



# Complete Agenda

**Democratic Service**  
Swyddfa'r Cyngor  
CAERNARFON  
Gwynedd  
LL55 1SH

Meeting

## **PLANNING COMMITTEE**

Date and Time

**1.00 pm, MONDAY, 11TH SEPTEMBER, 2023**

**\*NOTE\***

**This meeting will be webcast**

**[https://gwynedd.public-i.tv/core/l/en\\_GB/portal/home](https://gwynedd.public-i.tv/core/l/en_GB/portal/home)**

Location

**Hybrid - Siambr Dafydd Orwig, Council Offices, Caernarfon LL55 1SH  
and Virtually via Zoom**

Contact Point

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(DISTRIBUTED 01/09/23)

## **PLANNING COMMITTEE**

### **MEMBERSHIP (15)**

#### **Plaid Cymru (9)**

##### **Councillors**

Elwyn Edwards  
Elin Hywel  
Huw Wyn Jones  
Edgar Wyn Owen  
Huw Rowlands

Delyth Lloyd Griffiths  
Gareth Tudor Jones  
Olaf Cai Larsen  
Gareth A Roberts

#### **Independent (5)**

##### **Councillors**

Louise Hughes  
Anne Lloyd-Jones  
Gruffydd Williams

Elwyn Jones  
John Pughe Roberts

#### **Lib/Lab (1)**

Councillor Gareth Coj Parry

## PROCEDURE FOR SPEAKING ON PLANNING APPLICATIONS IN THE PLANNING COMMITTEE

The Council has decided that third parties have the right to speak on planning applications at the Planning Committee. This leaflet outlines the normal operational arrangements for speaking at the committee.

1.	Report of the Planning Service on the planning application including a recommendation.	
2.	If an application has been received from a 3 <sup>rd</sup> party to speak the Chairman will invite the speaker to come forwards.	
3.	Objector or a representative of the objectors to address the committee.	3 minutes
4.	Applicant or a representative of the applicant(s) to address the committee.	3 minutes
5.	Local Member(s) to address the committee	10 minutes
6.	Committee Chairman to ask for a proposer and seconder for the planning application.	
7.	The committee to discuss the planning application	

## **AGENDA**

### **1. APOLOGIES**

To accept any apologies for absence.

### **2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS**

To receive any declaration of personal interest and to note protocol matters.

### **3. URGENT ITEMS**

To note any items that are a matter of urgency in the view of the Chairman for consideration.

### **4. MINUTES**

6 - 17

The Chairman shall propose that the minutes of the previous meeting of this committee, held on, 17<sup>th</sup> July 2023 be signed as a true record.

### **5. APPLICATION FOR AN ORDER UNDER THE ROAD TRAFFIC ACT 1984**

18 - 26

**Community: Llanberis and Nant Peris**

Ward: Llanberis

Proposal: Gwynedd Council Order (various County roads, Arfon Area) (30mph speed restriction) 2023

### **6. PLANNING APPLICATIONS**

To submit the report of the Head of Environment Department.

#### **5.1 APPLICATION NO C21/1220/42/LL MORLAIS LÔN PENRALLT, NEFYN, PWLLHELI, GWYNEDD, LL53 6EP**

27 - 55

Cliff stabilisation works, demolition and reconstruction of a single house

LOCAL MEMBER: Councillor Gruffydd Williams

[Link to relevant background documents](#)

#### **5.2 APPLICATION NO C23/0432/11/LL HELIPAD, YSBYTY GWYNEDD, PENRHOSGARNEDD, BANGOR, LL57 2PW**

56 - 65

Removal of the existing helicopter landing pad and construction of two new landing pads to support the existing Hospital. Works will involve re grading



the soft landscape to accommodate a new access road, landing pads inclusive of all surface water drainage, illuminated landing markings and barriers, new secure fencing and enclosures to support the aircraft.

LOCAL MEMBERS: Councillor Menna Baines and Councillor Gareth Roberts

[Link to relevant background documents](#)

**5.3 APPLICATION NO C22/1169/15/LL LLANBERIS LIBRARY, 66 - 83  
FFORDD CAPEL COCH, LLANBERIS, CAERNARFON,  
GWYNEDD, LL55 4SH**

Demolish the old library and build three new intermediate affordable houses.

LOCAL MEMBER: Councillor Kim Jones

[Link to relevant background documents](#)

**5.4 APPLICATION NO C23/0293/42/LL AROSFA, EDERN, PWLLHELI, 84 - 104  
GWYNEDD, LL53 8YU**

Full application for the demolition of existing structures and construction of a new dwelling and associated works

LOCAL MEMBER: Councillor Gareth Morris Jones

[Link to relevant background documents](#)

# Agenda Item 4.

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## PLANNING COMMITTEE 17 July 2023

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### Present:

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

**Officers:** Gareth Jones (Assistant Head of Planning and the Environment), Keira Sweeney (Planning Manager), Miriam Roberts (Legal Services), Glyn Llywelyn Gruffydd (Senior Development Control Officer), Rhys Cadwaladr (Senior Planning Officer – Minerals and Waste) and Lowri Haf Evans (Democracy Services Officer).

### 1. APOLOGIES

Apologies were received from Councillors Louise Hughes, Delyth Lloyd Griffiths and Huw Wyn Jones

### 2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) The following member declared that he had an interest in relation to the item noted:

Councillor Huw Rowlands (a member of this Planning Committee), in item 5.6 (C22/0909/22/LL) on the agenda because of a family connection

The Member believed it was a prejudicial interest, and he 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 Gruffydd Williams (a member of this Planning Committee) in relation to item 5.2 (C21/1220/42/LL) on the agenda
- Councillor Kim Jones (not a member of this Planning Committee), in item 5.3 (C22/1169/15/LL) on the agenda
- Councillor Meryl Roberts (not a member of this Planning Committee), in item 5.7 (C23/0201/08/LL) on the agenda

### 3. URGENT ITEMS

None to note

### 4. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 19 June 2023, as a true record.

## **5. 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**

#### **5.1 APPLICATION NUMBER C23/0234/08/LL Plot 2 Griffin Industrial Estate, Penrhyndeudraeth**

Erection of Distribution Depot building and Administration and maintenance building, create vehicle and lorry parking areas, vehicle washing area, installation of security fencing, landscaping and associated works.

### **APPLICATION WITHDRAWN**

#### **5.2 APPLICATION NUMBER C21/1220/42/LL Morlais Lôn Penrallt, Nefyn, Pwllheli**

Demolition of existing dwelling and construct a new dwelling in its place, and work to stabilise the cliffs

- a) The Senior Development Control Officer highlighted that this was a full application for the demolition of an existing dwelling and construction of a replacement dwelling, together with work to stabilise coastal cliffs. Externally, the new house would include a pitched roof finished in dark zinc and the finishes of the exterior walls would be a combination of timber boards on the upper floor and natural stone on the lower floors. He noted that the site and existing building were located at the foot of the cliffs of Nefyn Beach, and the cliffs were designated as the Clogwyni Pen Llŷn Special Area of Conservation (SAC) and was also the Porthdinllaen to Porth Pistyll Site of Special Scientific Interest (SSSI). He added that the site was outside the current development boundary of Nefyn with access gained to the site along the beach as well as a public footpath that led down from the top of the cliff past the site and onwards to the beach below.

He explained that the existing site contained a house that dated back to the late 1960s/early 1970s and of a style that included flat roofs. Its appearance conveyed those of that era. The site and the wider area were within the Llŷn and Enlli Landscape of Outstanding Historic Interest designation, and outside a nearby flood zone (which only applied to the beach). He noted that elements of the proposal had been amended since the original submission because of comments received, which included the external finishes of the dwelling following a comment by the AONB Unit (although the site was not within the AONB, these were considered as general comments).

He added that originally, a part of the proposal involved diverting the existing public footpath that ran past the site and repositioning it to be further from the building. Following discussions and after receiving comments on the proposal from the Council's Rights of Way Unit, Nefyn Town Council and members of the public, it was decided that the proposal was too contentious and therefore the path would stay as it was.

The application was submitted to the Planning Committee by the Local Member for reasons of it being an over-development of the site, that it would destabilise the cliffs and have an adverse impact on the area.

In the context of relevant policies, reference was made to the requirements of policy PS 5 which stated that priority should be given to the effective use of land and infrastructure, prioritising the re-use of previously used land and buildings, wherever possible. In this case, a dwelling already existed, and the site was already developed, therefore the proposal satisfied the general requirements of policy PS 5 of the Anglesey and Gwynedd Joint Local Development Plan (JLDP). It was added that Policy TAI 13 of the LDP related specifically to replacement dwellings and set a series of criteria that must be conformed to (where appropriate) in order to approve such schemes.

The officer added that the application had obviously involved some considerable scrutiny due to several specialist considerations that would not normally be found to the same degree at least, with most Planning applications to demolish and re-build residential housing. It was reported that qualified companies and/or individuals had assessed the information to hand and had stated their opinion, and that the findings and recommendations of the specialist reports would be included as formal conditions so that the development would have to be carried out in strict conformity to the recommended measures. By ensuring this, the development would be carried out in full compliance with the general consent agreed. Should the situation change in terms of amending the proposal in response to a situation that arises, then we would have to respond at that time to any new situation.

In response to some of the objections that had been received expressing concern that granting permission would set a dangerous precedent, it was noted that there was a lawful right to have a dwelling on the site, and that the applicant would be entitled to adapt it without planning permission. It was noted that the size and bulk of the house matched the existing dwelling, but a pitched roof was proposed instead of a flat roof.

For the purpose of the application, it was noted that the specialist information had been assessed and found to be acceptable. The proposal was considered acceptable and in compliance with the requirements of the relevant policies.

- b) Taking advantage of the right to speak, the applicant made the following observations:
- There had been significant damage recently to the cliffs
  - Carrying out the adaptations would secure the cliff behind Morlais – which would subsequently ensure the safety of the family and the public
  - The path in front of the house was the only path that allowed access to the beach at high tide – the work would be a means to preserve the path
  - The existing building was unpopular – the pre-fab material would be replaced with more sympathetic materials
  - The size would be similar to the existing house but with less glass, and would use local stone and have a pitched roof which would have a more pleasing appearance
  - If the application was not approved, permission would be required to secure the cliffs and retain the house as it was
  - The main driver behind the development was safety
  - Most of the consultees supported the application
  - The safety of the family, and users of the footpath and the beach needed to be ensured
- c) Taking advantage of the right to speak, the Local Member made the following observations:

- A large number had objected – how many complaints had been received?
- The original application had included moving the footpath – he was very pleased that the route of the path would remain unchanged – need a condition to secure the use of the path for fishermen and the public
- A slip and a series of steps connected the site and the beach – the handrail was unstable – there was no reference to this in the report
- The existing dwelling was an eye-sore – he welcomed the fact that it would be demolished
- It was a matter of opinion as to whether the proposal's design was an improvement
- He accepted that the site was not part of the AONB, but it must be taken into account that it bordered the AONB and was located in one of the most beautiful places
- Several applications had been refused based on design within the AONB but had then been approved on appeal
- Considering the context of the objections, he suggested that the members visit the site

ch) It was proposed and seconded to conduct a site visit

**RESOLVED: To defer in order to conduct a site visit**

### **5.3 APPLICATION NUMBER C22/1169/15/LL Llanberis Library, Ffordd Capel Coch, Llanberis**

Demolition of former library and construction of three new intermediate affordable dwellings.

- a) The Senior Development Control Officer highlighted that this was a full application for the demolition of the former Llanberis library and the construction of three new 'intermediate' affordable dwellings in its place (two 2-bedroom semi-detached dwellings and one 3-bedroom detached dwelling). The library was closed in 2017 and the site, which was within the residential area of the Llanberis Local Service Centre as defined in the LDP, had been dormant since. The site was served by Capel Coch Road, which also served Dolbadarn primary school. Reference was made to the footbridge over Afon Coch river towards the rear of the site, which connected with Glanrafon Estate – over the past few years flood alleviation work had been completed on the riverbanks because of significant flooding in 2012.

This was a development by Cyngor Gwynedd as part of the 'Tŷ Gwynedd' scheme and the houses will be offered to buy or rent for an affordable price to local people.

Attention was drawn to the number of objections to the plan because parking issues already existed on Ffordd Capel Coch which caused ill-feeling amongst residents, and there was concern that the construction of three dwellings at this location would exacerbate the situation. In addition, there was concern regarding the hazard to street users, including children who attended the nearby school, due to the increase in traffic.

Despite the concerns, the Transportation Unit had no objection to the proposal in principle although they had noted that they would not support the creation of on-street parking spaces. The officer stated that there was a private parking space for each new

property in the plans and that space would remain for three cars to park on the road in front of the development. It was added that until recently, the site had been a public library that attracted traffic itself. Consequently, it was not considered that the development itself would exacerbate the on-street parking situation compared to what could be the case under the site's current lawful planning use. Similarly, it was not considered that the traffic caused by three dwellings would cause a greater risk to street users than the former library.

In the context of flooding concerns, a Flood Consequence Assessment (FCA) had been submitted with the application in response to initial observations from Natural Resources Wales (NRW). It was noted that the findings of the Flood Consequence Assessment and the modelling process that was followed confirmed that the development would comply with the requirements of the current TAN 15, specifically the criteria set by Appendix 1 of the TAN. In addition, the FCA proposed a series of alleviation measures to improve the resilience of the development to flooding. As a result, the proposal was considered acceptable based on the ability to manage flood risk to the occupiers of the proposed dwellings, and that it would not cause added risk in other places. It was therefore considered that the application complied with the requirements of Policies PS 5 and PS 6 and the content of the current TAN 15: Development and Flood Risk (2004).

In the context of the specialist information submitted regarding the flood risk, it was accepted that this development would not exacerbate the situation in terms of material planning matters compared with what could occur under the site's present lawful planning use. Indeed, it was considered that the proposal might offer an opportunity to improve the site's resilience to flood risk and introduce improvements in terms of matters such as visual amenities and biodiversity. It was noted that the proposal offered the opportunity to create affordable housing for local people on a brownfield site within the development boundary; it was an acceptable plan in principle, and it complied with relevant local and national planning policies.

b) Taking advantage of the right to speak, the Local Member made the following observations:

- She was supportive of an application for affordable housing because of the housing crisis for local people, although the site in question was unsuitable
- There was a significant lack of parking in the village – there were tensions between local residents / occupiers of second home/Airbnb sites regarding the shortage of parking spaces
- If the houses were built, where would people park? Some occupiers were elderly, lack of mobility – this had not been considered
- Local police officers were called out regularly to deal with matters of illegal parking
- The scheme meant the loss of parking spaces that would lead to complete disarray
- The road also led to a busy farm
- She accepted that there was a shortage of houses, but the location was unsuitable
- Was it possible to consider turning the old library into a car park – this would alleviate the problem?

c) It was proposed and seconded to conduct a site visit to assess the context of the site

- ch) During the ensuing discussion, the following observations were made by Members:
- Needed to consider the Community Council's concerns regarding parking
  - It was suggested that three dwellings be erected instead of two, which would release parking space
  - It would be irresponsible not to respond to the village's parking problems
  - The proximity of the site to the river needed to be considered

**RESOLVED to defer to conduct a site visit**

#### **5.4 APPLICATION NUMBER C22/0788/03/MW Ffestiniog Slate Quarry, Talywaenydd, Blaenau Ffestiniog**

Application for the working of a slate waste tip to create stockpile for processing at an existing minerals plant.

- a) The Senior Minerals and Waste Planning Officer explained that this was an application for the working of a slate waste tip to create stockpile for processing at an existing minerals plant. The Bryntirion tip stood within the Ffestiniog Slate Quarry which was to the northwest of the town of Blaenau Ffestiniog; vehicular access to the quarry was gained from the A470 Trunk Road, around 150m north of Oakley Terrace.

It was reported that the applicant operated a minerals plant that processed slate waste from both the Ffridd and Bryntirion waste tips to produce granulated slate products. The southern portion of the tip had already been worked as part of planning permission C10M/0103/03/MW (subsequently prolonged under C20/0079/03/AC). Material was moved from the tip using a tracked excavator and fed into a mobile crusher and feed hopper prior to being transported to be dried and milled in the plant on a conveyor belt. This powdered or granulated slate product was primarily used for building materials such as roofing felt, artificial slate bitumen, insecticides, paint, resins, pipeline coatings, roofing and damp-course felts, automotive body under seal, terrazzo tiles and plastics or exported by road as secondary aggregate.

The need for the application came because of the limited reserve left in the tips that were already permitted to be worked. There were an estimated 520,000 tonnes of additional reserve within the application area, which would ensure that the minerals plant had a continuous supply of feedstock for five years.

The proposal did not propose to increase HGV movements from the site, and it would release the mineral reserve in line with the existing conditions for Ffestiniog Quarry that restricted output to 9 loads per working day and 2 loads on Saturdays, Sundays and Bank/Public Holidays.

Reference was made to observations received from Network Rail (NR) which objected to the proposal because of the lack of information regarding dust control and its effects on the tunnel air shafts. However, it was explained that the applicant had provided thorough information on dust control and the Public Protection Unit had recommended appropriate conditions (mitigation measures) to reduce any impact on air quality. It was added that NR also objected based on ground stability and water run-off in relation to the Ffestiniog tunnel and railway. NR had requested further discussions between all parties in March, but a meeting to discuss further observations on the content of the technical information had not materialised.

The Minerals Planning Authority was of the opinion that the applicant had provided adequate information in terms of technical reports relating to the surface load bearing, hydrology/geology and restoration proposals, and that none of the information provided by Network Rail disproved the adequacy or reliability of these reports. The Authority had contacted Network Rail several times regarding these matters, specifically drawing their attention to the detailed reports received, but no additional comments were received.

In the context of Biodiversity matters, it was noted that the Gwynedd Biodiversity Unit and NRW had confirmed that they had no objection to the proposals provided relevant conditions were imposed. These conditions would ensure that the proposal complied with policy AMG 5 of the JLDP and TAN 5, namely that there was no adverse effect on local biodiversity. It was considered that the proposed development complied with all relevant planning policies and considerations, and it was recommended that the planning application be approved with conditions.

- b) Taking advantage of the right to speak, the applicant made the following observations:
- The application would facilitate an extension to the works
  - There would be a continuous five-year supply of material
  - This would safeguard six jobs for at least another five years
  - This was the only source of this material in the UK
  - This step would be significant in securing a continued provision of materials
  - The company saw value in the history of the quarry

It was proposed and seconded to approve the application.

**RESOLVED: To approve the application subject to conditions relating to the following:**

1. **Duration of working period 31/12/2040 and restoration up to 31/12/2042 to coincide with the terms of overarching planning permission.**
2. **Permitted operations and compliance with submitted details/plans.**
3. **Mark the site boundary and mineral extraction zones.**
4. **Working Hours.**
5. **Manage HGV vehicle movements from the site to 9 per day on working days (Monday - Friday), No more than 2 on Saturdays, Sundays and Bank/Public Holidays.**
6. **Dust Suppression Measures.**
7. **Air quality monitoring**
8. **Operational Noise – noise level restrictions.**
9. **Noise monitoring surveys.**
10. **Restrict the operating hours of the crusher.**
11. **Reasonable measures to avoid reptiles.**
12. **Biodiversity Enhancement Plan (to include the creation of an otter holt).**
13. **Restoration Management Plan (to include surveying and eradication measures for non-native invasive species and stock-proof fencing to stop access of livestock to restored areas).**

**5.5 APPLICATION NUMBER C23/0075/25/AC Meifod, Ffordd Penrhos, Penrhosgarnedd, Bangor**



An application to amend conditions attached to planning permission C21/0042/25/LL for the erection of a two-storey dwelling, garage, creation of new vehicular access and associated works: Condition 2 – Variation of the approved plan to enable a change in the position of the proposed building within the site; Condition 9 – amendment in wording to require completion of the access shown on the submitted plan prior to the occupation of the dwelling.

Attention was drawn to the additional observations.

- a) The Planning Manager highlighted that this was an application to vary Condition 2 (planning permission C21/0042/25/LL) for full planning permission to erect a two-storey dwelling and associated works, to allow changing the position of the approved dwelling 3m north-eastwards. He explained that the site was served by an access from Ffordd Penrhos which was a third-class county road, and that a parking area, garage and car port would be provided as part of the development. The rear of the site bordered with a wooded area that was designated as the Ffordd Treborth Woodland Wildlife Site, which separated the site from the Treborth Garden Centre.

Revised plans were received when discussing this application, showing a reduction in the building's footprint compared to what had been approved originally. He noted that the proposal to move the location of the dwelling resulted from the need to avoid development within the buffer zone, which extended 4m either side of the centre of the main sewer pipe that crossed the site.

He highlighted that the application also included a proposal to vary Condition 9 of the previous permission to facilitate the construction work by ensuring that the final vehicular access was in place before the dwelling was occupied rather than before development of the site.

The application was submitted to the Committee at the Local Member's request. A message had been received from the local member noting that, after reading the officer's report and in light of further discussions with the residents of the nearest property, they had confirmed to her that they no longer objected to the application as it stood. However, they emphasised the need to adhere to the plans submitted with the application.

The principle of the proposal to erect a house of a similar size and design on this site was considered to have already been accepted via planning permission C21/0042/25/LL – the relevant policies had not changed since then, therefore that permission had been implemented and was extant. It was considered that the principle of building a dwelling on the site remained acceptable and in accordance with the principle of current housing policies.

Considering the reduction in the development's footprint, especially in the extension towards the north, together with the discussion regarding the amenity impacts, it was not believed that moving this house to the new position would have a significantly harmful amenity impact on the site's appearance, the local development pattern or on private amenities.

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

**RESOLVED to approve subject to relevant planning conditions:**

1. **Compliance with the new submitted plans**
2. **The window on the eastern elevation of the ground floor to be opaque**
3. **The development shall be commenced within five years**
4. **No development to commence until a drainage plan for the site has been submitted to the Local Planning Authority and approved in writing.**
5. **The exact mitigation measures and the biodiversity enhancement suggestions, as included in sections 5.2 to 5.4 of the Preliminary Ecological Report submitted with application C21/0042/25/LL, must be followed.**
6. **It shall not be permitted at any time for the highway's current boundary wall/hedge/fence or any new highway-facing boundary erected to be higher than 1 metre above the carriageway level of the adjacent county road from either end of the site's boundary to the highway and it is not permitted to erect anything higher than this within 2m of the wall in question.**
7. **The access must be planned and constructed in full accordance with the submitted plans.**
8. **Removal of permitted development rights**

#### **Notes**

**1 – Party Wall Act Note**

**2 – Draw the applicant's attention to Welsh Water observations**

**3 – Sustainable Drainage Systems Note**

#### **5.6 APPLICATION NUMBER C22/0909/22/LL Fferm Taldrwst, Lôn Ddwr, Llanllyfni, Caernarfon**

Demolish existing dwelling and construct a new house in its place together with a soakaway and private treatment plant.

- a) The Planning Manager highlighted that this was a full application involving a proposal to demolish an existing dwelling that was in a dilapidated state and to construct a replacement dwelling. The plans showed that the proposed house would keep to the layout form of the existing property and would include a shed, living room / kitchen, hall and office on the ground floor and three bedrooms with a bathroom on the first floor. The proposal would involve constructing a rear extension for a kitchen and bedroom.

The property was served by a narrow private track that connected the house and a more recent nearby farmhouse to a third-class county road nearby. It was noted that the property was located within a Landscape of Outstanding Historic Interest and a Special Landscape Area and stood outside any village boundary and was within a rural area.

It was highlighted that the Head of Environment considered that the application should be submitted to the Planning Committee due to public interest in the application and the site, and because of the close working relationship between the applicant's brother and the Planning Department.

Attention was drawn to the relevant planning history.

In terms of the principle of the development, it was noted that the proposal involved demolishing an existing house and erecting a new house in its place by re-using previously developed land, and such a development could therefore be supported. It

was reported that the proposal satisfied the basic the requirements of policies PS5, PCYFF1 and PS17 of the LDP as well as Policy TAI 13 that related specifically to replacement dwellings. It was added that Policy TAI 13 set a series of criteria that must be conformed to (where appropriate) to approve such schemes. A lawful development certificate for the proposed use of the property as a residential dwelling was granted on 06-10-2016, therefore it could be stated that the lawful residential use of the house remained valid.

Having considered all the relevant planning matters including the local and national policies and guidance, as well as all the observations received, this proposal was considered acceptable and in compliance with the requirements of the relevant policies, and that the conditions addressed the public's concerns.

b) It was proposed and seconded to approve the application.

**RESOLVED to approve with conditions**

- 1. In accordance with the plans**
- 2. Implement the permission within five years.**
- 3. Materials**
- 4. Landscaping and tree preservation**
- 5. Boundary / curtilage details**
- 6. Archaeological investigation work**
- 7. Removal of permitted rights**
- 8. Complete the work in accordance with the protected species report.**

**5.7 APPLICATION NUMBER C23/0201/08/LL Land opposite Trem y Moelwyn, Penrhyndeudraeth.**

Construction of 41 affordable housing and associated developments

a) The Planning Manager highlighted that this was a full application to provide 41 dwellings, a new access, a new estate road and associated works on a plot of land on a site that had been designated under T48 as a housing site in the JLDP. The site was located on a plot of agricultural land used as livestock pasture, in the middle of the settlement of Penrhyndeudraeth and within the development boundary. He noted that the site measured 1.26ha and the application could be split into different elements, which included: -

- The provision of 41 residential units to include 30 two-storey houses (20 x 2-bedroom, four person houses; 5 x 3-bedroom, 5 person houses; 1 x 7 person, 4-bedroom house and 4 x 5 person side-access houses); 1 x 2-bedroom, 3 person bungalow; 8 flats (1-bedroom, 2 person); 1 x 6-bedroom, 10 person supported living house, as well as one x 4-bedroom bungalow with wheelchair access.
- The provision of parking spaces within the curtilage of each house and off-road.
- The creation of a new access off Trem y Moelwyn Estate.
- The creation of a new pedestrian access off the nearby A487 highway.
- Soft and hard landscaping within and around the edges of the site.
- Biodiversity enhancements plan.
- The provision of an informal open space for children as well as an amenity space.
- Installation of a surface water and foul water drainage system to serve the development.

- Culverting part of the watercourse that ran through the site.

It was reported that Penrhyndeudraeth would exceed its indicative level through this development, and consequently justification would be required with this application outlining how the proposal would address the needs of the local community by providing an appropriate mix of housing (Policy TAI 8). It was added that the applicant had submitted information to support the application which stated that the Grŵp Cynefin and Clwyd-Alyn registered social landlords would be working together to build the affordable dwellings and become the site's owners once the development had been completed. It was also noted that the plan had been included within a programme to receive a Social Housing Grant from the Welsh Government. Grŵp Cynefin would be responsible for 19 affordable housing units and Clwyd-Alyn would be responsible for 22 affordable housing units, with the tenure being a mix of social and intermediate rent; part-ownership and affordable intermediate housing for sale – this housing mix responded to the local need for affordable housing in Penrhyndeudraeth.

In the context of educational matters, it was confirmed that there was enough capacity in the schools in the catchment area, namely Ysgol Gynradd Cefn Coch and Ysgol Ardudwy, to accommodate the proposed number of children that could be expected from approving this proposal.

With regard to open spaces, it was noted that a provision of informal open spaces would be located in the centre of the site, which would give prospective occupiers an opportunity to use them, as well as other local residents. This provision of informal open spaces was separate and in addition to the requirement for formal/informal play areas for children and outdoor sports areas. Nonetheless, it was noted that there was a shortage of both play areas with equipment for children and outdoor sports areas in the catchment area of the application site, and a viability statement was submitted with the application which stated that should they be required to provide open play areas for the anticipated number of children, this would necessitate the loss of many housing units, rendering the development non-viable. It was added that the applicants had already held initial discussions with the Community Council about making a financial contribution towards improving the facilities of Parc Mileniwm located in the town centre, by signing a legal agreement to realise the contribution.

It was considered that the proposal as revised would be acceptable in principle and that the affordable units would contribute significantly towards the affordable housing needs of Penrhyndeudraeth. Full consideration was given to the observations received from local residents and the statutory consultees, however, no significantly harmful impact that contravened relevant local and national planning policies was identified.

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

- The Planning officers supported the application
- The application site had been allocated for housing development
- The application offered more than the 10% affordable housing provision - 41 rather than 4.1%
- The scheme addressed the local need
- Drainage concerns were now being managed on the site and the arrangement had been approved by NRW

- Light pollution and neighbours' privacy had been taken into consideration
  - A detailed review of the site's ecology had been carried out, and a comprehensive landscape plan had been produced in response
  - They had been careful when considering the access
  - The aims of preserving and protecting the language were welcomed
  - Discussions regarding a play area had commenced with the Town Council
- c) Taking advantage of the right to speak, the Local Member made the following observations:
- She was supportive of the application
  - She welcomed the fact that the access was larger
  - She was pleased that the water problems had been sorted out
  - Local people should be given priority
- ch) It was proposed and seconded to approve the application.
- d) In response to an observation regarding having assurance that it would be Penrhyndeudraeth residents being housed in the units, the Assistant Head stated that the units would be let in accordance with the Council's Allocations Policy, and the Planning Manager added that an affordable housing condition would ensure that the local need was addressed, but this did not mean restricting the need to a particular area.

**RESOLVED to delegate powers to the Senior Planning Manager to approve the application subject to the applicant signing a Section 106 agreement to secure an open spaces financial contribution and to the following conditions: -**

1. Five years.
2. In accordance with the plans/details submitted with the application.
3. Landscaping
4. Secure a plan/arrangements for providing the affordable units e.g. mix, tenure, occupancy criteria, timetable and arrangements to ensure that units are affordable now and in perpetuity.
5. Compliance with the recommendations of the following documents: the Preliminary Ecological Assessment; Reptile Survey and Eradication of Invasive Species Statement.
6. Agree on details regarding Welsh names for the development before the residential units are occupied for any purpose along with signage advertising and promoting the development.
7. Working hours limited to 8:00-18:00 Monday to Friday; 08:00-13:00 Saturday and not at all on Sundays and Bank Holidays.
8. Compliance with the content of the Environmental Construction Management Plan document submitted as part of the application.
9. Relevant conditions from the Transportation Unit regarding improvements to the access and parking spaces.
10. Submit and agree to samples of materials and colours for the residential dwellings.
11. Submit and agree to a biodiversity enhancements plan to include reptile re-location.
12. Submit and agree on solar panels details.

13. Restrict the use of the proposed housing to Use Class C3 of the Town and Country Planning (Use Classes) (Amended) (Wales) Order 1987 – residential dwellings used as a sole residence or main residence.
14. Agree on the location and type of noise barrier adjacent to the houses of nearby residents before work is commenced on the site.

106 condition/agreement for the relocation of reptiles.

Note – need to submit a sustainable drainage system application to be agreed with the Council.

Note – refer the applicant to Welsh Water observations and amended advice.

Note – refer the applicant to observations and advice from Natural Resources Wales.

The meeting commenced at 13:00 and concluded at 14:20

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CHAIR

# Agenda Item 5.

## REPORT TO THE PLANNING COMMITTEE

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**Type of Application:** Application for an order under the Road Traffic Management Act 1984

**Community:** Llanberis and Nant Peris

**Ward:** Llanberis

**Proposal:** Gwynedd Council Order (various County roads, Arfon Area) (30mph speed restriction) 2023

**Location:** Arfon

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### Recommendation:

To approve keeping the speed restriction at 30mph on the road near Pendre Castell on the A4086 and keeping the speed restriction at 30mph on the A4086 between Nant Peris 'park and ride' and Pont Gwastadnant.

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### Background and description

The Restricted Roads (20mph Speed Limit) (Wales) Order 2022 was made by Welsh Ministers on 13 July 2022 following Senedd Cymru's decision.

Before 17 September 2023, local authorities need to consider which restricted roads should stay at 30mph. To this end, the Council has introduced a 30mph order for Arfon, Dwyfor and Meirionnydd areas.

The Arfon area order includes the intention of keeping the speed restriction at 30mph on 37 separate sections of roads. Cyngor Gwynedd has received objections to two specific sections;-

<b>Llanberis</b> Class 1 Road - A4086 passing Pentre Castell	From a point approximately 42 metres south east of its junction with Victoria Terrace for a distance of 679 metres in a general south easterly direction.
<b>Nant Peris</b> Class 1 Road - A4086 Gwastadnant	From a point approximately 14 metres south east of its junction with the Nant Peris Park and Ride car park to a point approximately 34 metres east of Pont Gwastadnant in a south easterly direction.

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## The Consultation

As part of the 20mph scheme, led by the Traffic Unit, the proposed scheme was consulted upon with stakeholders in December 2022 as part of the pre-consultation process. During the period, observations were received and changes were introduced to the schemes.

Further consultations on the proposed schemes were held with stakeholders and members of the public in April 2023. This consultation was undertaken by publishing our plans on-line and promoting the scheme by informing the stakeholders, as well as promoting the consultation on social media.

In July 2023, as part of the statutory consultation process, an e-mail was received objecting to the Gwynedd Council Order (various County roads, Arfon Area) (30mph speed restriction) 2023 by Llanberis Community Council for the following sections of the order.

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## The objections

### Llanberis - Pentre Castell

*(A copy of the correspondence from the objector is attached in Appendix A)*

Reason for the objection	The Council's Response
No reasons have been presented from the Community Council.	<p>Officers believe that this section of the road should remain at 30mph because;</p> <ol style="list-style-type: none"><li>1. the road is a class 1 road (A road)</li><li>2. the number of houses on the side of the road is fewer than 20 buildings/km*.</li><li>3. the houses that do not have a private access from the main road are only on one side of the road.</li></ol>



### Nant Peris - Gwastadnant

(A copy of the correspondence from the objector is attached in Appendix A)

Reason for the objection	The Council's Response
No reasons have been presented from the Community Council.	Officers believe that this part of the road should remain at 30mph because;  1. the road is a class 1 road  2. the number of houses on the side of the road is fewer than 20 buildings/km*.  3. Impact on emergency services ( <i>Llanberis Mountain Rescue Team do not have the right to drive above the speed restrictions in an emergency</i> )

*\* Guidance; Setting exceptions to the 20mph default speed limit for restricted roads – Welsh Government*

### Assessment of the proposal

The following roads are currently 30mph, therefore the following order does not propose any changes to the road's current situation. Although officers fully understand the wishes of Llanberis Community Council to reduce the speed restriction on these sections of the road to 20mph, these wishes do not correspond with the guidance set out by the Welsh Government. The main reasons for keeping these roads at 30mph is that they are Class 1 (A) roads, and the number of buildings on the side of the road do not reach the threshold of 20 buildings/km.

Despite this, the Traffic Unit will continue to monitor traffic on this section of the road with the intention of reviewing the decision in 6 months.

### Equality Act 2010

The Council is subject to public sector duties under the Equality Act 2010 (including Welsh public sector duties). In accordance with these legal duties when making decisions, Councils must pay due regard to the need (1) to eliminate unlawful discrimination (2) advance equality of opportunity and (3) encourage good relations based on the protected characteristics. And pay due regard to the social economic duty under Section 1 of the Act. The committee is asked to pay attention to its findings when making a decision.

The assessment does not identify any specific impact resulting from the decision.

### The Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 involves improving the social, economic, environmental, and cultural well-being of Wales. The act places a well-being duty on public bodies aimed at delivering the seven well-being goals which is a Wales that is prosperous, resilient, healthier, more equal with cohesive communities and vibrant culture and thriving Welsh language which is globally responsible. The recommendation has been prepared by paying attention to the Act's requirements and addressing the five ways of working.

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## **Conclusions**

The Restricted Roads (20mph Speed Limit) (Wales) Order presented by the Welsh Government is controversial. Officers, therefore, are keen to keep restrictions at 30mph in appropriate areas to reduce the impact of the Order. In accordance with the Welsh Government's guidelines, we would like to reduce the restriction's impact on our strategic network, especially in locations with a low housing density. As a result, officers would like to recommend that the restrictions remain at 30mph on the following roads for the time being but also suggest that the following roads should be reviewed within six months.

## **Recommendation:**

To approve the introduction of the exceptions as noted.

## **Appendices**

- A - Copy of a letter of objection.
- B - Map of the proposed plan.

## **Appendix A - Letter of Objection**

I refer to your recent correspondence relating to the proposal to reduce the maximum speed in Wales in September 2023.

We note that Llanberis Community Council, in general, is supportive of the proposal to reduce maximum speed to 20mph.

In our meeting on 12 July 2023, the 20mph scheme was discussed in relation to the villages of Llanberis and Nantperis.

The Community Council's views were noted as follows:-

***Action - the Clerk was asked to correspond with Cyngor Gwynedd objecting the initial change and asked that Cyngor Gwynedd adapt the 20mph maximum speed zones as follows:-***

***Llanberis - from the direction of Llanberis, extend the 20mph zone through the area of Pentrecastell in the direction of Nantperis to the end of the current 30mph zone.***

***Nantperis - from the direction of Llanberis, extend the 20mph zone in the direction of Bwlch Llanberis up to Pont Gwastadnant. Remain at 30mph from Pont Gwastadnant to the end of the current 30mph zone.***

The Community Council is confident that Cyngor Gwynedd would consider their application for changes and support the application, and therefore operate in accordance with the Councillors of Llanberis Community Council's requirements.

If you believed that further discussion would be beneficial, then I am confident that it would be possible for some of the Councillors to meet with you to further discuss the matter.

I would like to note that the Community Council will meet again on 13 September 2023, which is after the closing date of the public consultation.

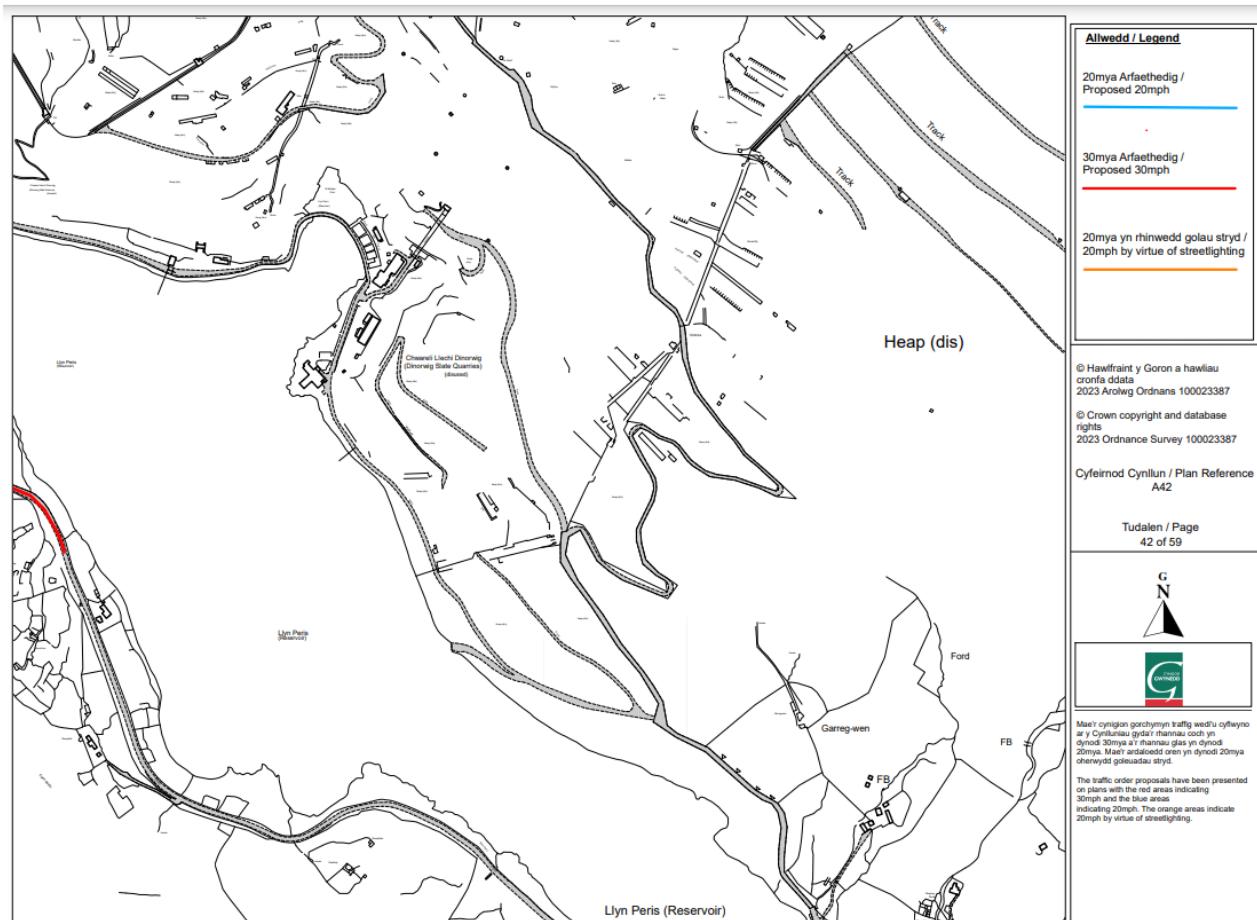
I look forward to receiving your response to the application by Llanberis Community Council in due course.

Sincerely,

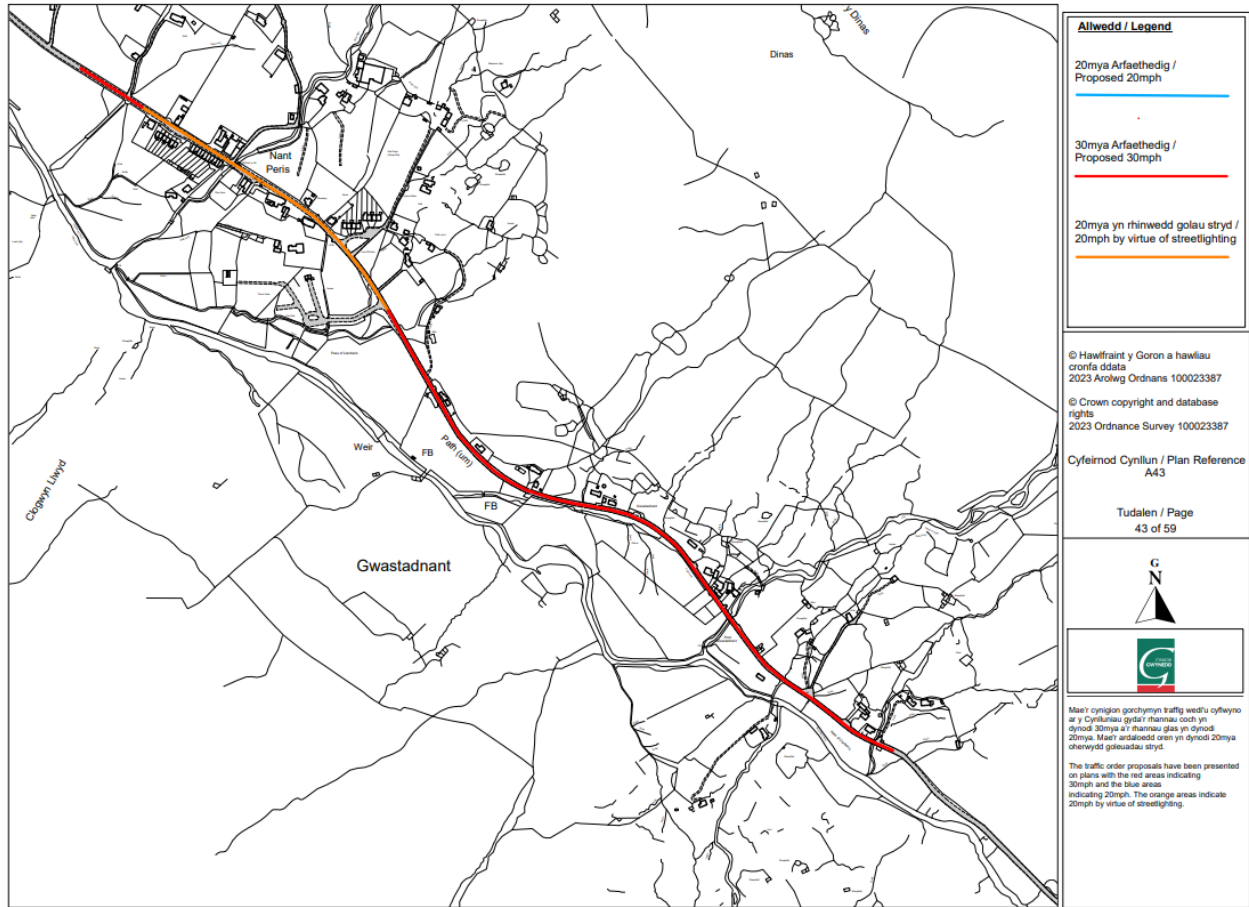
**Appendix B - Map of the proposed plan**



**Llanberis - Pentre Castell**



**Llanberis - Pentre Castell**



Nant Peris, Gwastadnant

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REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

**Number: 1**

**Application Number:** C21/1220/42/LL

**Date Registered:** 16/12/2021

**Application Type:** Full

**Community:** Nefyn

**Ward:** Nefyn

**Proposal:** Demolition of existing dwelling and construct a new dwelling in its place, and work to stabilise the cliffs

**Location:** Morlais Lôn Penrallt, Nefyn, Pwllheli, Gwynedd, LL53 6EP

**Summary of the**

**Recommendation:** TO APPROVE WITH CONDITIONS



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## 1. Description:

- 1.1 Members are reminded that this application was deferred at a previous meeting of the planning committee held on 17 July. At that time, it was resolved to defer the decision in order to conduct a site visit and have an opportunity to see the site in the context of its location.
- 1.2 Full application for the demolition of existing dwelling and construct a new house in its place as well as work to stabilise the sea cliffs. Externally, the new house would include a ridge roof finished in dark zinc and the finishes of the exterior walls would be a combination of timber boards on the upper floor and natural stone on the lower floors.
- 1.3 The site and existing building is located by the foot of the cliffs of Nefyn Beach. The cliffs have been designated as the Clogwyni Pen Llŷn Special Area of Conservation (SAC) and Porthdinllaen to Porth Pistyll Site of Special Scientific Interest (SSSI). Nearby buildings and sites to the north are a mix in terms of use and appearance, including residential houses, holiday homes, a sailing club and boat stores. The site is outside the current Nefyn development boundary with access gained to the site along the beach as well as a public footpath that leads down from the top of the cliff to the south, past the site and then onwards to the beach below.
- 1.4 The existing site includes a house dating back to the end of the 1960s/beginning of the 1970s and their form include flat roofs and elevations dating from this era. There is associated land to the rear which forms part of the cliff, whilst a slipway leads down to the beach. Public footpath No 19 - Nefyn, leads down to the site from the top of the cliff and then runs along the front of the existing building down to the beach.
- 1.5 The following information was submitted with the application:
  - Protected Habitats and Species Survey
  - Design Statement
  - Geotechnical Report
  - Landscape Management Plan
  - Structural report
  - Repair/re-build costs report
  - For information, the above surveys and reports have been amended and updated because of changes to the plan and in response to matters raised relating to Biodiversity/ecological considerations and the stability of the cliffs.
- 1.6 The site and the wider area is within the Llŷn and Enlli Landscape of Outstanding Historic Interest designation. It is outside a nearby flood zone which relates to the beach only, and approximately 6m outside the line of the coastal change management area as highlighted on the shoreline management plan.
- 1.7 As in the case of the existing building, the new building would include three floors and within the interior, there would be:
  - Ground floor - garage/boat stores, hallway, wet-room, equipment room
  - First floor - three bedrooms (one en-suite bedroom), bathroom, utility room, sports room/bunkhouse
  - Second floor - hallway/ shower-room/toilet, kitchen/dining room/open-plan dining room, 2 bedrooms (1 en-suite).

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1.8 Elements of the proposal have been amended since the original submission because of the comments received. The exterior finishes of the building have been changed following a comment from the AONB Unit. Additional information and reports were received relating to protecting the cliff and ecological matters after comments received from Natural Resources Wales, the Biodiversity Unit and the public consultation. A second full consultation has been held regarding the amendments and direct discussions have been held between the applicant's agent and officers from Natural Resources Wales and the Council's Biodiversity Unit.

1.9 Originally, a part of the proposal involved diverting the existing public footpath which runs past the site so that it would be re-located to be further from the building. Following discussions about receiving comments on the proposal from the Council's Rights of Way Unit, Nefyn Town Council and members of the Public, it was resolved that this proposal is too contentious and therefore the path will be kept as it is.

## **2. Relevant Policies:**

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

## **2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017**

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS 5: Sustainable development

PS 6: Alleviating and Adapting to the Effects of Climate Change

AMG 4: Coastal Protection

AMG 5: Local Biodiversity Conservation

PS 19: Conserving and where appropriate enhancing the natural environment

TRA 4: Managing transport impacts

PS 17: Settlement strategy

TAI 13: Rebuilding of residential dwellings

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AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

PS 20: Preserving and where appropriate enhancing heritage assets

Also relevant in this case is:

Supplementary Planning Guidance (SPG): Replacement Dwellings and Conversions in the Countryside

## 2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note 12: Design

Technical Advice Note 5: Planning and nature conservation

Technical Advice Note 14: Coastal Planning

## 3. Relevant Planning History:

3.1 It does not appear that there are recent planning applications relating to this site.

Y21/0369 - Pre-application enquiry for the demolition of the existing house and construction of a replacement dwelling. It was noted in terms of the demolition and re-build policy that the proposal could be acceptable in principle. However, it was reiterated that the site's sensitive location meant that there would be a detailed inspection of any application due to its location close to statutory designations as well as matters relating to the stability of the nearby cliffs, Biodiversity, etc., and that the proposal should be discussed with relevant bodies before submitting a formal application. Some changes have been made to the plans received as a part of the enquiry and those submitted as a part of the existing Planning application.

## 4. Consultations:

Community/Town Council:	<p>To refuse: Not many changes have been made to what had been submitted initially, with the exact concerns arising</p> <ol style="list-style-type: none"> <li>1. Against moving the line of the public footpath</li> <li>2. An overdevelopment of the site</li> <li>3. An alien and intrusive building in a beautiful area which is an Area of Special Scientific Interest as well as an ACA / Europe 4 Instability of the clay cliffs and the associated risks / Council report Gwynedd Environment 2021 and recent Rhyg Estate report.</li> </ol>
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Transportation Unit: Not received

Natural Resources Wales: Several observations were received in response to the application and to subsequent amendments. It is believed that the latest responses are relevant:

1. We continue to have concerns regarding the proposed development as submitted. However, we are satisfied that these problems can be overcome by attaching the following conditions to any planning permission granted:

Condition 1: Protected Sites (Construction environmental Management Plan)

Condition 2: Biosecurity

2. For clarity, here is the response to the Appropriate Assessment carried out by the Biodiversity Unit: To confirm, and in accordance with the previous response, that we believe that the appropriate management measures and mitigation measures proposed will ensure that there will not be a detrimental impact on the two Special Conservation Area (SAC) (in accordance with the Habitats and Species Conservation Regulations 2017, as amended). This corresponds with the conclusion of the Appropriate Assessment carried out (Emily Meilleur, undated, C21.1220.42.LL Morlais Lôn Penrallt, Nefyn AA HRA final doc), and sent to us on 04/05/2023 and therefore we agree with the conclusions of the assessment.

Welsh Water: Standard response and advice in relation to drainage arrangements such as not allowing surface water to connect to the public sewerage network, SUDS matters, location of the company's equipment and the need to submit an application if there is a wish to connect to the public network.

Public Protection Unit: Not received

Rights of Way Unit: Numerous discussions were held regarding the matter of diverting the public footpath following concerns highlighted by the members of the public, the community council, the local member and the officers of the rights of way unit. In due course, confirmation was received from the agent that they were going to leave the path exactly as it is located presently and amend the plans to reflect that.

In response, the paths team confirmed that this was a wise decision under the circumstances and that information had been received to show how the building will be protected, whilst also allowing safe

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access to members of the public.

#### Biodiversity Unit:

A Habitats Regulations Assessment (HRA) has been carried out by the Biodiversity Unit in accordance with regulation 63 of the Habitats Regulations 2017 (as amended). It concludes that the work to stabilise the cliff will not affect the designations (SAC/SSSI) and that there would be no harmful impact on the habitats of Clogwyni Pen Llŷn (SAC) in the short or long term, and also there would be no harmful impact on the marine environment of Pen Llŷn a'r Sarnau SAC, its habitats and species.

In order to ensure that the habitats, species and function of the ACA/SSSI are protected, suitable protection conditions must be imposed during the demolition and construction period so that the cliff habitats are protected.

#### Land Drainage Unit

As in the case of other matters relating to the site, numerous discussions were held regarding the issue of cliff stability following concerns highlighted by members of the public, the community council, the local member and YGC engineers. In response, the YGC Chief Engineer notes that the proposal to install a system to batten and anchor the soil and a landslide restriction system to accompany the design statement. As a few comments are subjective, the report has been completed by competent and experienced individuals who are obviously satisfied with the findings of the report as it is.

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Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertisement period has expired, and several letters /correspondences of objection were received on the following grounds:

- It would not be in-keeping/unacceptable design
- Over-development of the site, disrupting the character of the local area
- Concerns about landslides affecting the nearby buildings/users of public footpaths and the area in general
- Environmental harm
- Harm to the historical landscape
- The land is too unstable for such a building
- Intrusive and alien development in a beautiful and sensitive area
- It involves felling several mature Jacana trees and blackthorn hedges that have stabilised the cliffs, since the roots support the topsoil from slipping. The location is full of bird nests and wild animals.
- Stabilisation steps on sites near the sea are unwise since the associated salt makes the iron corrode particularly where the plastic is at its weakest in the knots that hold the structure in place.

Originally, several objections were raised regarding moving the public footpath, and since this is no longer a part of the proposal, it is no longer a material consideration.

As well as the above objections, objections were received that were not material planning objections and these included:

- It would turn the area into another Abersoch
- The site is within the AONB

Letters / correspondence were received supporting / providing observations on the application on grounds of:

- There would be an improvement to the views of the local area/current building is an eyesore
- The design/materials and pitch roof convey a more traditional appearance
- The work to stabilise the cliff would be beneficial and would protect the users of the paths
- The work would improve the sea wall

We note here the times when the proposal was amended, a full second consultation was held and therefore every opportunity was given to submit comments on the proposal in its amended form, as well as what had been submitted originally.

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## 5. Assessment of the material planning considerations:

### The principle of the development

5.1 The proposal involves demolishing the existing house on the site and erecting a new house in its place. The site in question is located outside the Nefyn development boundary. The requirements of policy PS 5 notes that priority should be given to the effective use of land and infrastructure, prioritising the re-use of previously used land and buildings, wherever possible. In this case, a dwelling already existed, and the site was already developed, therefore the proposal satisfied the general requirements of policy PS 5 of the Gwynedd and Anglesey Joint Local Development Plan (JLDP).

5.2 Policy TAI 13 of the LDP specifically deals with the rebuild of houses and lists a series of criteria that must be adhered to (where appropriate) in order to approve such plans. Below, this application is discussed in the context of the relevant criteria:

1. Outside development boundaries ... the existing house has a legal residential use;

This site is located outside the development boundary and the legal residential use of the existing house remains valid. Therefore, it is considered that the proposal complies with this criterion.

2. The building is not listed;

The existing building is not listed.

3. The existing dwelling is of no particular architectural and/or historic and/or visual merit, for which it should be conserved;

The existing property is of a relatively simple design and conveys a building dating from the 60s/70s. There are no prominent features worth keeping in the existing building. The appearance and condition of the existing building does not make a positive contribution to the visual amenities of the local area and it certainly includes features that would possibly no longer be acceptable in such a location, such as the extensive flat roof.

4. Outside development boundaries, it is impossible to retain the existing building through renovating it or extending it and/or it is possible to demonstrate that repairing the existing building is not economically practical;

A Structural Report was submitted by a competent company which has noted that there are substantial defects in the existing building that would need to be considered prior to carrying out further work on the building. The costs of improving, repairing, and altering in order to meet the requirements of the owner and current standards would likely be substantial and prohibitive. The viability of retaining the existing building and improving it, instead of re-building is questioned, and in this respect, consideration must be given to the demolition and construction of a new building that would create less structural risk.

In addition, a Repairs and Rebuild Costs Report was submitted by a company of chartered surveyors, listing and comparing repair and re-build costs. There is a marked difference between both, with higher costs to repair and improve the existing building, compared with demolishing and constructing a new building.

5. Outside development boundaries, the proposed house does not replace a caravan or a holiday chalet which has legal residential use;

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This criterion is not relevant to this application.

6. Outside the Coastal Change Management Area, a house to be rebuilt must be located on the same footprint as the existing building unless relocating within the curtilage can be shown to reduce its visual impact and its impact on local amenities;

The new house would be located on the footprint of the current building, with the part to the rear extending out slightly more than the existing house on the upper floors. There is an existing terraced area on the gable end of the building and the proposal includes a similar area, but on a slightly greater scale.

7. Outside development boundaries, the siting and design of the total new development should be of a similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well-designed dwelling that does not lead to significant greater visual impact could be supported;

Many have referred to the 'alien' design that would not be in-keeping within this specific area and if approved, it would open the door to other unacceptable developments. What makes a good design is of course a matter of opinion, but it is believed that the plan proposed offers a quality building that will replace a defective building, not only in terms of its condition, but also in terms of its appearance. This element will be discussed in greater detail in the report.

8. Areas at risk of flooding and outside the Coastal Change Management Area;

Even though the site abuts the beach and coastline, it is outside a flood zone and coastal change management area. In terms of flood matters, NRW have confirmed that the plans as submitted show a finished floor level of 5.475m AOD, which is higher than the extreme sea levels projected for a AEP 0/5% flood event in 2121 (around 4.6m AOD). Therefore, they are satisfied that the building will comply with the criteria noted in Section A1.14 of Technical Advice Note 15.

The site is also outside a Coastal Change Management Area. Nevertheless, YGC in their role as experts on coastal change management matters state that the development is within coastal unit PU 15.3 'Porth Nefyn West', as defined in the West Wales Shoreline Management Plan 2 (SMP2). The recommendation in SMP2 is to hold the current line of the shoreline in this area in the short/medium term, and for this reason, the area is not listed as a CCMA in appendix 6 of the Anglesey and Gwynedd Joint Local Development Plan (2017). However, we are aware that there is a threat of landslides within the cliff above the development site, and for this reason the developer is introducing measures to manage this risk.

9. Exceptionally, when a house is suitable to live in, or a house had people living in it recently is destroyed by accident, planning consent for a new, replacement house can be given. Evidence must be provided regarding the status and previous condition of the building and the cause and scale of the damage.

Not relevant

10. The original building is demolished and, where appropriate, external buildings are demolished when the new house is completed:

Demolishing the existing building would be inevitable in order to execute this proposal.

11. That permitted development rights are removed.



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It is deemed that there is justification to include such conditions to ensure an orderly development of the site and to protect the amenities of nearby residents.

- 5.3 Given the above, is considered that the principle of demolishing a house and constructing a new house on this site is acceptable in respect of Policy TAI 13.

### **Visual amenities**

- 5.4 Policies PCYFF 3 and 4 of the Local Development Plan promote good building design by ensuring that proposals conform to a series of criteria by aiming to safeguard the recognised features and character of the landscape and the local environment, safeguarding the visual character by ensuring that building materials are of a high standard and in-keeping with the character and appearance of the local area and suitably landscapes the site.
- 5.5 Policy PCYFF 3 of the LDP states that all proposals will be expected to demonstrate high quality design which fully considers the natural, historic and built environmental context. It also emphasises that proposals will only be permitted if they can comply with a series of criteria. Additionally, Policy PCYFF 4 requires that all proposals integrate into their surroundings and a landscape scheme should give consideration, amongst other matters, to the natural contours of the landscape, and demonstrate how the development respects and protects local and strategic views as well as respect, retain and complement any existing positive natural features.
- 5.6 In terms of the size/height of the proposed building, the plan submitted entitled comparative sections shows the difference between the current and proposed buildings in terms of the levels, measured by using ordnance datum information, i.e. measures established above sea level. From the plans, it can be seen that the proposed ground floor level is the same as the existing ground floor level, i.e. 5.475 above sea level. The upper floors would also be more or less at the same level as existing. The length of the new building is also the same as the current building with the front of the new building in the same location as the current building with a section of the back only extending outwards slightly more. The most prominent change is the height of the ridge of the building. The height of the existing flat roof is 13.568 above sea level, whilst the height of the pitch roof would be 15.384 above sea level. Or to put it in its context in terms of the height of the building itself, the height of the existing building from the floor is 7.9m, whilst the height of the new building would be 9.7m by comparison. Therefore, there is a difference of around 1.8m between the existing and what would be constructed here. Nevertheless, this is a change that has been recommended since the pitch roof would be better in keeping with the form and existing features of nearby buildings. Indeed, a pitch roof would appear more 'traditional' in terms of its form than the existing flat roof.
- 5.7 The plot for development is narrow due to the presence of the cliff behind, the public footpath and the beach to the front. Therefore, the availability of additional land is restricted due to the nature and form of the site. Except for the increasing height of the right and the slight increase in the rear elevation of the upper floors and external terrace, it is not believed that the building would fill more on the plot than the existing building to an unacceptable degree.
- 5.8 Currently, there is a three-storey building with a flat roof and timber decking to the side. In terms of design, it is uniform with straight lines with finishes in a combination of timber, glass and iron. Due to its beach-side location, the building is very prominent whilst the building can also be seen from nearby public footpaths and from the top of the sea-hill and coastal path. There is a variety of other buildings on this part of the beach, including historical stone buildings, old seaside huts made of zinc and timber and more recent huts with flat roofs. The existing building does not make a positive contribution to the local views and it does not assimilate well with the traditional buildings in the vicinity. Therefore, it is believed that there is a need to support the principle of demolishing the existing building and construct a new, more suitable, building on the site. In terms of the plans, it can be seen that a number of designs have been considered and that an

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obvious process has been followed in order to reach what was submitted. It is believed that a building with a pitch roof and of a relatively simple design as proposed better assimilates with the other buildings in the surrounding area. Further consideration was given to the design, materials and colour following comments relating to the pre-application enquiry and it can be seen that changes to the exterior finishes convey the comments provided at the time by the AONB Unit (although the site is not within the AONB).

- 5.9 The exterior materials selected are a mix of dark timber on the upper floor and natural stone on the lower floors. Timber and stone materials are in keeping with the location and conveys common appearances of nearby buildings as well as the broader area. The same stone would be used to create the retaining walls. Including a zinc roof would convey the historical appearances of beach buildings and would give a more 'traditional' appearance to a building near the coastline. It is believed that the use of zinc on the roof with timber and natural stone on the lower floors, would assist to reduce the visual impact of the dwelling proposed. Although using zinc on the roof is slightly unusual, it is believed that it would blend into the landscape and would change regularly to reflect the surrounding light and weather.
- 5.10 It is acknowledged that the proposed house would be larger in size than the current property but a total of 11.2m<sup>2</sup> is obtained over two floors which is not a substantial change at all and is certainly not an over-development of the site since it is at more or less the same scale and on the same footprint as the existing building. The external area on the gable end of the building is more than what is currently there, but again, not to a completely unacceptable degree.
- 5.11 Obviously, it is accepted that the new form of the roof, namely a pitch roof instead of a flat roof, would be higher than the existing property, and therefore would make it more prominent but not to a completely unreasonable degree. As a result, it is not believed that it would stand out as a completely incongruous or contradictory to the general development pattern seen in nearby buildings. It is not considered that the proposed new house will impact to a totally unacceptable level on the character and appearance of the site or the surrounding area in terms of appearance, scale, height or mass.
- 5.12 It must be acknowledged that the applicant has amended the proposal in an attempt to respond to concerns voiced and it is now believed that the proposal would add to and improve the character and appearance of the site and the area in terms of its appearance. There is no objection to the type of design proposed in terms of the elevations of the external walls and the form and scale of the proposed openings since the existing openings are large and prominent and the finishes appear to be dated.
- 5.13 The explanation of Policy PCYFF 3 states: *'the setting and design of new developments must be based on a thorough understanding of the site itself and of its broader background and seek to obtain as much benefit as possible from the site's features. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern, and features. The proximity of poor quality or indistinct development is not a justification for standard or poor design solutions. New development should integrate into its surrounding whilst seeking to enhance the overall character of the locality'.* There is no doubt that the change would be local compared to what currently exists and what is proposed, however, consideration needs to be given if the change would be to a totally unacceptable extent especially so bearing in mind its relationship within the locality. The existing dwelling in terms of its design, condition and elevations does not make a positive contribution to the quality of the landscape. Although poor decisions made in the past is no justification for approving new developments to take their place, consideration must be given in this case to the value of disposing of the existing building and the proposal to replace it.
- 5.14 Although it would be higher, the proposed development would be better in terms of its architecture and therefore it would be visually better than the existing property. The

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development's design responds to the existing form and gradient of the site and surrounding land, which makes the building sit comfortably within the landscape. The current building has a very restricted architectural quality, and as such, it cannot be considered that it makes any positive contribution to the character of the area. Although it has a simple form, it is very prominent, and in its current condition, it creates substantial harm to the landscape in which it is located. Therefore, it is not believed that there is any value in attempting to keep the dwelling in its current form, or even in attempting to reproduce the style of the property and extensions of a similar design. On this basis, the development proposed would not harm the character and appearance of the area substantially, and it would take advantage of the opportunity to improve the appearance of the site.

- 5.15 Although it would be visible from public vistas, including nearby public footpaths, it can mainly be seen against the backdrop of Nefyn Beach cliffs and the existing landscape. Consequently, the proposal would not be too excessive in public vistas, and it would not lead to a substantial loss of views. The proposal would represent an improvement in the general appearance of the site, which is currently substantially degraded by the existing dwelling.
- 5.16 Having weighed up all relevant considerations, it is believed that the proposal is acceptable and complies with the criteria 1 and 2 of policy PCYFF 3 and points 3 and 4 of Policy PCYFF 4 of the LDP.
- 5.17 The site and wider area lie outside the Llŷn AONB. Nevertheless, observations were presented by the AONB Unit on the pre-application enquiry and it can be seen that suggestions regarding suitable finishes have been followed. There is no objection to the proposal in terms of the impact on the AONB because of the distance between the site and the closest parts of the designation to the west and east.
- 5.18 The site also lies within the Llŷn and Enlli Island Landscape of Outstanding Historic Interest. The proposal involves the construction of a new house, and it is considered that the impact of the proposal would be local and would not have a wider impact on the historic landscape. Therefore, it is considered that the proposal is acceptable in terms of Policy AT 1 of the LDP.

#### **General and residential amenities**

- 5.19 The buildings located closest to the site are the sailing club and boat stores, with residential houses further away to the north. It is not believed that there will be a direct impact on the residential amenities as a result of the proposal and that some disruption could occur on occasions during the development of the site, that would be temporary and not in the long term. It is intended to include a condition to agree on the building management plan details, which would include a reference to working hours, movements, etc. It is believed that this would be reasonable protection, considering the proposal. It must be borne in mind that a public beach is located immediately in front of this site and nearby buildings, therefore, it is believed that some disruption already happens. It is not believed that the long-term impact would be unacceptable, and therefore it is believed that the proposal is acceptable based on the relevant requirements of policy PCYFF 2.

#### **Transport and access matters**

- 5.20 Unusually with an application for a new house, matters relating to vehicular access and parking provision are not completely relevant in this case due to the location of the site. It is not believed that there is a substantial change in the proposal from what has been established with the existing arrangement continuing in terms of vehicle use.

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- 5.21 As already noted above, originally there was a proposal to divert a nearby public footpath so that it would follow a new line further away in front of the building. Having received a number of objections regarding this element and having discussed the matter with officers from the Rights of Way Unit, the agent removed this element of the proposal and so the line of current path will continue as it is, along the front of the building. It is believed that a standard condition needs to be included to ensure that the path is maintained during the period of developing the site so that access continues for users.

#### **Biodiversity matters**

- 5.22 Considerable discussions have been held regarding the impact of the proposal on local biodiversity and the area's designations. Regardless of the early concerns highlighted by the Biodiversity Unit and NRW, namely the two specialist advisers in this field, consideration must be given to their latest comments submitted after amending the plans, the relevant information and/or present additional information.
- 5.23 There is no doubt that such a location could raise concerns in terms of ecological matters and this would be worse if the site was not already developed. But this is a plot of land that has been developed previously with a permanent building and use of a site for residential purposes. The assessments made to the impact of the proposal notes clearly what is expected and as per usual, strict conditions are imposed to ensure that the development is maintained in full compliance with the findings and recommendations of the ecological experts.
- 5.24 These measures have been assessed by the Biodiversity Unit and NRW and although the initial concerns, they now accept that this could be overcome by including a series of relevant conditions. Before approving a development that is likely to have a significant impact on the SAC or SSSI, a planning authority must conduct an appropriate assessment of the implications to the designated features, consult with NRW and address the views of NRW. In this case, an assessment of this type was carried out by the Biodiversity Unit and a consultation on its content was carried out with NRW and it was agreed that it will not have a detrimental impact on the site's integrity, considering also according to the requirements of any measures, planning conditions or additional obligations. Consequently, it is believed that the proposal is acceptable based on the relevant requirements of policies AMG 5, PS 19 and the relevant advice provided in NCT 5.

#### **Any other considerations**

- 5.25 Stability of the cliff - Having demolished the current building, the proposal involves some land excavation work. It is also intended to reinforce the existing retaining wall between the land and the beach whilst the existing retaining wall is to be improved or replaced with a new one behind the building.
- 5.26 Public safety is paramount to be protected, and its development will not be approved without a full assessment of that having been carried out. Experts in the field have presented their findings and recommendations for the work of stabilising the cliffs and protecting the building and its residents, other building owners and users of the nearby public footpaths. The credibility of these professional experts and what is recommended is completely valid and they are accountable to what is expressed therein. YGC engineers have provided views on these specialist reports and have noted that the report has been completed by competent and experienced individuals who are obviously satisfied with the findings of the report as it is.

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- 5.27 Planning Policy Wales (PPW) clearly states *"developments should not be approved in areas where the coastline is changing unless the risks and outcomes are understood and that they can be managed acceptably over the period of the development"*. This national guidance goes on to confirm that *"One of the key planning principles is that risks on the surface and below surface are understood and that they can be conveyed effectively to developers, in order to steer investment decisions, and their opportunity for the public and others that could have concerns about devastation, contamination and other physical or chemical restrictions that affects land. Early action, based on the prudent principle, not only reduces costs but mitigates the potential of a long-term risk to future communities and generations"*.
- 5.28 What is noted as "de-risking", means that there is an opportunity *"for every stakeholder to play their part to improve transparency and awareness and data and information are increasingly shared and fine-tuned. Conditions should be created where plan strategies, policies and proposals are based on initial information about the risk of a site or area that can be combined on a strategic level to facilitate the work of creating and drawing up better plans / places and ensure early awareness of potential risks as an integral part of the planning process"*.
- 5.29 As already noted in paragraph 5.36 above, PPW notes that it will be the *"developer's responsibility...to provide any initial necessary information to support its proposal and to conduct a detailed risk assessment, as required, in the step of making a planning application"*. It is believed that this has been done in this case by employing field experts which have assessed and provided clear recommendations regarding the proposal based on their professional opinion. They have presented information on the conditions of the land, the structure of the soil, unstable land and geotechnical matters. What it proposed and managed through a series of appropriate conditions will form a part of the appropriate plan for the site, that will also manage the risks arising during the steps of building the development.
- 5.30 Within the section which refers to De-risking Development in PPW, it notes *"The planning system should guide development to reduce the risk from natural or human-made hazards affecting the land surface or sub-surface. The aim is not to prevent the development of such land, though in some cases that may be the appropriate response. Rather it is to ensure that development is suitable and that the physical, geo-technical, chemical and other relevant constraints on the land, including the anticipated impacts which climate change may have, are taken into account at all stages of the planning process."*
- 5.31 Therefore, when considering the features of this application, full attention was given to the nature of the hazards that could cause risk to health and the environment, in order to ensure that it would not proceed without an understanding of the risks, including matters relating to subsidence and landslides. Nevertheless, as PPW confirms *"Responsibility for determining the extent and effects of surface and subsurface hazards remains with the developer. It is for the developer to ensure that the land is suitable for the development proposed, as a planning authority does not have a duty of care to landowners. However, by taking a de-risking approach at the plan level planning authorities will create the conditions for risks to be addressed...To facilitate the gathering of evidence to inform de-risking approaches planning authorities should seek to require technical, risk-based information and evidence from developers which is capable of being put to further use."*
- 5.32 Therefore, considering the assessments made, the specialist opinion provided and the lack of information or technical and specialist information to contradict by proving beyond doubt that the plans and measures made are unsuitable, it must be accepted that the construction plan and mitigation measures proposed are appropriate to protect the assets that already exist, and the proposed development itself. Therefore, it is believed that the proposal is in accordance with criteria 1 and 2 of policy PCYFF 2, which states that a proposal must show that it complies with all relevant policies in the LDP as well as national policies and guidance.

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## **Response to the public consultation**

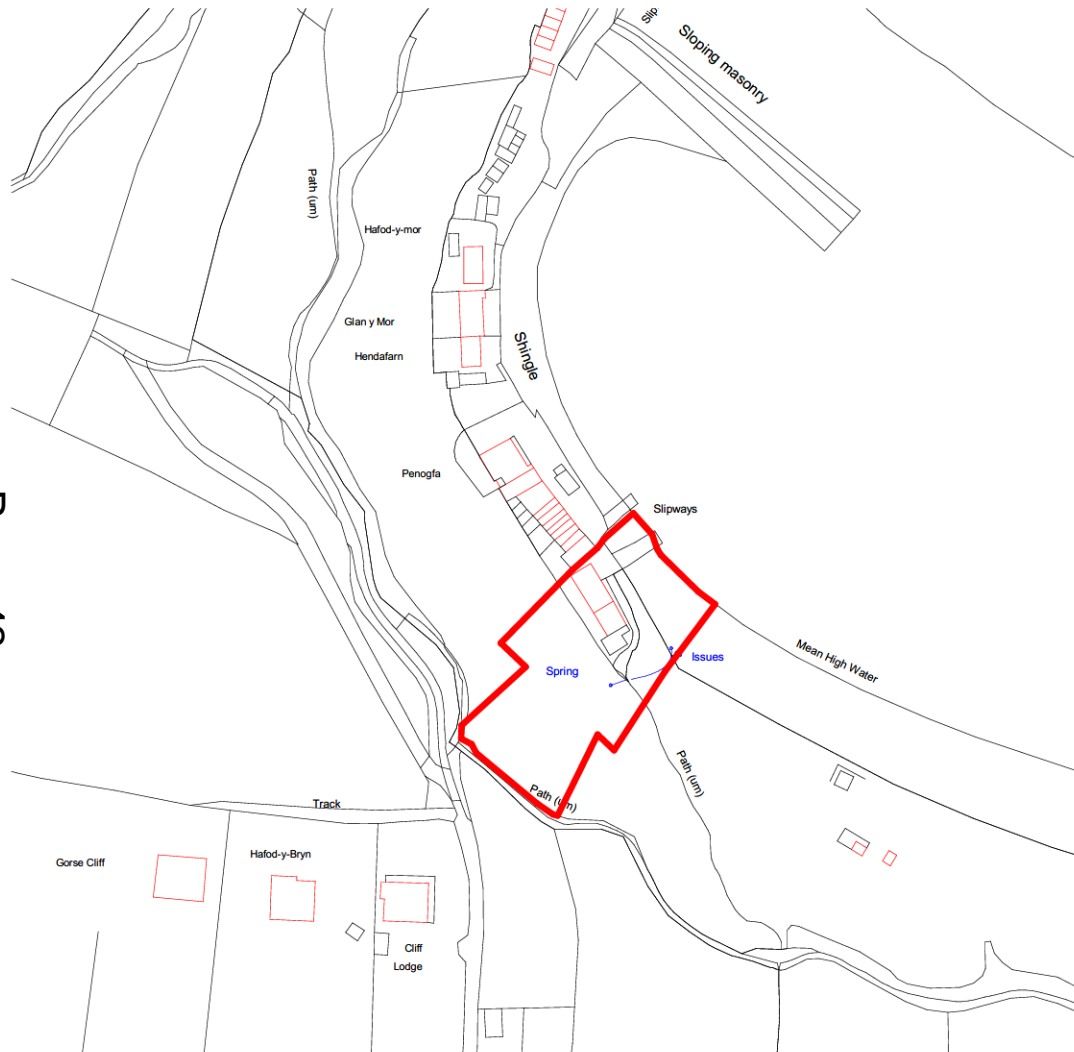
- 5.33 It is acknowledged that there has been great interest in this application during the consultation period, with several objections and letters of support received regarding the proposal. It is considered that all material planning matters have received appropriate attention as a part of the above assessment. A decision is made based on a full consideration of all the material planning considerations including the relevant observations received during the public consultation and that no one was let down when considering this application.

## **6. Conclusions:**

- 6.1 This application has obviously involved some scrutiny due to several specialist considerations that would not normally be found to the same degrees at least, with the majority of Planning applications to demolish and re-build residential housing. Competent companies and/or individuals have assessed the information to hand and have expressed their views. The findings and recommendations of the specialist reports will be included as formal conditions so that the development must be fully maintained in accordance with the recommended measures, and therefore, by doing this, the development would be maintained in full with the general consent agreed. Should the situation change in terms of amending the proposal in response to a situation that arises, then there would be a need to respond at that time to any new situation. However, for the purposes of this current application, the situation is clear in relation to the specialist information being assessed and found to be acceptable.
- 6.1 Having considered the above and all the relevant matters including the local and national policies and guidance, as well as all the observations received, it is believed that the proposal is acceptable and therefore is in accordance with the requirements of the relevant policies as noted above.

## **7. Recommendation:**

- 7.1 To approve – conditions
1. Time
  2. In accordance with plans
  3. Materials
  4. Building Control Plan
  5. Biodiversity Matters
  6. Matters relating to the cliff
  7. Protect the public footpath
  8. Withdrawal of PD rights



1 Location Plan  
1 : 1250



Cynllun Diwygiedig  
Amended Plan

Cynllunio

Derbyn - 11/11/2022

1	Extent of stabilisation works extended	SD	30/03/22
rev	description	by	date
	first issue	SD	09/12/21

Morlais, Nefyn, LL53 6EP  
Blackham Family

Location Plan

job no. drawing no. rev status scale @ A3  
266 A(P)-01 1 Planning 1 : 1250

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1 Site Plan (Existing)  
1 : 250



2	Path left as existing	SD	27/04/22
1	Footpath reverted to original location	SD	21/01/21
rev	first issue description	SD	09/12/21
		by	date

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Blackham Family

Existing Site Plan

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266 A(P)-02 2 Planning 1 : 250

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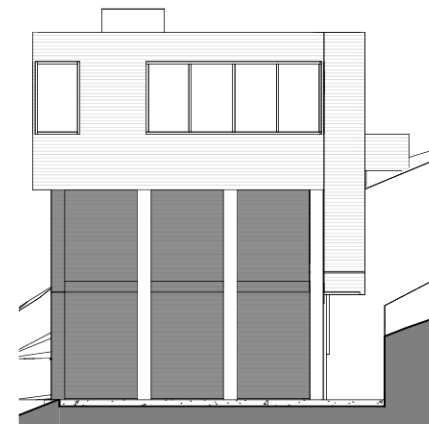
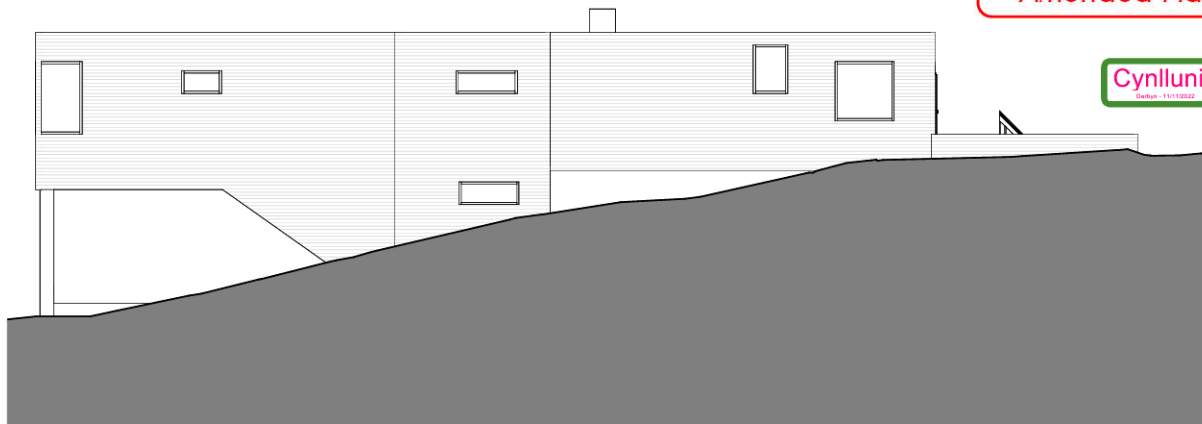
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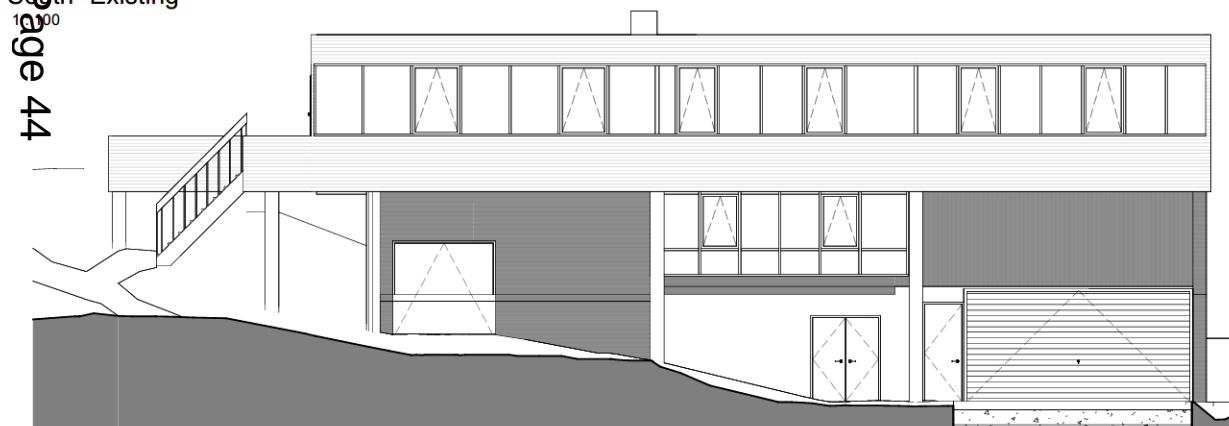


Cynllun Diwygiedig  
Amended Plan

Cynllunio  
Date: 11/11/2022

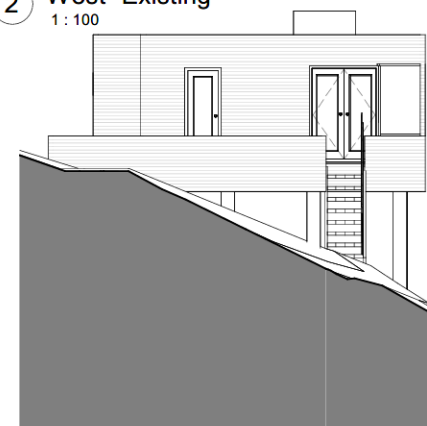


1 South- Existing  
1 : 100



3 North Existing  
1 : 100

2 West- Existing  
1 : 100



4 East- Existing  
1 : 100

rev	description	by	date
1	first issue	SD	09/12/21

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Existing Elevations

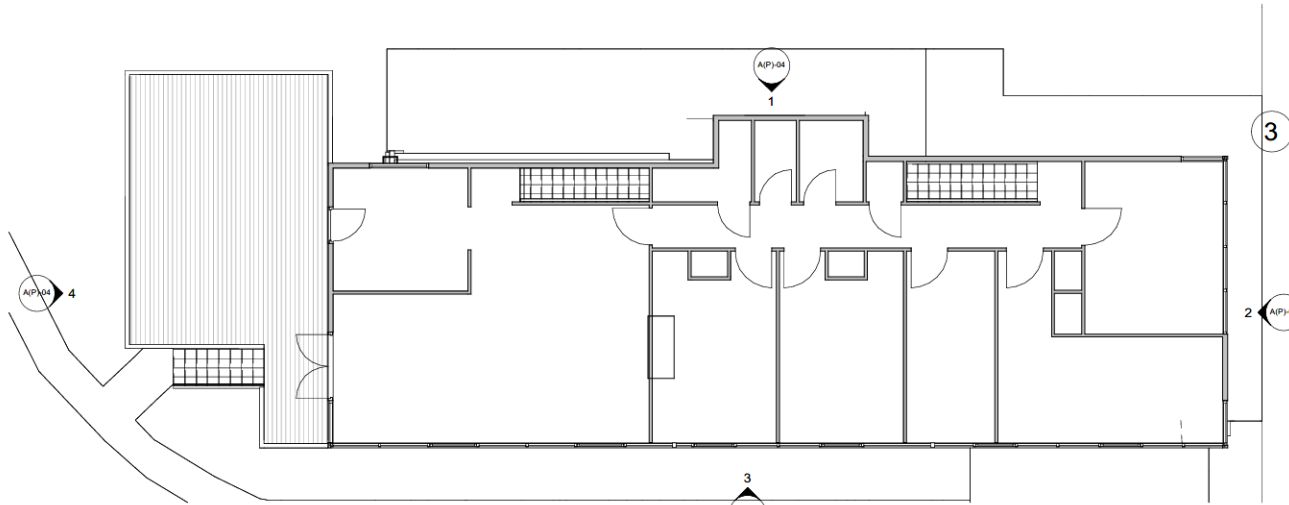
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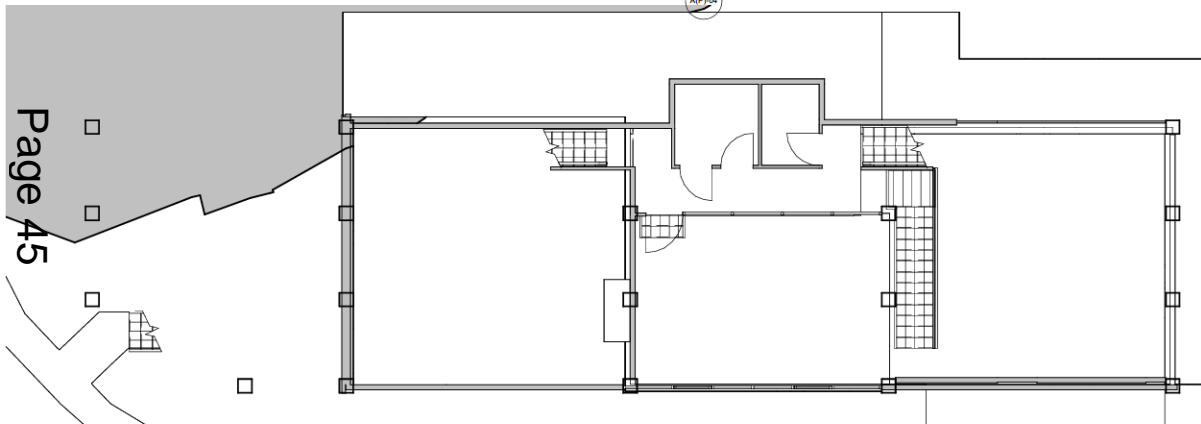
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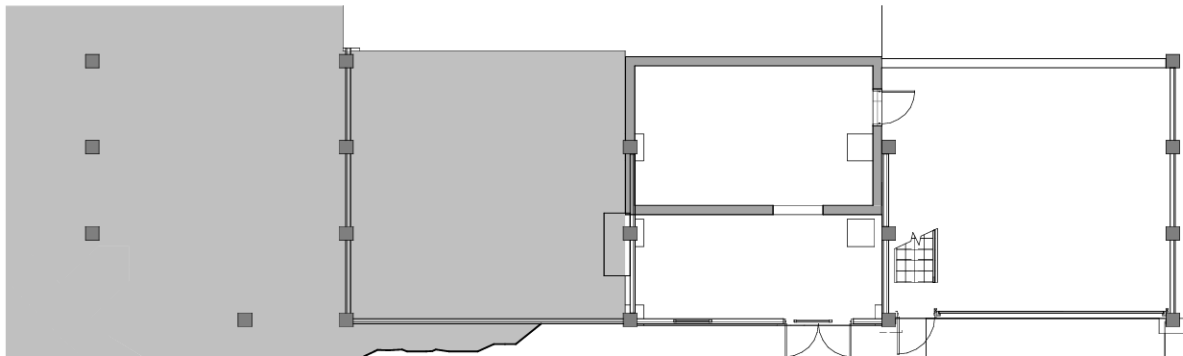
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2 First Floor (Existing)  
1 : 100



1 Ground Floor (Existing)  
1 : 100



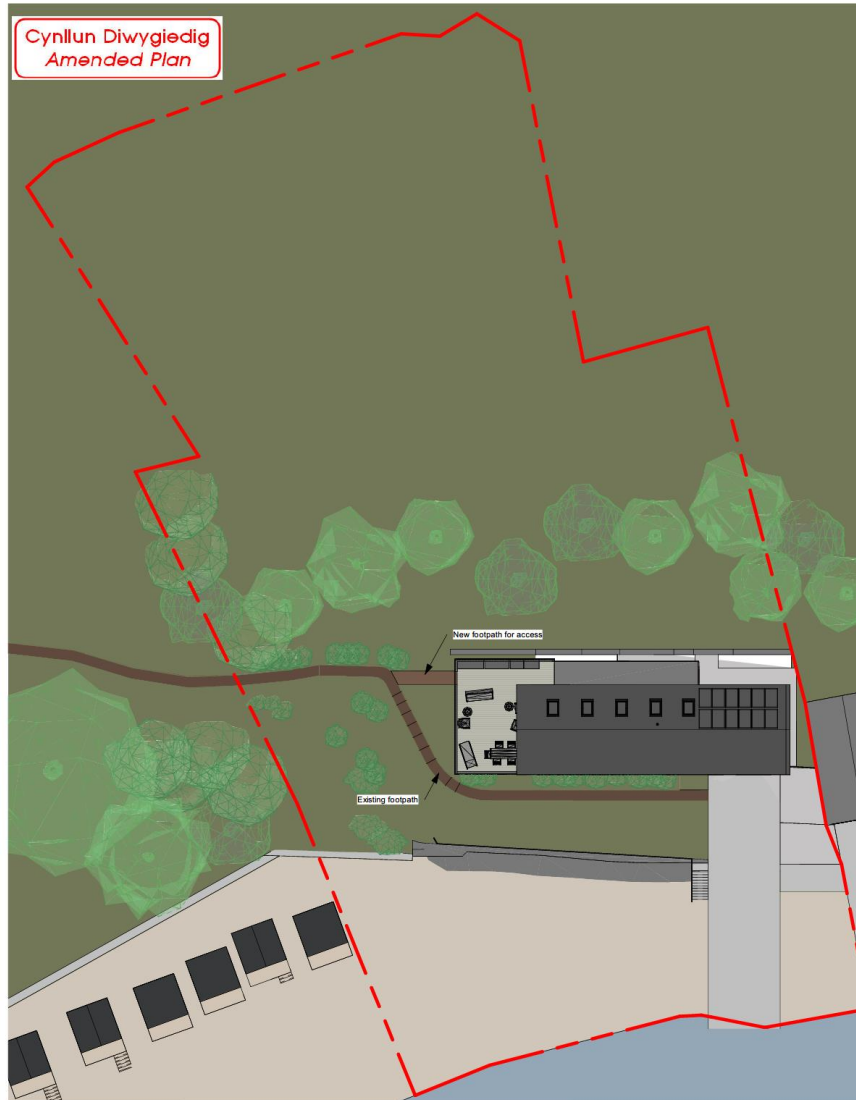
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### Existing Plans

job no.	drawing no.	rev	status	scale @ A3
266	A(P)-03		Planning	1 : 100

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1 Site Plan (Proposed)  
1 : 250



2	Path left as existing	SD	27/04/22
1	Footpath reverted to original location	SD	21/01/21
	first issue	SD	09/12/21
rev	description	by	date

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Proposed Site Plan

job no. 266 A(P)-10 drawing no. 2 rev 2 station Planning scale @ A3 1:250

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Amended Plan



Cynllunio  
Derbyn - 11/11/2022

1 South Proposed  
1 : 100



4 West Proposed  
1 : 100



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Standing seam roof - pre-weathered Anthra Zinc by VM Zinc  
Charred timber vertical cladding - Raven by Permachar  
Ground, first and boundary walls - natural stone from the local quarry

Decking - Enhanced Grain Smoked Oak by Milboard

3 East Proposed  
1 : 100



2	Path left as existing	SD	27/04/22
1	Footpath reverted to original location	SD	21/01/21
	first issue	SD	09/12/21
rev	description	by	date

Morlais, Nefyn, LL53 6EP  
Blackham Family

Proposed Elevations

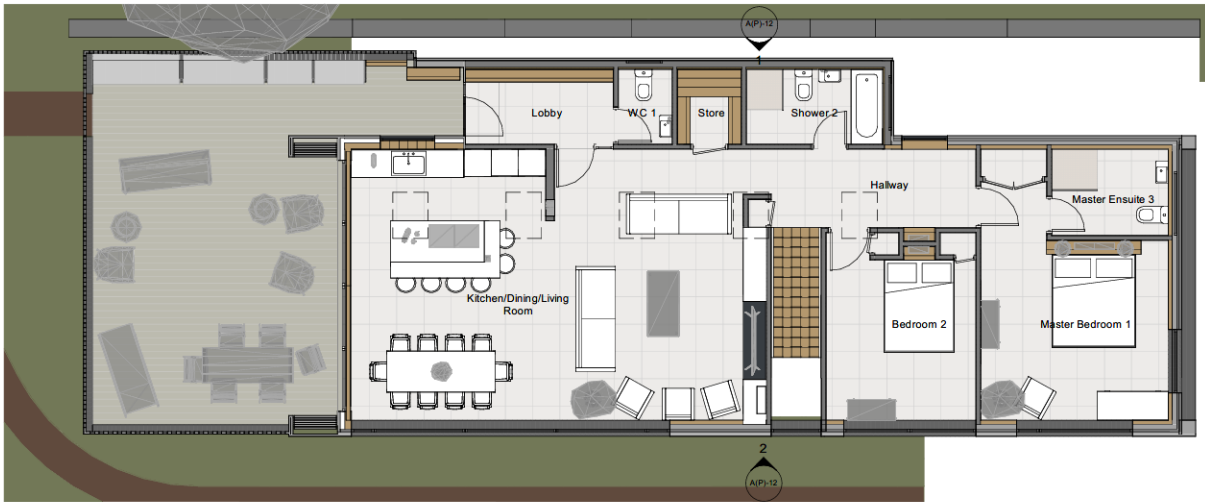
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2 North Proposed  
1 : 100



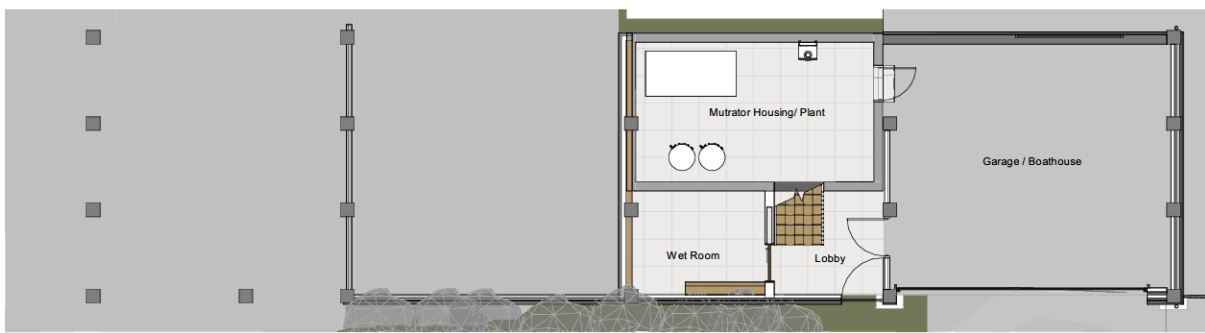
3 Top Floor (Proposed)  
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Cynllun Diwygiedig  
Amended Plan

Cynllunio  
Derbyn - 11/11/2022



2 First Floor (Proposed)  
1 : 100



1 Ground Floor (Proposed)  
1 : 100

1	Path left as existing	SD	27/04/22
rev	description	by	date

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Proposed Plans

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**Cynllun Diwygiedig**  
**Amended Plan**

**Cynllunio**

Derbyn - 11/11/2022

2	Path left as existing	SD	27/04/22
1	Footpath reverted to original location	SD	21/01/21
	first issue	SD	09/12/21
rev	description	by	date

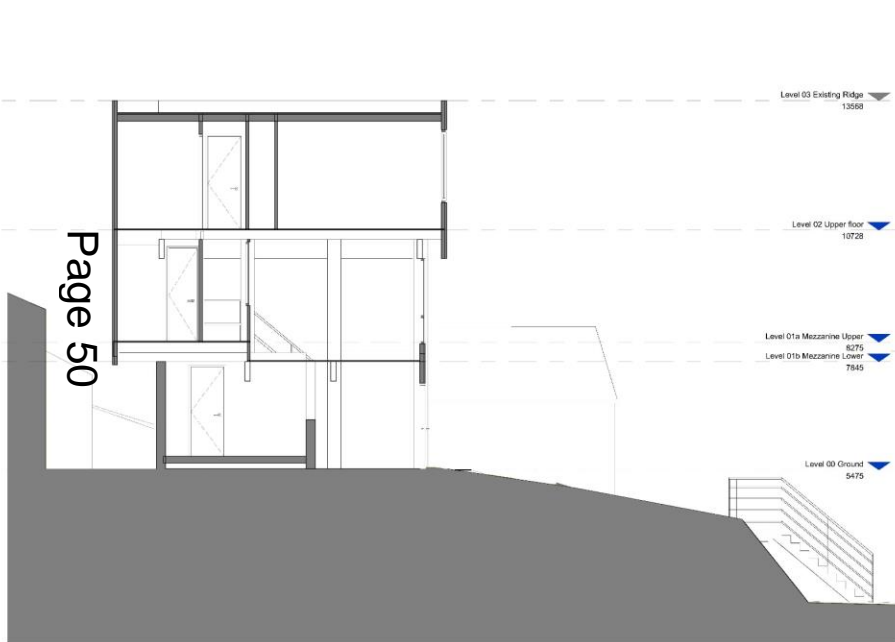
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**Proposed Views**

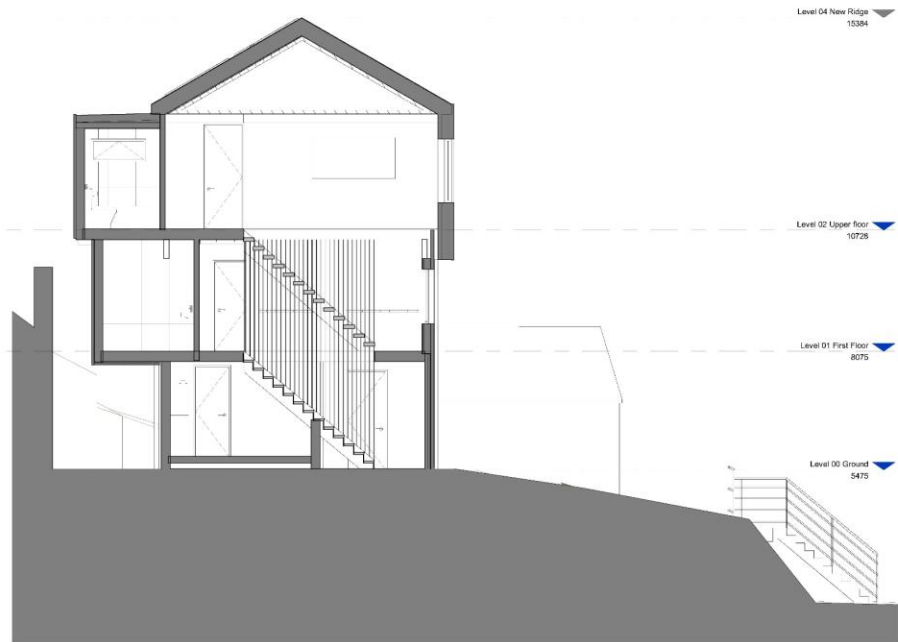
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1 Existing Section  
1:50

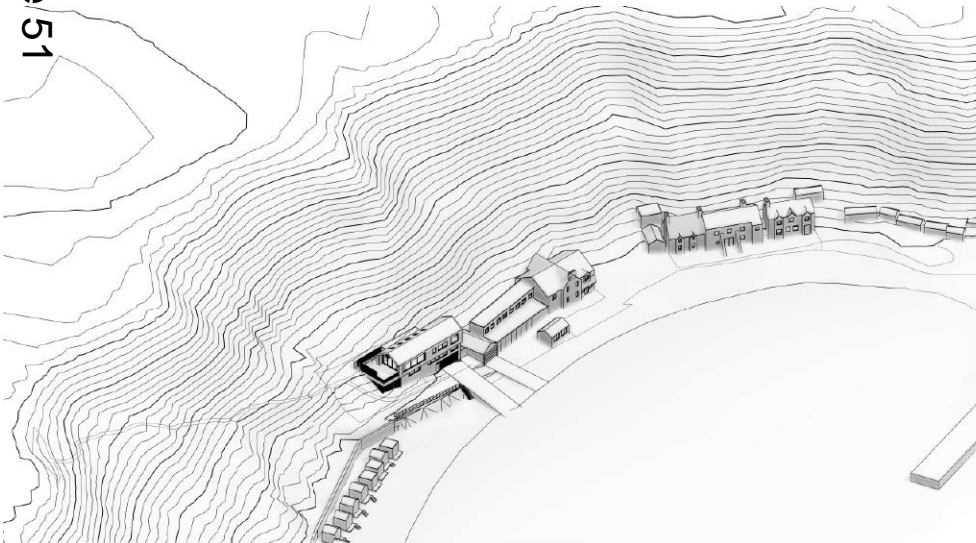


2 Proposed Section  
1:50





2 3D Before



1 3D After

# Cynllun Diwygiedig Amended Plan



1	Path left as existing	SD	27/04/22
	first issue	SD	09/02/22
rev	description	by	date

Morlais, Nefyn, LL53 6EP  
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## Comparative Views

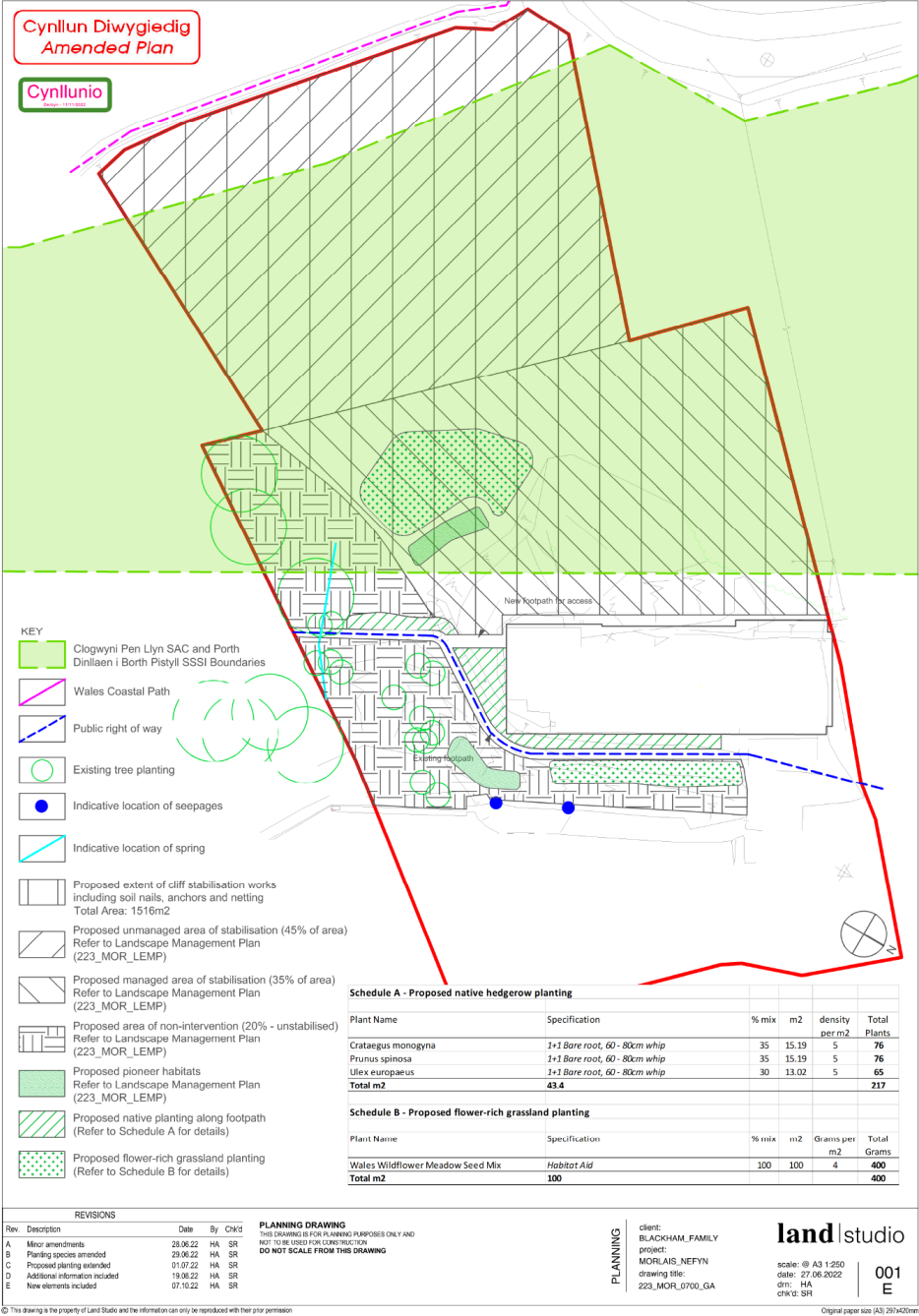
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# Agenda Item 6.2

PLANNING COMMITTEE	DATE: 11/09/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

**Number: 2**

**Application Number:** C23/0432/11/LL

**Date Registered:** 26/05/2023

**Application Type:** Full

**Community:** Bangor

**Ward:** Dewi - Bangor

**Proposal:** Removal of the existing helicopter landing pad and construction of two new landing stages to support the existing hospital. The work will include re-grading the soft landscape to include a new access road, landing pads including all surface water drainage, markings and illuminated landing barriers, new safety fences and enclosures to maintain the helicopters.

**Location:** Helipad, Ysbyty Gwynedd, Penrhosgarnedd,, Bangor, LL57 2PW

**Summary of the Recommendation:** TO APPROVE WITH CONDITIONS

PLANNING COMMITTEE	DATE: 11/09/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

## 1. Description:

1.1 This is a full application for the creation of a new landing facility for helicopters near Ysbyty Gwynedd in Bangor. The work would include:

- removing the existing helicopter landing pad
- creating two new landing areas by:
  - re-grading the landscape and creating two embankments with a circular shaped flat plot behind them
  - installation of hard standings for landing pads
  - surface water drainage work
  - installation of new illuminated landing barriers
  - erection of security fencing
  - creation of enclosures in order to maintain the helicopters
  - associated engineering work.

1.2 As a result of an assessment of the current service, Betsi Cadwaladr University Health Board has reported the need to upgrade and improve the provision for landing helicopters at Ysbyty Gwynedd. It notes that the existing service has been very busy, particularly taking into account the fact that the county's population doubles during the summer months, as well as the presence of Eryri National Park in the area. The new facility would offer more capacity to receive patients and would create a landing facility for a broader range of helicopters, 24 hours a day, 365 days a year.

1.3 The landing pad is located approximately 150m to the east of the hospital, on a plot of sloped land on an elevated site above the city, which, according to the Civil Aviation Authority, offers very good flight paths into and out of the hospital grounds. The hospital stands on the southern peripheries of Bangor Subregional Centre in the suburb of Penrhosgarnedd and a vast number of developments have been recently approved within the hospital curtilage in order to maintain and enhance the facilities available there. The site is also partly located within the buffer zone of Crug Goetre Uchaf (CN376) Registered Monument.

1.4 The following documents were submitted to support the application:

- Feasibility report to improve the landing pad for helicopters at Ysbyty Gwynedd prepared by the UK Civil Aviation Authority
- Arboriculture Assessment and Method Statement
- Ecological Appraisal

## 2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act, and in making the recommendation the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own

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needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

### 2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026 adopted 31 July 2017:-

PS 1: The Welsh Language and Culture

PS 19: Conserving and where appropriate enhancing the natural environment

PS 20: Safeguard and where relevant, improve heritage assets

ISA 2: Community Facilities

PCYFF2: Development criteria

PCYFF3: Design and place shaping

### 2.4 National Policies:

Planning Policy Wales, Edition 11, February 2021

TAN: Nature Conservation and Planning

TAN12: Design

### 3. Relevant Planning History:

- 3.1 A vast number of applications have been approved recently within the curtilage of the hospital in order to improve the facilities.

### 4. Consultations:

Community/Town Council: Not received

Welsh Water: Standard conditions and notes for the applicant

Trees Unit: There is no need to remove any trees to make room for the development and all engineering and construction work will be located outside the roots protection zone of the surrounding trees.

There will be no detrimental impact on the site's arboricultural value.

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Welsh Government  
(Transportation): The Welsh Government does not wish to instruct on this application.

Natural Resources Wales: No objection - observations for the applicant

North Wales Fire Service: No observations to offer

Land Drainage Unit: Due to the size and nature of the development, an application may need to be submitted to the SuDS Approval Body to be approved before construction work commences.

Transportation Unit: No observations to make as it is deemed that the proposal will not adversely affect any road, or proposed road.

North Wales Police: No observations to offer

Cadw: Not received

Public Protection: Not received

Civil Aviation Authority: Not received

Public Consultation: A notice was posted on the site and the advertising period has expired. No response was received to the consultation during the statutory advertising period.

## 5. Material Planning Considerations:

### Location, Design and Visual Impact

#### The principle of the development

5.1 Policy ISA 2 of the Gwynedd and Anglesey Joint Local Development Plan supports plans that maintain and enhance community facilities if they meet a series of criteria and the criteria that are relevant to this plan are discussed below:

- i. *they are located within or adjoining development boundaries or they are located outside development boundaries but within clusters where the proposal will provide an essential facility to support the local community.*

The site is located immediately adjacent to the Bangor development boundary.

- iv. *that the proposal is of an appropriate scale and type compared to the size, character and function of the settlement.*



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When considering the status of Bangor as a Sub-regional Centre, and the site's existing use as the main health treatment location in North West Wales, it is believed that this facility is completely appropriate for the nature of the location and status of the settlement.

- 5.2 Therefore, it is considered that this is a scheme to enhance an essential service offered to the communities of Gwynedd and that it meets the relevant criteria as listed under Criterion 1, policy ISA 2 of the LDP and therefore the principle of the planning application is acceptable.

### **General Amenities**

- 5.3 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan encourage the approval of proposals for new developments as far as they do not have a detrimental impact on health, safety or the amenities of the residents of local properties or on the area in general.
- 5.4 This development is concealed from the majority of nearby viewpoints. Public footpath number 39 in the Community of Bangor runs past the northern boundary of the site, however, there is a mature hedge between this path and the site. The majority of the views from the site are from a distance and in the context of the existing developed site and the hospital nearby. When considering the local landscape and existing trees and hedges surrounding the site, it is not believed that there will be a significant change to the view of the site as observed from the outside.
- 5.5 Of course, there is potential for noise and disturbance to emanate from this type of facility but this is unlikely to be significantly worse than what already happens. There will not be a significant increase in the use made of the site, instead, it will be possible to deal more efficiently with the transport that needs to use the landing pads, particularly in an emergency when more than one helicopter will need to land in a short space of time.
- 5.6 In addition, the site is approximately 200m from the nearest residential houses and it is not believed that there will be a significant additional harm caused to the amenities of local residents deriving from the development. Therefore, it is believed that the proposal is acceptable under the requirements of policies PCYFF 2 and PCYFF 3 of the LDP.

### **Archaeological Matters**

- 5.7 The site is also partly located within the buffer zone of Crug Goetre Uchaf (CN376) Registered Monument, a mound that dates back to prehistoric times. Considering the distance between the site and the monument, as well as the land formation and other developments between the two locations, it is not believed that there will be any impact on the layout of the monument deriving from this development and therefore the application is acceptable under policy PS 20 of the LDP.

### **Biodiversity Matters**

- 5.8 The site is mainly located on green land with trees and shrubs around the boundaries. An ecological assessment of the site was submitted and this concluded that there is no special biodiversity interest to the site itself, although the boundaries are of significance to wildlife and are visually important. The report recommends safeguarding biodiversity features by drawing up a Conservation Building Control Plan and Biodiversity Management Plan for the site.
- 5.9 In addition, an arboriculture report was submitted, confirming that there would be no harm to the trees and hedges from adhering to appropriate measures when undertaking work on the site.

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Therefore, it is believed, by imposing an appropriate condition to ensure that the recommendations of the above reports are followed, that this development would be acceptable in relation to policy PS 19 of the LDP.

### **Language Matters**

- 5.10 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para. 3.28 of Planning Policy Wales (Edition 11, 2021), and Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.11 It is noted that there are some specific types of development where the proposal will be required to submit a Welsh Language Statement or Report on the Welsh Language Impact Assessment. The thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. In terms of the type of developments in question, the following is noted: The proposal does not reach the thresholds to submit a Welsh Language Statement or a Report on a Welsh Language Impact Assessment. However, Appendix 5 of the SPG notes that every housing development, retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement/Assessment should show how consideration has been given to the language.
- 5.12 The proposal submitted is for improvements to a community resource on a site that is already in use for the same purpose and there will be no significant change in the nature or density of that use. This is not a development where there is a need to submit a formal assessment of the impact on the language and considering that this is fundamentally a proposal to improve the day-to-day management of an existing facility, it is not believed that there will be any linguistic impact from the development. Considering that Betsi Cadwaladr University Health Board is a public body with its own language policy, which is consistent with national standards, it is expected that any signs displayed on the site will respect the historical culture of the area and will therefore comply with policy PS 1 of the LDP.

## **6. Conclusions:**

- 6.1 As a result of the above assessment, it is not considered that the proposal is contrary to any relevant planning policy within the LDP, and that the proposed development is appropriate for the site and that it would help achieve an objective of strategic importance. Consideration was given to all material planning issues and it is not believed that the proposal is likely to cause any unacceptable additional detrimental impact to nearby residents or the community in general.

## **7. Recommendation:**

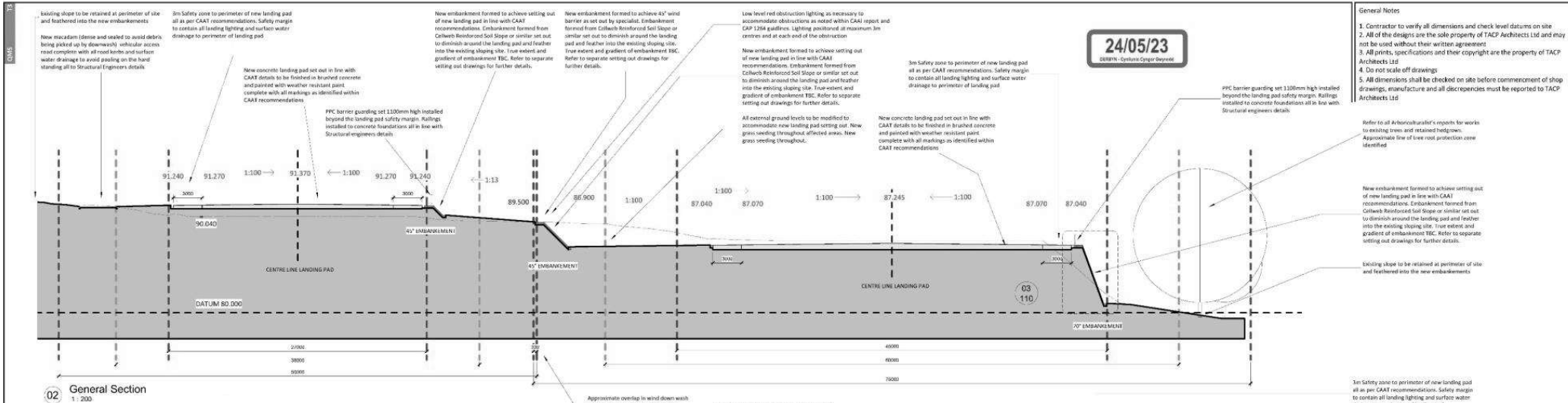
- 7.1 To approve the application subject to conditions relating to the following:
1. Time (five years)
  2. In accordance with the plans
  3. The recommendations of the Arboriculture Assessment and Method Statement and Ecological Appraisal must be followed
  4. Welsh Water Condition to protect the sewerage system.

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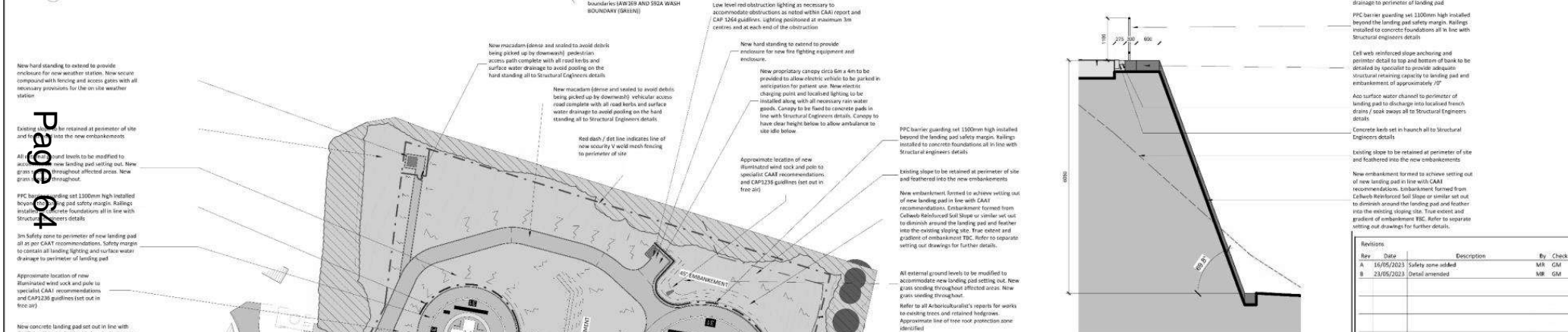
### Notes

1. Welsh Water
2. Natural Resources Wales
3. Land Drainage Unit

Avantstyle • Interior Design • Healthcare • Franchise • Construction • Masterplanning • Sustainable Design



General Section  
1:300



General Section - Callout 1

[illegible]

Consultants
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Client  Bwrdd Iechyd Prifysgol  
Betsi Cadwaladr  
University Health Board

Project Title  
**Helipad YG**  
Drawing Title  
**Proposed S**

Scale	Date	Drawn By	Checked By	Office				
As indicated	@1 09/26/22	CB	GM	Wrexham				
Job Number	Project	Originator	Zone	Level	Type	Role	Number	Revision
22004-02	HPYG-TACP-	PS-	ZZ-	DR-A-	110			B

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# Agenda Item 6.3

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**Number: 3**

**Application Number:** C22/1169/15/LL

**Date Registered:** 28/02/2021

**Application Type:** Full

**Community:** Llanberis

**Ward:** Llanberis

**Proposal:** Demolition of former library and construction of three new intermediate affordable dwellings.

**Location:** Cyngor Gwynedd, Llanberis Library, Ffordd Capel Coch, Llanberis, Caernarfon, Gwynedd, LL55 4SH

**Summary of the Recommendation:** TO APPROVE WITH CONDITIONS

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## 1. Description:

- 1.1 This is a full application for the demolition of the former Llanberis library and the construction of three new 'intermediate' affordable dwellings in its place. The library closed in 2017 and the site has been dormant since then. It is now proposed to provide three new homes, namely two semi-detached 2-bedroom dwellings, and one detached 3-bedroom dwelling. The site is located within the Llanberis Local Service Centre as defined by the Anglesey and Gwynedd Joint Local Development Plan. It is served by an unclassified public road, Ffordd Capel Coch, which also serves Ysgol Gynradd Dolbadarn, which has a vehicular access approximately 30m west of the site of this application. There is also a footbridge over afon Coch river at the rear of the site that links to Glanrafon Estate. Over the last few years flood mitigation work to the riverbanks has been completed in this area as a result of significant flooding in 2012.
- 1.2 The dwellings would be 9.3m high to the roof ridge that would be formed of natural slate and the external walls finished with a mix of white render, slate cladding and timber cladding. The semi-detached dwellings would have an internal floor area of 86.9m<sup>2</sup> and the detached dwelling would have a floor area of 99.1m<sup>2</sup>. The houses have been designed to be flexible with the potential to easily adapt them in the future.
- 1.3 This is a development by Cyngor Gwynedd as part of the 'Tŷ Gwynedd' plan and the houses will be offered to buy or rent for an affordable price to local people. The sale will be based on our shared equity model with a percentage of the purchase funded through the resident's savings and a mortgage, and a loan from the Council of the remaining percentage against the property. The houses can also be rented with an appropriate discount on the monthly rent.
- 1.4 The site lies within the Dinorwig Landscape of Outstanding Historic Interest and is outside but abuts the C2 Flood Zone as defined by TAN 15 'Development and Flood Risk' while the Flood Map for Planning, that corresponds with the new draft TAN 15, states that the site is within zones 2 and 3 that are at risk of future fluvial flooding.
- 1.5 The following information was submitted in support of the application:
  - Flood Risk Assessment
  - Open market evaluation of the houses
  - Design Statement
  - Affordable housing and housing mix statement
  - Initial Ecological Assessment
- 1.6 This application was submitted to the Committee at the last meeting on 17/07/23 when the discussion was postponed in order to conduct a site inspection visit.

## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act, and in making the recommendation the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.



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### **2.3 Anglesey and Gwynedd Joint Local Development Plan. (July 2017)**

PCYFF 1: DEVELOPMENT BOUNDARIES

PCYFF 2: DEVELOPMENT CRITERIA

PCYFF 3: DESIGN AND PLACE SHAPING

PCYFF 4: DESIGN AND LANDSCAPING

TAI 2: HOUSING IN LOCAL SERVICE CENTRES

TAI 8: APPROPRIATE HOUSING MIX

TAI 15: AFFORDABLE HOUSING THRESHOLD AND DISTRIBUTION

TRA 2: PARKING STANDARDS

TRA 4: MANAGING TRANSPORT IMPACTS

PS 1: THE WELSH LANGUAGE AND CULTURE

PS 5: SUSTAINABLE DEVELOPMENT

PS 6: ALLEVIATING AND ADAPTING TO THE EFFECTS OF CLIMATE CHANGE

PS 19: CONSERVING AND WHERE APPROPRIATE ENHANCING THE NATURAL ENVIRONMENT

AT 1: CONSERVATION AREAS, WORLD HERITAGE SITES AND LANDSCAPES, PARKS AND REGISTERED HISTORIC GARDENS

SUPPLEMENTARY PLANNING GUIDANCE: AFFORDABLE HOUSING

### **2.4 National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note 2: Planning and affordable housing

Technical Advice Note 5: Planning and nature conservation

Technical Advice Note 12: Design

Technical Advice Note 15: Development and flood risk

### **3. Relevant Planning History:**

None

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#### 4. Consultations:

Community/Town Council: Welcome the principle of developing affordable housing but question the loss of on-street parking for existing residents

Transportation Unit: No objection

Welsh Water: Require a condition to ensure a drainage plan for foul water disposal and standard observations for the developers

Natural Resources Wales: State concern regarding the application but accept that it may be acceptable if the mitigating measures in the Initial Ecological Assessment and Flooding Risk Assessment are implemented.

Biodiversity Unit: The recommendations of the Initial Ecological Assessment must be observed

Land Drainage Unit: The Flood Map for Planning (FMfP) notes that the application site is at risk of flooding and is within Fluvial Flood Zone 2/3 - NRW proposes observations in such situations.

Strategic Housing Unit: This plan contributes directly to the aim of Cyngor Gwynedd's Housing Action Plan to provide more housing to meet the current high demand that exists in the county.

Public Consultation: A notice was posted on the site and the neighbours were consulted. The advertising period has expired and the following observations regarding material planning matters were received, namely:

- On-street parking spaces will be lost increasing the parking issues that already exist in the area
- Concern regarding the safety of pedestrians, particularly children who attend the nearby school.
- Concern about flooding risk on the site
- The development would be damaging to wildlife
- Concern regarding the harm to the privacy of nearby premises
- This is an over-development of the site

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- The development would lead to the shadowing of other property
- A risk would derive from building transport using the narrow road

In addition, observations were received which are not material planning matters for this application:

- A call for alternative plans including developing fewer houses on the site, creating a car park for residents (with electric car charging points) or create a children's play area
- That properties used as holiday accommodation exacerbate local parking issues
- Another site should be sought to construct housing
- Concern regarding a reduction in the value of local housing
- Inconsistency should the development of this plot be approved while houses were refused in other places

## **5. Assessment of the material planning considerations:**

### **The principle of the development**

- 5.1 It is a requirement that planning applications be determined in accordance with the adopted development plan unless other material planning considerations indicate otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case. The application site is located within the development boundary of the Local Service Centre of Llanberis as defined in the LDP.
- 5.2 In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals will be approved within development boundaries in accordance with the other policies and proposals in the Plan, national planning policies and other material planning considerations. Llanberis has been identified as a Local Service Centre under policy TAI 2. This policy supports housing developments to meet the Plan's strategy, through housing designations and suitable windfall sites located within the development boundary, based upon the indicative provision contained in the Policy.
- 5.3 The indicative housing provision for Llanberis over the Plan period is 65 units and during the period between 2011 and 2022, 20 units have been completed in the village. The land bank, i.e. sites with extant planning permission, in April 2022, was 8 units. Taking into consideration the above information, it means there is adequate capacity within the indicative supply for Llanberis to cope with the development in question.
- 5.4 In the above context, it is believed that the principle of constructing three houses on this site is acceptable in principle. In terms of policy, it is not essential for the three properties to be affordable, although a contribution would be expected towards the local affordable provision as part of the development. However, this is part of a broader plan to provide affordable housing for local people and the Strategic Housing Unit confirms that the proposal would assist them to meet the requirements of the local community for affordable housing. Therefore, it is deemed that the proposal is consistent with the objectives of policies TAI 2, TAI 8 and TAI 15 in the LDP.

### **Location, Design and Visual Impact**

- 5.5 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan support proposals for new developments provided they do not have a detrimental impact on the health,

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safety or the amenities of the residents of local properties or on the area in general. In addition, developments are required to:

- Contribute to, and enhance, the character and appearance of the site
- Respect the site and its surroundings in terms of its position in the local landscape.
- Use appropriate materials

5.6 In considering the urban context of the site and the fact that it is a previously developed site, it is deemed that the layout, design and materials of the proposed development will be in-keeping with the location in an appropriate way. It is considered that the houses have been designed to a standard quality that reflects the local streetscape and it is not believed that the houses would create significant harm to the built quality of the site or the local neighbourhood and consequently is considered that the development is acceptable under the requirements of policies PCYFF 2 and PCYFF 3 of the LDP as they relate to these matters.

5.7 For the same reason, it is not considered that there would be any harm to protected landscape deriving from the development and therefore the application is acceptable under policy AT 1 as it protects the Landscape of Outstanding Historic Interest.

#### **General and residential amenities**

5.8 Because of the location, design, orientation, and size of the proposed houses, it is not believed that there would be any significant detrimental impact on private amenities deriving from the development. While accepting that the surrounding houses currently back onto the library site, this is an infill site within the development boundary, and it is not considered unreasonable for it to be developed for housing. It appears that the layout of the proposed houses has been designed to avoid direct overlooking and while it is inevitable to have some inter-visibility between gardens, it is not believed that this would be unreasonable or unexpected in such a location, especially when considering the site's previous public use.

5.9 In addition, in recognising that the houses would be within 12m of the backs of Rhes Minafon and that it is likely that there would be some shadowing of the back of those houses and their gardens, due to the size of the new houses and the surrounding space, it is not believed that the shadowing would cause significant harm to the amenities of the residents of Rhes Minafon.

5.10 In considering the above discussion, it is deemed that the development is acceptable under Policies PCYFF 2 and PCYFF 3 of the LDP in terms of private amenities.

#### **Transport and access matters**

5.11 Several objections were received to the plan as parking issues already exist on Ffordd Capel Coch that cause a great deal of ill-feeling amongst residents and there is concern that the construction of three houses at this location would exacerbate the situation. In addition, there was concern regarding the hazard to street users, including children who attended the nearby school, due to the increase in traffic.

5.12 Despite the above, the Transportation Unit had no objection to the proposal in principle although they have noted that they would not support creating on street parking spaces. Looking at the plans, it is noted that there is a private parking space for each new property and space would remain for three cars on the road in front of the development. It should also be borne in mind that until recently the site was a public library and attracted traffic. Given that the parking provision on the site for the three dwellings is acceptable, and that there will be a loss of approximately three spaces on the street due to this scheme, it is considered that this development in itself will not exacerbate the situation of on-street parking compared to what could happen under the site's current legal planning use. In the same manner, it is considered that the traffic caused by the three dwellings would not cause a greater risk to street users than the former library.

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- 5.13 Given the above, it is therefore considered that the parking provision and access is acceptable for the location and the proposal meets the essential requirements in terms of road safety and parking provision and the plan therefore meets with policies TRA 2 and TRA 4 of the LDP and how they relate to these matters.

### **Biodiversity Matters**

- 5.14 In response to the statutory consultation process, the Biodiversity Unit stated that they had no objection to the application, however it would be necessary to comply with the mitigation measures included within the Initial Ecological Assessment submitted with the application. It is therefore believed by imposing an appropriate condition that the proposal conforms to the requirements of Policy PS 20 of the LDP.

### **Flooding Matters**

- 5.15 Policies PS 5 and PS 6 of the LDP refer to the need to alleviate and adapt to the effects of climate change. In addition, applications must include flood risk mitigation measures where appropriate. As has already been mentioned, the site is outside any flood risk zone noted in the Development Advice Maps of the current TAN 15 (it lies within Zone A). Normally, applications within zone A do not require a Flood Consequence Assessment due to the low risk of flooding. However, an additional material consideration for current planning applications is draft document TAN 15: Development, Flooding and Coastal Developments (December 2021). The Flood Map for Planning, that corresponds with this document is more current than the TAN 15 maps and they demonstrate that this site falls within Zone 2 and 3 for fluvial flooding risk. This means that the site is expected to be under threat of flooding in the future:
- Zone 2 - probability of <1% (1 in 100 years event) but greater than 0.1% (1 in 1,000 years event) or equal to the flooding of any year, including a consideration of climate change over 100 years.
  - Zone 3 - probability of 1% (1 in 100 years event) or more of flooding in any year, including a consideration of climate change over 100 years.
- 5.16 Libraries are designated as *developments at high risk* and therefore in this case there will be no change in the status of the development in terms of its vulnerability as a result of flooding. The building's footprint would remain more or less the same and it is likely that there would be a reduction, if anything, in the number of people who will use the site compared with its use as a library. On the whole, it is not believed that the use of the site for housing would equate to a significant increase in the site's density of use and therefore there will be no significant additional change in the flooding risk for those who use the site.
- 5.17 In response to the initial observations of Natural Resources Wales (NRW), a Flood Consequence Assessment (FCA) was submitted with the application. In order to understand the impact of Ffordd Capel Coch on the flood path in the area of the development, as part of the work of preparing the LDP, a new model was drawn-up to correspond with NRW surface water modelling guidance. This model demonstrated that flooding in a once in a 100 years event would flow down Ffordd Capel Coch leaving *all the development site* free from flooding. The flooding model also demonstrates that the depth of the flooding on Ffordd Capel Coch - the access/exit to the site - would be greater than 300mm in a once in every 100 years event. As the proposal is to demolish the existing building and to build three new dwellings with approximately the same footprint, without changing the site's levels, it is not expected that there will be any impact on the flooding risk to others deriving from this development.
- 5.18 The findings of the Flood Consequence Assessment and the following modelling process confirm that the development will be in compliance with the requirements of the current TAN 15, specifically the criteria set by Appendix 1 of the TAN. In addition, the LPA offers a series of mitigation measures to improve the resilience of the development from flooding.

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- 5.19 In considering the above assessment, it is deemed that the proposal is acceptable on the grounds of the ability to manage flood risk to the occupants of the proposed houses and that it would not cause any additional risk in other places. It is therefore considered that this application complies with the requirements of Policies PS 5 and PS 6 and the content of the current TAN 15: Development and Flood Risk (2004). Development and Flood Risk (2004).

### **The Welsh Language**

- 5.20 As there is sufficient capacity within the indicative housing supply for Llanberis, in accordance with criterion b. Policy PS 1, there is no need to submit a Welsh Language Statement with this application. However, even when there is no need for a Welsh Language Statement the applicant is encouraged to demonstrate what consideration was given to the Welsh language when drawing up the planning application. In this case, the Affordability and Housing Mix Statement submitted with the application confirms that the whole purpose of this plan is to develop intermediate affordable housing to address the need and increase the opportunities for local residents to be able to compete in the housing market. Due to the nature of the plan, that was specifically drawn-up to protect the social make-up of local communities, it is believed that the development is consistent with the objectives of Policy PS 1.

### **Other matters**

- 5.21 It is important to note when considering this application that the lawful use of the site, such as a library, falls under Use Class D1 (non-residential establishments) in the Town and Country Planning Order (Use Classes) 1987 (as amended), which means that planning permission would not be required to change the building to a use that falls under the same use class for example use as a health centre, nursery or community hall. Each of these would have implications in terms of matters such as flood risk, transportation and amenity impacts. Therefore, this should not be considered as an empty site development, rather it should be borne in mind what may happen under the site's current legal rights and would the development in question have impacts that would be significantly worse than the potential legal use.

## **6. Conclusions:**

- 6.1 Bearing in mind the above assessment, particularly in the context of the specialist information submitted regarding flooding risk, it is accepted that this development will not exacerbate the situation in terms of material planning matters compared with what may happen under the site's present legal planning use. Indeed, it may offer an opportunity to improve the resilience of the site to flooding risk and introduce improvements in terms of matters such as visual amenities and biodiversity. Ultimately, this is a proposal to create affordable housing for local people on a brownfield site within the development boundary and it is deemed that the plan is acceptable on the grounds of principle and that it complies with relevant local and national planning policies regarding all the relevant material planning matters.

## **7. Recommendation:**

To approve – conditions:

The development shall be commenced within five years

Development to comply with the approved plans

Condition to ensure that the houses remain permanently affordable

Slate roof

The recommendations of the Initial Ecological Assessment must be observed

<b>PLANNING COMMITTEE</b>	<b>DATE: 11/09/2023</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

The recommendations of the Flooding Risk Assessment must be observed

Welsh Water Condition

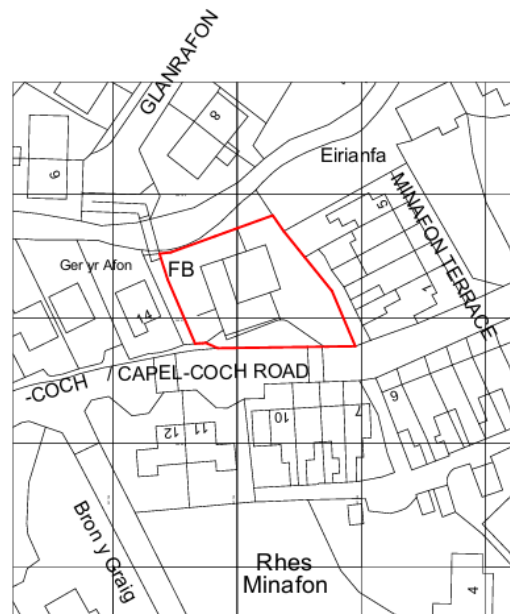
A Welsh name must be given to the development

Note: Welsh Water

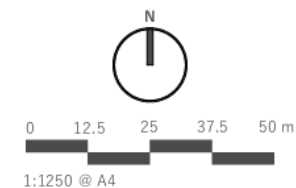
Sustainable Drainage



PRINTED:		21/12/2022 12:24:34		
REV:	DESCRIPTION:	DATE:	BY:	CHK:
P1	FIRST ISSUE	17/11/2022	SD	
P2	COMMENTS FOR CLIENT	20/12/2022	ME	SD
P3	PLANNING ISSUE	21/12/2022	ME	SD



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PROJECT:  
**CAPEL COCH RD,  
LLANBERIS**  
CLIENT:  
**CYNGOR GWYNEDD**

DRAWING TITLE:  
**LOCATION PLAN**

PURPOSE OF ISSUE: <b>PLANNING</b>	STATUS: <b>S3</b>
DRAWING No: <b>CCR-SAL-A1-ZZ-DR-A-0001</b>	PROJECT No: <b>P1159</b>
SCALE: <b>1 : 1250@A4</b>	REVISION: <b>P3</b>



**DERBYN - Cynllunio Cyngor Gwynedd**

## Page 76



30/05/23

DERBYN - Cynllunio Cyngor Gwynedd

## Cynllun Diwygiedig Amended Plan

Page 77



PRINTED:		17/05/2023 13:16:13		
REV:	DESCRIPTION:	DATE:	BY:	CHK:
P1	FIRST ISSUE	18/05/2022	SD	GJ
P2	CARPORT SHOWN TO SPUR	16/11/2022	SD	GJ
P3	COMMENTS FOR CLIENT	20/12/2022	MR	SD
P4	PLANNING ISSUE	21/02/2022	MR	SD
P5	PFL'S UPDATED	17/05/2023	SD	GJ

0 0 0 0 0 m  
1:0 @ A3

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PROJECT:  
**CAPEL COCH RD,  
LLANBERIS**  
CLIENT:  
**CYNGOR GWYNEDD**

DRAWING TITLE:  
**PROPOSED 3D**

PURPOSE OF ISSUE <b>PLANNING</b>	STATUS <b>S3</b>
DRAWING No: <b>CCR-SAL-A1-ZZ-DR-A-0013</b>	PROJECT No: <b>P1159</b>
SCALE <b>@A3</b>	REVISION: <b>P5</b>



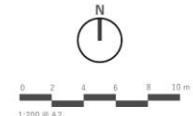
**BOUNDARY KEY**

- 1.8m HIGH TIMBER CLOSE BOARD FENCE
- 900mm HIGH RAILINGS
- EXISTING STONE WALL
- EXISTING TIMBER POST AND BOARDS

REV	DESCRIPTION	DATE	BY	CHE
P1	COMMENTS FOR CLIENT	20/10/2022	MS	SD
P2	PLANNING SEND	21/10/2022	MS	SD
P3	PLN SUPPARED	10/06/2023	SD	AI

**30/05/23**  
DERBYN - Cynllunio Cyngor Gwynedd

**Cynllun Diwygiedig**  
**Amended Plan**



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PROJECT  
CAPEL COCH RD,  
LLANBERIS  
CLIENT  
CYNGOR GWYNNEDD

DRAWING TITLE  
BOUNDARY PLAN

DRAWING STATUS: PLANNING	STATUS: S3
DRAWING No: CCR-SAL-A1-ZZ-DR-A-0011	PROJECT No: P1159
SCALE: 1:200@A2	REVISION: P3

## SITE - BOUNDARY PLAN

SCALE: 1 : 200



**PROPOSED FRONT ELEVATION**

SCALE: 1 : 100



**PROPOSED REAR ELEVATION**

SCALE: 1 : 100

PRINTED:	17/05/2023 12:48:16			
REV:	DESCRIPTION:	DATE:	BY:	CHK:
P1	FIRST ISSUE	16/05/2022	SD	GJ
P2	CARPOT SHOWN TO SP58	16/05/2022	SD	GJ
P3	COMMENTS FOR CLIENT	20/05/2022	ME	SD
P4	PLANNING ISSUE	21/05/2022	ME	SD
P5	FWL UPDATED	17/05/2023	SD	GJ

**Cynllun Diwygiedig  
Amended Plan**

**30/05/23**

DESBYN - Cynllunio Cynor Gwynedd

0 1 2 3 4 m  
1:100 @ A3

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PROJECT:  
**CAPEL COCH RD,  
LLANBERIS**  
CLIENT:  
**CYNGOR GWYNEDD**

DRAWING TITLE:  
**PROPOSED BLOCK  
ELEVATIONS**

PURPOSE OF ISSUE: <b>PLANNING</b>	STATUS: <b>S3</b>
DRAWING No: <b>CCR-SAL-A1-ZZ-DR-A-0012</b>	PROJECT No: <b>P1159</b>
SCALE: <b>1 : 100@A3</b>	REVISION: <b>P5</b>



4P2B - FIRST FLOOR PLAN  
SCALE: 1 : 50

4P2B - GROUND FLOOR OPEN PLAN  
SCALE: 1:50

**FUTURE ADAPTION OPTION**

4P2B - GROUND FLOOR  
CLOSED PLAN  
SCALE: 1:100

**FUTURE WASHROOM**



**FUTURE WASHROOM**

SCALE: 1:100

## FUTURE LOFT EXPANSION

4P2B - GROUND FLOOR  
FUTURE LOFT EXPANSION  
SCALE: 1:100

4P2B - FIRST FLOOR  
FUTURE LOFT EXPANSION  
SCALE: 1:100

4P2B - SECOND FLOOR  
FUTURE LOFT EXPANSION  
SCALE: 1:100

**FRONT ELEVATION PLOT 2**  
SCALE: 1:100

REAR ELEVATION

SCALE: 1:100

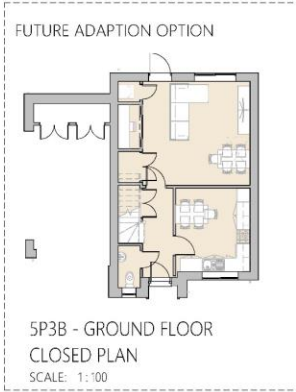
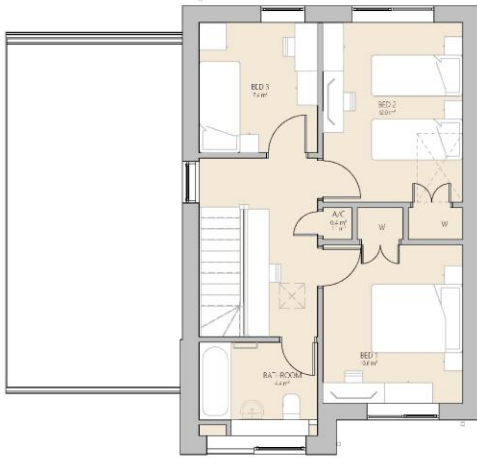
**SIDE ELEVATION PLOT 3**  
SCALE: 1:100

**SIDE ELEVATION PLOT 2**  
SCALE: 1:100

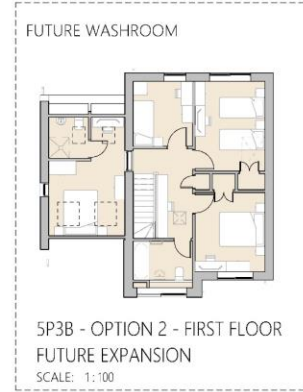
FRONT ELEVATION PLOT 3  
SCALE: 1:100

**DERBYN**  
Adran Cynllunio 21/12/2022

4P26 (SQUARE VOLUME)				4P26 (CUBIC FEET)		UNIT	2010 DESIGN (L.P.)
NAME	AREA	VOLUME	COMMENTS	FLOOR	AREA	TYPE OF CONCRETE	DATE
00 - GRAVITY - DOOR				GROUND - DOOR	43.1 m <sup>2</sup>		
01B - 30.2 m <sup>2</sup>	1.2 m <sup>2</sup>			FIRST FLOOR	38.9 m <sup>2</sup>		
02 - 16.0 m <sup>2</sup>	0.8 m <sup>2</sup>	LADYBIRD					
03 - 1.0 m <sup>2</sup>							
04 - 0.8 m <sup>2</sup>	0.1 m <sup>2</sup>	WINDSHIELD 1st FLOOR					
A/C	2.8 m <sup>2</sup>	1.4 m <sup>2</sup>					



5P3B - GROUND FLOOR  
CLOSED PLAN  
SCALE: 1:100



5P3B - OPTION 2 - FIRST FLOOR  
FUTURE EXPANSION  
SCALE: 1:100

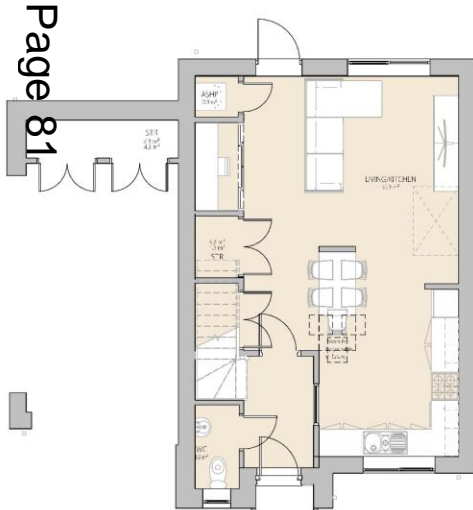
5P3B - FLOORING VOL. (M³)			
FLOOR	AREA	VOLUME	COMMENTS
1ST	18.0 m²	0.8 m³	STANDARD
2ND	18.0 m²	0.8 m³	STANDARD
3RD	18.0 m²	0.8 m³	STANDARD
4TH	18.0 m²	0.8 m³	STANDARD
5TH	18.0 m²	0.8 m³	STANDARD
6TH	18.0 m²	0.8 m³	STANDARD
7TH	18.0 m²	0.8 m³	STANDARD
8TH	18.0 m²	0.8 m³	STANDARD
9TH	18.0 m²	0.8 m³	STANDARD
10TH	18.0 m²	0.8 m³	STANDARD

5P3B - FLOORING VOL. (M³)	
FLOOR	AREA
GROUND FLOOR	18.0 m²
FIRST FLOOR	18.0 m²

DATE	18/10/2022
BY	18/10/2022
FOR CLIENT	20/10/2022
FOR PLANNING	21/10/2022



5P3B - FIRST FLOOR  
SCALE: 1:50



5P3B - GROUND FLOOR OPEN PLAN  
SCALE: 1:50



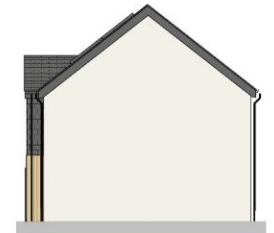
FRONT ELEVATION  
SCALE: 1:100



REAR ELEVATION  
SCALE: 1:100



SIDE ELEVATION  
SCALE: 1:100



SIDE ELEVATION  
SCALE: 1:100



FRONT ELEVATION FUTURE EXPANSION  
SCALE: 1:100



REAR ELEVATION FUTURE EXPANSION  
SCALE: 1:100



SIDE ELEVATION FUTURE EXPANSION  
SCALE: 1:100



PROJECT:  
CAPEL COCH RD,  
LLANBERIS  
CLIENT:  
CYNGOR GWYNEDD

COVERING TITLE  
5P3B HOUSE PLANS  
AND ELEVATIONS

PREPARED BY	STATUS
PLANNING	SB
ENGINEER BY	PROJECT NO.
CCR-SAL-A1-ZZ-DR-A-0101	P1159
SCALE	REVISION
As indicated @ A1	P2











# Agenda Item 6.4

PLANNING COMMITTEE	DATE: 11/09/2023
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

**Number: 4**

**Application Number: C23/0293/42/LL**

**Date Registered: 06/04/2021**

**Application Type: Full**

**Community: Nefyn**

**Ward: Morfa Nefyn and Tudweiliog**

**Proposal: Full application for the demolition of existing structures and construction of a new dwelling and associated works**

**Location: Arosfa, Edern, Pwllheli, Gwynedd, LL53 8YU**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

PLANNING COMMITTEE	DATE: 11/09/2023
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## 1. Description:

- 1.1 Full application for the demolition of existing structures and construction of a new two-storey dwelling and associated works. The dwelling would include a hall, lounge, kitchen/dining room, utility, toilet, office and garage on the ground floor with 4 bedrooms (2 with en-suite) and a bathroom on the first floor. An external balcony will be included on part of the dwelling's first floor on the south-eastern elevation, namely the elevation that would look away from any neighbouring property.
- 1.2 The house would be two-storey with a slate roof while external walls would be a combination of render, timber and stone cladding. The internal floor area of the proposed house would be approximately 170m<sup>2</sup> across two storeys. The height of the main ridge of the building would be approximately 5.8m while the height of the rear part of the building would be 4.2m. The proposed house would be partly located over the footprint of the existing structures, which are a mixture of zinc sheds and glasshouses with two storage containers also located on the site. It would be located fairly central within the plot and an extensive turning area and parking space would be provided. An existing access serves the site from the adjacent highway through the village of Edern (the B4417).
- 1.3 The site is located within the development boundary and is also within the Western Llŷn Area of Outstanding Natural Beauty and the Llŷn and Bardsey Landscape of Outstanding Historic Interest. The nearby area's pattern of residential developments is a mixture of terraced houses, detached and semi-detached houses and they vary in terms of size and appearance.
- 1.4 The application has been amended twice since it was originally submitted in response to observations received and following discussions with officers. Originally, an external balcony was to be included on the first floor of the south-eastern (front) elevation and the south-western gable end, this has now been reduced so that it is only on the south-eastern elevation. Some of the first-floor windows were also changed so that they only included opaque glass. Another change undertaken was reducing the height of the part that would extend out from the main part of the building at the rear, namely the part that would extend closest to the site boundary with neighbouring houses to the north. A reduction of 1.6m in height can be seen between the original proposal and the amended proposal and, as a result, the roof form and internal arrangements are slightly changed and a dormer window is included. The local member, the community council and neighbouring residents were re-consulted following the receipt of the amendments.
- 1.5 The application is submitted to the Planning Committee for a decision at the local member's request due to concern about the size of the proposed house and its proximity to other houses.

## 2. Relevant Policies:

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

PLANNING COMMITTEE	DATE: 11/09/2023
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## 2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026, adopted 31 July 2017

PS 1: The Welsh Language and Culture

PS 5: Sustainable development

PCYFF 1: Development boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 17: Settlement strategy

TAI 4: Housing in local, rural and coastal villages

TAI 15: Affordable housing threshold and distribution

AMG 2: Special landscape areas

AMG 5: Local biodiversity conservation

AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.

## 2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 11 - February 2021)

Technical Advice Note 12: Design

## 3. Relevant Planning History:

3.1 Application 3/22/35C - Agricultural contractors' plant shed - approved 01/05/97

## 4. Consultations:

Community/Town Council: Nefyn Town Council express concern about the height of the design and neighbours' privacy.

Re-consultation:

Nefyn Town Council express concern about the height of the design and neighbours' privacy.

<b>PLANNING COMMITTEE</b>	<b>DATE: 11/09/2023</b>
<b>REPORT OF THE ASSISTANT HEAD OF DEPARTMENT</b>	

Transportation Unit:	I refer to the above application and wish to state that I do not intend to submit a recommendation as it is assumed that the proposed development will not have a detrimental impact on any road, or proposed road.
Natural Resources Wales:	We have reviewed the planning application submitted to us, and from the information provided, we are not of the opinion that the proposed development impacts any matters listed on our Consultation Topics.
Welsh Water:	Standard advice and response in relation to drainage matters and connection to the public systems.
Public Protection Unit:	Not received
Biodiversity Unit:	The sheds are unlikely to be a bat roosting habitat and the large metal shed is unlikely to be a bird nesting habitat because it appears to be well sealed. It is recommended that a preliminary ecological assessment should be submitted and that bat and bird boxes are shown on amended plans and other biodiversity enhancements.
Land Drainage Unit:	Standard advice regarding SUDS matters.

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**Public Consultation:**

A notice was posted on the site and nearby residents were notified. The advertisement period has expired, and several letters/correspondences of objection were received on the following grounds:

- Overlooking/loss of privacy
- Too large/overbearing height
- As the land is higher, the house will be substantially higher
- Detrimental effect on the residential amenities of neighbours/currently quiet site
- Impact on public footpath
- Loss of sun/over-shadowing
- Negative design impact on the streetscene
- Lack of information/plans to fully assess the proposal

As well as the above objections, objections were received that were not material planning objections and these included:

- Current houses losing value

A petition was also received which had been signed by local residents with 8 of them objecting to the proposal and one not objecting.

Following the second consultation, observations were received reiterating the original objections:

- The 'revision B' amended plans do not alleviate our concerns that the proposed dwelling will not have a substantial impact on our privacy as a result of overlooking

It is noted that a letter / further correspondence was received from the agent, withdrawing objections from two neighbours who had originally submitted objections.

## **5. Assessment of the material planning considerations:**

### **The principle of the development**

- 5.1 The proposal involves the demolition of existing structures and construction of a new two-storey dwelling in their place. The site in question has already been developed and, therefore, is considered as a brownfield site and is located within the development boundary of the village of Edern. The proposal, therefore, meets the requirements of policies PS 5, PCYFF 1 and PS17 of the Anglesey and Gwynedd Joint Local Development Plan (LDP).
- 5.2 The village of Edern has been identified as a Coastal/Rural Village in the LDP and, therefore, the proposal must be considered in accordance with the requirements of policy TAI 4 ('Houses in Local, Rural and Coastal Villages').
- 5.3 The indicative supply level for Edern over the Plan period is 12 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g., land ownership matters, infrastructure restrictions, etc.). During the period 2011 to 2022, a total of 2 units have

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been completed in Edern. The windfall land bank, i.e., sites with extant planning permission on sites not allocated for housing, in April 2022, was 4 units.

- 5.5 Therefore, based on this information, approving a development on this scale would be acceptable given the indicative supply level for the village and the requirements of policy TAI 4.

### **Visual amenities**

- 5.6 Policies PCYFF 3 and 4 of the Local Development Plan promote good building design by ensuring that proposals conform to a series of criteria by aiming to safeguard the recognised features and character of the landscape and the local environment, safeguarding the visual character by ensuring that building materials are of a high standard and in-keeping with the character and appearance of the local area and suitably landscapes the site.
- 5.7 Policy PCYFF 3 of the LDP states that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context. It also emphasises that proposals will only be permitted if they can comply with a series of criteria. Additionally, Policy PCYFF 4 requires that all proposals integrate into their surroundings and a landscape scheme should give consideration, amongst other matters, to the natural contours of the landscape, and demonstrate how the development respects and protects local and strategic views as well as respect, retain and complement any existing positive natural features.
- 5.8 Having demolished the existing structures, the proposal involves undertaking excavation work to level the ground although it is believed that the site is relatively level at present. From the plans, it can be seen that the height of the existing sheds and structures varies between 1.9m and 3.3m. The plot for development is relatively large in size with land rising gradually from the access point with the adjacent highway towards the site. The new building would fill more of the plot to the south/south-east than the existing sheds. An established growth of mature trees and shrubs can be seen through the site, including along the boundary with existing houses to the north/west/south-west.
- 5.9 Currently, the site consists of industrial-like sheds that are quite simple in design, which stand unnoticed within the plot. Residential houses are mostly within the local area and, therefore, the existing sheds are slightly out of character compared to the mostly residential use locally. Existing houses reflect similar features to each other with a fairly general pattern to the levels/height and form of their roofs in terms of the adjacent houses that face the public highway. Pitched slate roofs is the main type of roof seen in the area. However, there are also more recent developments within the local area, particularly a two-storey house that abuts the western boundary of the site which is typical of a house of its time, namely the beginning of the 80s.
- 5.10 It is acknowledged that the proposed house would be larger in size than the existing buildings but in response to highlighted concerns, the building has been amended from what was originally submitted. The new house is located within part of the site that is within the development boundary, and although this means it is closer to the northern boundary of the site than it would have been should it have been pushed further into the site, it is not considered that its location within the site is unreasonable.
- 5.11 The roof ridge height of the existing highest shed is 3.3m and the height of the ridge of the proposed roof would be 5.8m. Obviously, it is accepted that the roof ridge of the proposed dwelling would be higher than the existing buildings but not to a totally unreasonable scale considering the variety locally. For example, the height would be slightly lower than the ridge height of the neighbouring property to the west, but not much, but lower after all. Due to the amendment made to the height of one part, it is deemed that this is a practical effort to reduce the impact in terms of its appearance and in the locality. As a result, it is not considered that it would

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stand out as an incongruous feature in this part of the village and would not be totally contrary to the general development pattern seen there. It is not considered that the proposed new house will impact to a totally unacceptable level on the character and appearance of the site or the surrounding area in terms of appearance, scale, height or mass. The presence of mature trees and shrubs within the site provides an appropriate cover for the site and, despite the increase in height, it is not believed that the building would dominate views towards the site from prominent public points. The presence of existing houses adjacent to the public highway means that there is no completely open view towards the site from this direction and this, as well as the trees, is likely to mean that views from the direction of the B4417 would be fragmented.

- 5.12 It must be acknowledged that the applicant has amended the proposal in an attempt to respond to concerns raised and it is now believed that the proposal would add to and improve the character and appearance of the site and the area in terms of its appearance. There is no objection to the type of design proposed in terms of the elevations of the external walls and the form and scale of the proposed openings.
- 5.13 The explanation of Policy PCYFF 3 states: *'the setting and design of new developments must be based on a thorough understanding of the site itself and of its broader background, and seek to obtain as much benefit as possible from the site's features. This will require careful consideration of the site layout. No two sites share the same landscapes, contours, relationship with surrounding buildings, street pattern, and features. The proximity of poor quality or indistinct development is not a justification for standard or poor design solutions. New development should integrate into its surrounding whilst seeking to enhance the overall character of the locality'*. There is no doubt that the change would be local compared to what currently exists and what is proposed, however, consideration needs to be given if the change would be to a totally unacceptable extent especially so bearing in mind its relationship within the locality. It would not dominate or look incongruous due to the existence of the existing houses and would convey the local roof form pattern. Therefore, bearing in mind that the existing proposal has been amended to create a building of a different size and form and smaller than what was previously considered, it is now considered that the proposal is acceptable and complies with the requirements of criteria 1 and 2 of policy PCYFF 3 and points 3 and 4 of Policy PCYFF 4 of the LDP.
- 5.14 The site and the wider area are within the Western Llŷn Special Landscape Area. Policy PS19 of the LDP requires the protection or where appropriate, enhancement of the natural environment, countryside and coast of the Plan's special area. Criterion 2 states that sites of international, national, regional and local importance should be protected and, where appropriate, their settings enhanced, in line with National Policy. Furthermore, Policy AMG 2 requires proposals within Special Landscape Areas to give appropriate consideration to the scale and nature of the development. Although it is accepted that there would be some impact locally, it is not believed that the proposal would be unacceptable on the grounds of the impact on the wider landscape and this is mainly based on its location in the centre of the existing built form. The proposal is therefore considered acceptable in terms of Policies PS 19 and AMG 2 of the LDP.
- 5.15 The site also lies within the Llŷn and Bardsey Landscape of Outstanding Historic Interest. The proposal involves the construction of a new house, and it is considered that it would not have a wider impact on the historic landscape. Therefore, it is considered that the proposal is acceptable in terms of Policy AT 1 of the LDP.

#### **General and residential amenities**

- 5.16 The site is surrounded to the south-west, north and the north-west by dwellings with open lands extending past the southern/south-eastern boundary of the site. Elements of overlooking already exist due to the location of the existing buildings. There are trees/shrubs within the garden and nearby gardens reduce some of the impact. Concerns were highlighted by neighbours during the public consultation period regarding the impact of the proposal on them and it would have a

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substantially harmful impact compared with the existing situation. It is considered that a real effort has been made to reduce the impact of what was originally submitted and it can be seen that the amendments respond to the concerns highlighted by planning officers. It is believed that the reduced height in one part of the building, contributes to the improvement and that the other changes, namely reducing the external balcony and changing some windows, improve the proposal in terms of the impact on neighbours.

- 5.17 It is believed that consideration must be given to the historical use of the site and the extant permission to sustain a business here. It can be seen that permission was granted in the past for the sheds for a purpose relating to agricultural contractors. This would mean maintaining and operating machinery such as tractors and all associated activities. It is believed that residential use of the site in comparison, would be much less damaging and, therefore, there would be an improvement from the extant permission to sustain a business and the proposed use.
- 5.18 In terms of acceptable separation distances between the proposed house and existing houses, an assessment of the effects often depends on the specific circumstances of the site as well as distances. Concerns were highlighted during the consultation period regarding distances matters as well as shading/loss of light in relation to neighbouring houses. The balcony has now been reduced so that it is only on the front elevation looking towards the south-eastern direction and away from neighbouring houses. Also, a 1.7m high permanent privacy screen will be installed on the sides of the balcony, which is standard for this type of feature. In terms of the changes undertaken to some windows of the new house, they would be for rooms such as the bathroom and dressing room. They will be of a type where only the highest part is possible to open and where they cannot be opened fully. It is intended to include a condition to ensure that only this type of window is approved in specific locations. It must also be borne in mind that dense shrubs and high trees are on the boundaries. It can be seen that distances between the nearest part of the new house and the rear of the nearest existing houses vary between 15m and 24m. It is believed that there would be approximately 3m between the nearest part of the new house (gable end with no window) and the garden boundaries of the nearest houses and approximately 8m between the nearest part which include windows. Although there is some difference in land levels between the existing houses and the application site, it is not believed that the location of the new house, the distances between sites and the presence of mature trees and shrubs, will mean that the impact will be totally unacceptable. Therefore, as a result, it is not considered that any shadowing resulting from the proposal would be totally harmful.
- 5.19 This proposal and the consideration given to room locations, including opaque glass when required and changing to the height and form of the 'extension' towards the northern boundary reduces the impact of the development from the original proposal by reducing the impact of overlooking and the perception of overlooking over nearby houses. It is believed that it would be reasonable in this case to include conditions to ensure protection in this situation and although it would not mean that any further development would fail, it ensures that there is control over new developments so that the impact on amenities would not be affected to a totally unacceptable level. Therefore, conditions are attached that demand the use of opaque glass and windows with only high openings on the side and back of the first floor while the conditions to limit the developments permitted such as extending the building, erecting buildings within the curtilage and include any new windows are also to be attached.
- 5.20 It is believed that the development in its amended form is now acceptable in terms of its impact on the amenities of nearby residents and the proposal would not cause significant unacceptable harm to the living conditions of nearby houses. It is therefore believed that it is acceptable based on the relevant requirements of policy PCYFF 2 of the Joint Local Development Plan that seeks to protect the amenities of local residential occupiers.
- 5.21 Therefore, considering the above, it is deemed that a full assessment has been given to the proposal that finds that the proposal in question will not have a significant detrimental impact to a



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totally unacceptable degree on the amenities of local property occupiers and it is therefore acceptable in terms of the requirements of the criteria of policy PCYFF 2 of the LDP.

### **Linguistic matters**

- 5.22 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para. 3.28 of Planning Policy Wales (Edition 11, 2021), and Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.23 It is noted that there are some specific types of developments where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. The thresholds in terms of when it is expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. In terms of the type of developments in question, the following is noted: The proposal does not reach the thresholds to submit a Welsh Language Statement or a Report on a Welsh Language Impact Assessment. However, Appendix 5 of the SPG notes that every housing development, retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement/Assessment should show how consideration has been given to the language.
- 5.24 The proposal before you is for the construction of one dwelling. Although it does not reach the relevant threshold, a Welsh language statement was requested from the agent, which had not been received at the time of writing this report (but it is trusted that it will be received in due course, and it will be reported upon via the late information form). However, it is noted that the applicant is local and a Welsh first language speaker. Therefore, from this perspective, it is considered that there would be a positive impact on the language by ensuring a house for a local Welsh speaker which means that they will continue to reside in the village and, therefore, it is considered that the proposal complies with the requirements of policy PS1 in this regard.

### **Transport and access matters**

- 5.25 The proposal entails using the existing access and include a parking and turning space within the curtilage. The observations of the Transportation Unit were received and they had no objection with regard to road safety. It is therefore considered as a result of the comments of the Transportation Unit, that the proposal is acceptable in terms of road safety and is in accordance with the relevant requirements of policies TRA 2 and TRA 4 of the LDP.

### **Biodiversity matters**

- 5.26 It can be seen from the observations of the Biodiversity Unit that the existing buildings earmarked for demolition are not suitable for use by protected species. Therefore, in this case, it is believed that it would be reasonable to impose a standard condition to agree on Biodiversity enhancement details for the site. This may be in the form of bird or bat boxes in the new building or nearby or that the choice of landscaping is suitable for the prosperity of local wildlife. As it is possible to ensure that local Biodiversity is enhanced, it is therefore considered that this ensures that the relevant requirements of policy AMG 5 are satisfied.

### **Community benefit / 106 agreement issues**

- 5.27 The requirements of policy TAI 15 note that an appropriate level of affordable housing must be ensured in the Plan's area. Depending on the scale of developments, a contribution towards

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affordable housing provision is expected in accordance with the threshold recognised for the county's settlements. In the case of the village of Edern, which has been identified as a rural/coastal/local village, the threshold is 2 or more units. As this proposal is for the provision of one new house only, it does not meet this threshold to consider affordable provision.

### **Response to the public consultation**

- 5.28 It is acknowledged that several objections have been received to this proposal and it is considered that all relevant planning matters have been given appropriate consideration as part of the above assessment. A decision is made based on a full consideration of all the material planning considerations including the relevant observations received during the public consultation and that no one was let down when considering this application.

### **Any other relevant matters**

- 5.29 Despite the allegation made that the proposal would affect the existing public footpath, by examining the current maps it cannot be seen that a registered public footpath crosses the application site at all. The nearest public footpath is located far beyond the site boundaries to the south, south-west and south-east.

## **6. Conclusions:**

- 6.1 Having considered the above and all the relevant planning matters including the local and national policies and guidance, as well as all the observations and objections received, it is believed that the proposal is acceptable and satisfies the requirements of the relevant policies as noted above.

## **7. Recommendation:**

- 7.1 To delegate powers to the Senior Planning Manager to approve the application.

### **Conditions**

1. Time
2. In accordance with the plans
3. Agree on materials, including roof slates
4. Restrict permitted development rights and windows
5. Manage the type of window/glass installed
6. Landscaping
7. Biodiversity Enhancements
8. Building control plan



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**RICS**

NODIADAU - NOTES

**Cynllun Diwygiedig**  
**Amended Plan**

**Cynllunio**  
Deddf - 1489/2003



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No.	Description	Date
A	Lleihau balcony, gwydr afloywl	19/05/23
B	Cwrtll	13/6/23

TITL PROSIECT - PROJECT TITLE

**Tir ger Arosfa, Edern**

TITL - TITLE

**Lleoliad Safle**

CLIENT - CLIENT

**Huw Williams**

DARLUNYDD GAN  
DRAWN BY  
GEW

GWIRYDD GAN  
CHECKED BY  
HEW

DYDDIAD  
DATE  
29/04/21

GRADDFA - SCALE (@A2)  
As indicated

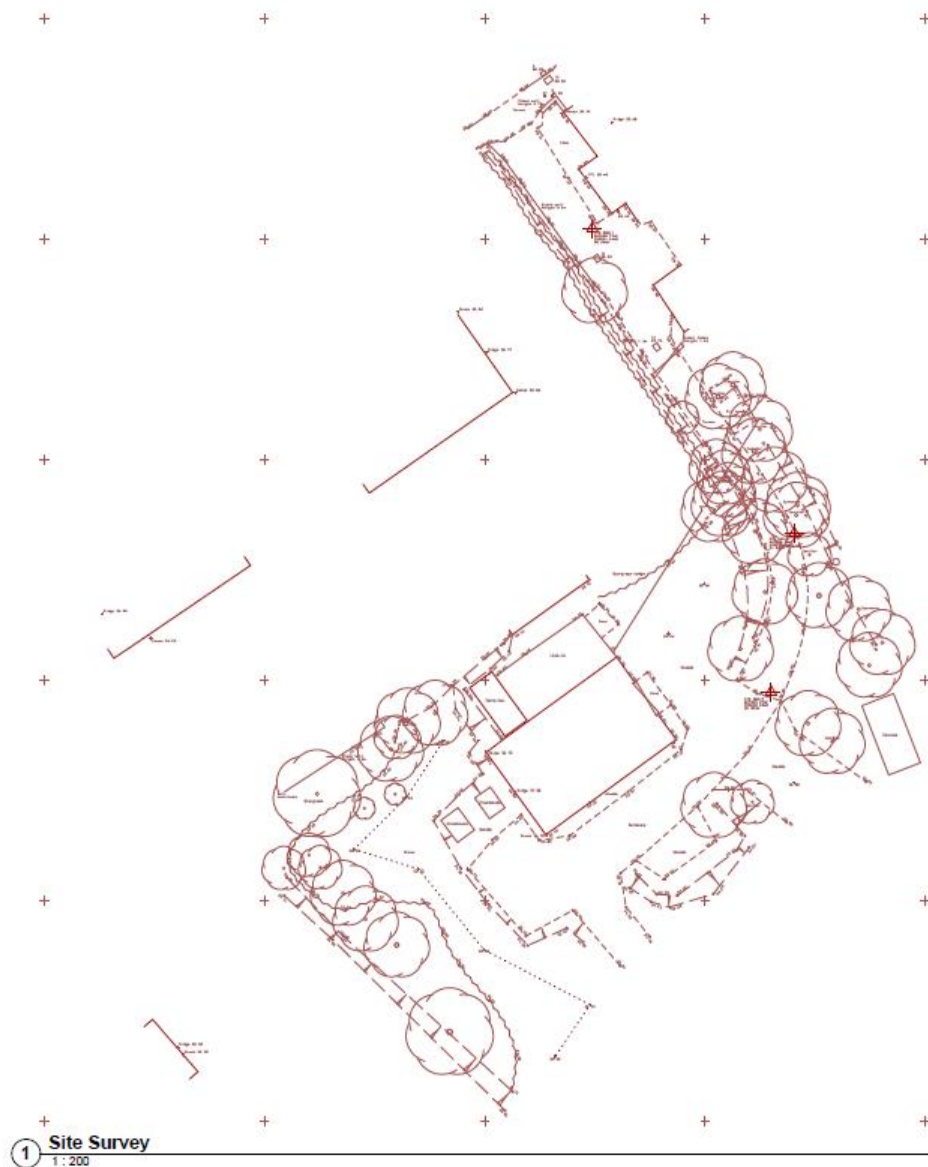
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Tir ger Arosfa, Edern

Site Survey

CURRENT - CLIMATE

Huw Williams

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RHP CYNELLUS - DRAWING NUMBER		
0325-T101		

Cynllunio

Derbyn - 06/04/2023

Shed

Shed

Greenhouse

Greenhouse

Container

Container

Level 0

1 : 100

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1

2

East

1 : 100

3

North

1 : 100

4

South

1 : 100

5

West

1 : 100

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**RICS**

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No.	Description	Date

TITL PROSIECT - PROJECT TITLE

Tir ger Arosfa, Edem

TITL - TITLE

Existing Structures

CLEIENT - CLIENT

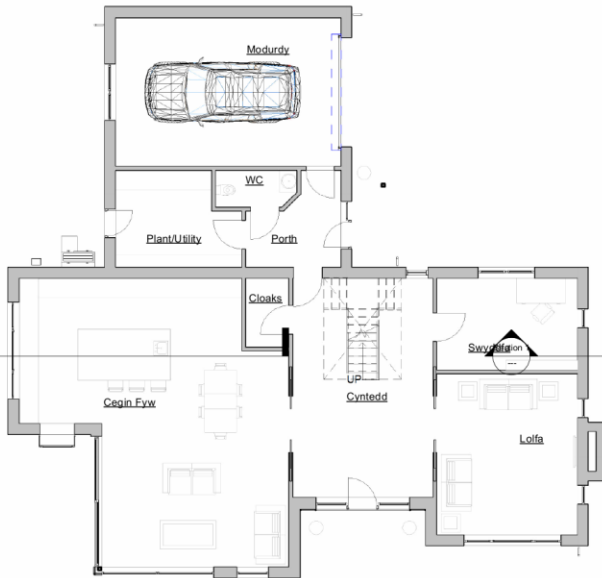
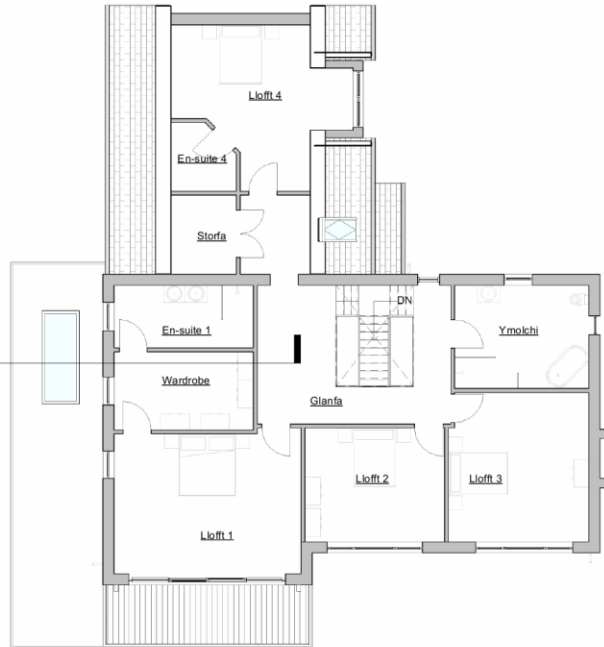
Huw Williams

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Cynllun Diwygiedig  
Amended Plan

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1 Llawr Gwaelod  
1 : 1002 Llawr Cyntaf  
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## NODIADAU - NOTES

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No.	Description	Date
A	Lleihau balcony, gwydr afloyw	19/05/23
B	Gostwng uchder to dros y modurdy	10/7/23

## TEITL PROSIECT - PROJECT TITLE

Tir ger Arosfa, Edem

## TEITL - TITLE

Cynllun Llawr Arfaethedig

## CLEIENT - CLIENT

Huw Williams

DARLAWYD GAN DRAWN BY GEW	GWIRYD GAN CHECKED BY HEW	DYDDIAD DATE 29/04/21
GRADDFA - SCALE ( @A2 ) 1 : 100	RHIF PROSIECT - PROJECT NUMBER 0325	REV B
RHIF CYNLLUN - DRAWING NUMBER 0325-A101		

**Cynllunio**

Deiŷyn - 10/07/2023

**Cynllun Diwygiedig  
Amended Plan**



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No.	Description	Date
A	Lleihau balcony, gwydr afloyw	19/05/23
B	Gostwng uchder to dros y modurdy	10/7/23

TITL PROSECT - PROJECT TITLE

**Tir ger Arosfa, Edern**

TITL - TITLE

**Edrychiadau Arfaethedig**

CLIENT - CLIENT

**Huw Williams**

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RHYF CYNLLUN - DRAWING NUMBER	REV	
0325-A102	B	



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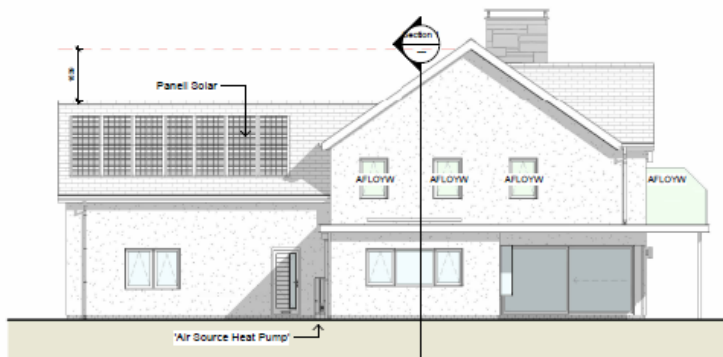
Page 99

- To llechi a phanel solar integredig
- Wallau rendr gwyn a chyflunad o gladiu coed a cherrig naturiol.



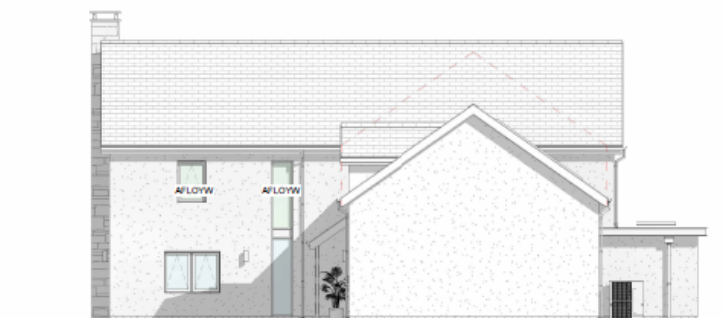
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**2 Ochr (De-Orllewin)**

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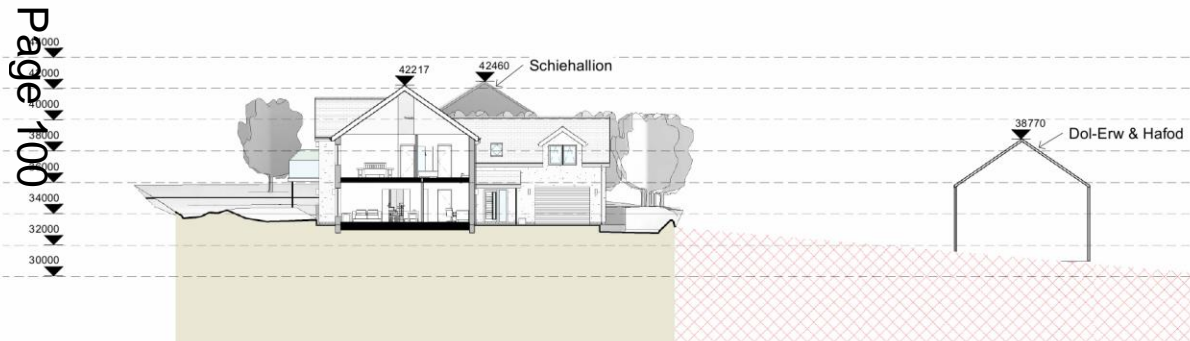
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1 A-A  
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2 B-B  
1 : 200

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No.	Description	Date
A	Lleihau balcony, gwydr afloywl	19/05/23
B	Gostwng uchder to dros y modurdy	10/7/23

**TEITL PROSIECT - PROJECT TITLE**

Tir ger Arosfa, Edem

**TEITL - TITLE**

Croesdoriad Safle

**CLEIENT - CLIENT**

Huw Williams

DAWLUNYD GAN DRAWN BY GEW	GWIRYD GAN CHECKED BY HEW	DYDDIAD DATE 29/04/21
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RHIF CYLLUN - DRAWING NUMBER 0325-S102		

















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