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## PLANNING COMMITTEE 13/06/22

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**Present:**

**Councillors:** Elwyn Edwards, Delyth Lloyd Griffiths, Louise Hughes, Elin Hywel, Elwyn Jones, Gareth T Jones, Huw Wyn Jones, Cai Larsen, Anne Lloyd Jones, Edgar Owen, Gareth Coj Parry John Pughe Roberts, Huw Rowlands and Gruffydd Williams

**Officers:** Gareth Jones (Assistant Head of Department - Planning and the Environment), Iwan Evans (Head of Legal Services), Keira Sweeney (Planning Manager), Idwal Williams (Senior Development Control Officer) and Lowri Haf Evans (Democracy Services Officer)

**Others invited:**

Local Members: Councillors Kim Jones, Peter Thomas and Dafydd Meurig

**1. ELECT CHAIR**

**RESOLVED to elect Councillor Edgar Owen as Chair for 2022/23**

**2. ELECT VICE CHAIR**

Two names were proposed and seconded for the post of vice-chair, namely Councillor Elwyn Edwards and Councillor Gruffydd Williams

**RESOLVED to elect Councillor Elwyn Edwards as Vice-chair for 2022/23**

**3. APOLOGIES**

Apologies were received from Councillor Gareth A Roberts; Councillor Elin Walker Jones (Local Member)

**4. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS**

- a) Councillor Louise Hughes in item 7.5 (C21/1183/09/LL) on the agenda, as she knew the applicant
- Councillor Huw Rowlands in item 7.6 (C22/0038/22/LL) on the agenda, as he knew the applicant
- Councillor Gruffydd Williams in item 7.6 (C22/0038/22/LL) on the agenda, as he knew the applicant and the objector
- Councillor Cai Larsen in item 7.9 (C21/1206/25/LL) on the agenda, as he was a member of the Adra Board

Members were of the view that it was a prejudicial interest, and they withdrew from the meeting during the discussion on the application

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

- Councillor Dafydd Meurig (not a member of this Planning Committee), in relation to item 7.2 (C22/0134/16/LL) and 7.9 (C21/1206/25/LL) on the agenda
- Councillor Gareth Morris Jones (a member of this Planning Committee), in item 7.3 (C21/0734/46/LL) on the agenda
- Councillor Elin Hywel (a member of this Planning Committee), in item 7.4 (C20/0870/45/LL) on the agenda
- Councillor Anne Lloyd-Jones (a member of this Planning Committee), in relation to item 7.5 (C21/1183/09/LL) on the agenda
- Councillor Peter Thomas (not a member of this Planning Committee), in item 7.6 (C22/0038/22/LL) on the agenda
- Councillor Huw Wyn Jones (a member of this Planning Committee), in item 7.7 (C21/1174/11/LL) on the agenda.
- Councillor Kim Jones (not a member of this Planning Committee), in item 7.8 (C22/0239/15/LL) on the agenda

- c) The members stated that they had received correspondence regarding application 7.5 and 7.6.

## 5. URGENT ITEMS

None to note

## 6. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 11 April 2022, as a true record.

## 7. 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

## 8. APPLICATION NO C22/0251/11/DA 23 FFORDD BELMONT, BANGOR, GWYNEDD, LL57 2HY

**Non-material amendment to the plans approved by planning permission C19/0224/11/LL to allow the rear elevation of the extension to be replaced with a pvc-u cover in lieu of a pebble-dashed render.**

- a) The Development Control Officer highlighted that this was a non-material amendment to the plans approved by planning permission C19/0224/11/LL to allow the rear elevation of the extension to be replaced with a pvc-u cover in lieu of a pebble-dashed render. It was explained that the two-storey semi-detached house was located within an established residential area to the south-west of the city centre in ribbon form, opposite the class III county road, Belmont Road.

The application was submitted to the Committee as the applicant was a close relative of the Dewi Ward councillor in Bangor.

b) A proposal was made and seconded to approve the application.

**RESOLVED: To approve the application subject to the following condition: -**

- **The amendment hereby permitted shall be carried out in strict conformity with the details shown on an amended plan, dated 03.05.22, submitted to the Local Planning Authority, and contained on the application form and in any other documents accompanying the application unless condition(s) to amend them have been included on this planning decision notice. Notwithstanding the amendments hereby permitted, the remainder of the development must be completed in strict conformity with the details and conditions included in planning permission number C19/0224/11/LL.**

**9. APPLICATION NO C22/0134/16/LL PLOT C1, PARC BRYN CEGIN, LLANDEGAI , BANGOR, LL57 4BG**

**Development of a natural compressed bio-gas fuel facility for vehicles including fuel pumps, equipment compound, creation of new accesses, landscaping and associated development.**

Some members had visited the site on 10/06/22.

a) The Development Control Officer highlighted that the decision on the application had been deferred at the Planning Committee meeting on 11 April, 2022 in order to conduct a site visit.

It was explained that the proposal related to the development of a Bio-CNG (compressed bio natural gas) vehicle fuel facility, including fuel pump islands, machinery compound, creation of a new access and associated development within Bryn Cegin Industrial Estate. It was noted that the facility would serve logistics and distribution operators and would operate for 24 hours a day, without staff, with drivers activating the pumps with an automatic fob. It was noted that the proposal entailed the development of an empty plot within the Parc Bryn Cegin Industrial Estate, which had been designated and protected in the LDP as a Regional Safeguarded Strategic Employment Site.

In the context of planning considerations, the main concerns of the Local Member and nearby residents was the possible impact of the proposal in terms of noise disturbance and light pollution. It was highlighted that the site abutted the rear of three residential houses - 1 to 3 Rhos Isaf. It was acknowledged that the houses were on a higher level and it was intended to level the application site so that there was a retaining wall between it and the houses with an acoustic fence on top. It was highlighted that the noise assessment and the lighting plan had been submitted as part of the application and the results of the assessments indicated that it was not expected for the impacts of operational noise from the fuel filling station to have any substantial detrimental impact, subject to the context.

It was noted that the Public Protection Unit had accepted what the noise

consultant had noted and the need to assess each site individually together with noise levels. It was added that the site was identified as an industrial estate and the additional information had stated that the noise levels from the site would not have a negative impact on the residents' dwellings. Although the score level of 4db exceeds the existing background noise level in the worst possible scenario, the levels would continue to conform with the levels outlined by the World Health Organisation should all the noise mitigation measures be implemented.

As a result of the comments of the Public Protection Service, it was recommended that a condition should be included referring to conforming with the contents of the noise assessment and the light assessment. Having assessed the proposal in full, it was considered that it was acceptable and complied with the requirements of the relevant policies and guidelines.

b) Taking advantage of the right to speak, the applicant noted the following observations:

- CG Fuels was the leading developer in the operation of Bio-CNG (compressed bio natural gas).
- The company intended to provide a broad network of reliable and convenient facilities across the UK to serve its customers and to satisfy the increasing demand from fleets to decarbonise transport operations.
- Bio-CNG had been approved by the Department for Transport and it complied with UK legislation.
- Demand was increasing as delivery and distribution companies committed to reduce their carbon footprint.
- Their customers included major supermarkets and logistic and distribution companies.
- The impact of CNG was substantial - it could reduce Co2 emissions by 90%; reduce noise by 50% - which was essentially important given that the HGV sector was difficult to decarbonise.
- The refuelling station would offer a new CNG facility to serve fleets that used local networks.
- The site was within an area where there was substantial demand from their customers - an opportunity to provide a new operational use within the estate.
- Secure financial investment
- It would allow fleets to take advantage of environmental benefits.

c) Taking advantage of the right to speak, the Local Member made the following points:

- That he accepted that the site had been identified as an industrial site
- Concerns had been highlighted regarding noise, lighting and odours
- He accepted the applicant's explanation for the use of this specific plot for the proposal

ch) It was proposed and seconded to approve the application

d) During the ensuing discussion, the following observations were made by members:

- That mitigation measures had been set for noise and lighting

matters.

- The site had been earmarked as an industrial site

**RESOLVED: To approve with conditions**

1. **Five years**
2. **In accordance with the plans**
3. **To complete the access in accordance with the plans**
4. **No lorries to park overnight**
5. **Landscaping plan**
6. **Compliance with lighting scheme**
7. **Welsh Water**
8. **Complete in accordance with the requirements of the noise and light assessment**

**Notes**

- **Highways**
- **SUDS**

**10. APPLICATION NO C21/0734/46/LL TYDDYN ISAF, TUDWEILIOG, PWLLHELI, GWYNEDD, LL53 8PB**

**Full application for change of use of agricultural land to create a caravan site for 32 pitches, construction of new building to accommodate showers/toilets, all associated hard standings, resurfacing and access.**

Attention was drawn to the late observations form that highlighted additional landscaping details.

Some of the Members had visited the site on 10/06/22. It was noted that the applicant had parked a car and caravan in the field to try and highlight the impact.

- a) The Planning Manager highlighted that the decision on this application was deferred at the Planning Committee meeting held in April 2022 so that committee members could conduct a site visit.

It was explained that the site was situated outside any development boundary in an open site in the countryside and the existing holding comprised a dwelling, farmyard and associated buildings with a class 3 public road running past the site separating the yard and the proposed caravan site access from the nearby dwelling. It was added that the site and the nearby area was within the designation of the Llŷn Area of Outstanding Natural Beauty as well as the Llŷn and Bardsey Landscape of Outstanding Historic Interest.

It was noted that since the subject of this application was a site for touring caravans, it had to be considered under policy TWR 5 of the LDP that sets a series of criteria to approve such developments. It was added that criterion 1 in policy TWR 5 stated that any new touring caravan developments should be of a high quality in terms of design, layout and appearance, and well screened by existing landscape features and / or where the units could be readily assimilated into the landscape in a way which did not significantly harm the visual quality of the landscape.

Although accepting that a planting and landscaping plan had been submitted

by the applicant, the officers continued to recommend that the application be refused as the site had not been well screened by existing landscape features and was not in a location where touring units can be readily assimilated into the landscape. Therefore, it was considered that the development had a substantially significant and harmful impact on the visual amenities of the local area and it was not considered that the proposal would protect and improve the Llŷn Area of Outstanding Natural Beauty. It was considered that the proposal was contrary to criterion 1 of policy TWR 5 and policies PS19 and AMG 1 of the Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017.

- b) Taking advantage of the right to speak, the applicant's relative noted the following points:
- The family were local with firm roots in Pen Llŷn - they had been brought up, educated and worked locally.
  - The proposal was a plan for the whole family with the hope of being able to develop an intrinsic, successful and long-term business in Tudweiliog; it would have numerous benefits to the local economy for shops, public houses, restaurants and holiday destinations and villages in Pen Llŷn and beyond.
  - The application was acceptable and satisfied LDP requirements with the exception of one clause of Planning policy TWR 5 that was associated with the development's impact on the landscape.
  - The applicant was astonished that the planning application had been submitted for over a year and that this was the first reference to the development's impact on the landscape.
  - Although no objection had been received from the AONB Officer as part of the consultation process, it appeared that the Officer had determined that a landscaping plan (which would include a 1.5 metre earth *clawdd* and a comprehensive indigenous resilient tree planting scheme) could not succeed due to its proximity to the coast. Despite this, there was no opinion from a specialist consultant to reinforce the Officer's opinion on the success of the planting scheme.
  - The Local Planning Authority's concern about the ability to successfully landscape the site was accepted. Should these concerns have been shared during the planning process, there would have been an opportunity to try to mitigate and resolve the impact sooner.
  - There was a suggestion to propose a landscaping planning condition in the hope that it would meet and reinforce the landscape impacts of the development. The purpose of the condition was to provide a specialist report in order to highlight how to establish tree growth and which indigenous species were the most resilient in a coastal area. The report would submit accurate information to draw up a comprehensive planting scheme to landscape the visible boundary.
  - It was proposed to add a second clause to the condition relating to the submission of an after-care scheme to review growth over a ten-year period, where any dead tree would be replanted with a new tree.
  - It was strongly asked whether or not the proposal was reasonable and resolved the concerns of the Officer or the Planning Department about the prominence of the site within the landscape.
  - The situation facing rural communities in Gwynedd - the Pen Llŷn coast especially was harrowing and critical with local housing stock of all types and designs being quickly snapped up by suppliers who need holiday homes - Airbnb. The ability for people to work from home also

encouraged an influx and communities were increasingly becoming Anglicised in language and nature.

- There would only be short-term minor impacts on the landscape here. It was considered that a small caravanning facility offered a much better option for visitors to be able to visit our areas and enjoy the fantastic landscape, and then return to their communities at the end of their holiday.
- With a lack of provision over the last few years, we had seen much more of the local housing stock being bought. By ensuring a provision for the increasing demand for high quality holiday units, it was hoped that the reliance on Airbnb units and similar ones would reduce.

c) Taking advantage of the right to speak, the Local Member made the following points:

- That an extensive consultation had been undertaken.
- No objection had been presented by NRW, the Community Council, Transportation Unit or the AONB.
- There was a need to carefully consider the balance between the impact on the landscape and promoting the local economy - a screening plan had been submitted to mitigate the affect and the applicant had committed to the screening plan
- No letter / correspondence had been received objecting to the application
- A petition had been signed by over 300 persons in support of the application
- It was essential to support a local family to stay in their community and encourage their proposal to establish a business. Diversification was the only option in light of increasing farming costs
- One organisation objected with one reason for their objection - the proposal would create a significant and detrimental effect on the landscape
- It could be argued that the screening plan would improve the landscape - the site, the farm would be tidy and the landscape protected
- *Cloddiau*, trees and hedges would be planted to withstand harsh weather and this once the applicant had sought the view of an international expert in the field
- Any plant refusing to root would be re-planted
- An application for a more prominent touring caravan site had been approved
- The occupiers of Tyddyn Isaf would screen the site and would ensure that the caravans are well hidden
- Supportive to approve the application

ch) The application was proposed and seconded to be refused in accordance with the recommendation.

d) During the ensuing discussion, the following observations were made by members:

- Refusal would be a matter of opinion - NRW and AONB were supportive
- The comments of the trees expert were sensible - his expertise had to be recognised
- Local people needed to be supported and to keep them local
- That the site was very tidy

- There were similar sites in the same area - why differentiate?
- The landscaping and planting plan was good
- The application met with 6 of the 7 appropriate criteria and evidence had been submitted as a response to the element of the impact on the landscape
- The planting plan would improve the area's biodiversity
- The family offered a sustainable and community business as required
  
- There were many caravan sites in the area - this application would contribute to the cumulative impact of touring caravans
- Dwyfor was sinking under caravans - there were over 10,000 static caravans not to mention touring caravans!

dd) A vote was taken on the proposal.

The proposal fell.

- e) It was proposed and seconded to approve the application contrary to the recommendation and subject to the requirements of the landscaping plan and standard conditions

In response to the proposal the Assistant Head highlighted that the application would have to be referred to a cooling off period. The AONB, similar to the National Park, has a status that needs to be protected. The primary objective for designating AONBs is to conserve and enhance the natural beauty of the landscape. Some years would pass before the proposed planting plan would establish and therefore the application was contrary to the aim of protecting the landscape.

**RESOLVED: To approve the application contrary to the recommendation subject to the requirements of the landscaping plan and basic conditions**

**The application was referred to a cooling off period**

**11. APPLICATION NO C20/0870/45/LL LAND AT YSGUBOR WEN, PWLLHELI, LL53 5UB**

**Erection of five dwellings together with access, parking and landscaping**

- a) The Planning Manager highlighted that the application was originally submitted to the Planning Committee on 21/06/21 when it was resolved to approve the application, subject to determining an appropriate discount to restrict the value of both affordable dwellings and complete a 106 Agreement to ensure that the two houses are affordable for local need. It was added that lengthy discussions had been held between the officers and the applicant since the committee's decision and as a result to the submission of detailed financial evidence, it had become evident that it would not be viable to include two affordable houses as part of the development.

In accordance with the committee's decision to approve subject to a discussion and agree on an appropriate discount for the affordable units, an open market valuation was received for the affordable housing. Based on the information together with advice from the Strategic Housing Unit, it was determined that a discount of 40% was required to ensure that the houses

were in reach of people who need intermediate affordable housing. Following this, an objection was received to the discount from the applicant as such a high discount would impact the viability of the entire plan.

It was explained that the relevant requirements of the policy and the SPG also note that if the required percentage of affordable units are not provided within the site, then a pro-rata payment would have to be considered rather than no affordable provision. In this case, and having assessed the costs of the development/building as submitted within the latest red book valuation, it was clear based on including one affordable unit with a discount of 40%, that it would not be viable to provide another affordable unit or to ask for a pro-rata payment in place of the second affordable unit. Therefore, as noted in the policies and the relevant advice, the affordable element in this case reflected the number of affordable units in the context of the conclusions of this assessment. Consequently, a decision was made to accept one affordable house on plot 4 with a discount of 40% to be added via a legal agreement in order to continue to be affordable for local need.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- That not much changes had been made to the original plan and she was willing to support the application
  - Despite residents' concerns regarding sewerage, an acceptable response was received
  - There was a housing crisis in Pwllheli and there was a need for affordable housing
  - There was a need for the right houses in the right place
  - There was a need to consider the developer's viewpoint - this was a local building company - a local Welshman employing local people and she supported this
  - The plan was not viable - the system was failing - the process needed to be reviewed
  - Concern that no language statement had been included as the site was within the development boundary and consideration had already been given to the site when establishing the Plan. A more recent report was required - the situation and the factors changed often
- c) It was proposed and seconded to approve the application.
- d) In response to a question regarding the indicative housing provision figure for the Pwllheli cluster and if the indicative housing provision over the period of the Plan had been delivered, the Planning Manager highlighted that this development went beyond the town's indicative supply level, however, three houses had already been approved on the site, and therefore the increase of two additional living units were acceptable in this case. In response to a supplementary question whether the area outside Pwllheli was considered, it was noted that there was no justification to consider the wider area.

**RESOLVED: To approve the application subject to conditions and the completion of a 106 agreement to secure provision of one affordable house:**

1. Time
2. Compliance with plans
3. Agree on details of external materials including slate

4. **Landscaping / Trees**
5. **Drainage matters / SUDS**
6. **Biodiversity Matters**
7. **Archaeological Matters**
8. **Affordable matters**
9. **Highways Matters**
10. **Protection measures and improve the hedge**
11. **Boundary treatment**

## 12. **APPLICATION NO C21/1183/09/LL LAND BY MOR AWELON, TYWYN, LL36 9HG**

### **Construction of one dwelling**

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that this was a full application to construct a dwelling (3 bedrooms) primarily of a two-storey design to include a garden store underneath a section of the proposed house (that would make that section three-storeys) on land near Môr Awelon, Ffordd Brynhyfryd, Tywyn.

As part of the application, the following were submitted - a Welsh Language Statement, Design and Access Assessment, Planning Statement, Initial Ecological Assessment and a letter of further justification for a house on the site in the countryside but exactly adjacent to the Tywyn development boundary. It was added that the site was within the Dysynni Valley Landscape of Outstanding Historic Interest with mainly gorse hedges and a few trees on the boundary with the A493 class 1 road and Tywyn Hospital which is a Grade II listed building on the other side.

The application was submitted to the Committee at the request of the former Local Member, Councillor Mike Stevens

It was explained that the proposals maps for Tywyn highlight that the site lies outside the development boundary of the local service centre and therefore it was considered that this was tantamount to erecting a new house in the countryside. It was noted that Strategic Policy PS 17 - Settlement Strategy concerning the distribution of housing, in terms of a site in open countryside notes that only housing development that complies with Planning Policy Wales and TAN 6 will be permitted in the Open Countryside. In accordance with TAN 6, one of the few circumstances in which a new residential development in the open countryside can be justified is when accommodation is required to enable a rural enterprise worker to live at, or close to, his workplace. It was considered that the existing application was not an application for a rural enterprise dwelling and therefore the proposal was contrary to Strategic Policy PS 17 and Policy PCYFF 1, together with Planning Policy Wales and TAN 6.

In the context of justifying the need for an affordable house on the site, it was highlighted that the applicants had not been assessed as applicants in need of an affordable home, and the size of the property was substantially larger than the size of an affordable home. In addition, and

as there was no open market valuation of the property, it could not be certain that the property would have an affordable price or continue to be affordable in future. It was considered that the proposal in question would not provide an affordable house on the site and the proposal was therefore contrary to the requirements of policy TAI 16 that can only support as exceptions proposals for housing schemes that are 100% affordable on sites that are directly adjacent to a development boundary and which form a reasonable extension to the settlement and to the contents of the Affordable Housing SPG.

Following the receipt of the location plan and the amended site plan together with additional information regarding the visibility splays, it was noted that the reason for refusal involved creating a new access and this had been removed.

- b) Taking advantage of the right to speak, the applicant's agent noted the following points:
- The property was a self-build
  - The applicants were local to Tywyn and had run a successful business in the area for over 30 years
  - Their business site offered residential property on the site, however, the applicants now wanted to retire and needed to establish a home.
  - Although they owned another house in the town, a family already lived there.
  - There was a lack of houses for sale in the area and opportunities for self-building
  - There was local support to self-building that was responding to the need
  - That the site was suitable with good connections
  - The design was suitable and it was proposed to use local materials
  - Alterations to the access and to relocate the access to the public footpath was now acceptable.
- c) Taking advantage of the right to speak, the Local Member made the following points:
- Although there was a Local Member, the application had been called in by another Member
  - The site was outside the development boundary and therefore did not meet with the policy
  - The proposal was contrary to the requirements of Policy TAI 16
  - The site was to be considered as one to be included when reviewing the Planning Policy - the application was premature
  - Concerns had been highlighted in the town and a number objected to the application
  - Initial concerns with the access, however, the adaptations were accepted
  - Despite noting the 'need' for a house - a bungalow was available at their current property
  - Agreed with the recommendation to refuse the application
- d) It was proposed and seconded to refuse the application.

**RESOLVED: To refuse:-**

- The site lies in open countryside and the proposal is not an application for a rural enterprise dwelling and therefore it is considered that the proposal is contrary to Strategic Policy PS 17 and Policy PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan, together with Planning Policy Wales and Technical Advice Note 6: planning for sustainable rural communities.
- The applicants have not been assessed as applicants in need of an affordable home, the size of the property is substantially larger than an affordable home as defined in the Supplementary Planning Guidance: Affordable Housing; and as there is no open market valuation of the property, it cannot be certain that the property would have an affordable price or continue to be affordable in future. Therefore, it is not considered that the proposal in question would provide an affordable home on the site and that the proposal is therefore contrary to the requirements of policy TAI 16 of the Anglesey and Gwynedd Joint Local Development Plan that only allows proposals for schemes that are 100% affordable homes. It is also contrary to the contents of the Supplementary Planning Guidance: Affordable Housing.

**13. APPLICATION NO C22/0038/22/LL FFERM TALDRWST LÔN DDWR, LLANLLYFNI, CAERNARFON, GWYNEDD, LL54 6RR**

**Extend track under application reference C21/1155/22/YA for a distance of 15 metres to the north of the existing entrance along with the construction of a bridge to cross the watercourse - Lôn Tyddyn Agnes, Llanllyfni**

- a) The Head of Legal Services suggested that the decision should be deferred in order to consult further with nearby residents and to conduct a site visit.

The Head of Legal Services added that it would be appropriate to conduct a site visit.

- b) It was proposed and seconded to defer and conduct a site visit.

**RESOLVED: To defer and conduct a site visit.**

**14. APPLICATION NO C21/1174/11/LL BAE HIRAEI, BANGOR, LL57 1AD**

**Construction of flood defences in the Hirael area of Bangor, to include:-**

1. Improvements to the cycle path.
2. Construction of a new concrete wall to replace the existing gabions and follow the footprint of the existing sea wall.
3. Rebuilding of slipway.
4. Erecting a soil embankment.
5. Installation of two floodgates.
6. Raise the height of a part of Lôn Glandŵr as well as erecting a new concrete wall.

- a) The Development Control Officer highlighted that there were several elements to this full application to construct a 550m long flood defence in the Hirael area on the northern coastal outskirts of Bangor and the application was submitted as Hirael, historically, had been at risk of flooding from several sources. It was noted that the existing coastal defences in Hirael are restricted and the only formal defence in the area were the existing sea wall of deteriorated gabions. There are no other structures that manage coastal flooding within the area. Under the Shoreline Management Plan 2, Hirael sees a policy change of "holding the line" in Epoch 1 and 2 to "managed realignment" by Epoch 3.

It was considered that the principle of approving the proposal was acceptable based on its effect on the visual, residential and biodiversity amenities locally and nationally together with transportation matters and the construction of a flood defence in the Hirael area of the city responds positively to the structural weaknesses identified in the existing defences.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- He welcomed the plan
  - Concern from some residents regarding the loss of a view, however, it was a significant improvement in terms of safety to others
- c) It was proposed and seconded to approve the application.

**RESOLVED: To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions:**

1. **Five years.**
2. **In accordance with the plans/details submitted with the application.**
3. **Submission of a Construction Environmental Management Plan to include measures to reduce noise, dust and vibration to be agreed with the LPA.**
4. **Submission of a Biosecurity Risk Assessment.**
5. **Compliance with the recommendations of the amended Habitats Regulations Assessment.**
6. **Submission of a Method Statement Plan/Risk Assessment in order to safeguard the Welsh Water assets that cross the site.**
7. **Submission of the details of the Archaeological Programme to be followed with a report of the archaeological work carried out on the site.**
8. **Restriction of the working hours which includes running machines and importing materials between 08:00 to 18:00 Monday to Friday and not at all on Saturday, Sunday and Bank Holidays unless the extension of these working hours has been approved in writing by the Local Planning Authority.**
9. **Safeguard public footpath no. 28 and 29 Bangor during and after the completion of the development.**

**15. APPLICATION NO C22/0239/15/LL ELECTRIC MOUNTAIN VISITOR CENTRE, ORIEL ERYRI, LLANBERIS, CAERNARFON, GWYNEDD, LL55 4UR**

**Substantial demolition of the existing Electric Mountain Visitor Centre (bar the existing electricity sub-station), change of use of the site to form a car**

**park, replacement lighting, provision of electric vehicle charging points and associated landscaping.**

Attention was drawn to the late observations form noting that the Community Council confirmed that there had been lengthy consultation prior to the application's submission and the Community Council had no objection to the demolition of the building as the company do not offer another option, however, there was some discontent amongst members that a car park would then be created together with a small site for events

- a) The Development Control Officer highlighted that this was a full application to demolish the structure of the Electric Mountain Visitor Centre (separate to the electricity sub-station) to provide a new car park, install lighting, charging points for vehicles and associated landscaping on a site that is located between the village and Llyn Padarn. The application was split into several different elements, which included:-
- Demolish 2,932m<sup>2</sup> of the floor surface area of the existing building, apart from 22m<sup>2</sup> of the surface area of the electricity sub-station.
  - Provide a car park for the public that would add 110 additional parking spaces to the existing adjacent car park, including 5 disabled spaces.
  - Provision of 12 rapid AC Charging points for vehicles together with one rapid DC charging point for vehicles.
  - Access to the extended car park by using the existing access from the adjacent class I county road (A4086).
  - Install nine 6m high columns to light the car park, of a design that would reduce any light pollution on the land surrounding the application site.
  - Soft landscaping scheme to include planting trees, shrubs and meadow wildflowers.

It was suggested that the main consideration of this application, was whether the proposal would lead to the loss of a community resource. It was noted that Policy ISA 2 of the LDP states that the Council would resist the loss or change of use of an existing community facility by complying with a least one of the policy's criteria, in the case of a commercially operated facility (as in this case). There is evidence:

- **That the current use has ceased to be financially viable** - the applicant had stated that the visitor centre is under-used and is too large for the the facilities accommodated inside and the condition of the construction already creates an eyesore within the local area.
- **It could not reasonably be expected to become financially viable** - based on the information submitted by the applicant regarding the viability of the visitor centre, it cannot be reasonably expected that the use(s) made previously of the building would become financially viable in the near future or the long-term and it would not make economic sense to continue to use the building as a community resource and visitor centre.
- **That no other suitable community use could be established** - given the fact that the structure, in its curent condition,is unsustainable, as well as the size of the floor area/space within the structure itself, it is not believed that the building could be used for the benefit of the community in a way that is financially viable
- **That there is evidence of genuine attempts to market the facility, which had been unsuccessful** - the applicant does not intend to

dispose of the site by selling it, but rather to safeguard it and develop it for a suitable use now and for the future. The applicant is of the opinion that the most suitable use for it in the short/medium term is as a car park, which in itself is an alternative community facility. Within this context, the proposal would involve the loss of one type of community resource to be replaced with another alternative community resource.

It was added that there was a possibility for the applicant to submit a notice to the Council, in accordance with Part 31 of the Town and Country Planning Order (Permitted General Development) to demolish the building. As the applicant had chosen to submit a planning application to change the use of the site, this meant that there would be better control over the proposal by the Council.

It was noted that other relevant considerations such as visual, residential, biodiversity and road safety matters were acceptable. It was not considered that the proposal was contrary to local or national policies and there was no material planning matter that outweighed policy considerations. As a result, it was considered that the proposal was acceptable subject to the inclusion of conditions.

b) Taking advantage of the right to speak, the applicant noted the following observations:

- The building had been built in the early 80's and was designed and proposed as a Sports Hall for the community. There was an objection to this from local residents and therefore a museum and tourist information centre were created.
- The building was not suitable as a Centre - high business rates and running costs
- As a result of the Foot and Mouth Disease in 2003, the business started to lose money and since then it had been difficult to recover losses
- Consideration was given to creating a new centre, however, the outbreak of the Covid pandemic in 2020 meant that no plan was drafted.
- By now the main valves in the quarry needed to be renewed and as a result it was not possible to conduct visits to the quarry and therefore there was no use for the Visitors' Centre.
- Rather than seeing the building deteriorating, it was proposed to demolish and create a car park in response to the demand for parking spaces in the village.

c) Taking advantage of the right to speak, the Local Member made the following points:

- That she objected the application
- The fact that the building was empty, along with the feeble attempt made to try and seek an alternative use for the building, was disappointing.
- Creating a car park was not a response to the local need - creating space for 110 cars would create a negative impression without any benefit or advantage to the community. It would also compete directly with a nearby car park that was a social enterprise
- Discussions were afoot and new ideas had been presented - more time was needed to discuss with an events company 'Always Aim

High' and the Mountain Rescue Team

- The original building was a gift to the community. By now, it was the financial reasons of benefit to the company that were being submitted.
- It was not too late to save the building
- There was a request to defer the decision to hold further discussions.

- d) It was proposed and seconded to defer the decision in accordance with the request of the Local Member

In response to the proposal, the Head of Legal Services noted that a reason for refusal was required based on planning matters and if it was to be deferred to re-commence discussions then a timetable had to be set. It was also added that a possible appeal by the applicant regarding the lack of a decision had to be considered and there was nothing to prevent the applicant from issuing a notice and to demolish the building.

- dd) It was proposed and seconded to defer determination until September 2022 to allow a further opportunity for the community to discuss alternative uses for the building with the applicant.

- e) During the ensuing discussion, the following observations were made by members:

- The reasons for the demolition of the building were weak - the building's condition was not poor.
- Initially the building was meant as a gift to the community - this had to be adhered to and enable it to be a community resource.
- No new parking was required - especially if there was a car park nearby run by the community.
- A number of ideas had been proposed by the community
- A request for First Hydro / Engie to take notice of the need for a community resource
- Should the application be refused bearing in mind that there was no need for a car park?

In response to a question regarding the need for planning permission to demolish the building, the Assistant Head noted that no permission was required for demolition, however, if the site was to be adapted into a car park then planning permission was required.

**RESOLVED: To defer until September 2022 to enable a further opportunity to discuss alternative uses for the building**

**16. APPLICATION NO C21/1206/25/LL LAND ADJACENT TO BRO INFRYN, GLASINFRYN, LL57 4UR**

**Residential development including 6 two-storey houses and one single-storey affordable house, associated works and creation of additional parking spaces (amended plans)**

Attention was drawn to the late observations form.

- a) The Development Control Officer highlighted that this was a full application to erect six two-storey houses and one single-storey affordable house along

with associated works on the western periphery of Stad Bro Infryn in Glasinfryn on a plot of green land. The application was split into several different elements, which included:

- Provision of affordable units on the form of: One two-storey 2 bedroom house (3 persons), four two-storey 2 bedroom houses (4 persons), two two-storey 3 bedroom houses (5 persons) and a single-storey 2 bedroom house (3 persons).
- The 2 bedroom houses would be for intermediate rent and the remainder of the houses for social rent.
- Provision of infrastructure to include parking spaces, footpaths, turning space, redirecting BT cable and redirecting the public sewer.
- Erection of various fences around the site boundary and between the houses.
- Site bin stores in the gardens of the houses.
- Landscaping work.

It was explained that discussions had been held between the applicant, the previous local councillor, Cllr. Menna Baines, as well as several estate residents. As a result, the application was amended to provide additional parking spaces in the form of laybys on the northern and southern sides of the lawned area which is located at the centre of the estate.

It was considered that the principle of the proposal was acceptable based on the indicative housing supply, housing mix and the need to meet and address the need for these types of houses in the local area. It was noted that planning considerations such as visual residential amenities, road safety, biodiversity and language matters were acceptable. The proposal was not considered to be contrary to local or national policies and there was no material planning matter that outweighed the policy considerations. To this end, it was considered that this proposal was acceptable subject to the inclusion of the conditions.

b) Taking advantage of the right to speak, the applicant noted the following observations:

- The application was submitted by Adra (Local Housing Association) to construct six two-storey houses and one bungalow - all the units were affordable houses and included a mix of intermediate rented housing and social rented housing.
- Pre-application discussions had been held with the planning department to discuss the principle of the proposal and to receive feedback on material planning matters.
- Following the submission of the application and during the application's determination period, there were additional discussions with the local councillor and some of the local residents to discuss some of their concerns having seen the application details.
- One of the concerns raised was parking and the pressure in the area for parking spaces. As a result of these discussions, amendments were introduced to the plans to provide additional parking spaces on the boundary of the nearby green space, as agreed with the Local Member and the residents.
- The residents wanted to ensure that a footpath was available to provide access to the rear of houses 1 - 4 Bron Infryn - a path had by now been provided as part of the proposed plans.
- Changes had also been made to the bungalow's design to ensure that it was suitable and addressed the needs of a specific family that would

occupy it. There had been discussions between Adra and the Occupational Therapist in Derwen to ensure that the design was suitable.

- The need for affordable housing locally had been confirmed in the Housing Needs Survey Report by the Rural Housing Facilitator. The Council's Strategic Housing Unit agreed that the application addressed the need for housing in the area and the plan had been included within a programme to receive a Social Housing Grant from the Welsh Government.
- The officer's report confirmed that the principle of the proposal was acceptable and all other material planning matters were acceptable together with the conditions proposed to the applicant.
- The proposal was provided affordable housing required to address the local need.

c) Taking advantage of the right to speak, the Local Member made the following points:

- It was Councillor Menna Baines who had been part of the discussion regarding the improvements to the application before the new ward boundaries came into effect in May 2022.
- Although there were two opinions locally regarding the proposal, the plan would be a tidy extension to the existing estate.
- That the units were affordable and responded to local need

ch) The approval of the application was proposed and seconded

d) In response to a question regarding the closeness of the estate, whose language was Welsh, to a cluster of indicative houses in Bangor, and the impact that this could have on the estate, the Assistant Head referred to the observations of the Language Unit. It was noted although there was no need for a Welsh Language Statement with the application as there was enough supply in Gwynedd cluster villages for additional housing, a language statement had been submitted that concluded that should the proposal be approved it would have an element of positive impact on the Welsh language bearing in mind the local housing market. The proposal would provide seven affordable houses to address current and future local need and it was considered that the majority of prospective occupants would be local, and to this end, the proposal would have a neutral impact on the number of Welsh speakers in Glasinfryn.

**RESOLVED: To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions:**

1. **Five years.**
2. **In accordance with the plans.**
3. **Details of the solar panels.**
4. **Landscaping plan.**
5. **Natural slate.**
6. **Development to be undertaken in accordance with the biodiversity mitigation measures.**
7. **Working hours limited to 8:00 - 18:00 during the week; 08:00 - 12:00 on Saturdays and not at all on Sundays and Bank Holidays.**
8. **Restrict noise levels.**
9. **Submit a Construction Method Statement.**
10. **Welsh Water condition to submit a Method Statement and Risk Assessment regarding the main sewer that crosses the site.**

11. **Ensure a plan/arrangements for providing the affordable housing.**
12. **Remove permitted development rights from the affordable dwellings.**
13. **Ensure a Welsh name for the houses and the estate.**

**NOTE: Inform the applicant of the need to submit a sustainable drainage strategy plan for approval by the Council's Water and Environment Unit.**

**NOTE: Inform the applicant of the need to sign an agreement under Section 38 of the Highways Act.**

The meeting commenced at 1.00 pm and concluded at 3.45 pm

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**CHAIRMAN**