
PLANNING COMMITTEE 25/9/17

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

Councillors: Stephen Churchman, Simon Glyn, Siân Wyn Hughes, Berwyn Parry Jones, Eric M. Jones, Huw G. Wyn Jones, Dilwyn Lloyd, Edgar Wyn Owen, Catrin Wager, Eirwyn Williams, Gruffydd Williams and Owain Williams.

Others invited: Councillor Dewi Wyn Roberts (Local Member).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Planning Manager), Idwal Williams (Senior Development Control Officer), Gareth Roberts (Senior Development Control Officer - Transport), Rhun ap Gareth (Senior Solicitor) and Bethan Adams (Member Support Officer).

Apologies: Councillor Angela Russell (Local Member).

1. DECLARATION OF PERSONAL INTEREST

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

- Councillor Dilwyn Lloyd in item 5.3 on the agenda, (planning application number C17/0366/17/LL) as he had a close connection with the applicant;
- Councillor Gruffydd Williams, in relation to item 5.7 on the agenda (planning application number C17/0656/42/LL) as he had made enquiries with Knights about an allotment.

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 stated that they were local members in relation to the items noted:

- Councillor Dewi Wyn Roberts (not a member of this Planning Committee), in relation to items 5.1 and 5.2 on the agenda, (planning application numbers C17/0159/39/LL and C17/0437/22/LL);
- Councillor Elwyn Edwards, (a member of this Planning Committee), in relation to item 5.4 on the agenda (planning application number C17/0459/04/LL).

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

2. URGENT ITEM

It was noted that the Committee in its meeting on 24 July 2017 had resolved to support the Senior Planning Service Manager's decision to request that the Welsh Government re-open the hearing for the appeal of planning application number C13/1143/11/AM - Land at Pen y Ffridd, Bangor, in order to give consideration to the Joint Local Development Plan (JLDP) that would be considered for adoption by the full Council at its meeting on 28 July 2017.

It was reported that confirmation had been received from the Welsh Government that the hearing had re-opened and the formal hearing would commence on 15 November 2017.

In response to a question from a member, the Senior Planning Service Manager confirmed that the hearing would consider matters dealing with the JLDP adopted by the Full Council at its meeting on 28 July.

3. MINUTES

The Chair signed the minutes of the previous meeting of this Committee, that took place on 4 September 2017, as a true record.

4. 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 C17/0159/39/LL – The Shanty, Pen Bennar, Abersoch, Pwllheli

Demolition of house to be replaced with a three-storey house

- (a) The Planning Manager expanded on the background of the application, noting that the application was deferred at the Committee meeting that took place on 3 July 2017, in order to conduct a site visit. Some members had visited the site prior to the meeting and it was explained that the site had also been viewed from the direction of Lôn Pont Morgan.

It was noted the site was on the Abersoch headland, outside the village development boundary and within the Llŷn Area of Outstanding Natural Beauty (AONB). Objections had been received in relation to the house design and the impact on the AONB. The concerns of the objectors were acknowledged, however, it was felt that this in itself did not mean that the proposal would have a detrimental impact on the area's character. It was understood that the design made extensive use of terraces and substantial windows, however, it was noted from the images submitted with the application that other houses near the site also shared such architectural features. It was felt that the images, submitted as part of the application, indicated that the building would not create an intrusive development in the landscape and although the appearance of the house was different, it was not considered that it would have a significant harmful impact on the AONB's landscape and coastline. It was considered that the proposal was suitable for its location and context and that it would not have a detrimental effect on the AONB. Also, due to the location against the built background of Abersoch, it was not considered that the proposal would significantly harm the views in and out of the AONB.

Attention was drawn to the additional observations received from the Llŷn AONB Joint Advisory Committee.

It was confirmed that the parking provision was acceptable and that the Transportation Unit had no objection to the proposal. It was noted that a Public Footpath was located near the site and that it needed to be protected during, and at the completion of the development and this could be achieved by means of a condition on the planning permission.

The development was acceptable in terms of relevant local and national policies for the reasons noted in the report.

- (b) The local member (not a member of this Planning Committee) noted the following main points:-
- Concern regarding the impact on the public path;
 - That the development was huge and was similar to a hotel;
 - It would be visible from the sea and the development would impair on the view from the Coastal Path;
 - Concern in terms of the impact of large developments on the Welsh language;
 - Concern in terms of the principle of demolishing and erecting a house;

- That the development was contrary to policy TAI 5 Local Market Housing in the JLDP;
- That the application was submitted prior to the adoption of the JLDP.

In response to the observations of the local member, the Senior Planning Service Manager noted that the decisions on planning applications since 31 July 2017 were in accordance with the JLDP. It was noted that the report considered the application in the context of the policies of the JLDP. It was explained that policy TAI 5 related to new housing where no house already existed on the site.

- (c) It was proposed to refuse the application contrary to the officers' recommendation as the proposal would be an over-development of a prominent site with a substantially larger footprint than the existing house and would create an intrusive development that would have a detrimental impact on views in, out and across the AONB.

The proposal was seconded.

In response to an enquiry by a Member, regarding the observations of the AONB Unit and the comments of the Llŷn AONB Joint Advisory Committee, the Senior Planning Service Manager noted that the AONB Unit had no objection to the proposal but the Joint Advisory Committee had submitted observations opposing the application. He explained that the membership of the Joint Advisory Committee included Gwynedd Councillors and stakeholders. He emphasised that there were no policies prohibiting contemporary developments in the AONB. He noted that if the members felt strongly that the proposal would have a significant impact on the AONB, then if the application was refused members or an individual member would be required to assist the Council if a planning appeal was received.

- (ch) During the ensuing discussion, the following main observations were noted by members:
- Concern regarding demolishing and erecting a huge house on the site;
 - That young people had been priced out of the local housing market;
 - Concern about the effect of the development on Pen Bennar;
 - That the size of the proposed house was over 50% bigger than the existing dwelling. Had an assessment in terms of this increase been undertaken?
 - Would the parking provision be sufficient for the development?
 - The proposed house would not be in keeping with the location;
 - That the existing house had seen better days and therefore it would be better to replace it.
 - That the design of the proposed house was different and the area had no standard design style;
 - The proposal was welcomed and it would be an improvement for the site;
 - The house was hardly visible from Lôn Pont Morgan;
 - The development would not affect the Coastal Path, however, if there was concern regarding installing a fence that would impair on the view then a condition should be attached to deal with this;
 - If the application was refused then the Council would lose a planning appeal.

A member noted the need for specific guidance to deal with the situation with planning applications for housing and holiday homes as house prices were beyond the reach of local people. It was added that officers should refuse this type of application and he was uncomfortable about the pattern in the context of demolishing older buildings and then their development.

In response to a member's observation, the Senior Planning Manager explained that policy TAI 5 was not relevant to the application before them, as a house already existed on the site and, therefore it was policy TAI 13 of the JLDP that was relevant.

The Senior Planning Service Manager noted that he appreciated members' concerns and acknowledged that Abersoch was unique in terms of housing and that policy TAI 5 sought to get to grips with the situation, but policy TAI 5 was not material to the application in question. He explained that policy TAI 13 supported the principle in terms of the demolition of the existing house and to construct a new house in its place, subject to meeting the relevant criteria, and that the principle of re-building on the site in question was acceptable. He noted that it was a matter for the members to assess if the proposal would have a detrimental impact on the AONB, and if the application was refused members would be required to support their decision if the application went to appeal. He emphasised that the application had been assessed in accordance with the current planning policies, and the proposal offered a modern, sustainable building using natural materials and the policies did not prohibit such developments in the AONB.

In response to a member's observation regarding any costs that may emanate from an appeal, the Senior Planning Service Manager noted that refusing this application would not create a significant risk to the Council and therefore it would not be referred to a cooling-off period. He noted that there was a lower risk in terms of receiving costs against the Council if the application was refused and if the appeal was lost, however, there were costs attached to providing for an appeal.

The proposer noted that there was a difference of opinion in terms of interpreting the impact of the development on the AONB, however, he was of the opinion that the development would impair on its setting and the views in and out. He added that he agreed with the comments of the Llŷn AONB Joint Advisory Committee who were experts in the field and that he was willing to defend any appeal.

In response to the proposer's observations, the Senior Solicitor noted that members needed to consider the contents of the report together with the observations of the consultees. He stated that it was not appropriate to note that one consultee was an expert and they had to be careful that not too much emphasis was placed on the comments of one consultee over another. He stressed that all the information submitted had to be considered and weighed up in accordance with legislation.

RESOLVED to refuse the application.

Reason:

The proposal would be an over-development of a prominent site with a substantially larger footprint than the existing house and would create an intrusive development that would have a detrimental impact on views into, out and across the AONB.

2. Application number C17/0437/22/LL – Land near Penygroes Telephone Exchange, County Road, Penygroes, Caernarfon

Erect a 21m high telecommunications mast, including a radio station, 3 antennae, 2 equipment cabinets, associated equipment, together with a 1.8m high security fence.

- (a) The Planning Manager elaborated on the background of the application, noting that this application was deferred at the Committee meeting on 4 September 2017. It was noted that the site was located on the outskirts of Penygroes at the rear of the telephone exchange site which contained one permanent single-storey building.

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

It was noted that the general requirements of Policy PS3 of the JLDP permitted infrastructure proposals that sought to extend or improve connections via existing communication technologies and those being developed.

It was explained that Planning Policy Wales stated clearly in relation to the implications of such development proposals on health, that the Welsh Government was of the opinion that local planning authorities should not further consider any health impacts or the concerns about them when processing an application for planning permission or approval beforehand if the development satisfied the requirements of the International Commission on Non-Ionizing Protection (ICNIRP) Public Exposure Guidelines. Information had been received from the applicant indicating compliance with these standards.

It was noted that with this type of development it was inevitable that the proposed main structure would be partly visible from public places as it needed to be in a fairly open location to ensure that it operated to its full capacity. It was considered that the development was unlikely to have any obvious long term impact on the visual amenities of the local area. It was reported that a late objection had been received regarding the impact of the development on the ancient monument of Caer Engan, CADW had been consulted and confirmation was received that they had no objection to the proposal.

The development was acceptable in terms of relevant local and national policies for the reasons noted in the report.

- (b) The following main points were made by a member who was acting as a local member (not a member of this Planning Committee):-
- That the local community was concerned about the negative impact of the development and were anxious for it to be re-located;
 - In accordance with the Well-being of Future Generations (Wales) Act 2015, there was a duty to take stock and ensure short and long term needs;
 - Reference was made to international studies and appeals which showed the impact of electronic magnetic radiation on health. Recognised that health matters were not a consideration in determining the application;
 - Concern regarding the visual impact and the impact on the business of Pant Du that was an attraction for local people and visitors alike;
 - Concern that a new prominent industrial mast would have an impact on the application for World Heritage Site Status for the Slate Industry (UNESCO);
 - That Grŵp Cynefin had a scheme to develop housing near the site and they opposed the proposal. Approving the application could prevent the scheme;
 - In accordance with the Ffordd Gwynedd culture, the comments of residents should be listened to and the application in this location should be refused.
- (c) In response to the above observations, the Senior Solicitor noted that he appreciated the member's comment that the Committee in the context of planning were tied in terms of health matters. He took the opportunity to draw the attention of members to a judicial review that had recently been before the High Court regarding challenges relating to a mast in the south of the County and the impact on health. He noted that the Council had successfully defended the challenge. He also noted, that there was no evidence before them for refusal on the grounds of health and that information had been submitted with the application showing that it satisfied statutory requirements. It was explained that if the application was refused on the grounds of health, that it was likely that the application would be referred to a cooling-off period.
- (ch) It was proposed to refuse the application contrary to the officers' recommendation as the size and design of the mast at this location would be industrial in nature and would have a significant negative impact on the area's visual amenities.

The proposal was seconded.

During the ensuing discussion, the following main observations were noted by members:

- Concern regarding the visual impact and the impact on the business at Pant Du. The application should be refused on the grounds of economic matters as well;

- That the location was unsuitable and there were more suitable sites available;
- Recognised that there was a need for a 4G signal but there was concern regarding the size and appearance of the development and its impact on nearby buildings. There were other locations that could satisfy the requirements;
- That it was an alien development that would be intrusive on a semi rural site;
- Concern that the proposal would have an impact on the image of the village and its impact on local business;
- That the land near the application site had been earmarked for housing development in the JLDP and approving the application would be a barrier to housing development;
- Owners had invested in their houses near the site and the development would affect their value;
- That connectivity was important for people who wanted to work from home and therefore the application had to be weighed-up. The applicant had looked at other locations but they did not allow for sufficient treatment.

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

- That the application should not be refused on the grounds of economic matters as these could not be justified. The requirement to consider the need for the provision and the economic benefit that would emanate from the proposal as it would supply a 4G signal;
- The impact on property value was not a planning consideration;
- Regarding the adjacent site allocated for housing, the designation could not be considered to refuse this application;
- Consideration could be given to the visual impact of the structure from any premises.

RESOLVED to refuse the application.

Reason:

The size and design of the mast in this location would be industrial in nature and would have a significant negative impact on the area's visual amenities.

3. Application number C17/0366/17/LL - Land, Y Fron, Caernarfon

Installation of 1 cattle grid

(a) The Senior Development Control Officer elaborated on the background of the application and noted that the applicants explained that the intention was to close a gap between existing obstacles surrounding the common land of Uwchgwyrfai to restrict sheep and cattle from wandering off the common to nearby villages, roads and land.

It was noted that the main planning policy relating to changes to the transport network was Policy TRA 1 of the LDP. It was explained that this policy approved improvements to the infrastructure of existing roads if a series of criteria could be met, including that the selected site had the least possible impact on the built and natural environment, the landscape and property.

Due to the relatively small size of this development, together with its location in an area agricultural in nature, neither the grid itself nor the surrounding fences, gate and walls would be considered as incompatible features in the landscape.

Reference was made to the objections received. It was noted that it was not believed that the noise levels resulting from the grid would be likely to be significantly different to what was generated by normal traffic in terms of its amenity impact. It was therefore considered that the proposal met with the requirements of Policy TRA 1 relating to protecting local property in addition to PCYFF 2 in terms of protecting the health, safety and amenities of local residents.

Attention was drawn to the fact that the Transportation Unit had no objections to the proposal in terms of highway safety, although they emphasised that it was necessary to receive additional permission via an order under Section 82 of the Highways Act 1980.

The development was acceptable in terms of relevant local and national policies for the reasons noted in the report.

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That he represented the residents who were concerned about the impact of the development;
 - They were not against the principle but objected to the location and the design;
 - Concerns regarding the safety of walkers.
- (c) Taking advantage of the right to speak, the applicant's representative noted the following main points:-
- He was the Chair of the Uwchgwyrfai Grazing Association, and the association was recognised by the Welsh Government and the members had signed to confirm that they would comply with the requirements;
 - There was an increase in the use made of the Common Land by walkers who caused livestock to be moved down and created difficulties with livestock management;
 - A grid would prevent stock from roaming towards the villages of Carmel and Groeslon.
- (ch) It was proposed and seconded to approve the application.

An amendment was proposed to undertake a site inspection visit. A member noted that a solution was required and it was necessary to consider what was best. The amendment was seconded.

A vote was taken on the amendment and it fell.

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

RESOLVED to approve the application.

Conditions:

1. Time
2. Compliance with plans
3. Agree on the exact location, materials and design of the fences / walls / gate

Notes

Permission required under the Highways Act to install a cattle grid

Permission required under the Highways Act to undertake work within the highway

4. Application number C17/0459/04/LL - Llaur y Betws Caravan Park, Glan yr Afon, Corwen

A full application to modify the layout of a caravan site in order to site a total of 92 static caravans, including 30 static caravans (8 relocated within the site) which will replace 35 touring caravans, a reduction in the density of static caravans, and environmental improvements.

- (a) The Planning Manager elaborated on the background of the application, noting there was existing permission for 70 static caravans, and 35 touring caravans. The static and touring caravans were sited on two different fields within the site; this application would not involve extending the site's boundaries. It was noted that the site was located in a natural narrow valley, and trees and mature hedgerows grew along the boundaries.

It was noted that an increase of 10% to the existing static units was considered acceptable. In addition, it was also considered that replacing 35 touring units with 15 additional static units was an improvement to this specific site; as it would lead to a decrease in general traffic flow along the narrow back roads leading to the site. Attention was drawn to the fact that the proposal would not create an additional visual impact, and the standard of provision on offer would be a great improvement.

It was noted that the proposal would improve the layout of the site by making it more orderly and attractive compared with its current form, which was more restricted and dense. It was also considered that the proposed landscaping and planting work would substantially improve the existing situation.

The development was acceptable in terms of relevant local and national policies for the reasons noted in the report.

- (b) The local member (a member of this Planning Committee) supported the application and noted that the proposal would entail improving amenities and reducing the site's density.
- (c) It was proposed and seconded to approve the application.

In response to a question from a member, the Planning Manager confirmed that the condition "Lighting plans for the site must be submitted for approval, and this must then be implemented within a specific time-scale" was in accordance with the condition recommended by Natural Resources Wales.

RESOLVED to approve the application.

Conditions:

1. Five years in which to commence the development;
2. In accordance with the approved plans;
3. Holiday use only
4. Restrict the number of static caravans on the site to 92 only, no touring caravans;
5. Lighting plans for the site must be submitted for approval, and this must then be implemented within a specific time-scale;
6. Landscaping and planting plan to be implemented within the first planting season following completion of the development or before the static caravans that are the subject of this permission are occupied (whichever comes first);
7. Details to be submitted for the play area within a month of work commencing, and completed prior to occupying the static caravans that are the subject of this permission;
8. The development to be carried out in strict accordance with the measures and recommendations of the submitted ecological report;
9. Colours of the static caravans to be agreed in writing prior to being sited on the site

5. Application number C17/0557/38/LL – Land adjacent to Beach Road, Llanbedrog, Pwllheli

Construction of an affordable house.

- (a) The Senior Development Control Officer expanded on the application's background and noted that the JLDP's proposals maps for the village of Llanbedrog indicated that the site lies outside the village development boundary and it was considered that this was tantamount to erecting a new house in the countryside. Despite the applicant's arguments, officers were not convinced, based on the information submitted, that the site formed a reasonable extension to the village development boundary.

It was noted that details and evidence had been submitted to show that the applicant needed an affordable house and confirming they were willing to accept an obligation

through a Section 106 legal agreement to restrict the occupancy and value of the house should it be sold in future to ensure that it remained an affordable house.

Attention was drawn to the additional observations received and it was noted that the applicant had submitted amended plans reducing the floor area of the house to 100m².

It was noted that it was likely that erecting a house on the site would not create a development that would have a significant harmful impact on the wider landscape. It was explained that currently the site was part of a larger agricultural field which extended to the nearby coastline and which offered privacy and tranquillity to the occupants of the two nearby existing dwellings.

It appeared that the proposed plot and the proposed house had been squeezed as close as possible to the development boundary to try and meet the policy requirements and this created a narrow site and an unacceptable development and it was considered that it would not create a reasonable extension to the settlement. It was therefore felt that approving the application would cause an element of disturbance for the neighbour due to the activities related to the residential use of a new property and coming and going from the plot, therefore the proposal was contrary to policy PCYFF 2 and PCYFF 3 of the JLDP.

It was noted that the plan indicated that it was intended to create a vehicular access to the north along the site's boundary in order to connect to a private access road within a nearby estate of 12 affordable homes. It is not considered that using the estate road as an access to serve one additional house would affect road safety.

It was recommended that application should be refused on the grounds of:

- That the proposal was contrary to PCYFF 1 of the JLDP relating to sites forming a reasonable extension to the village development boundary;
- Approving the application would cause unacceptable disturbance and would have a detrimental impact on the amenities of nearby residents.

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

- She agreed with the officers' observations and they had submitted a report to the Planning Service that came to the same conclusions as the officers;
- That there was no evidence in terms of the need for an affordable house;
- Questioned if the house would be affordable due to its size, location and design;
- Questioned the price of £250,000 for the completed house.

(c) Taking advantage of the opportunity to speak, the applicant noted the following points:-

- That she had submitted information to the Planning Service in response to the report before them;
- That she was returning to the village for her child to receive Welsh medium education and to be brought up in a Welsh society close to his family;
- That it was difficult to get an affordable house due to local house prices with a high number of holiday homes in the village;
- That Llanbedrog Community Council supported the proposal and no objection had been received from the residents of Cysgod y Cwmwd estate.
- That she had submitted amended plans that reduced the house size;
- That there would not be much more disturbance as a result of the development;
- Approving the application would help a family to come back to their native area.

(ch) It was proposed and seconded to refuse the application.

A member noted that in principle he wanted to support the application, however, when considering the contents of the report it appeared that the house would not be suitable as an affordable house. In response, the Senior Development Control Officer noted that the

applicant had submitted amended plans and they complied with the requirements in terms of the size of the affordable house.

The Senior Planning Service Manager suggested that as matters had arisen in terms of location and the relationship of the house with nearby houses, and the impact on residential amenities, consideration should be given to conducting a site visit.

An amendment was proposed to defer the application in order to conduct a site visit and to receive information regarding the development boundary. The amendment was seconded.

A member noted that the size of the house had been reduced to comply with the requirements in terms of the size of an affordable house and that he was in favour of approving the application.

RESOLVED to defer the application in order to conduct a site visit and to receive information regarding the development boundary.

6. Application number C17/0603/43/LL – Capel Bethania, Pistyll, Pwllheli

Change of use and extend the chapel to create a holiday unit to include the change of use of agricultural land surrounding the chapel to create an amenity area and installation of sewage treatment tank (amended application).

- (a) The Senior Development Control Officer elaborated on the background of the application, noting that the application site was located within the AONB and also within the Llŷn and Bardsey Landscape of Outstanding Historical Interest.

Attention was drawn to the objections received during the public consultation period in the context of road safety and construction work hours.

It was noted that policy TWR 2 stated that proposals to transform the existing buildings into self-service holiday units will be approved if they are of high quality in terms of design, setting and appearance. It was considered that the scale of the proposal was suitable for the site and the location with only one holiday unit being created. It was noted also that the location was convenient with access directly from the second class county highway.

It was noted that the design of the extension was fairly contemporary, however, it was considered that the extension would be acceptable for the site and that the materials were acceptable.

Following the receipt of an objection from the Transportation Unit as there was no room for a vehicle to wait off the road whilst a gate to the site was opened and the layout of the access, an amended plan was received and the gate was set further into the access track in order that it was possible for a vehicle to wait for the gate to open off the county highway. As a result of receiving these details it was noted that further observations had been received from the Transportation Unit stating that the proposal to re-locate the gate further into the site was acceptable and overcame the majority of highway concerns. It is not considered that the proposal would affect road safety.

It was noted that the proposal was acceptable based on principle, location, use, density, design, materials, visual amenities, residential amenities and road safety and complies with relevant local and national planning policies and guidance.

- (b) Taking advantage of the right to speak, the applicant noted the following main points:-
- That he was eager to retain the appearance of the building as a chapel and to replace the vestry that was not structurally sound with a modern extension with a contrast between the old and new.

- There would be no connection to the public sewer;
- That he had purchased additional land in order to enable moving the access to improve visibility;
- There was parking provision on the site.

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

During the ensuing discussion, the following main observations were noted by members:

- That the application was a perfect opportunity to safeguard the building;
- Concern in terms of road safety with cars parking on the road at the side of the terrace opposite the site. Speeding problems on this road and it was difficult to pass cars on the road;
- Number of applications with holiday units that had received planning permission then turning to be a house. Would it be possible to impose a condition to restrict the period when the house could be occupied as a holiday unit as was done with caravan sites?
- Would it be possible to impose a condition regarding construction work hours in accordance with the wish of the objectors?

(ch) In response to the above, the officers noted:

- That speeding problems were a police enforcement matter;
- The proposal would not significantly add to traffic movements and the applicant had improved the access by moving the gate in order to enable cars to turn on the best point of the road. There was no reason to object to the proposal in terms of road safety;
- That it was recommended to impose a condition to restrict the unit to holiday use only. It was explained that following the appeal decision of Ocean Heights Caravan Park the holiday season was the same as holiday units with evidence showing that visitors contributed to the economy throughout the year;
- It was not reasonable to impose a condition regarding construction work hours in accordance with the wish of the objectors because of the development's scale. Any nuisance issues that may arise from the development during the construction period would be considered by the Public Protection Service.

RESOLVED to approve the application.

Conditions:

1. Five years.
2. In accordance with the plans.
3. Slate on the roof
4. Agree materials for the external walls of the extension;
5. The external walls of the chapel to be in a white colour.
6. Restrict the use of the unit to holiday use only.
7. Removal of permitted development rights for extending the unit and curtilage buildings.
8. Work to be undertaken in accordance with the recommendations of the protected species survey.
9. Conduct a photographic survey of the building
10. Access to be constructed in accordance with the revised plan.

7. Application number C17/0656/42/LL – Maes y Garn, Stryd Fawr, Nefyn

Construction of five one-storey houses with one to be affordable.

(a) The Planning Manager elaborated on the background of the application and noted that neighbouring land to the west, which was also owned by the applicant, had already

received planning permission to construct 10 two-storey houses. It was explained that as part of the permission it was intended to retain the site of the existing application site as 16 allotments with a condition on planning permission C12/1372/42/LL to ensure that this land was used as allotments.

It was noted that the site was located within the development boundary of Nefyn and had been earmarked as a protected open/play area in the JLDP and the site had previously been used as allotments.

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

It was noted that the proposal was considered in terms of Policy ISA 4 of the JLDP that dealt with safeguarding existing open areas. It was reported that a Summary of Evidence on Open Areas had been submitted as part of the application. The agent had also, as part of the application, summarised the information gathered as part of the Planning, Design and Access Statement. This information was prepared by the agent and gave a summary of the process and the efforts of the applicant to seek evidence of the demand for allotments in Nefyn.

It was noted that the applicant had conducted a survey of the allotments at Y Ddôl in order to assess how many of the 21 were in use in September 2016. From the information submitted only 10 out of the 21 allotments with planning permission were being used.

As the applicant had understood by letter from Nefyn Town Council that there were drainage difficulties at y Ddôl allotments site he tried to seek access to Y Ddôl site to assess the drainage needs and to see if it was possible to solve these. It was noted that the applicant had stated that he continued to be ready to assess land drainage to see if he could assist to improve the allotments on Y Ddôl site if the opportunity arose.

It could be seen that the situation with allotments in Nefyn had changed since the application for 10 houses had been approved with planning permission given for 21 allotments at Y Ddôl site. From the information submitted it appeared that these allotments had not been filled and although it was possible that there were reasons for this there was potential here for 21 allotments. It was understood that this land was leased by Gwynedd Council to Nefyn Town Council for 15 years from October 2014.

It was noted that Technical Advice Note 16 stated that there may be fewer safeguards for privately owned allotment sites compared to those run by local authorities. It was considered that a fair effort had been made by the applicant to seek information about the needs in terms of the allotments provision in Nefyn, and also to try and contribute towards improving facilities at Y Ddôl site.

It was noted that the applicant had stated that he would be willing to sign a Section 106 agreement to tie one of the houses as an affordable unit. This would be equivalent to 20% of the houses and would be more than the requirement for Nefyn as stated in policy TAI 15 of the JLDP. As a result of signing a section 106 agreement for affordable housing to tie one of the units for affordable need, it was considered that the proposal would satisfy the requirements of policy TAI 15.

It was reported that information had been received late in the day from Nefyn Town Council giving a list of those with an allotment at Y Ddôl and also a waiting list for an allotment. It was noted that neither the officers or the applicant had had an opportunity to assess the information and therefore it was recommended that the application should be deferred in order to consider the new information. It was suggested that if the application was deferred that consideration should be given to conduct a site visit.

- (b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- The proposal would address the need for housing with prices that local people could afford;
 - The proposed development would create jobs;
 - The site was adjacent to another housing site and access on foot to services;
 - That the land had been left unused as allotments since 2009;
 - That there were 21 allotments on Y Ddôl site and research had been undertaken regarding the demand for allotments;
 - That the applicant had contacted the Town Council several times but their offer to assess the drainage situation on Y Ddôl site had not been accepted.
 - An advert had been placed in the press asking for expressions of interest in an allotment. Ten e-mails/letters were received expressing an interest. It was thought that there was no need for allotments at the current scale;
 - The applicant was eager for the application to be determined at this meeting.
- (c) It was proposed to defer the application in order to consider the new information and conduct a site visit. The proposal was seconded.

A member noted that the local member's information regarding flooding should also be considered.

RESOLVED to defer the application in order to consider new information and to conduct a site visit.

The meeting commenced at 1.00pm and concluded at 3.40pm.

CHAIR