
PLANNING COMMITTEE 16/06/14

1. WELCOME AND APOLOGIES

Present: Councillor Michael Sol Owen – Chair
Councillor Anne Lloyd Jones – Vice-chair

Councillors: Councillors Gwen Griffith, Louise Hughes, Dyfrig Wynn Jones (left the Committee at 2:30pm), 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 R. H. Wyn Williams, Eric Merfyn Jones, Charles Wyn Jones, Aled Evans, Angela Russell, Gweno Glyn and John Wyn Williams (Local Members).

Also present: Aled Davies (Head of Regulatory Department), Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Gareth Roberts (Senior Transportation Development Control Officer), D. Gareth Jones (Senior Planning Officer – Minerals and Waste), Idwal Williams (Senior Development Control Officer), Iwan Evans (Senior Solicitor) and Lowri Haf Evans (Member Support and Scrutiny Officer).

Apologies: Councillors Endaf Cooke, Elwyn Edwards, Siân Gwenllïan (Local Member).

2. DECLARATION OF PERSONAL INTEREST

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

- Councillor Dafydd Meurig, in item 5 on the agenda (planning application number C14/0002/16/LL), because the applicant was a friend of his.
- Councillor Gweno Glyn (Local Member), in item 5 on the agenda (planning application number C13/0786/32/MW), because her parents' home was located within 500m of the development.

The members were of the opinion that it was a prejudicial interest, and they 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 R. H. Wyn Williams (not a member of this Planning Committee) in relation to item 5 on the agenda, (planning application number C13/0403/39/LL and C14/0306/39/LL);
- Councillor Eric Merfyn Jones (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C13/0920/17/LL);
- Councillor Gwen Griffith (a member of this Planning Committee) in relation to item 5 on the agenda (planning application C14/0002/16/LL);
- Councillor Charles Wyn Jones (not a member of this Planning Committee) in relation to item 5 on the agenda, (planning application number C14/0100/23/LL);
- Councillor John Wyn Williams (Boundary Member), (not a member of this Planning Committee), in relation to item 5 on the agenda (planning application number C14/0106/20/LL);
- Councillor Aled Evans (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application C14/0210/41/AM);

- Councillor Angela Russell (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C14/0304/38/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.

3. URGENT ITEMS

Nothing to note

4. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 19 May 2014, as a true record.

5. PLANNING APPLICATIONS

The Committee considered the following applications for development.

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

Application number C13/0036/13/AM - Austin Taylor Communications Ltd, High Street, Bethesda

Outline application to demolish existing buildings and erect 37 dwellings and create an estate road.

- (a) The Senior Planning Service Manager elaborated on the background of the application and noted that the application had been submitted to the Planning Committee on 28.4.2014. The application had been refused contrary to the recommendation on the grounds of the lack of local need for housing, no specific statistics regarding the local need, that the site had not been on the open market for a sufficient amount of time to justify the loss of an industrial site and the detrimental impact on the Welsh language. The matter had been referred to a cooling off period in accordance with the Committee's standard orders.
- (b) It was explained that the application was being resubmitted in order to highlight the planning policy issues, potential risks to the Council and potential options for the Committee before it reached its final decision. Attention was drawn to the National Planning Policy and Local Policies and the reasons for refusal were elaborated upon in detail and it was noted that the cooling off report included all the evidence which showed that there was no justification to refuse the application for the reasons noted.

The Committee was reminded that there should be strong reasons and evidence to reverse the recommendation on an application that corresponds with the Unitary Development Plan and the Welsh Government's specified planning policies.

The Senior Manager emphasised that no evidence had been submitted which supported any of the reasons for refusal proposed by the Planning Committee. Consequently, refusing the application created substantial financial risks to the Council. If the application would be refused for the reasons proposed, in all likelihood the applicant would lodge an appeal. The appeal would be likely to be approved and the appellant would make a request for costs against the Council for acting unreasonably as there would be no evidence to support the reasons for refusal.

Once again, the Senior Manager emphasised that refusing the application would very likely lead to costs amounting to tens of thousands of pounds against the Council and in order to avoid this risk, as the evidence showed that the application complied with the UDP and

national policies, the recommendation to the Council was to delegate powers to recommend to the Welsh Ministers to approve the application subject to a 106 agreement (affordable housing) and relevant planning conditions.

- (c) 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 considerable time;
 - That he accepted that the development responded to the need in the Bangor Catchment Area, rather than in the Ogwen Valley specifically.
 - That there was a lack of quality housing available in the area – a development like this would address that issue.
 - That he would wish for more affordable housing to be included in the plan; however, taking the substantial costs associated with the plan into account, he appreciated that seven affordable houses was acceptable.
 - That there was potential for the development to make a positive contribution to the Welsh language and to the area.
- (ch) 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;
 - A good opportunity to obtain quality housing for local people – quality housing for Bethesda and the Ogwen Valley to be welcomed.
- (dd) The following observations were noted contrary to the recommendation:
- Concerns relating to the impact on the Welsh language;
 - The development would respond to the need for housing in the Bangor Catchment Area, not that of the Ogwen Valley.
 - Approving the application would mean the loss of an industrial resource.
 - That the percentage of affordable housing within the development would be low. Would it be possible to ensure that the Affordable Housing were rented housing / offered a deposit plan?
- (e) The Senior Planning Service Manager responded to the observations as follows:
- 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 and viability issues. 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;
 - The Planning Department would not be able to ensure that the Affordable Housing were rented housing, but it was possible that housing associations would be responsible for the Affordable Housing.
 - That protected industrial land sites were already included in the Unitary Development Plan and that there was no need to allocate further industrial land. The land had not been protected for this use in the UDP and it would not be protected in the Joint UDP either.

- (f) Proposed and seconded to accept the recommendation to delegate powers to the Senior Planning Manager to approve the application. In accordance with Procedural Rule 22(6), the following vote was recorded:

In favour of the proposal to approve the application, (8) Councillors: Gwen Griffith, Louise Hughes, Anne Lloyd Jones, June Marshall, Dafydd Meurig, Michael Sol Owen, John Pughe Roberts, Eirwyn Williams

Against the proposal to approve, (2) Councillors: Gruffydd Williams, Owain Williams

Abstaining (2) Councillors Hefin Williams and Eurig Wyn

RESOLVED to delegate the right to the Senior Planning Manager to recommend that the Welsh Ministers approve the application subject to the applicant signing a Section 106 legal agreement for the provision of an element of affordable housing and planning condition relating to:-

1. **Time**
2. **Time (three years reserved matters)**
3. **Reserved matters to be submitted**
4. **Slates on the roof**
5. **Agree on external materials**
6. **Sustainable homes code**
7. **Parking areas**
8. **A buffer area must be provided in accordance with the ecological report**
9. **Landscaping Scheme**
10. **Welsh Water conditions**
11. **The finished floor levels to be agreed with the LPA**
12. **The flooding swale to be maintained in order that it works effectively.**
13. **The access details between the site and the highways to be agreed prior to commencement of the work and no property to be occupied until the work on the access has been completed.**
14. **A safety inspection to be provided and agree on any safety measures with the Council's transportation unit.**
15. **Size of the estate road**
16. **It will be ensured that surface water will be prevented from running from the site curtilage to the highway.**
17. **No vegetation/plants to be cleared from the site during the nesting season.**
18. **Removal of permitted delegated rights from the affordable units**
19. **Boundaries**
20. **Complete the development in accordance with the ecological report.**

2. Application number C13/0403/39/LL – White House Hotel, Abersoch

Demolition of existing hotel, construction of a mixed-use structure incorporating a spa facility and a 42 bedroom hotel, a restaurant/bar and 18 residential apartments with associated car parking, servicing areas and landscaping.

The Senior Planning Service Manager elaborated on the background of the application. It was noted that the decision had been deferred at the Planning Committee held on 19.5.2014, in order to provide an opportunity to negotiate with the applicant in order to obtain a larger contribution towards affordable housing.

Attention was drawn to the additional observations received through a letter dated 6.6.2014 by the agent, noting that the applicant was keeping to his stance that any type of contribution towards affordable housing would have a detrimental impact on the viability of the plan to the

extent that it would not go ahead. The agent considered that evidence to reinforce this had been submitted and that considering policy CH4 allowed for flexibility in terms of the affordable proportion. It was confirmed that an offer of £150,000 was the maximum that the applicant could afford to offer and that this would be the final offer.

The Senior Manager noted that a number of planning considerations were relevant to the application; however, it was likely that matters relating to the economy and affordable housing were the main considerations.

- (a) In relation to the economy, there was no doubt that the plan would create a number of direct jobs during the construction phase and the implementation phase; but it would also create indirect jobs by using local suppliers and produce. Also, the plan would make a substantial contribution towards regenerating the area and would contribute towards realising the Council's broader strategic objectives in terms of the tourism economy. The Senior Manager noted that the Economy and Community Department was fully supportive of the application and he confirmed, based on the evidence submitted by the applicant, that the development would have a positive economic impact on Abersoch and the area.

In terms of affordable housing matters, the Senior Manager noted that the proposed plan included 18 open market living units, with a final contribution of £150,000 towards affordable housing off the site. He emphasised that there was undoubtedly a problem in the Abersoch area in terms of housing affordability and that there was a need for affordable housing in the area. He noted that the applicant had not proven his case in terms of the viability argument, and based on a contribution of only £150,000, the application did not comply with the UDP's policies that related to affordable housing.

- (b) The Senior Manager explained that there was a need to weigh up the economic benefit deriving from the development against the lack of affordable housing provision. Despite the economic benefit, he noted that the provision of affordable housing was a priority for the Council, in particular in an area such as Abersoch, and it was considered that the provision for affordable housing as part of the development was unacceptable, and thus, this outweighed the economic benefit. Consequently, the development would not comply with the Gwynedd Unitary Development Plan.
- (c) The local member (not a member of this Planning Committee) expressed support for the application and he made the following main points:-
- That the applicant did not have additional money to offer as he was contributing £1.5 million to the local economy already.
 - The investment of £7.8 million and 65 jobs in the area could not be disregarded.
 - The Hotel would:
 - promote the Welsh language by appointing local staff and installing Welsh signs within the development
 - introduce an apprenticeship scheme and offer training in the catering field
 - use local produce
 - Refusing the application would deprive the community – local support to the venture was increasing.
 - The broader advantages of the application had to be considered.
- (ch) Proposed and seconded to refuse the officers' recommendation and approve the application.
- (d) The following observations were noted in favour of the application:
- Employment and investment to the area to be welcomed – a good opportunity to attract tourists to the area and strengthen the economy
 - The opportunity was too good to miss as such opportunities did not come up often in Gwynedd in terms of a quality and grand provision.

- The site, as it stood, deteriorated on a daily basis in terms of its appearance.
- A condition needed to be imposed to develop the hotel first, rather than the houses.

(dd) The following observations were submitted against the application:

- Very disappointed with the low contribution of £150,000 towards affordable housing, considering the value of the plan and the likely prices of the 18 open market living units.
- The offer of £150,000 was insulting. The applicant needed to provide robust evidence to support his views relating to viability. The contribution was insufficient.
- Concern that the jobs would not be ones for local people – seasonal jobs on minimum wage.

(e) Proposed and seconded to approve the application contrary to the officers' recommendation. In accordance with Procedural Rule 22(6), the following vote was recorded:

In favour of the proposal to approve the application, (6) Councillors: Louise Hughes, Anne T. Lloyd Jones, June Marshall, Dafydd Meurig, Michael Sol Owen, Hefin Williams

Against the proposal to approve, (8) Councillors: Gwen Griffith, Dyfrig Wynn Jones, William Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Owain Williams, Eurig Wyn

Abstaining, (0)

The proposal fell.

(e) Proposed and seconded to approve the officers' recommendation to refuse the application. In accordance with Procedural Rule 22(6), the following vote was recorded:

In favour of the proposal to approve the officers' recommendation, (9) Councillors: Gwen Griffith, Dyfrig Wynn Jones, W Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, Owain Williams, Eurig Wyn

Against the proposal to approve the officers' recommendation, (5) Councillors: Louise Hughes, Anne T. Lloyd Jones, June Marshall, Dafydd Meurig, Michael Sol Owen

Abstaining, (0)

RESOLVED to refuse the application in accordance with the officers' recommendation.

Reason:

There is no evidence that proves that it would not be viable for the plan to include an element of a contribution towards affordable housing and the financial contribution offered is not sufficient; therefore, the proposal is contrary to Policy CH4 of the GUDP and the Supplementary Planning Guidance: Affordable Housing (November 2009).

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

Erection of a wind turbine measuring 20.5m to the hub, total height of 27.1m to blade tip.

Members of the Committee had visited the site before the meeting.

(a) The Development Control Manager elaborated on the background of the application and drew attention to the fact that this was a proposal to erect a wind turbine (20.5m to the hub, maximum of 27.1m to the blade tip), located on agricultural land less than 1km to the south of the existing two turbines located on Caernarfon Airfield. It was noted that the application was acceptable in principle and in accordance with the criteria of policy C26 of the Unitary Development Plan.

However, members' attention was drawn to policy CH27 which was a specific policy that protected the amenities of Caernarfon Airfield. The policy stated that proposals that were likely to have an unacceptable impact on the ability of Caernarfon Airfield to operate safely and effectively would be refused.

- (b) It was acknowledged that the evidence provided by the Manager of Caernarfon Airfield to object to the application based on policy CH27 was weak; however, in a statement from the Civil Aviation Authority it was confirmed that the Airfield Manager was the competent person to provide specialist observations on the application.
- (c) Taking advantage of the right to speak, the objector noted the following main points:-
- That the size of the turbine needed to reflect the demand. That the application was one for domestic use; however, the size of the turbine was more suitable for commercial use.
 - Health and Safety was paramount to the Airfield.
 - The turbine was likely to cause danger to the aeroplanes and helicopters using the site and could place the decision to bring the Air and Sea Rescue Service there in jeopardy.
 - It was anticipated that the turbine would be a distraction to pilots.
- (ch) Taking advantage of the right to speak, the applicant's representative noted the following main points:-
- That there was insufficient evidence to prove the claims that the turbine was likely to pose a risk to aircraft – only suspicions.
 - That the officers were responding to concern rather than analysing robust evidence.
- (d) The local member (not a member of this Planning Committee) objected to the application and he made the following main points:-
- Several sites were located within 500m of the turbine (including the Airfield's boundary fence)
 - Consideration had to be given to health and safety.
 - It was a domestic use application; however, the size of the turbine generated a commercial use output.
 - The existing wind turbines near the airfield could be controlled in emergency situations.
 - The turbine's location in open countryside.
- (dd) It was proposed and seconded to refuse the application.
- (e) The following observations were noted in favour of the application:
- Further observations / definitive evidence were required from the Airfield.
 - The Airfield had wind turbines already and it seemed as if they were objecting to other applications.
- (f) The following observations were noted in favour of refusing the application:
- The duty on the Committee to protect the AONB.
 - A popular beach nearby – the turbine likely to have a detrimental impact.
 - Consideration must be given to policy CH27 – protection of the amenities of Caernarfon Airfield.

RESOLVED to refuse the application.

Reason:

Adequate information has not been submitted to prove beyond doubt that the proposed development would not have a harmful effect on the ability of Caernarfon Airfield to operate safely and effectively, therefore the proposal is contrary to policy A3 and CH27 of the UDP.

4. Application No. C14/0002/16/LL – Ysgubor y Gelli, Lôn y Wern, Tregarth, Bangor.

Application for the change of use of existing outbuildings which are used as an office and photography studio to a residential dwelling, along with the erection of extensions and creating external alterations.

- (a) The Senior Development Control Manager elaborated on the background of the application and drew attention to the fact that insufficient evidence had been submitted as part of the application to prove beyond all doubt that there was no suitable economic use for the buildings that were the subject of the application. It was not considered that a local community need for an affordable house has been proved and the proposal did not reflect the floor area of an affordable house. It was also noted that the protected species report had been prepared during the wrong season; therefore, there was insufficient evidence to assess the impact. It was highlighted that the proposal was contrary to policies C1, CH12, B4, B22, B23, B24, C4 and B20 of the Gwynedd Unitary Development Plan.
- (b) Attention was drawn to the additional observations received.
- The Community Council had now questioned the size of the development
- (c) Taking advantage of the right to speak, the applicant noted the following points:-
- That he had no objection to re-conducting the species survey.
 - The intention was to provide a home for his family.
 - Relevant adaptations had been implemented (in line with the previous permission).
- (ch) The local member (a member of this Planning Committee) supported the application and she noted the following main points:-
- Important to restore the buildings
 - Requested that the officers collaborated with the applicant to rectify the situation and discuss conditions
 - She encouraged a site visit.
- (d) Proposed and seconded to approve the application (contrary to the recommendation), because:
- A former ruin had been restored and the work was in keeping with the area.
 - That a discussion needed to be held with officers to discuss the size of the development.
- (dd) The proposal to approve the application was withdrawn.
- (e) It was re-proposed to refuse the application with a condition that discussions were to be held between the officers and the applicant in an attempt to rectify the situation.

RESOLVED to refuse the application.**Reasons:**

1. **The proposal is contrary to policy C1 and CH12 of the Gwynedd Unitary Development Plan as well as the Supplementary Planning Guidance: Affordable Housing (2009) and Technical Advice Note 2: Planning and Affordable Housing (2006) because the site is located in open countryside, insufficient evidence has been submitted as part of the application to prove firstly, that an appropriate economic use cannot be secured for the buildings intended to be converted and no evidence at all has been submitted to prove the need in the local community for an affordable house or to prove that the applicant is in need of an affordable house. The proposed unit would offer a floor area which is substantially larger than the thresholds recommended in the Supplementary Planning Guidance - Affordable Housing for a four bedroom affordable house and, therefore, the size of the**

conversion does not reflect the size of an affordable house or ensures that the house continues to be affordable in perpetuity.

- 2. The proposal is contrary to the requirements of policies B4, B22, B23, B24 and C4 of the Gwynedd Unitary Development Plan, Gwynedd Design Guidance and Technical Advice Note 12: Design (2009), because the extensions and the new ancillary building are substantial, excessive and of a modern design that is not in-keeping with the character of the existing buildings and conservation area, and is of an unsuitable size for a proposal to convert traditional outbuildings and which is tantamount to overdevelopment of the site that is located within a conservation area and open countryside.**
- 3. The proposal is contrary to policy B20 of the Gwynedd Unitary Development Plan because no suitable and acceptable protected species report has been submitted as part of the application.**

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

Erection of new two bedroom dwelling and parking accommodation.

Members of the Committee had visited the site before the meeting.

Attention was drawn to the additional observations received.

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that the proposal involved erecting a two-storey house on a plot of land adjacent to the county road (Glanmoelyn Road) and on the Minffordd Estate within the development boundaries of Llanrug. The design was striking and suited the area. It was reiterated that an application to erect a two-storey dwelling had been refused in 2006 on the grounds of overdevelopment and visual amenities and it was believed that the current proposal was more acceptable based on its design. It was acknowledged that objections had been received on the grounds of overdevelopment and an increase in traffic on the Minffordd Estate.
- (b) Taking advantage of the right to speak, the applicant noted the following main points:-
 - That continuous collaboration with the Council would ensure the success of the application.
 - That the house was an extension of the existing estate.
 - It was an opportunity to create a home for her young family in a Welsh-speaking area.
- (c) The local member (not a member of this Planning Committee) objected to the application and he made the following main points:-
 - This was a plot of land, and not number 7 Minffordd as it had been referred to in the application.
 - A similar application had been refused in 2006 – inconsistent decisions if the application would be approved.
 - Too much risk of having a car reversing past five houses before having space to turn.
 - The residents of Minffordd Estate were concerned about the safety of children at play and a footpath used by school children – the proposal would lead to motorists driving over the footpath.
 - A petition had been signed by 74 people who objected to the application.
- (ch) It was proposed and seconded to approve the application.
- (d) The following observations were noted in favour of the application:

- It appeared that transportation issues constituted the main content of the objections and it could be seen from the report that the Transportation Unit did not object – the expertise of the officers had to be accepted.
- The design and location of the house on the site was different to the previous application made in 2006 and thus it was more acceptable.

(dd) The following observations were submitted against the application:

- Concern regarding the lack of parking space considering the public footpath

(e) It was proposed and seconded to approve the application.

In accordance with Procedural Rule 22(6), the following vote was recorded:

In favour of the proposal to approve the application, (10) Councillors: Gwen Griffith, , Anne T. Lloyd Jones, June Marshall, Dafydd Meurig, Michael Sol Owen, W Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams

Against the proposal to approve, (3) Councillors: Louise Hughes, Owain Williams, Eurig Wyn

Abstaining, (0)

RESOLVED to approve the application.

Conditions:

Five years

In accordance with the plans

Natural slate

External materials

Withdrawal of permitted development rights

Sustainable homes conditions

Road safety conditions

Welsh Water standard conditions

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

Amended plan to erect a partially-constructed, but unfinished, house.

The members of the Committee had visited the site prior to the meeting and had been given an opportunity to gain access to the adjacent property and its garden in order to consider the impact of any overlooking.

- (a) The Development Control Manager elaborated on the background of the application and noted that it was a full application to erect a three-storey house that had been constructed without complying in full with plans approved for a two-storey house on the site of a previous two-storey cottage. The site formed a long plot of land on a steep slope adjacent to a public footpath. It was noted that objections had been received based on the impact on the amenities of nearby residents.
- (b) The local member (who was not a member of this Planning Committee) made the following observations:
- That the application was in relation to a retrospective application and enforcement steps.
 - That the house was not located along the same line as nearby houses.
 - That the house was of a substantial size and was different to its surroundings.
 - Agreed with the conditions, if approval was given, that the windows along the north-eastern gable end could not be opened, on the first floor and above.
 - There was a need to ensure that the applicant adhered to the conditions.

Proposed and seconded to approve the application subject to the conditions noted in the report but with one of the conditions amended to ensure that the windows on the south-western gable end remained closed and not to install any windows on that gable end.

RESOLVED to approve the application.

Conditions:

1. **Withdrawal of permitted development rights;**
2. **No windows in the north-eastern gable end on first floor or higher level;
To close the windows on the south-western gable end and not to subsequently install any windows on that gable end;**
3. **The pedestrian access on the ground floor level of the north-eastern gable end to be closed up permanently with blocks, and the external elevation to be finished in a material and colour that is in keeping with the remaining external walls of the property within 1 month of the date of occupying the dwelling house.**

7. Application no. C14/0210/41/AM – Former Afonwen Laundry Site, Afonwen, Pwllheli

Outline application to demolish existing buildings and erect 13 houses (re-submission following the refusal of application C13/0599/41/AM). It was noted that an appeal had been lodged against the decision to refuse application C13/0599/41/AM.

- (a) The Development Control Manager expanded on the background of the application. It was outlined that there were no changes to the plans that had been previously refused; however, it was noted that there were some changes to the background documents. It was considered that the application proposal did not comply with the requirements of policies C1, C3, C5, CH9, B23 or B29 of the Unitary Development Plan because of its location in the countryside and because it was not located within any development boundary. It was noted also that a Development Brief had been prepared for the site and that this did not refer to redevelopment for housing.
- (b) Taking advantage of the right to speak, the applicant's representative noted the following points:-
- Attention was drawn to the fact that Policies C1 and C5 were consistent with the brief.
 - That the application should be accepted because of exceptional circumstances.
 - The site needed to be developed – the condition of the site was very poor.
- (c) The local member (not a member of this Planning Committee) objected to the application and he made the following main points:-
- A similar development had already been approved in Chwilog.
 - It would create an urban feature – no capacity to maintain it.
- (ch) It was proposed and seconded to refuse the application.
- (d) The following observations were noted in favour of the recommendation to refuse the application:
- It would create an urban feature – no facilities such as a shop, school to serve the development.
 - The site should be redeveloped in accordance with the Brief for employment purposes, not housing.

RESOLVED to refuse the application.

Reasons:

1. **The proposal is contrary to the requirements of Policy C1, C3, C5, CH7 and CH9 of the Gwynedd Unitary Development Plan along with Planning Policy Wales, Chapter 9**

– Housing as it involves erecting new housing in open countryside without any justification.

2. The proposal is contrary to the requirements of Policy B23 and CH9 of the Gwynedd Unitary Development Plan as the development would create a standalone urban feature, that would be disconnected from any village or development patterns and unsympathetic to its countryside location and harmful to the area's visual amenities.
3. The proposal is contrary to the requirements of Policy B29 of the Gwynedd Unitary Development Plan and Technical Advice Note 15 as part of the site is located within a C2 flood zone and there is no justification for the development in this location.

8. Application no. C14/0304/38/LL – Crugan Holiday Park, Llanbedrog

Amend condition 5 of planning permission C06D/0117/38/LL in order to use the site for holiday use throughout the year.

- (a) The Development Control Manager elaborated on the background of the application and noted that there was no intention to add to the number of caravans on the site, only to extend the occupation period for holiday use only. There would be no alterations or additions to the existing facilities on the site. It was noted that the owners / operators of the caravan park would keep an up-to-date register, record and licence agreements with the names of all owners / occupiers of the caravans on the site and the addresses of their main residences. The information would be available at all reasonable times to the Local Planning Authority. Attention was drawn to a recent appeal that had been approved (Ocean Heights), which related to the same principle.
- (b) The local member (not a member of this Planning Committee) objected to the application and she noted the following main points:-
 - The Community Council strongly opposed the application.
 - The Local Planning Authority did not have sufficient resources to monitor the situation.
 - What would be the penalty if rules were breached?
 - Proposed a public inquiry into the matter – the Welsh Government's policy undermined the culture and language of the communities of Wales.
- (c) It was proposed and seconded to approve the application.
- (ch) The following observations were noted in favour of the recommendation to approve the application:
 - It needed to be ensured that the Planning Committee was consistent in its decisions.
 - Concerns were appreciated – monitoring issues were obvious; however, conditions could ensure more control over the existing situation.

RESOLVED to approve the application.

Conditions:

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.

9. Application no. C14/0306/39/LL – Haulfryn Talyfan, Abersoch

Amend condition 3 of planning permission C06D/0116/39/LL in order to use the site for holiday use throughout the year.

- (a) The Development Control Manager elaborated on the background of the application and noted that this was an application to extend the occupation period for holiday use only. There would be no alterations or additions to the existing facilities on the site. It was highlighted that the agent had enclosed documents in the application to explain the measures which the applicant had in place to ensure holiday use only. Attention was drawn to a recent appeal that had been approved (Ocean Heights), which related to the same principle.
- (b) The local member (not a member of this Planning Committee) objected to the application and he made the following main points:-
- The response to the consultation was incomplete and thus, these types of applications should be deferred.
 - The occupiers of the caravans should pay the full Council tax rates.
 - Relevant rules needed to be put in place.
 - Concern regarding the Local Authority's ability to monitor the situation. Proposed that introducing a fee for a licence that lasted for one year should be considered as a management tool.

In response to the observations, the Senior Planning Service Manager noted that the Council had responded to the consultation on the Holiday Caravan Bill and that he had attended a Welsh Government Committee to provide evidence and highlight the concerns of some members about the misuse of caravan parks. He noted that the application had to be dealt with in accordance with the relevant legislation and policies in force and that there was no justification to defer the decision in anticipation of the Bill becoming legislation. He explained that he agreed with the observations in terms of the Council's lack of resources to monitor all caravan sites; however, the Service did monitor on a sample basis and investigated all complaints in relation to caravan parks. Nevertheless, he emphasised that lack of resources was not a planning reason and that there would be no justification for refusing on those grounds. Furthermore, he emphasised that based on the number of decisions on similar applications, in particular the application in Ocean Heights, Chwillog, that the principle had been established and that there was no planning justification to refuse the application. He would have no option but to refer the matter to a cooling off period if the Committee would resolve to refuse the application.

- (c) It was proposed and seconded to approve the application.
- (ch) The following observations were noted in favour of the recommendation to approve the application:
- It needed to be ensured that the Planning Committee was consistent in its decisions.
 - There was a need to ensure that these places were being monitored.
 - There would be no increase in the number of units that would lead to having an impact on the AONB.
- (c) The following observations were noted in favour of refusing the application:
- The Planning Committee should make a strong stance regarding its feelings about the Welsh Government's Planning Bill. The language and culture of Wales should be Planning elements.
 - Approving the application would set a precedent.
 - No need for caravan parks to be open for 12 months a year.

RESOLVED to approve the application.

Conditions:

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.

10. Application no. C13/0786/32/MW – Nanhoron Granite Quarry, Nanhoron, Pwllheli

Reactivation of granite quarry together with a change of use of the former Nanhoron block yard to a mineral processing facility and waste transfer station for the importation, processing and storage of construction and demolition waste/recycled aggregate.

- (a) The Senior Planning Officer – Minerals and Waste elaborated on the background of the application and referred to the need to give full consideration to the application that was located within the AONB. It was noted that the minerals policy stated that applications to extend current quarries in the AONB would only be approved in exceptional circumstances. However, granite products from Nanhoron Quarry had served the community for a long period of time and had provided aggregates, walling stone and dimension stone in accordance with Policy 20 of the Unitary Development Plan and had retained the character of communities near the AONB with a unique product that was in keeping with traditional materials so that local buildings and features could be retained.
- (b) It was proposed and seconded to approve the application.
- (c) The following observations were noted in favour of the recommendation to approve the application:
- Retention of local minerals that were innate to the area
 - The quarry was not visibly prominent

RESOLVED to authorise delegated powers to the Planning Manager to grant Planning Permission subject to resolving the outstanding matters relating to noise, with the following conditions:

- **Duration of working, 25 years from the commencement date, 31 December 2039;**
- **Relocation of the site access of the former brick and block plant within three years from the permission date;**
- **Permitted operations and compliance with submitted Details / Plans;**
- **Method of working, blast limitations and notice of blast events;**
- **Restriction of blasting during the bird nesting season;**
- **Monitoring of a building for the presence of the Lesser Horseshoe Bat;**
- **Mark out the extraction area and the alignment of the *clawdd* wall;**
- **Restoration of traditional Pen Llŷn *clawdd* wall specifications and drawings to be submitted for the approval of the MPA;**
- **Confirmation of final face positions and benching by reference to scale plans and sections;**
- **Scheme of restoration blasting, tree planting and a detailed habitat creation and restoration plan;**
- **Five yearly review of operations;**
- **Soil conservation, location and quantity of soil/restoration media held in storage areas;**
- **Maintain natural screen of mature trees and shrub along the eastern side of the brick and block site;**
- **Limitation on the height of stockpiles within the former brick and block site to 5m;**

- **Five year aftercare plan to be agreed with the mineral planning authority;**
- **Surface water drainage infrastructure to be installed with the agreement of the planning authority;**
- **No extraction below the water table in the absence of a Hydro geological Impact Assessment;**
- **Scheme of archaeological recording and mitigation to be agreed and implemented;**
- **Restriction of working Monday to Friday from 7:30am to 4:30pm and 7:30am to 12:30pm on a Saturday, with no working on Sunday or Bank Holidays;**
- **Restriction on blast limits and blasting times;**
- **Restriction on daily haulage movements to five loads per day (total of 10 movements), 18,000tpa mineral and throughput of 10,000tpa C&D Waste;**
- **Dust controls and noise limitations;**
- **Inclusion of specific noise limitations for noise-sensitive properties;**
- **All plant and machinery to be in good working order and fitted with appropriate silencers;**
- **All equipment fitted with white noise reversing alarms;**
- **Noise monitoring undertaken by the operator in agreement with the local planning authority;**
- **Notification of noise levels for emergency working for a specific period within a twelve-month cycle;**
- **Measures for the control of Japanese Knotweed to be submitted for the approval of the MPA;**
- **Provision for the diversion of footpath No. 61;**
- **Note to applicant concerning the additional remit of NRW and Public Protection;**
- **Archaeological mitigation and recording of the existing industrial remains.**

The meeting commenced at 1pm and concluded at 5:35pm