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## PLANNING COMMITTEE 6/07/15

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**Present: Councillor Anne Lloyd Jones – Vice-chair**

**Councillors:** Endaf Cooke, Elwyn Edwards, Gwen Griffith, Dilwyn Lloyd, June Marshall, W. Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, John Wyn Williams (seconder), Owain Williams and Eurig Wyn.

**Others invited:** Councillors Lesley Day, E. Selwyn Griffiths, Eric M. Jones and R. H. Wyn Williams (Local members).

**Also in attendance:** Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Gwenan Jones (Senior Development Control Officer), Rhun ap Iarll (Senior Solicitor) and Bethan Adams (Member Support and Scrutiny Officer).

**Apologies:** Councillors Dyfrig Wynn Jones and Michael Sol Owen and Councillors D. Gwynfor Edwards, Aled Ll. Evans and Llywarch Bowen Jones (Local Members).

### 1. DECLARATION OF PERSONAL INTEREST

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

- Councillor Gruffydd Williams, in item 5 on the agenda (planning application number C15/0034/37/LL) as his father owned a caravan park which was located less than six miles from the site;
- Councillor Owain Williams, in item 5 on the agenda (planning application number C15/0034/37/LL) as he was the owner of a nearby caravan park which was located less than six miles from the site.

The Members were of the opinion that they were prejudicial interests, and they withdrew from the Chamber during the discussion on the applications noted.

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

- Councillor Lesley Day (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application C15/0016/11/LL);
- Councillor Eric M. Jones (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C15/0233/17/AM);
- Councillor R. H. Wyn Williams (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application C15/0246/39/LL);
- Councillor E. Selwyn Griffiths (not a member of this Planning Committee) in relation to item 5 on the agenda (planning application number C15/0375/44/LL).

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

### 2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 15 June 2015, 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.

#### RESOLVED

#### 1. Application number C13/0953/13/LL – Tŷ Bach, Salem Place, Llanllechid, Bangor

Erection of a first-floor extension.

- (a) The Development Control Manager elaborated on the background of the application, noting that the proposal was suitable in terms of size, design and external materials and it was not considered that the proposal was likely to have a more detrimental impact on the amenities of any neighbouring residents or properties than the existing property.

The development complied with the Gwynedd Unitary Development Plan (GUDP) for the reasons noted in the report.

#### RESOLVED to approve the application.

Conditions

1. Five years
2. Ensure that the development is completed in accordance with the plans submitted
3. External materials to match the existing property
4. Withdrawal of permitted rights

Party wall note

Welsh Water Note

#### 2. Application number C15/0016/11/LL – The Three Crowns, 3 Well Street, Bangor

Change use and extend existing A3 public house to 15 self-contained student accommodation units.

- (a) The Development Control Manager elaborated on the background of the application, noting that the building had been used in the past as a public house, but it was currently empty following fire damage in the last few years. It was noted that the proposal involved constructing an extension above part of the existing ground floor to provide additional floors with the design in-keeping with the rest of the building.

Attention was drawn to the additional observations that had been received.

It was noted that the application area specifically formed part of Bangor High Street, with various flats above shops and commercial buildings, with a residential area directly near the site which is popular with students, with a number of the conventional housing units being used by students rather than local families.

It was reported that the Joint Planning Policy Unit had been gathering evidence in order to facilitate the work of forming a policy in the proposed Joint Local Development Plan. It was noted that the latest details in terms of the number of housing units used by students, houses of multiple occupation and appropriate accommodation for students that existed in the Deiniol ward had been noted in an amended version of Appendix 1 of the additional observation sheet.

It was noted that there was clear evidence to prove the need for purpose-built student accommodation, and it was considered reasonable that providing purpose-built accommodation would mean that students would choose to live in the purpose-built accommodation rather than conventional housing. It was not considered that approving the proposal would cause an imbalance in the local population, especially given its location in the City centre and behind the High Street. It was not considered that the development would cause significant harm to the local area's character and amenities.

It was considered that the proposal was a plan that ensured the future of a considerably substantial building in Bangor and conformed to all relevant policies in the GUDP and that the proposal was unlikely to have a significant detrimental impact on the amenities of the local area nor on any nearby property.

(b) The following main points were made by Councillor Lesley Day who was acting as a local member (who was not a member of this Planning Committee):-

- There were 3 elements to her objection to the development namely – the lack of demand for student accommodation, impact on local amenities and the community and an over-development of the site and the impact on local residents;
- Student numbers had decreased annually since 2011-12;
- She had received information from the University's Vice-chancellor that there was approximately 8,500 full-time students and that the number of part-time students was irrelevant as it was unlikely that they would require accommodation;
- The President of Bangor Students Union had informed her that they had a new policy noting there was no need or desire for more student accommodation;
- There was plenty of accommodation for students in Bangor with provision for at least 8,878 students in different forms and that this did not include accommodation in Bethesda, Menai Bridge or nearby areas;
- The Joint Local Development Plan recommended that no more than 25% of student accommodation should be in the Deiniol Ward but there was more purpose-built student accommodation and houses of multiple occupation already with 1540 beds. Although the plan was not in place it should be considered and work should be undertaken towards it;
- Purpose-built student accommodation was more expensive than private houses of multiple occupation;
- The University and students were welcomed in Bangor;
- Council tax was not paid on student accommodation and they used more services than ordinary residents and in a period of service cutbacks this was relevant;
- Policy CH33 of the GUDP needed to be addressed and it was anticipated that pedestrian access would be difficult when the construction work would take place given that lorries delivered goods to the shopping centre;
- Policy C4 of the GUDP – She had concerns in terms of safety and that the building with the proposed extension would not be large enough for 15 units;
- Policy B24 of the GUDP – The size and design of the building was unsuitable with some rooms being very small and there was no fire escape;
- Policy CH30 of the GUDP – There was no access for everyone;
- Policy A3 of the GUDP – There were so many houses of multiple occupation in the area and this proposal would add to the decimation of Ffordd y Ffynnon community which were able to share their Welsh culture and history in the public house;
- She asked the Committee to refuse the application.

It was proposed and seconded to refuse the application contrary to the officers' recommendation as the proposal would be an over-development of the site and would have a detrimental impact on the amenities of local residents and the area.

(c) During the discussion, the following observations were made:

- A high density in terms of the numbers of accommodation in the development would mean that some rooms would be small;
- There was a lack of parking spaces;
- The information submitted by the Local Member was welcomed and it was agreed that there was a lack of demand for student accommodation;
- Concern in terms of safety as only a single set of stairs was proposed to be included in the development;
- Given the fire that had occurred in the building, there was a concern regarding fire safety as the inclusion of a fire escape had not been proposed;
- The building had not been for sale long enough for someone to buy it and keep it as a public house or for another use;
- There was a lot of accommodation for students in the area and that the Local Member's statistics indicated there was no need for more;
- They had not been persuaded in terms of the demand for student accommodation;
- There was a need to recognise that students at Ysbyty Gwynedd as well as Bangor University needed accommodation;
- Reference was made to an application in relation to a public house in Felinheli which had been considered by the Committee on more than one occasion as the building had not been for sale for long enough.

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

- The building was currently empty and there was no specific planning policy involved with safeguarding the current use;
- The development would require a building regulation permission and licences in relation to fire and health and safety matters;
- The proposed use was acceptable;
- Statistics from the Joint Planning Policy Unit evidenced the need;
- In relation to the public house in Felinheli, there was a services protection policy for villages but there was no similar policy for Bangor City.

(d) In response to a question from a member regarding the Linguistic and Community Statement, the Senior Solicitor noted that the Supplementary Planning Guidance: Planning and the Welsh Language requested that developers provided a statement for some applications which was in addition to what was noted under Technical Advice Note 20 – The Welsh Language of Planning Policy Wales.

**RESOLVED to refuse the application contrary to the officers' recommendation.**

Reasons:

The proposal would be an over-development of the site.

Policy CH39 of the GUDP – the proposal would have a detrimental impact on the amenities of local residents and the area.

### **3. Application number C15/0034/37/LL – Parc Elernion Caravan Park, Trefor**

Conversion of existing toilet block into a holiday accommodation unit, the erection of a new toilet block, the siting of two static caravans, the siting of five touring caravans, associated parking area and landscaping.

(a) It was reported that the applicant's agent had been in contact on the morning of the meeting noting that they now wanted to amend their application to request the siting of one additional static caravan instead of two. It was noted that the amended plans had not been accepted and that a re-consultation and re-assessment were required, therefore, it was requested that the application be deferred.

**RESOLVED to defer the application.**

**4. Application number C15/0233/17/AM – Land near Bryn Llan, Llandwrog**

Outline application for the erection of nine dwellings to include three affordable dwellings and improvements to existing access.

- (a) The Senior Development Control Officer elaborated on the background of the application, noting that the application site was within the development boundary of Llandwrog and had been specifically allocated for housing in the GUDP.

It was noted that all of the properties would be two storey houses and attention was drawn to the additional observations received.

Also, reference was made to the Transportation Unit's recommendation that a condition should be imposed to provide a footway (to be adopted as a highway) along the front of the site. It was noted that it was possible that this would mean felling trees and clearing/moving a *clawdd*, but following concerns from the Biodiversity Unit the applicant's agent had confirmed that there was no intention to fell trees. It was added that the original boundaries, such as walls and '*cloddiau*', contributed as important features to the historic environment and should be retained.

It was reported that discussions would continue with the Transportation Unit, and it was asked if it was decided to approve the application to delegate the right to the Senior Planning Manager to approve the application, that it should be done subject to receipt of favourable observations from the Transportation Unit and the Biodiversity Unit and imposing appropriate conditions.

The development complied with the GUDP for the reasons noted in the report.

- (b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That an outline application for the site had been approved in 2010 and that this was an application to renew planning permission;
  - That the application site had been allocated for housing;
  - That a linguistic assessment had been formed for the development;
  - That all buildings would be two-storey only;
  - That all houses would have a garage and a driveway and therefore there would be no impact in the area in terms of parking;
  - That the Cynefin Group had expressed interest in the development;
  - That the proposal would provide much needed housing in the area;
  - Requested that the application be approved.
- (c) The following main points were made by the local member (not a member of this Planning Committee):-
- That there was a feeling amongst locals that the houses would be over three-storeys, but that confirmation had been received that the development was for two-storey houses;
  - That concerns had been expressed in terms of the impact on the Maes Gwydion entrance, but confirmation had been received that there would be no impact on the entrance as parking provision had been included in the development;
  - That the proposal responded to requirements.

Proposed and seconded – to approve the application.

(ch) During the discussion, the following observations were made:

- Concerns in terms of cutting the hedgerows and the impact this would have on bats;
- That it was a shame that the road would not be adopted as a highway and that an agreement should be sought in terms of adopting it;
- That the class road in this area was winding, and therefore road safety should be ensured;
- There would be no problems in terms of parking as parking spaces had been included as part of the development;
- How affordable would the affordable houses be?

(d) In response to the above observations, the officers noted:-

- In terms of adopting the road as a highway, building it to a safe standard to enable its adoption was a matter for the developer;
- A further investigation would be necessary to determine the value of the affordable houses but that it usually meant a discount of around 30% on the value of open market housing in the area.

**RESOLVED to delegate the right to the Senior Planning Manager to approve the application subject to the applicant signing a Section 106 Agreement to ensure that three of the nine units are affordable houses for general local need together with discussing and receiving favourable observations from the Transportation Unit and the Biodiversity Unit, and to relevant conditions relating to:**

1. The commencement the development and submitting reserved matters
2. Materials and finishes
3. Access and parking
4. Landscaping
5. Removal of development rights for the affordable homes
6. Welsh Water/Natural Resources Wales (drainage)
7. Development to comply with the approved plans
8. Condition to safeguard trees and hedgerows.

## **5. Application no. C15/0246/39/LL – Harbour Hotel, Abersoch**

Construct four residential houses with ancillary work including access method and detailed landscaping (Unit 13 of permission C13/0736/39/LL to be relocated with this application and therefore the proposal included three additional houses).

(a) The Development Control Manager expanded on the background of the application, noting that the site was within an Area of Outstanding Natural Beauty (AONB) and within a Landscape of Outstanding Historical Interest.

It was reported that a Planning and Affordable Housing Statement had been submitted as part of the application where options put forward in discussions prior to submitting the application for providing affordable housing were outlined. It was noted that the three possible options were:

- Option 1 – Developing the site for 16 residential units with 12 of them being open market houses and retaining the four affordable houses (25%) approved under application C13/0736/39/LL.
- Option 2 – Developing the site for 18 residential units, namely 12 open market houses and six affordable flats/apartments.
- Option 3 – A commuted sum of £400,000 instead of the housing provision on the site.

The options had been discussed with the applicant and officers expressed that it was considered that the local need in Abersoch would be met and best served by option 1. The applicant had been advised to contact housing associations in order to get their opinions on this. It was noted that several housing associations were interested and that the Cynefin Group had expressed that houses would be a better choice than flats/apartments. Also, the Tai Teg list showed that there were 35 on a waiting list for three-bedroom houses compared with 14 looking for two-bedroom flats/apartments. It was considered that option 1 met the requirements in terms of ensuring a percentage of affordable housing on development sites, in accordance with policy CH4 of the GUDP.

It was noted that the design of the residential units in the current application reflected what had received permission in phase 1 of the development. It was added that although the design was contemporary in nature, this did not necessarily mean that it would cause significant harm to the AONB and it was considered that the proposal would not have more than a local impact on the Landscape of Outstanding Historical Interest.

The development complied with the GUDP for the reasons noted in the report.

- (b) Taking advantage of the right to speak, the applicant's architect noted the following main points:-
- Since commencing on phase 1 of the development, work had been undertaken to address ecological matters - the Japanese knotweed problem had been solved and the bat house was in place;
  - Trees had been planted to safeguard views from the site;
  - It had been intended to create a gabion wall covered in plants in order to improve ecology, but by now there was no need for a gabion wall on the north-eastern boundary of the site;
  - That the information gathered in terms of the affordable housing element had shown that three-bedroom houses of a high standard were favoured, and the Community Council supported this;
  - Discussions had been held with the Design Commission for Wales in terms of the design of the development;
  - The proposal was an comprehensive development that was in-keeping with the area.
- (c) The following main points were made by the local member (not a member of this Planning Committee):-
- He was pleased to see that the plan included four affordable houses;
  - Increasing the number would be an over-development of the site;
  - The design was more urban and was not suited to a village;
  - It was necessary to take note of the AONB Unit's observations and inform architects/the developer that a design such as this one would not be approved in the area of beauty;
  - That the report was comprehensive but that he had not been convinced that enough parking spaces had been included in the development;
  - It was difficult to refuse the application.

Proposed and seconded – to approve the application.

- (ch) During the discussion, the following main observations were made:
- The affordable houses should be marketed as houses for local people to buy rather than offering them to housing associations;
  - Object to the alien design and that not enough focus had been given to the AONB Unit's observations;
  - That a design that was in-keeping with villages was needed;

- Questioned why only 25% of the plan was affordable rather than the usual 30%.

(d) In response to the above observations, the officers noted:-

- That they had advised the applicant to contact housing associations in line with the Committee's wish in the past. Housing associations could either rent them or offer them to individuals as part of a shared-ownership scheme;
- That the scheme would not be viable if a request had been made for provision beyond the submitted options;
- The houses were of the same scale and design as the houses in phase 1 of the development that had already been approved by the Planning Committee.

**RESOLVED to approve the application.**

Conditions:

1. Commence within five years.
2. In accordance with plans.
3. Slates on the roof.
4. Agree details for external walls.
5. Agree on natural local stone for the gabion wall.
6. To implement the development in accordance with part 6 of the 'Harbour Hotel, Abersoch C13/0736/39/LL and C15/0246/39/LL update to Ecology and Method Statement: 29 April 2015.'
7. Within six months of the date of the permission, the approval of the Local Planning Authority in terms of the management plan must be received and submitted, as outlined in point 9 of the mitigation measures in the 'Harbour Hotel Aberoch: C13/0736/39/LL and C15/0246/39/LL update to Ecology and Method Statement: 29 April 2015.'
8. The work of eradicating Japanese Knotweed to be completed in accordance with part 6 of the Japanese knotweed Management Plan, dated 23 October 2013 prepared by Ben Lindley from Japanese Knotweed Ltd.
9. Separate drainage of surface and foul water from the site.
10. Not to permit surface water to link directly or indirectly with the public sewerage system unless agreed in writing with the Local Planning Authority.
11. Not to permit surface water land drainage to be discharged either directly or indirectly to the public sewerage system.
12. Prior to the residential units being occupied for the first time, the parking area must be completed in accordance with the plans and this area will not thereafter be used for any other purpose.
13. The use of the communal linear parking spaces to be restricted to cars only and the parking of boats, jet-skis, caravans and motorhomes is forbidden.
14. Complete the landscaping plan in accordance with the details submitted.

**6. Application no. C15/0301/30/LL – Fferm Bryn, Aberdaron**

To demolish existing agricultural building and construct a new agricultural shed to keep animals during the winter.

(a) The Senior Development Control Officer expanded on the application's background and noted that the site was located in the countryside and within the AONB and Landscape of Outstanding Historical Interest.

It was reported that the application was submitted before the Committee as an applicant's relative worked for the Planning Service.



It was noted that in terms of archaeological matters, it was considered appropriate that a record of the building was taken before its demolition in order to mitigate the loss of physical evidence and to act as an archive record.

The development complied with the GUDP for the reasons noted in the report.

- (b) It was noted that the Local Member supported the application.

During the discussion, the following observations were made:

- Would it be possible not to demolish the building and construct a shed on another part of the farm?
- As the site was located in the AONB, there was a statutory requirement to protect the objectives of the designation;
- The building was part of the area's history, and it was a shame that it was being demolished;
- It was disappointing that slates on the building's roof had been removed before an officer from the Biodiversity Unit could visit the site, and the applicant should be notified that this was completely unacceptable;
- The building was not fit for purpose.

- (c) In response to the above observations, the officers noted:-

- Permission to demolish the existing building was not required;
- The building was not suitable and that a modern shed which met farming needs was required.

**RESOLVED to approve the application.**

Conditions:

1. Commence within five years
2. In accordance with the plans.
3. External walls and roof to be dark green in colour BS 12 C 39.
4. Agricultural use of the building only.
5. Within a month of the building completion date, a nesting box(es) for house sparrows should be installed high up on the northern or eastern elevation of the building or on a high spot inside the building and the box(es) should include a minimum of six holes.
6. Before commencing the development (including any demolition work, site clearance or stripping out) a photographic record of the building should be created and an agreement should be reached on the record with the Local Planning Authority.

**7. Application no. C15/0375/44/LL – Tŷ Samson, Borth y Gest, Porthmadog**

Erection of a domestic garage and alterations to the pedestrian access.

- (a) The Development Control Manager expanded on the background of the application, noting that the site was located near the estuary of the River Glaslyn, which was a Special Conservation Area and a Site of Special Scientific Interest (SSSI), and also was within the Aberglaslyn Historical Landscape.

It was considered that the proposal to erect a garage and a parking space in this location was acceptable in terms of road safety. However, in considering the quality of the local environment and its importance in terms of public access and enjoyment of this area, it was not considered that the proposal met the requirements of the Unitary Development Plan, relating to the safeguarding of these features.

It was noted that a request had been received from the applicant's agent, asking that consideration of the application be postponed, but it was not considered that there were grounds to postpone.

The development complied with the GUDP for the reasons noted in the report.

- (b) The following main points were made by the local member (not a member of this Planning Committee):-
- He supported the recommendation;
  - This area was a quiet one with a low number of cars travelling along the road;
  - There was a risk that a precedent would be set should the application be approved;
  - It was an area of beauty and should be safeguarded.

A member noted that there were no grounds to postpone the application as there were no changes to the details of the application.

**RESOLVED to refuse the application.**

**Reason:**

The construction of a garage and an off-road parking space in this location would be detrimental to the visual amenities of the townscape of this part of Borth y Gest, and to the public's enjoyment of this area which is near the Wales Coastal Path and which forms part of Aberglaslyn Landscape of Special Historical Interest, and the development is therefore contrary to policies B12, B22, B23 and B25 of the Gwynedd Unitary Plan.

**8. Application no. C15/0421/41/LL – Llety Plu, Llangybi**

Extension to existing garage (amendment to plan that was refused under application number C15/0012/41/LL).

- (a) It was reported that a request had been received from the Local Member to postpone discussing the application as neither he nor the applicant's agent were able to be present.

**RESOLVED to defer the application.**

The meeting commenced at 1.00 pm and concluded at 2.50 pm

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**CHAIRMAN**