site and the danger of collisions between the site access and the ramp that crossed the main footway to Ysgol Glanadda had been considered in detail during the application and additional information had been submitted to the Highways Unit.
- That measures had received detailed consideration to avoid collisions between pedestrians (including children and parents) and vehicles that visited or left the site including:
 - Painting the surface of the area of tarmac in front of the access red.
 - Installing safety rails on the footpath (School Path) which connected Caernarfon Road and Ysgol Glanadda in order to prevent individuals from running out or cycling across the site access.
 - Reducing the height of the site's boundary wall near the access in order to improve visibility along the footpath.
 - Installing a rim on the front of the ramp that serviced the site.
- Historically, access had been gained along Tan y Graig and there were a number of reasons why the access could not be moved elsewhere.
- Gaining direct access to the site from Caernarfon Road was not practical and was dangerous due to the proximity of the roundabout.
- The access would not comply with a safety inspection.
- Gaining access to Caernarfon Road would impair the design of the site and it was considered that having a building along the front of the site would contribute to the townscape.
- That the front design of block 2 reflected the appearance of the former school building and created a gable end facing the highway with a traditional slate roof.
- That there was too much difference between the level of the site and Caernarfon Road in order to provide direct access from Caernarfon Road and it would have to be extended to the middle of the site and would therefore affect how the site would be developed and consequently it would not be possible for Cymdeithas Tai Eryri to develop the site.
- Given the safety measures and the fact that traffic movement would be relatively low, it was considered that the access was safe and acceptable and the plans had been approved by the Transportation Officer.

(c) The Member for the neighbouring ward (not a member of this Planning Committee) submitted a petition from the residents of Tan y Graig with 36 signatories to the Chair

stating that they welcomed the development but asked for the access to be from the direction of Caernarfon Road which led to the site in order to safeguard the children who walked to school past the proposed access from Tan y Graig.

The Chair accepted the petition and welcomed both local members to the meeting noting that the Member for the neighbouring ward would be addressing the Committee. The Member drew attention to the following points:

- Whilst welcoming the development, there was concern regarding the path (School) where children walked to school.
- It was felt that the developer should consider the measures further as the site had been cleared and that a wall in front of the proposed housing would not be appropriate and may encourage people to convene behind the wall.
- They were not asking for the roundabout to be moved, rather to have access to the roundabout as existed in other areas such as the roundabout to Morrisons in Caernarfon.
- There was a need to make best use of the proposed development so that it had a good appearance and was safe from the outset.
- It was not anticipated that creating a ramp was acceptable.
- School governors objected to the proposal along with the residents of Tan y Graig on grounds of the potential hazards.
- They pleaded for the committee to take advantage of the opportunity to make the site and access proper and safe from the outset and that it should blend in and enhance the area.
- An opportunity was suggested to discuss with the owner of the hairdressing business with regards to the use of the land behind the building.
- They appealed to the Committee to postpone the application in order to consider further measures to offer a better choice than the proposal that was before the committee now.

(ch) In response to the abovementioned observations, the Senior Planning Service Manager noted that while he accepted that there were concerns regarding safety, they had to bear in mind the site's legal use, namely as a school. He added that the density and type of development being proposed for the site had to be considered, namely to create eight social houses along with the density of the traffic related to the use.

(d) The Senior Development Control Officer – Transportation added that the Department had originally considered the application when the site was sold and the conclusion reached at that point was that it would not be possible to provide direct access from Caernarfon Road due to the location of the front of the site which was adjacent to one of the junctions that led on to the roundabout. It would be difficult to control movements and would be affected by the island on the roundabout.

A site visit was proposed, seconded and voted upon.

RESOLVED: (a) To ask the Senior Planning Service Manager to arrange for the Committee to visit the site and to ensure that the Local Member and the Member for the neighbouring ward receive an invitation to attend the visit.

(b) To ask the Transportation Officer to provide an assessment for a safe route for the children to walk to school.

The meeting commenced at 1.00 pm and concluded at 2.30 pm.