
PLANNING COMMITTEE 28/4/14

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

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

Others invited: Councillors Edward T.Dogan, John Brynmor Hughes, John Wyn Jones, Gareth Thomas and John Wyn Williams (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), Glyn Llewelyn Gruffudd (Senior Development Control Officer) and Bethan Adams (Member Support and Scrutiny Officer).

Apologies: Councillor Endaf Cooke and Councillors Siân Gwenllian and Charles Wyn Jones (Local Members).

1. DECLARATION OF PERSONAL INTEREST

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

- Councillor Gruffydd Williams in item 5 on the agenda (planning application number C14/0171/42/LL) as he was a member of the Nefyn Town Council, which had submitted the application.

The member was of the opinion that it was a prejudicial interest, and he withdrew from the Chamber during the discussion on the application noted.

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

- Councillor Dyfrig Jones (a member of this Planning Committee), in relation to item 5 on the agenda (planning application number C13/0036/13/AM);
- Councillor Gareth Thomas (not a member of this Planning Committee), in relation to item 5 on the agenda (planning application number C13/0600/08/LL);
- Councillor Gruffydd Williams (a member of this Planning Committee), in relation to item 5 on the agenda (planning application numbers C13/1137/42/LL and C14/0171/42/LL);
- Councillor John Wyn Williams (not a member of this Planning Committee), in relation to item 5 on the agenda (planning application numbers C13/1279/25/HY, C14/0055/25/LI and C14/0106/20/LL);
- Councillor Eddie 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 Wyn Jones (not a member of this Planning Committee), in relation to item 5 on the agenda (planning application number C14/0041/11/LL);
- Councillor Eurig Wyn (a member of this Planning Committee), in relation to item 5 on the agenda (planning application number C14/0100/23/LL);
- Councillor John Brynmor Hughes (not a member of this Planning Committee), in relation to item 5 on the agenda (planning application number C14/0108/39/RC).

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 Chairman signed the minutes of the last meeting of this Committee held on 24 March, 2014, as a true record subject to removing the following sentence under application number C13/0223/46/LL on page 1:

“Members of the Committee had visited the site before 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 number C13/0036/13/AM - Austin Taylor Communications Ltd, High Street, Bethesda

Outline application for the demolition of existing building together with the erection of 37 dwellings and creation of estate road.

- (a) The Development Control Manager expanded upon the background of the application, noting that the site was located within the development boundary and that the proposal was in accordance with policies CH4, C3 and C1 of the Unitary Development Plan (GUDP).

Attention was drawn to the fact if the application was approved; the development would be referred to the consideration of the Welsh Ministers as 85% of the site was located within a C2 flood zone.

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

The agent had provided justification, based on the development costs, to provide only seven affordable units on the site, and this information had been fed into the ‘3 dragons toolkit’ for assessment which had confirmed that this number of affordable houses would be suitable for the site.

- (c) Taking advantage of the right to speak, the applicant’s agent noted the following main points:
- That the site had been closed since December 2011;
 - That an attempt had been made to explore various options for the site but that it had become apparent that there was no economic future for the site;
 - That complex matters relating to the site regarding flood risk, biodiversity considerations and the listed status of Cae Berllan terrace had been resolved;
 - That Natural Resources Wales supported the application;
 - That seven of the 37 houses would be Affordable Housing which equated to around 20% of the development;
 - That the application site was a brownfield site with significant costs associated with demolishing the existing building, disposing of asbestos and raising the site’s land levels to mitigate flood risk;
 - That there were a number of small / terraced houses in the village and the development would offer three or four bedroom houses that would enable young families to remain in the area;

- That considerable work had been undertaken since the application had been submitted in February 2013;
- That he hoped that the Committee would approve the application.

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

- That he supported the principle in general as the location of the development was acceptable and it reused brownfield land that had been dormant for a considerable time and that the scale of the development was also acceptable;
- That there would be implications for future applications with applications in Maes Coetmor and the Grey Motors site to be submitted and the impact of the number of houses on the language impact assessments;
- That he would wish to include more affordable housing in the plan but given the substantial costs associated with the plan that seven affordable houses was acceptable and it was hoped that the houses would be let by social housing providers.
- That he was concerned in relation to the parking arrangements of the residents of Cae Berllan as they had been illegally using the site as a car park.
- That in accordance with the observations of the Transportation Unit, the scheme should provide parking spaces for the residents of Cae Berllan;
- That he asked the officers to consider the option of possibly using the open land for parking spaces to meet the local need to seek to resolve the parking problems.

Proposed and seconded – to approve the application.

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

- That the language and community assessment that had been submitted stated that the development would have a positive impact on the use and the promotion of the Welsh language;
- That the development was in accordance with the policies;
- That there was no right to theorise or presume about other potential schemes when determining planning applications;
- That it would be possible to hold discussions on using the open land as parking spaces for the residents of Cae Berllan at a later time as this was an outline application;
- That it was difficult to find reasons for refusal;
- Disappointment that the site could not be used as an industrial resource but that it was unavoidable due to the economic climate;
- In accordance with the observations of the Local Member, there was a need to discuss and seek a solution for the parking problems of the residents of Cae Berllan;
- That the option of providing a multi-use route (walking/cycling) on the site for the residents of the Braich Melyn area should be considered;
- A member noted in agreement with the Local Member's observations that it would be better if the houses could be allocated for letting by social housing providers.

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

- That the Community Council objected to the application;
- Concerns relating to impact on the Welsh language;
- That services such as water, electricity etc. were already on site therefore no substantial costs were anticipated;
- That there were other similar developments in the pipeline in the area therefore questioned whether there was need for them.
- Concern of overdevelopment in the Bethesda area;
- That the application site had not been allocated for housing;
- Flooding concerns;
- Approving the application would mean the loss of an industrial resource;

- Not against it in principle, but felt that the scheme involved too many houses located close together;
- Questioned whether enough work had been undertaken to find an economic solution for the site.

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

- That the application site had not been designated for employment purposes and therefore had not been safeguarded for employment use. He noted that other sites in the area and in the County had been allocated for employment in the Unitary Development Plan to address the area's employment needs. It was noted that the Economy and Community Department had been part of these discussions from the outset;
- That the application site was within the development boundary but had not been earmarked for any specific use;
- That a lengthy and complex discussion had been held between the applicant, Council officers and Natural Resources Wales officers to mitigate the flood risk and that Natural Resources Wales no longer had any objections;
- That policy CH4 noted that having an acceptable number of affordable housing allocated within a development was dependent on matters and evidence such as the suitability of the site. There were substantial costs associated with raising the land level to protect against flooding and demolishing and disposing of asbestos, therefore; allocating seven of the 37 dwellings as affordable housing (equating to around 20% rather than the usual 30%) was acceptable to the Council and had been verified by means of the 3 Dragons software;
- That the language and community assessment submitted with the application stated that there would be no detrimental impact on the community or on the language;
- That the level of housing need that had been identified within the GUDP not only included those that had been designated, it also included random sites and also met the need of the dependency catchment area, namely the Bangor area.
- The parking situation was not ideal, however, the development would not exacerbate the situation, he was prepared to discuss the possibility of including parking provision within the development with the applicant, however it would not be possible to insist upon such a provision;
- In relation to a multi-use route, this would depend on the ownership of the land and it would be difficult to justify a condition, however the matter could be discussed with the applicant, but could not be demanded of them.
- It would not be possible to demand that the Affordable Housing provision be made available as rented housing, but he was prepared to discuss the matter with the applicant and contact the Strategic Housing Unit in order to contact housing associations to discuss the possibility.

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

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, (5) Councillors: Gwen Griffith, Anne T. Lloyd Jones, June Marshall, Dafydd Meurig and Michael Sol Owen.

Against the proposal to approve, (9) Councillors: Elwyn Edwards, Louise Hughes, Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, Owain Williams and Eurig Wyn.

Abstaining, (0)

- (ff) A motion was made and seconded to refuse the application due to the lack of local need; no statistics submitted relating to the local need, that the site had not been for sale for a sufficient period of time to justify the loss of an industrial site and the detrimental impact on the Welsh language.

The Senior Planning Service Manager noted that should the Committee decide to refuse the application on grounds of the reasons provided, that he would consider referring the matter to a cooling-off period as there were significant financial risks for the Council.

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

RESOLVED to refuse the application, contrary to the planning officers' recommendation.

Reasons:

No local need

No definite statistics on local need submitted

The site has not been on the open market for sufficient time to justify losing an industrial site

Detrimental impact on the Welsh language.

The Senior Planning Service Manager noted his intention, in accordance with the Procedural Rules of this committee, to refer the application to a cooling off period and to bring a further report before the committee highlighting the risks associated with refusing the application.

2. Application number C13/0600/08/LL – YMCA, Osmond Terrace, Penrhyndeudraeth

Erection of four two-storey 3 bedroom dwellings.

- (a) The Development Control Manager expanded on the background of the application. It was noted that the site was within the Penrhyndeudraeth development boundary however it had not been designated for housing. It was explained that the internal surface area of the houses would be approximately 82m² and therefore they complied with the requirements of the Supplementary Planning Guidance: Affordable Housing and consequently it was not believed that there was a purpose in taking further steps to control the houses with a Section 106 legal agreement.

It was noted that the development was considered suitable for the site and that it complied with the policies.

- (b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That the existing building was unsuitable for any use and was a fire hazard;
 - That the building had not been used for 30 years and that the windows had been boarded up for 20 years;
 - That the site was currently being used as a car park for parents bringing their children to the nearby school;
 - There was a car park approximately a hundred yards from the school that would be safer for the children and consequently fewer cars would use Osmond Terrace;
 - That there would be a 2 metre high fence around the gardens of the houses meaning that there would be no overlooking onto the school yard;
 - No loss of light for existing houses and it was agreed to use opaque glass on the windows on the stairs and the bathroom windows;
 - Discussions had been held with local housing associations and it was hoped that the houses would be part of a joint ownership development in order to encourage local young people to stay in the area;

- There was no evidence to show that the land had been bequeathed to the community by Sir Osmond and that there was a legal document which stated that the land was within the YMCA's ownership;
 - He asked the Committee to approve the officer's recommendation.
- (c) The local member (not a member of this Planning Committee) objected to the application and made the following main points:-
- That there was a lack of local need and that Penrhyndeudraeth was linked with Porthmadog within a dependency catchment area;
 - That planning had been granted for a development of eight affordable houses approximately 200 yards from this site, but had not been developed;
 - The proposal would involve changing from the current use which was for the leisure needs of the community;
 - The land had been bequeathed to the local community in 1918 in memory of Sir Osmond's son but that the deeds had not been produced until 1923 and by this time a snooker club had been established on the site in association with the YMCA;
 - That the Town Council now accepted that the land was within the ownership of the YMCA;
 - That the building was dilapidated as the YMCA had left it to deteriorate;
 - That a number of letters had been sent to the YMCA regarding using the building once more as a snooker club by entities including the Town Council and Deudraeth Cyf but that no response had been received;
 - That the change of use was unacceptable as it deprived young people from being able to use the land;
 - He asked the Committee to refuse the application.

It was proposed and seconded to refuse the application.

- (ch) A member noted that changing the use of the land would be a loss to the community in Penrhyndeudraeth. Another member noted that Penrhyndeudraeth was an underprivileged area and that the objections of the Town Council and the Local Member should be listened to. He added that the land could be of use to the nearby school in future.

A member noted that the building had been empty for a long time and that it was not likely that the YMCA would invest in the building to continue its use as a snooker club. A member reiterated the observation noting that a community use would be ideal but that times had changed and there was a need for four reasonably priced houses in the area.

In response to an observation that there was no local need for housing, the Senior Planning Service Manager noted that there was a need to be very cautious as the application site was part of the Porthmadog dependency catchment area and that the need had been evidenced within the GUDP. It was added that there was sympathy that a resource would be lost from the community but that there was a need to bear in mind that the building had been empty for 20 years.

- (d) The proposal fell.
Proposed and seconded – to approve the application.

RESOLVED to approve the application

Conditions:

5 years

Work in accordance with the plans

Slates on the roof

Materials

Opaque glass

Sustainable homes code
 Roads
 Landscaping
 Water
 Boundaries

3. Application no. C13/0995/11/LL – 137 High Street, Bangor

Demolish existing buildings and erect a new building to include two retail units on the ground floor and 49 student bedrooms and the creation of parking spaces, bin storage and landscaping.

- (a) The Senior Development Control Officer expanded upon the background of the application and drew attention to the fact that the site was within a town centre designation but outside the conservation area and the main shopping area.

He referred to the use made of the space between the existing building and the adjacent building as a footpath by the public, it was noted that the footpath had not at any time been registered as a public footpath and that it did not have an official status.

In relation to the parking provision for the development, it was noted that an agreement had been reached with the developer for a commuted sum for the parking spaces that could not be provided in order to improve the city's public car parking facilities.

In relation to archaeological matters, it was noted that the authority's Conservation Officer had confirmed that that building was not listed, that the proposed development would not affect any listed building and that the site was not within the conservation area. It was considered that including appropriate conditions to create a photographic record and undertake an archaeological survey of the site in advance would be sufficient in this case, and would also be in accordance with policy B7 of the GUDP.

Attention was drawn to the observations of the Joint Planning Policy Unit that the information submitted with the application stated that there was demand for the development and that it could provide accommodation for students who would otherwise reside in multiple-occupancy houses. It was noted that the development contributed to meeting this need and students would be located within one site rather than scattered in different houses across the city.

In assessing the application, consideration had been given to recent appeal decisions and the observations of the Planning Inspector.

It was reported that the recommendation had changed somewhat to that which had been noted in the report, and that they were now asking for the power to act to approve the application in order to discuss further amendments to the window pattern of the front of the building and to seek a more convenient arrangement for the transfer of money provided by the developer towards improvements to car parks as opposed to using a formal 106 agreement.

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

Welsh Water

They asked for more information regarding the development's filtration tests in order to ensure that a soak away was the best option for the site. It would be beneficial to know about the site's existing drainage arrangements including current discharge to the public sewerage system.

In response to the above, the applicant had sent the detailed information as requested to Welsh Water; no response had been received to these details.

Transportation Unit

A further meeting had been held between the Unit and the developer on the parking arrangements. Consequently, adaptations had been made to the parking arrangements and on this basis it had been confirmed that there were no objections to the proposal.

Of course, the number of parking spaces were fewer than what had been expected, therefore it was recommended that a commuted sum should be requested in order to improve the facilities or the quality of local car parks in Bangor as a measure to mitigate any impact as a consequence of reducing the parking provision within the curtilage.

- (c) Taking advantage of the right to speak, an objector noted the following main points:-
- That he was attending the committee on behalf of the Bangor Civic Society;
 - That they were asking the Committee to refuse the application as there was no need for the provision and there was an overprovision of student accommodation with schemes for the St Mary's old college site and on Dean Street.
 - That the Inspector's observations in relation to the Jewson planning application were now dated;
 - That the University had stated that there was a reduction in the number of students registering with them and there was no evidence that this would change;
 - That the design was unsuitable;
 - That the proposal was contrary to policies CH14, B22 as well as paragraph 3.16 of the GUDP.
 - That the proposed development was contrary to planning objectives and that no consideration had been given to the feasibility of renovating the existing structure;
 - That an archaeological assessment should be submitted prior to determining the application in accordance with the observations of the Gwynedd Archaeological Planning Service;
 - That the City Council, the Local Member and the Civic Society were against the application;
 - He asked the Committee to refuse the application.
- (ch) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That they were eager to commence the development soon in order to respond to the demand for modern student facilities.
 - That the need for student accommodation provision had been confirmed by the Inspector in several recent appeals;
 - That it was a sustainable development located close to the city centre, transportation networks and within walking distance of all University departments;
 - That the footpath was not a public footpath but that it had been used by the public for many years with the owners' permission;
 - That the building had substantial history but that it had already been developed; therefore, none of the historic features of the public house had remained and the building was not listed with CADW;
 - That most of the building was now empty and needed to be developed;
 - The design had changed in the time since the observations had been submitted and this was believed to be an improvement;
 - That the features of the development were similar to those of other buildings on the High Street;
 - That there was a retail element on the ground floor and this was to be welcomed;

- That using the site as student accommodation meant that houses that were currently being used by students could then be made available to local people;
- That the development complied with GUDP policies and national policies;
- It was hoped that the Committee would vote in favour of the application.

Proposed and seconded – to approve the application.

- (d) A member noted that recent appeal decisions had set a precedent for approving such applications and that providing purpose-built accommodation such as this would free up houses that were currently used by students for local families. He added that the building did not have any historic listed status and that its use had changed many times.

A member noted that there was no doubt that there was need for more student accommodation provision but that there was a need to consider Policy B7 of the GUDP in relation to archaeological considerations and that he was therefore against the application.

A member observed that approving the application would set a precedent and that historic buildings should be protected.

A number of members questioned the need for more student accommodation and it was noted that they should receive more information on the building's archaeology.

- (dd) An amendment was proposed and seconded.

A vote was taken on the amendment and it was carried.

RESOLVED to postpone the application to enable officers to contact the applicant to ask for adaptations to the design and to submit an amended plan, to receive archaeological information as well as information about the need for student accommodation provision.

4. Application no. C13/1137/42/LL – Clannad, Y Fron, Nefyn

Convert outbuilding to a residential dwelling together with construction of double garage, create new access and siting of temporary caravan.

- (a) The Development Control Manager expanded upon the background of the application and drew attention to the fact that an agricultural access was used to serve the site at present as the building and land which were the subject of the application had been sold separately to the house which had been associated with it and therefore using the previous access through the curtilage of the house was not an option. It was noted that the proposed access to the site off the Bryn Glas unclassified road improved the visibility.
- (b) Taking advantage of the right to speak, the applicant noted the following main points in response to the objections:-
- That it was not intended to create a road through the site to link with Fron;
 - That they intended to extend the existing access which had been approved by the Council by approximately 14 metres;
 - That drainage matters would be addressed;
 - That there were no other houses near the entrance;
 - In response to an objector's concern, that she had received confirmation from Natural Resources Wales that frogs were not a protected species;
 - That problems had arisen with the former owners and therefore these problems were not relevant;

- That her partner was a Welsh-speaker who had been brought up locally and wished to return to the area and that she was attempting to learn Welsh;
 - That they had taken every step to try to comply with the authority's requirements.
- (c) The local member (a member of this Planning Committee) objected to the application in relation to the unacceptable access and he made the following main points:-
- That local residents had expressed concern;
 - That there were concerns that there would be no parking spaces for the residents of Rhes Bryn Glas as they currently parked on the road;
 - He referred to the observations of the Highways Unit;
 - That consideration should be given to using an access near Y Dderwen;
 - That members should consider undertaking a site visit.

A proposal to undertake a site visit was made and seconded.

RESOLVED to undertake a site visit.

5. Application No. C13/1279/25/HY – Land near Ffordd Penrhos, Penrhosgarnedd, Bangor.

Provision of advertisement boards in a v-shape together with flagpoles and flags.

- (a) The Senior Development Control Officer expanded upon the background of the application and noted that flagpoles and flags had already been placed on the site without authorisation and in a different location to that shown in the application. It was noted that the enforcement unit was dealing with the situation.

In relation to the layout plan of the flagpoles and flags submitted with the application, it was noted that there was a change in the setting of one of the poles away from a residential property. It was added that the signs and flags were bilingual and complied with the Language Policy.

- (b) Taking advantage of the right to speak, the objector noted the following main points:-
- That the signs and flagpoles and flags had been installed prior to receiving planning permission;
 - That the poles had not been installed in accordance with the plans submitted;
 - That the poles were much higher than the 9 feet hedges surrounding the house and created a shadow on the garden;
 - That a site visit should be undertaken;
 - That the application for consent noted that the poles would be installed for four years;
 - If the application was approved it should be ensured that the developer acted in accordance with the plans.
- (c) The local member (not a member of this Planning Committee) noted that he accepted that the houses needed to be advertised but that consideration should be given to the effect on the family objecting to the application. He emphasised that it should be ensured that should the application be approved that the flagpoles should be installed in accordance with the plan submitted.
- (ch) In response to an observation regarding ensuring the location of the flagpoles, the Development Control Manager noted that should the application be approved, the Enforcement Unit would take steps to remove the existing signs and the new signs would need to be in accordance with the details of the plan and application submitted.

RESOLVED to approve the application.

Conditions:

The development to be completed in accordance with the submitted plans.

HY04 – advertisements must be maintained and they must be in a safe, clean and orderly condition to the reasonable satisfaction of the Local Planning Authority.

6. Application no. C14/0041/11/LL – The Former Ysgol Glanadda, Caernarfon Road, Bangor

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

- (a) The Development Control Manager expanded upon the background of the application and noted that this was the third time for this application to be submitted before the Committee. It was reported that the application had been postponed at the last meeting in order to give the applicant an opportunity to hold discussions with the hairdressing business nearby in relation to sharing access. It was noted that, following discussions, confirmation had been received that sharing access was not an option.

It was felt that every option for the access had been considered and that the Transportation Unit confirmed that the option was acceptable.

- (b) The two local members were welcomed to the meeting. The member for the adjoining ward addressed the Committee.

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

- He referred to a petition which had been presented at a previous meeting and noted that there were strong feelings in relation to the safety of children and the proposed access;
- Access from the direction of Caernarfon Road which abutted the site would be ideal in order to protect the children walking to the school past the proposed access but accepted that this was not possible;
- He emphasised the concern in terms of the safety of children locally and asked for a barrier to be installed on the path to prevent them from running across the entrance in order to avoid a serious accident;
- He added that the barrier should be mobile in order for the owner of a nearby house to have access to his property;
- That construction traffic should be prevented from using Tan y Graig road and they should use the lay-by adjacent to the roundabout to unload over the wall;
- The bollards which had been removed from the roundabout should be reinstated in case confusion would be caused in terms of the access;
- That he was unwilling to support the plan because of the safety risks.

- (c) In response to the observations of the member of the adjoining ward, the Senior Development Control Officer noted:-

- That a lockable barrier could be erected at the end of the path to the school with the key given to the owner of the neighbouring house to be used at sensible times;
- That agreement could be reached with the developer in advance in order to use the lay-by near the roundabout to unload construction materials when possible;
- That he would hold discussions with the Road Maintenance Unit to put the bollards back on the roundabout.

The Senior Planning Service Manager added that a condition could be imposed to manage the construction times and to ask for a management plan from the developer.

- (ch) A member expressed concern in terms of safety if the Tan y Graig road was used by construction traffic.

Another member echoed the concern but noted that he would be willing to approve the application should relevant conditions be in place to reduce the risk in terms of health and safety.

RESOLVED to approve the application.

Conditions:

- Five years
- In accordance with the plans
- Natural slate
- Highways
- Welsh Water
- Level 3 Code conditions
- External materials
- Landscaping
- Mitigating measures
- Traffic/Development Control Plan

7. Application no. C14/0055/25/LL – Mountain View, Penrhosgarnedd, Bangor

Renewal of temporary use of two mobile dental units to the rear of the property.

- (a) The Senior Development Control Officer expanded upon the background of the application.
- (b) Taking advantage of the right to speak, the objector noted the following main points:-
 - That her mother lived next door to the site and that there was overlooking onto her property;
 - That the units were used as a Community Dental Service but that they were not fit for purpose;
 - That the development did not comply with policies B22-25, CH30 or CH33 of the GUDP;
 - That the windows of the units were obscured glass but that this did nothing to prevent overlooking when the windows were open;
 - That it was possible to hear confidential discussions;
 - That the development contravened Schedule 1 of the Human Rights Act 1998;
 - That the service was 24 hours a day;
 - That the children used the ramps to the units as a play area and that this caused nuisance to her mother.
- (c) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
 - That the units provided an essential service for vulnerable people;
 - That it was short-term use whilst other plans were put in place to provide the service;
 - In the current economic climate with pressures on public finances, that the process of developing an alternative provision was taking some time;
 - That discussions were ongoing with the Welsh Government;
 - That it was necessary to receive consent for a year's extension;
 - In relation to the parking situation, he noted that staff had received instructions to park in the main Ysbyty Gwynedd car park and that the sign noting parking for staff only had been removed;
 - That neighbouring construction sites contributed to the parking problems;
 - That a fence had been erected to prevent overlooking to the neighbouring property.
- (ch) The local member (not a member of this Planning Committee) objected to the application and he made the following main points:-

- That the provision was not suitable in the long term;
- That staff used the parking spaces on the site;
- That he had suggested that the access could be shared with the neighbouring house in order prevent the owner from having to reverse to the road;
- That there were parking problems and at times that three cars were parked opposite the entrance to Dol Hyfryd preventing access to the owner;
- That applications for funding for this type of development would take some time and that it was anticipated that another year's extension would be sought;
- That the units were mobile and that it would be easy enough to move them elsewhere.

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

A member noted that he accepted the concerns but that he was of the opinion that it was an essential service for vulnerable people in the community with preparations being made for alternative arrangements. He added that he would be willing to support the application with the relevant time conditions.

Another member noted that the concerns of the neighbour should be considered and the application should be refused as it was possible to move the mobile units.

In response to a question by a member regarding a time condition from the date the application was registered, the Development Control Manager noted that this was possible. A member noted that this would allow six months for the applicant to make alternative arrangements and in her opinion, approving the application would be acceptable with this condition.

RESOLVED to approve the application.

Conditions:

1. Approved use is hereby permitted for a temporary period only, which will end on 24/01/2015;
2. Within two months of the expiry date of this permission, the units must be completely removed from the site and the land must be restored to its previous condition in accordance with a plan to be approved beforehand by the Local Planning Authority;
3. Within one month of the date of this permission, it must be ensured that the parking spaces noted on the reference plan SIT 01 (which was submitted with the application), are set out and marked clearly on the site and maintained at all times thereafter to the complete satisfaction of the Local Planning Authority, until the mobile units are removed from the land.
4. Within seven days of the date of this permission it must be ensured that the 'No Parking' sign at the entrance to the site is removed.

8. Application no. C14/0100/23/LL – 7 Minffordd Estate, Llanrug

Erection of new dwelling and parking accommodation.

- (a) The Development Control Manager expanded upon the background of the application and noted, in relation to general and residential amenities, that the design and location of the windows of the proposed house meant that there would be no unacceptable or significant overlooking to neighbouring gardens and dwellings.
- (b) The observations of the local councillor for Llanrug, who had apologised for his absence, were submitted by Councillor Eurig Wyn (who was a member of this Planning Committee).

It was noted:-

- That previous applications had been refused;
- That there were serious parking problems on the estate;
- That the proposal would affect no. 24;
- That the site was at the end of the cul-de-sac and that it would mean the loss of the turning area;
- That it was an infill development and that there was not enough room;
- He asked the Committee to refuse the application or undertake a site visit.

A proposal to undertake a site visit was made and seconded.

RESOLVED to undertake a site visit.

9. Application no. C14/0106/20/LL – 27 Brynffynnon, Y Felinheli

Revised application for the erection of a dwelling.

- (a) The Development Control Manager expanded upon the background of the application and noted that the application had been submitted in order to retain work on the house which was contrary the planning permission granted. She added that it did not involve much of an increase in the surface area/size other than the addition of creating a concrete platform and a conservatory.
- (b) Taking advantage of the right to speak, the applicant noted the following main points:-
 - That a building had been demolished on the site in 2000 due to significant deterioration;
 - That the front of the house had been set back in order to protect the infrastructure around the site;
 - That there had been significant changes to the foundation plans and that it was intended to infill the gap in order to have living use rather than it being an empty space;
 - That the design and appearance was in accordance with the planning permission;
 - That there would be no change to the appearance from street level;
 - That he had reached an understanding with the officers;
 - He asked the Committee to support the application.
- (c) The member for the adjoining ward (who was not a member of this Planning Committee) noted his concern that the application related to retrospective consent and enforcement steps. He added that the house was not on the same line as neighbouring houses and that it was larger than it should be. He noted that consideration should be given to undertaking a site visit.

A proposal to undertake a site visit was made and seconded.

RESOLVED to undertake a site visit.

10. Application no. C14/0108/39/RC – 1 Cae Arfryn, Mynytho, Pwllheli

Removal of 106 Agreement (Local Need).

- (a) The Development Control Manager expanded upon the background of the application and referred to the appeals permitted to remove 106 local need agreements and, consequently, the Council had been approving applications for the removal of the agreement.
- (b) It was noted that the local member (who was not a member of this Planning Committee) had had to leave the meeting before this application was discussed.

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

In response to a question from a member regarding individuals' legal rights to claim compensation when a 106 Local Need Agreement was in place, the Senior Solicitor noted that there was no right to ask for compensation and that the policies had changed.

In response to further observations by members, the Senior Planning Service Manager noted that there was no local or national policy context for 106 Agreements (Local Need) and therefore there was no planning purpose / justification for retaining them.

It was the 106 Affordable Housing Local Need Agreement that was relevant now under the provision of the GUDP.

RESOLVED to approve the application.

11. Application no. C14/0171/42/LL – Land near y Ddôl, Stryd y Plas, Nefyn

Change of use of land to form 21 allotments and associated access.

- (a) The Development Control Manager expanded upon the background of the application and noted that this was an application for community allotments and it was considered that the development would not have an unacceptable impact on the amenities of neighbouring houses.
- (b) It was noted that the following additional observations/information had been received:-

Gwynedd Archaeological Planning Service

After discussing the application with members of the Town Council, confirmation was received that it was not intended to submit any further observations on the application.

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

A member noted that allotment provision had been lost on another site in Nefyn and that the development would meet the need locally.

RESOLVED to approve the application.

Conditions:

Five years

In accordance with the plans

Agree on the fence and gate around the allotments

No further developments such as structures without receiving written approval from the Local Planning Authority.

Before creating a path around the pond, need to agree on the exact layout and surface of the path with the Local Planning Authority.

The meeting commenced at 1pm and concluded at 5pm.