
PLANNING COMMITTEE 04/3/19

Present: Councillor Elwyn Edwards – Chair
Councillor Eric M. Jones – Vice-chair

Councillors: Stephen Churchman, Louise Hughes, Anne Lloyd Jones, Berwyn Parry Jones, Elin Walker Jones, Huw G. Wyn Jones, Dilwyn Lloyd, Edgar Wyn Owen, Gareth A. Roberts, Eirwyn Williams, Gruffydd Williams and Owain Williams

Others invited: Councillors Aled Wyn Jones, Dewi Wyn Roberts (Local Members).

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

Apologies: Councillor Cemlyn Williams,

1. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

- Councillor Eirwyn Williams in relation to item 5.1 on the agenda, (planning application number C18/0871/35/LL) as the applicant was a close relative of his.
- Councillor Owain Williams in relation to item 5.2 on the agenda, (planning application number C18/1080/43/LL) as he was the owner of the site.
- Councillor Gruffydd Williams in relation to item 5.2 on the agenda, (planning application number C18/1080/43/LL) as his father was submitting the application.

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

(b) The Planning Manager declared an interest in item 5.4 on the agenda (planning application number C19/0059/39/LL) as her parents were friends with the applicant.

The officer was of the opinion that they were prejudicial interests, and she withdrew from 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 Aled Wyn Jones, (not a member of this Planning Committee), in relation to item 5.2 on the agenda, (planning application number C18/1080/43/LL)
- Councillor Dewi Wyn Roberts, (not a member of this Planning Committee), in item 5.4 on the agenda, (planning application number C19/0059/39/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.

(ch) The Senior Solicitor highlighted that he had not received any protocol matters relating to the applications before the committee. He reiterated that he was aware that Committee Members had received a questionnaire and an invitation to an event organised by the Aldi company relating to a future development in Bangor. Members were advised not to respond to the questionnaire nor to attend the event.

2. MINUTES

The Chair signed the minutes of the previous meeting of this Committee that took place on 11 February 2019, 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 policy aspects.

RESOLVED

1. Application Number C18/0871/35/LL – Eirianedd, Rhos Bach, Cricieth

Change of use from annexe to holiday accommodation

The Members had visited the site.

- (a) The Development Control Officer elaborated on the background to the application, and noted that the application had been deferred at the Committee meeting held in December 2018, in order to undertake a site visit. It was highlighted that the site was located within a residential housing estate in Cricieth. It was noted that the site consisted of a two-storey residential property with an external single-storey pitch-roofed building within the curtilage that was currently used as a games room.

It was reiterated that an amended floor plan, a Design and Access statement and Business Plan had been submitted (27.11.2018) as part of the application which reduced the number of bedrooms from two to one and removed a window that overlooked the curtilage of the residential property.

It was explained that pre-application advice had been provided where it had been highlighted in the response that the proposal was contrary to policies TWR 2 and PCYFF 2 as the proposed unit was located within a mainly residential area. It was considered that the proposal would have an unacceptable impact on the amenities of neighbouring residents. It was highlighted that policy TWR 2 permitted the conversion of outbuildings to holiday accommodation provided that the development was of a high quality in terms of design, setting and appearance, and met five criteria. Since the site was located within the curtilage of a residential dwelling on a housing estate, it was considered that the proposal did not comply with point iv of Policy TWR2 - *The development is not located in a mainly residential area, and does not cause significant harm to the residential character of the area*. Due to the proximity of the proposal to the residential dwelling, it was reiterated that it could not be considered to be of high quality in terms of location. It was also considered that using this building as a separate unit would mean that the scale of the development was unacceptable and that each property would detrimentally impact the other. Therefore, the proposal did not comply with point ii of Policy TWR2 - *That the scale of the proposed development is appropriate considering the site, location and/or dwelling in question*.

It was considered that the proposal was also contrary to PCYFF 2 with regards to securing and protecting the amenities of current and future occupiers from activities that could cause disturbance to the estate from noise and movements related to the nature of holiday use.

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

- (c) In response to a question regarding whether it would be possible to hold further discussions with the applicant to consider possibilities and amend the plan, it was noted that it would be difficult to meet criteria TWR2 with the proposal in question. It was reiterated that pre-application advice had been provided to the applicant where it had been highlighted that the proposal was contrary to policies.
- (ch) In response to a Member's observation that an annexe for parents would be acceptable but that a holiday unit would be unacceptable, it was noted that the main principle in question here was the type of use being considered and the need to protect residential locations. It was reiterated that the Planning Service was unable to manage open market housing, but with this type of proposal it would be possible to manage through legislation. Approving the proposal could set a precedent for similar developments to create self-contained accommodation units in a residential area.
- (d) In response to a suggestion to include a 106 agreement on the holiday unit so that both units could not be sold separately, the Senior Solicitor noted that including a 106 agreement was likely to be challenged for revocation within five years.
- (dd) In response to an observation regarding the need for clarity for the number of tourist accommodation in Cricieth (70 units and five self-contained units) compared to a total of 41 (in a statement on the number of non-domestic rates), it was noted that the Planning Service had consulted with the Tourism Unit and that it had no reason to disagree with their observations.
- (e) During the ensuing discussion, the following points were made by members:
- Competing was not a reason for refusing.
 - The building was the size of a double garage and, therefore, if approved it could set a dangerous precedent for others.

RESOLVED to refuse the application in accordance with the recommendation.

The proposal to convert the existing building within the curtilage into a self-contained holiday accommodation is unacceptable because of the site's location within a residential housing estate, and as the Local Planning Authority has not been satisfied that there is not an excess of this type of accommodation in the area, which is contrary to criterion iv and v of policy TWR 2 of the Gwynedd and Anglesey Joint Local Development Plan 2011-2016. Because of the building's location and its proximity to the existing residential dwelling on the site, the proposal cannot be considered to be of high quality in terms of its location. It is also considered that using this building within the curtilage as a separate unit would mean that the scale of the development is unacceptable and that both properties would detrimentally impact the amenities of the other, which is contrary to criterion ii of policy TWR 2 of the Gwynedd and Anglesey Joint Local Development Plan 2011-2026.

The proposal is contrary to the requirements of policy PCYFF 2 of the Gwynedd and Anglesey Joint Local Development Plan 2011-2026 in terms of securing the amenities of current and future occupiers in relation to safeguarding the amenities of local property occupiers from activities that could cause disturbance to the estate from noise and movements.

- 2. Application number C18/1080/43/LL – Gwynus Caravan Park and Golf Course, Pistyll, Pwllheli**

- (a) The application had been submitted to Committee as the site was owned by a Council member.
- (b) The Planning Manager elaborated on the background of the application, and noted that this was an application to amend condition 6 on planning permission C15/0495/43/LL to allow a holiday season of 12 months for the static caravans. It was noted that the current planning permission restricted the occupancy of the static caravans to 10½ months with a separate condition controlling the occupancy period for touring caravans that used the site.

It was noted that several sites in the County had been granted permission to operate holiday use all year round and that the relevant policy did not restrict the holiday period. It was reiterated that the proposal complied with what took place on other sites.

- (c) The local member (not a member of this Planning Committee) noted the following main points:-
 - That the site for static caravans had been established in 1947 and a site for touring caravans and a golf course had been established later in 2007.
 - The static caravan site and touring caravan site would be ran separately.
 - The timber cabins were units of particular standard, purpose-built and suitable for all weather. A substantial investment had been made to the site.
 - The site gave the area an economic boost.
 - The policy had been well established for large sites and, therefore, it was essential that smaller parks had the same rights.
 - Amending a condition only was the matter at hand.
 - The AONB and the Community Council supported the application.
 - The recommendation to approve was clear and that he was supportive of the application.
- (c) It was proposed and seconded to approve the application.
- (ch) During the ensuing discussion, the following main observations were noted by members:
 - That increasing the holiday season would be a boost to the local economy.
 - There was a need to confirm that nobody would live in the static caravans permanently.

RESOLVED to approve in accordance with the recommendation.

1. Need to comply with the remaining conditions on planning permission C15/0495/43/LL.

3. Application Number C18/1206/14/LL 10, Cefn Hendre, Caernarfon

An application to demolish existing rear porch and construct a two-storey extension to the rear of the property.

- (a) The application was submitted to the Committee as the applicant was a Manager within Gwynedd Council's Environment Department who had close working links with the Planning Service.
- (b) The Planning Manager elaborated that it was an application to construct a two-storey extension to the rear of a residential property which was one of three two-storey terraced houses that formed part of a residential housing estate. It was noted that the application had been amended from its original submission by amending the proposed form of the roof

and slightly reducing the width of the extension. As a result, it was considered that details of the proposal were acceptable.

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

(ch) **RESOLVED to approve in accordance with the recommendation.**

1. **Commence within five years.**
2. **In accordance with the plans.**
3. **Slate**
4. **Finishes of walls**
5. **Removal of PD rights – windows**
6. **Archaeology condition**
7. **Welsh Water Note**

4. Application Number C19/0059/39/LL Tegfan Bach, Gwydryn Drive, Abersoch, Pwllheli

Retrospective application to retain vehicular access and vehicle parking area.

(a) The application had been submitted to the Committee as it was submitted by a close relative of a Council Member.

(b) The Development Control Manager elaborated on the background of the application, noting that this was a retrospective application to retain a vehicular access and new parking area. It was highlighted that the surface of the parking area that had been created was on the same level as that of the adjacent carriageway, and it was surrounded on three sides by a wall of concrete blocks. It appeared as though the car park that had been created was large enough to accommodate two vehicles off the county road and there was no turning place within the site.

The Council's Transportation Unit was consulted and a response had been received stating no objection to the proposal from a road safety perspective. Whilst it would be possible to turn around within the curtilage, it was elaborated that it had been realised that the owner would perhaps choose to reverse in and out of the parking space at times. It was explained that the adjacent road carried a seasonal flow of one-way traffic, and it was believed that reversing into the parking spaces would be acceptable in this case. Nevertheless, and although the development would mean that approximately two on-street public parking spaces would be lost as a result, it was considered on the basis of the Transportation Unit's views that the development complied with policies TRA 2 and TRA 4 of the LDP.

(c) The local member (not a member of this Planning Committee) noted the following main points:-

- Nobody had objected to the proposal.
- The applicant had accepted the conditions.
- There was an advantage to the safety of drivers and pedestrians in parking a car in a vehicular access.
- He was supportive of the application.

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

RESOLVED to approve the application in accordance with the recommendation.

1. **Materials for surfacing the parking area and surrounding wall to be approved by the Local Planning Authority;**

- 2. Development to be completed within three months of the date of the planning permission, in line with details.**

Highways Note: The applicant is instructed to write to the Street Works Manager for permission under Section 171/184 of the Highways Act, 1980 to undertake any work within the road/pavement/green verge which is required to construct the access.

The meeting commenced at 1.00pm and concluded at 1.35pm.

CHAIR