
PLANNING COMMITTEE 5/9/16

Present: Councillor Anne Lloyd Jones - Chair
Councillor Elwyn Edwards - Vice-chair

Councillors: Endaf Cooke, Gwen Griffith, Eric M. Jones, June Marshall, Michael Sol Owen, W Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams and Hefin Williams

Others invited: Councillors Gareth Griffith, John Wynn Jones and Elfed W. Williams (Local members).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Keira Sweeney (Senior Development Control Officer), Gareth Roberts (Senior Development Control Officer), Rhun ap Gareth (Senior Solicitor) and Lowri Haf Evans (Member Support Officer).

Apologies: Councillors Seimon Glyn, Dyfrig Jones, John Wyn Williams, Angela Russell and Ann Williams (Local Members)

1. DECLARATION OF PERSONAL INTEREST

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

- Councillor Tudor Owen in Item 5.1 on the agenda (Planning Application Number C15/0807/20/CR), as he was a member of the Caernarfon Harbour Trust
- Councillor Gwen Griffith, in item 5.6 on the agenda (planning application number C16/0603/09/LL) as she was a Board member of Cartrefi Cymunedol Gwynedd
- Councillor Michael Sol Owen, in item 5.6 on the agenda, (planning application (C15/0603/09/LL), as he was a member of the Board of Cartrefi Cymunedol Gwynedd
- Councillor Anne Lloyd Jones, in item 5.6 on the agenda, (planning application (C15/0603/09/LL), as she was a member of the Board of Cartrefi Cymunedol Gwynedd.

Members were of the opinion that they were prejudicial interests and they left the Chamber during the discussion on the applications noted above.

(b) The Development Control Manager declared personal interest in item 5.3 on the agenda (planning application number C16/0329/18/LL) as her cousin who lived opposite the site had opposed the application.

The officer was of the opinion that it was a prejudicial interest and she left the Chamber during the discussion on the application.

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

- Councillor John Wynn Jones (not a member of this Planning Committee), in relation to item 5.1 on the agenda, (planning application number C15/0808/20/LL and C15/0807/20/CR);
- Councillor Elfed W Williams (not a member of this Planning Committee), in relation to item 5.3 on the agenda (planning application number C16/0724/20/AM);
- Councillor Gareth Griffith, (not a member of this Planning Committee) in relation to item 5.7 on the agenda (planning application number C16/0724/20/AM).

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 25 July 2016, 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 C15/0808/20/LL – Menai Marina, Hen Gei Llechi, Y Felinheli

Retrospective application to retain a pontoon within the quay.

- (a) The Development Control Manager reported on the background of the application and noted that the application had been postponed many times for a number of reasons listed in the report.

Members were reminded that this was a full retrospective application to retain a pontoon within the quay. It was explained that the pontoon was linked to the harbour wall in three locations by an iron bracket which allowed the pontoon to rise with the tide. It was noted that the site was part of the existing marina in Felinheli.

Attention was drawn to the late observations received.

It was highlighted that the objections received drew attention to the condition of the harbour wall and the ability of that wall to be able to support a pontoon where parts of the wall had collapsed in the past. It was noted that this raised concern as to whether the wall was structurally sound enough to be able to support the pontoon and the tide. It was noted that an engineering report had been submitted with the application stating that installing the pontoon was unlikely to have any detrimental effect from a structural engineering standpoint.

Following the Committee's decision to request more information, and the consequent receipt of the update to the structural assessment, a Surveyor within the Council was consulted to confirm whether the report received was fit for purpose. Reference was made to the surveyor's observations in paragraph 5.4 of the report.

Despite this assessment, from the response to the re-consultation, it was noted that concerns remained about the situation and the content of the latest report. However, no specialist advice had been received which stated the contrary and was no reason, therefore, not to accept the finding and advice noted in the most recent report by Richard Broun Associates.

It was reported that the new pontoon was in keeping with the area in terms of design and appearance and in that it was a working marina. There were no implications to the appearance or character of the listed structure or on the area's amenities or nearby residents, and it was outlined that the submitted engineering report contained an update

stating that the wall was strong enough to support the pontoon. It was considered that the proposal was acceptable and in accordance with relevant policies.

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That the 87 objectors had no objections to the pontoon, only an objection to attaching a pontoon on an old Victorian wall - much relevant information was received from local residents about the effect of the wall and tide
 - That the wall was subject to wind and adverse weather and high tide
 - That part of the wall had collapsed in 2000
 - That the pontoon had been installed in 2001 and within a few years the wall had begun to show some signs of stress. These concerns were raised with the Council but no action was taken. That in 2008 the wall had collapsed into the sea along with residents' gardens
 - That in December 2015, the pontoon had come free and was floating in the Harbour
 - That there was no reference to the 'vertical crack' on the wall in the Engineer's report
 - No solution was suggested with regard to the crack in the wall - this had been dismissed - each aspect must be considered
 - Observations by residents had been ignored and consequently the residents had decided to commission an independent report to present their concerns.
 - Other possible methods of solving this situation would be to connect the pontoon in a different way
- (c) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That the application had been submitted since July 2015
 - Since then, four officer reports had been submitted to the Committee with a recommendation to approve
 - The decision had been deferred due to concerns about using the pontoon wall (collapse and crack in the wall) - no technical information had been submitted to corroborate this
 - Acknowledgement that there was concern about the impact of the wall but that no evidence had been submitted to support the concerns
 - Structural reports had been submitted within 12 months of each other - the results were consistent and confirmed that there were no adverse effects. This had been verified by an Engineer for the Council
 - The wall did not show signs of distress and there were no signs that the rocks that supported the pontoon were moving
 - The existence of the crack had no bearing on the loading imposed on the pontoon
 - There was no evidence to suggest that anything was affecting the wall in a way that would create structural instability in future
 - Each application must be considered on its own merits and any objections must be valid planning reasons
 - Should the application be deferred or refused, the Authority could face costs if the applicant was to appeal
- (ch) The following main points were made by the local member (not a member of this Planning Committee):- Taking advantage of the right to speak the Local Member stated that:
- A decision was needed on the application
 - Local residents were highlighting concern due to problems with the wall
 - The survey had not considered the engineering report and this, therefore, necessitates a more detailed report
 - Confirmation required that, if the pontoon were to become disconnected, compensation would be available for residents

- Request to defer for another month in order to allow the residents the opportunity to commission an engineer's report that can be considered
- Errors in the report had come to light
- An additional report would be valuable because, if something were to happen, each aspect would have been fully considered

(d) In response to the observations, the Senior Planning Service Manager reminded the Committee that the application had been submitted to the Committee several times over the past 12 months and that plenty of time had been available during this period for residents to prepare further evidence. He reiterated the fact that reports had been submitted and that there was no technical evidence/information to counter these reports. It was also noted that the applicant was considering submitting an appeal and this was, therefore, highlighted as a risk.

It was proposed and seconded to defer the application for a month.

It was argued that civil matters existed and that, as such, it was necessary to consider who would be responsible for rebuilding the wall should it collapse. It was noted that an Independent Structural Report would be acceptable.

In response to the proposal, the Solicitor stated that this would provide sufficient opportunity for objectors to submit a structural report / evidence only.

(dd) During the ensuing discussion, the following main observations were noted:

- That an extra month would be acceptable for the objectors to submit their observations in a report
- That it would be reasonable to defer as the residents / objectors would assent to the final decision of that report
- That the Committee had to behave responsibly
- Complicating the situation had to be avoided - suggested that the report be submitted to the Council's experts for their opinion (the report needed to be tracked)
- Concern was raised whether the report would be ready within the Planning Committee schedule. A period of a month was not sufficient - necessary to decide on a specific date
- A pontoon not attached to the wall would have been wiser
- If the application were approved, the development should be implemented in accordance with any permission granted;
- Had consideration been given to the observation by Natural Resources Wales that a marine licence was necessary?

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

- in the context of the marine licence, this was specific to the licensing arrangements and system of Natural Resources Wales.
- in response to the suggestion that a condition be imposed to ensure that the applicant carried out regular inspections of the wall, it was stated that clear guidelines were in place for the consideration of imposing planning conditions. It was considered that no justification or evidence existed for imposing this condition - in such a situation placing a note for the applicant's information would be suitable. Additionally, it was noted that inspection requirements were likely to be within the Harbour's remit and beyond those of the planning procedure.
- if the intention was to defer, restricting to a specific period of a month was realistic in terms of the administrative procedures of the Planning Committee. A suggestion was made to resubmit the application in the October 2016 Committee meeting.

RESOLVED to defer the application in order to give objectors the opportunity to submit their own engineer's report and to do so within three weeks (by 26/9/16) so that the application can be re-submitted to the Planning Committee on 17 October 2016.

2. Application number C15/0807/20/CR – Menai Marina, Hen Gei Llechi, Y Felinheli

Retrospective application to retain a pontoon within the quay.

- (a) A request was made to defer the application in accordance with the report on the above-mentioned application.

RESOLVED to defer the application.

3. Application number C16/0329/18/LL - Land opposite the Post Office, Clwt y Bont, Caernarfon

Construction of three two-storey detached dwellings and associated developments.

The Members had visited the site.

- (a) The Senior Development Control Officer expanded on the application's background and noted that the application had been deferred at the Planning Committee dated 4 July 2016 in order to undertake a site visit and so that the officers could verify the figures submitted to the Committee.

Members were reminded that this was an application to erect three two-storey detached houses on a brownfield site within the development boundary of Clwt y Bont. It was highlighted that these four bedroomed houses would be for the open market with a separate entrance for each property and each would lead to an unclassified road servicing a number of dwellings.

It was noted that the main consideration was Policy CH4 of the GUDP which approved proposals for the construction of new dwellings on unallocated sites located within village development boundaries, provided they conform to all the relevant policies of the GUDP and the three criteria which form part of the Policy. Attention was drawn to the fact that criterion 1 related to having a proportion of all units on the site as affordable units, unless providing affordable housing on the site was inappropriate. The Supporting Planning Statement (supported by the Viability Calculations) explained that it was not viable to offer an affordable element as part of the scheme. It was highlighted that the applicants had shown that the market value remained at £200,000 for each dwelling and in accordance with the Gwynedd and Anglesey Councils' Affordable Housing Viability Study 2013, this figure of £200,000 was deemed reasonable and appropriate for Clwt y Bont.

Concerns had also been received in terms of the impact on residential amenities but it was explained that this was not considered unacceptable, subject to relevant planning conditions.

It was noted that several objectors had claimed that the land was unstable and contaminated by waste such as old cars. It was reported that policy B30 suggested refusing applications on contaminated land in the absence of information showing appropriate treatment of the site. However, no firm evidence had been submitted to support the allegations of unstable land or any contamination hazards and none of the official agencies which had been consulted had raised these issues. Should the application be approved, it was recommended that an additional condition be imposed to ensure that a desk-top study was undertaken to assess the risk of contamination on the site and that, if any further action was required, this should take place prior to the development of the site.

- (b) The following main points were made by the local member (not a member of this Planning Committee):- Taking advantage of the opportunity to speak, the Local Member noted:-
- That the site's setting impacted on the amenities of nearby residents
 - That the land had been raised and was unsuitable for development - this was contrary to B28 of the GUDP;
 - That no affordable element had been included in the proposal and insufficient evidence had been submitted to justify not including an affordable house;
 - That the house prices were too expensive for local people - this was unacceptable and contrary to policy CH4
 - Concerns about road safety - suggestion that the road toward the site was too narrow and that constructing three houses there was likely to have a detrimental effect on the situation
 - Erecting a 2 metre high fence around the site would affect the view from neighbouring houses
 - Suggestion that it was the Council who owned the land?
 - That the problems with Japanese knotweed on the site had to be acknowledged.
- (c) It was proposed and seconded to approve the application.
- (ch) During the ensuing discussion, the following main observations were noted:
- Clear that the quality of the land gave rise to concerns, but it was highlighted that Building Control would ensure that the responsibility for proving the site was safe prior to starting the construction work lay with the developer.
 - Constructing three houses was not likely to create additional problems
 - That open applications for 13 affordable houses already existed in the area
 - Attention was drawn to observations by the Strategic Housing Unit that one of the houses needed to be affordable
 - That the site was far more elevated than the garden of the nearest house and that there would be obvious overlooking here. Planting trees would not solve this and so a suggestion was made to change the aspect of the houses to avoid overlooking.
 - Difficult site to develop, but conditions to deal with problems must be considered.
- (d) In response to the observations the Senior Planning Service Manager noted that the site was not an easy one to develop and if there was justification for not developing, the relevant policies would make an exception based on evidence. That building costs exceeded usual costs was reiterated. In terms of offering one affordable house as part of the development, it was noted that the application had been assessed by the Property Department and the Joint Planning Policy Unit and both have confirmed that developing on this site would not be viable. It was reiterated that the development contributed to the variety of houses needed in the area and that there was no basis on which to refuse the application because of affordable housing issues.
- (dd) Following a vote, the proposal fell.
- (e) It was proposed and seconded to approve the application on the condition that one of the three houses was an affordable house
- (f) The Senior Planning Service Manager replied that there was no evidence to prove that the site was not viable for affordable houses and that costs of developing the site were substantial.
- (ff) The Solicitor replied that it was necessary to prove that the financial evidence was incorrect (even though the evidence had been verified by the Joint Policy Unit and a Recognised Chartered Surveyor).

- (g) It was proposed and seconded to defer the decision in order to receive a more detailed report as to why it would not be possible to provide affordable units as part of the development.

RESOLVED to defer the application in order to receive a more detailed report as to why it is not possible to provide affordable units as part of the development.

4. Application number C16/0460/15/LL - Llanberis Caravan Park

Amend conditions 16, 17, 18 and 26 of planning consent C13/1136/15/LL in order to enable the season to be extended (1 March to 10 January the following year) and use / occupancy of 2 warden accommodations year round by persons employed to manage the touring caravan site and their dependants

- (a) Following discussions with the applicant, in order to overcome the concerns outlined in the current report, it was recommended that the decision be deferred.
- (b) It was proposed and seconded to defer the application.

RESOLVED to defer the application.

5. Application number C16/0590/42/AM - Land by Penrhos, Morfa Nefyn

Construction of a dwelling and creation of parking spaces

- (a) It was noted that, in order to be able to assess the revised details and responses to the re-consultation as part of the Committee report, a recommendation was made to defer the decision.
- (b) It was proposed and seconded to defer the application.

RESOLVED to defer the application.

6. Application number C16/0603/09/LL at Penmorfa, Tywyn

A full application to erect five affordable two-storey houses along with the creation of an amenity site and improvements to the existing estate road

The Vice-chair chaired this item.

Attention was drawn to the additional observations that had been received

- (a) The Development Control Manager expanded on the background to the application, stating that it was a full application to erect five affordable two-storey dwellings with two bedrooms laid out as a terrace of three units and then a pair of semi-detached houses. It was a level site within the development boundaries of the town of Tywyn in the Gwynedd Unitary Development Plan and had already been prepared for development. It was explained that other residential housing estates abutted the site with an estate road already provided. The intention to carry out road improvements to the existing estate road and create 12 parking bays and a turning place was reiterated.

In terms of visual amenities, it was noted that the proposal would result in a relatively traditional housing development in terms of form and setting with front and rear gardens which were in keeping with the current layout at the Penmorfa estate. It was noted that the applicant was Cartrefi Cymunedol Gwynedd and that providing houses was part of its statutory duty.

It was highlighted that a number of letters had been sent by individuals noting concerns about issues relating to safety and traffic but it was considered that the proposal would result in permanent improvements to the existing estate road. Concerns had also been received in terms of the impact on residential amenities but it was explained that this was not considered unacceptable in this instance.

It was reiterated that flooding, biodiversity and educational provision issues were acceptable and following full consideration of all relevant planning matters it was agreed that the proposal was acceptable subject to conditions.

- (b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- It was acknowledged that there would likely be disturbance during the development phase and, as such, a period of traffic management was proposed
 - Road improvements would mean long term improvements for all
 - Green space retained
 - With strong evidence to support the need for affordable houses in Tywyn, it was noted that the proposal responded to need.
- (c) It was proposed and seconded to approve the application.

RESOLVED to approve the application

Conditions:

1. Time
2. Comply with plans;
3. External wall materials to be agreed;
4. Slate on the roofs of the dwellings and samples to be presented prior to the commencement of development;
5. Landscaping details to be submitted for approval;
6. Landscaping plan implementation period;
7. Welsh Water conditions - not to build within 3m of the public sewer;
8. Improvements to the estate road to be implemented before commencing any work on constructing the houses; improvements to be permanently maintained;
9. The car parking area to be completed before the development is occupied.
10. The development to be completed in accordance with the submitted Traffic Management Plan.
11. Development to be in accordance with the recommendations of the amended Ecological Report dated August 2016 and any relevant condition from Natural Resources Wales / Biodiversity Unit - to include a Biodiversity Improvement Plan and conditions involving badgers.
12. Withdrawal of PD
13. Working hours to be restricted
14. Lighting plan to be agreed

Note: Welsh name to the estate

7. Application Number C15/0724/20/AM – Land adjacent to Health Centre, Beach Road, Y Felinheli

Outline application, with some reserved matters, for constructing 11 new dwellings together with the creation of a new vehicular access and estate road and the provision of public open land.

- (a) The Senior Development Control Officer expanded upon the background to the application stating that this was an outline planning application to construct 11 houses, create a vehicular entrance and estate road as well as to provide public open space with some matters reserved to be included in a detailed application on reserved matters (should the outline planning application be allowed). The only matter that formed part of this outline application was the proposed access and the reserved matters relating to landscaping, elevations, layout and scale.

It was noted that the main consideration were policies C1 - Locating a New Development and policy CH7 - affordable houses on a rural exception site directly on the outskirts of villages and local centres. It was explained that this site abutted the development boundary that ran parallel to Beach Road and in this respect, the site could be a rural exception site. Nevertheless, the policy allowed developments for affordable houses only, where the need has been proved, but it was highlighted that the intention here was to propose three affordable houses only, which was contrary to policy CH7.

In terms of transportation and access, the Transportation Unit had recommended that the applicant submit a Traffic Impact Assessment, because the proposal would add significantly to the level of traffic along Beach Road. Also, the Unit had raised concerns regarding the location of the proposed access due to the surgery access nearby and the concern that the use of one entrance could affect visibility when using the other. Consequently, it is believed that the information and evidence submitted by the applicant is insufficient in order to confirm that the proposal is acceptable on grounds of road safety. The proposal was, therefore, contrary to the requirements of Policies A1 and CH33 of the GUDP.

Attention was drawn to CADW's concern about the lack of appropriate assessment of the effect of the development on a scheduled ancient monument.

It was considered that the proposal was not acceptable based on the principle of providing open market housing beyond the development boundary and that lack of information prevented a full assessment of the development.

- (b) The main following points were raised by the local member (not a member of this Planning Committee):
- That he objected the application
 - That a similar application had been submitted in April 2015 - some changes had been made to the proposed application, but despite being different, the policies had not changed
 - The site is outside the development boundary.
 - Additional Information, necessary but not submitted
 - To draw attention to the reasons for refusal in the report
- (c) It was proposed and seconded to refuse the application in accordance with the recommendation.
- (ch) During the ensuing discussion, the following main observations were noted:
- The proposal was contrary to several policies
 - The site was outside the development boundary

- An insufficient number of affordable houses were being offered as part of the proposal

RESOLVED To refuse the application in accordance with the recommendation.

Reasons:

The proposal is unacceptable in principle as there is no intention to provide affordable housing exclusively on the site, contrary to policy CH7. It is not considered that the proposal forms a reasonable extension to the village due to its location and its visual impact, contrary to the requirements of policy CH7 and B23. The proposal is also contrary to policy C1 as there is no other policy within the Gwynedd Unitary Development Plan which allows open market housing outside the development boundaries.

The proposal is contrary to the requirements of Policy A1 and B7 of the Gwynedd Unitary Development Plan and Welsh Office Circular 60/96 as there is insufficient information to assess the impact of the development on the setting of the nearby scheduled ancient monument known as Dinas promontory fort and the impact of the development on any archaeological remains on the site.

The proposal is contrary to the requirements of Policies A1 and B19, B20 and B21 of the Gwynedd Unitary Development Plan, as insufficient information has been submitted with the application which would enable the Local Planning Authority to assess in detail the environmental and ecological impacts of the development.

The proposal is contrary to the requirements of Policies A1 and CH33 of the Gwynedd Unitary Development Plan as sufficient visibility cannot be ensured at the proposed entrance at all times and as there is insufficient information based on a traffic assessment submitted with the application to show that the local roads network was able to cope with the increase in traffic that would stem from the development.

8. Application Number C16/0770/38/AM - Glynllifon, Llanbedrog

Create 16 two-storey holiday accommodation with associated parking and amenity space

- (a) The Development Control Manager elaborated on the background of the application as it was an outline planning application with all matters reserved. The plans indicate that the proposed units would be two-storey and approximately 6.8m high and be split between four terraces. The site was located on the outskirts of Llanbedrog, a considerable distance outside the village development boundary. It was set in a wooded valley within an Area of Outstanding Natural Beauty, Llŷn Registered Landscape of Historic Interest and between two Scheduled Ancient Monuments namely Pen y Gaer and Nant y Castell. It was also noted that mature trees on the western side of the site are subject to a Tree Preservation Order and the slopes to the east have been recognised as a Local Wildlife Site. In LANDMAP it appeared that the site's locality was identified as the visual area of Mynydd Tir y Cwmwd that was noted to have a 'High' visual standard. Therefore, the site was considered to be a highly sensitive landscape.

It was noted that the response of the Gwynedd Archaeological Planning Service had not been received at the time of writing this report, but attention was drawn to the late observations received.

This was clearly an outline application, therefore, full details of the design of the units had not been included. It was considered that a development of this size and scale, however,

would certainly have an unacceptable visual impact and would result in a development of an urban nature in a quiet valley.

In response to transportation and access matters, it was highlighted that the development proposed to retain the existing entrance to serve the holiday units along with the existing property. The Community Council had stated concern regarding the situation with the existing access and had noted that several accidents had occurred in the past due to lack of visibility. Based on the lack of visibility, the proposal did not meet with the requirements of policy CH33, as a safe vehicular access cannot be provided to serve the development. As it was an outline planning application that was submitted, it was acknowledged that some details could be resolved. It was considered, however, that the issue of the lack of visibility from the entrance would be impossible to overcome and that requiring other amendments would add to the fact that the proposal would create an unacceptable urban look for this rural site.

Having considered the proposal against the requirements of relevant local and national policies it was considered that the proposal, on a site in open countryside, was not acceptable in principle and was contrary to local policies concerning the siting of developments and the creation of new self-serviced units. It was reiterated that the development would be outside the development boundaries, would be urban in nature and totally unsuitable for its setting within a sensitive landscape. It should be noted that this view was shared in a pre-application enquiry for a similar development in terms of location and scale, however, the applicant/agent had chosen to proceed and submit an application despite receiving advice.

- (b) It was confirmed that the Local Member, who apologised for his absence, supported the recommendation and the Community Council's observations.
- (c) It was proposed and seconded to refuse the application in accordance with the recommendation.

RESOLVED to refuse the application in accordance with the recommendation.

1. The proposal is contrary to the requirements of the Supplementary Planning Guidance: Holiday Accommodation, Gwynedd Council (2011) and Policies C1, C3 and D15 of the Gwynedd Unitary Development Plan regarding the siting of developments and creating new self-serviced holiday accommodation, as the proposal is not located within the development boundary and is not considered to be a suitable previously developed site.
2. Therefore this development, because of its urban layout, size and large scale is a totally unsuitable development in the countryside within a sensitive site where it would cause significant harm to the AONB landscape and the area's visual amenities and is contrary to Policy B8 of the Gwynedd Unitary Development Plan.
3. The proposal is contrary to the requirements of policy CH33 of the Gwynedd Unitary Development Plan as safe vehicular access cannot be provided as visibility from the existing access is sub-standard and unsuitable to serve a significant development of 16 holiday units.
4. No tree report has been submitted with the application for the Local Planning Authority to be able to assess in detail the impact of the development on trees protected by a Tree Preservation Order. Consequently, it is considered that the proposal is contrary to the requirements of policies B19 and A1 of the Gwynedd Unitary Development Plan and Technical Advice Note 10: Tree Preservation Orders

5. The Ecology Report submitted does not propose specific mitigating measures or sufficient information to be able to assess the likely impact of the proposal on biodiversity and protected species and therefore it does not meet with the requirements of policy B20 and A1 of the Gwynedd Unitary Plan.
6. The information submitted with the application is insufficient to assess the impact of the development on the setting of scheduled ancient monuments, and is therefore contrary to policy B7 and A1 of the Gwynedd Unitary Development Plan and the Welsh Office Circular 60/96.

9. Application number C16/0725/13/AM - Former site of Grey Garage, Coetmor New Road, Bethesda

Outline application for the erection of 18 dwellings (including 4 affordable units) along with a new vehicular access, inner estate road and footpath (amended plan from that which was permitted on appeal ref C13/0766/13/LL - Appeal APP/Q6810/A/14/2215839).

- (a) It was reported that late letters had been received attempting to justify the development

The Senior Planning Control Officer expanded upon the background to the application reminding members that this was a site where an application for a residential development to construct 24 residential units (including 16 affordable units) had previously been refused and subsequently approved as a result of a Planning Inspector's decision at Appeal. A more recent proposal was submitted with a variation to the plan so that the total number of units was brought down from 24 to 18 and 11 of the houses allowed being affordable houses. It was highlighted that the existing application was an outline application for 18 dwellings, but that the number of affordable houses had fallen from 11 to four.

It was explained that the site was partly located within the development boundary of Bethesda which was designated as a Local Centre in the Gwynedd Unitary Development Plan. It was reiterated that, historically, the site had been used as a garage / lorry depot. It was noted that this use had now ended and the site cleared of any buildings which had stood there in the past. This site was considered to be previously developed land and was therefore defined as a Brownfield site.

The substantial need for affordable houses in the area was reiterated and that it was difficult to accept that this had not been addressed in the amended application

Attention was drawn to the additional observations that had been received

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

- that it was a residential development for 18 open market houses and four affordable houses
- the application had been approved following a valid appeal
- accepted that the site was outside the development boundary.
- justification that this land had been previously developed (brownfield) and as such approval had been addressed for the whole site
- that Gwynedd Council lacked a five-year supply of land
- in accordance with planning guidance - the affordable houses had been integrated with open market houses
- sufficient justification for the proposed application

- (c) Proposed to approve the application contrary to recommendation. The proposal fell.

- (ch) It was proposed and seconded to refuse the application in accordance with the recommendation.
- (d) A request was made of the Senior Manager to respond to the agent's observations.

The Senior Manager stated that further evidence would be required before the application could be fully considered - why justify open market houses outside the local development boundary? It was highlighted that there were fundamental issues for rejecting the application i) the principle of the application, ii) policies do not allow for developments outside the development boundary and iii) strong evidence suggests that there is a profound need for affordable houses in Bethesda. It was noted that there was permission for 11 affordable houses, why reduce this to 4.

- (e) During the subsequent discussion the following main points were noted:
 - that extraordinary reasons were needed to develop outside the boundary - the proposal was not reasonable and appeared to be worse than the application that already existed

RESOLVED to refuse the application

Reason

The part of the proposal that means developing houses for the open market outside the development boundary for the Bethesda Local Centre is not acceptable because developing open market houses outside the designated development boundaries is contrary to the adopted local and national policies including policies, furthermore, this development would lessen the supply of affordable houses that have been permitted and strong evidence exists of the need for affordable houses in the area and which has been proved on appeal. This development would therefore be contrary to policies C1, C3 and CH7 of the Gwynedd Unitary Development Plan as well as the Supplementary Planning Guidance: Building New Houses in the Countryside, Planning Policy Wales Chapter 9 (Edition 8, 2016) together with Technical Advice Note 6: Planning for Sustainable Rural Communities (2010).

The meeting commenced at 1.00pm and concluded at 3.00pm.

CHAIR