



Complete Agenda

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

PLANNING COMMITTEE

Date and Time

1.00 pm, MONDAY, 20TH MAY, 2024

NOTE

This meeting will be webcast

https://gwynedd.public-i.tv/core//en_GB/portal/home

Location

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

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(DISTRIBUTED 10/05/24)

PLANNING COMMITTEE

MEMBERSHIP (15)

Plaid Cymru (10)

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
John Pughe

Independent (4)

Councillors

Louise Hughes
John Pughe Roberts

Anne Lloyd-Jones
Gruffydd Williams

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 rd 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. ELECT CHAIR

To elect Chair for 2024/25

2. ELECT VICE CHAIR

To elect Vice Chair for 2024/25

3. APOLOGIES

To accept any apologies for absence.

4. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

5. URGENT ITEMS

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

6. MINUTES

6 - 18

The Chairman shall propose that the minutes of the previous meeting of this committee, held April 22nd 2024, be signed as a true record.

7. PLANNING APPLICATIONS

To submit the report of the Head of Environment Department.

7.1. APPLICATION NO C23/0938/41/LL CAPEL RHOSLAN, RHOSLAN, CRICCIETH, GWYNEDD, LL52 0NW 19 - 35

Revised layout for the erection of new dwelling, including parking and sewerage treatment plant.

LOCAL MEMBER: Councillor Rhys Tudur

[Link to relevant background documents](#)

7.2. APPLICATION NO C24/0131/42/DT HAFAN LÔN BRIDIN, MORFA NEFYN, PWLLHELI, GWYNEDD, LL53 6BY 36 - 52

Proposed external works including reinstatement and extension to terrace/patio area, construction of a new wall and other various alterations.

LOCAL MEMBER: Councillor Gareth Morris Jones

[Link to relevant background documents](#)

PLANNING COMMITTEE 22 April 2024

Present: Councillor Edgar Owen (Chair)
Councillor Elwyn Edwards (Vice-chair)

Councillors: Delyth Lloyd Griffiths, Elin Hywel, Gareth T Jones, Huw Wyn Jones, Anne Lloyd Jones, Huw Rowlands and Gruffydd Williams

Others invited - Local Member: Councillor Gareth Williams

Officers: Gareth Jones (Assistant Head of Planning and the Environment), Miriam Williams (Legal Services), Keira Sweeney (Planning Manager - Development Control and Enforcement), Gwawr Hughes (Development Control Team Leader), Iwan Evans (Monitoring Officer - item 5.4 only) and Lowri Haf Evans (Democracy Services Officer).

Swyn Hughes (Professional Trainee in Environment Planning) - observing

1. APOLOGIES

Apologies were received by Councillors Gareth A Roberts, Louise Hughes, John Pughe Roberts and Cai Larsen

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

Councillor Elin Hywel (a member of this Planning Committee), in item 5.1 (C22/0898/42/LL) on the agenda due to a family connection.

The Member was of the opinion that it was a prejudicial interest, and she withdrew from the meeting during the discussion and did not vote on the application.

b) The following member declared that she had an interest in relation to the item noted:

Miriam Williams (Legal Services) in item 5.4 (C24/0011/30/AM) on the agenda, as she knew the applicant.

The Officer was of the opinion that it was a prejudicial interest, and she left the Chamber during the discussion.

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

- Councillor Gareth Morris Jones (a member of this Planning Committee), in item 5.1 (C23/0898/42/LL) on the agenda
- Councillor Gareth Williams (not a member of this Planning Committee), in item 5.4 (C24/0011/20/AM) on the agenda

3. URGENT ITEMS

None to note

4. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 18 March 2024 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 aspects of the policies

5.1 Application Number C22/0898/42/LL

Land adjacent to a funeral director's building and existing public toilets, Morfa Nefyn, LL53 6BW

Construction of Chapel of Rest

Attention was drawn to the late observations form

- a) The Development Control Team Leader highlighted that this was an application that involved constructing a new building to be used as a Chapel of Rest. It was noted that the floor plan showed that there would be an office, cold store, toilet, loading and unloading area for vehicles and space for a Chapel of Rest within the building.

It was explained that the location of the proposal was in the middle of the village of Morfa Nefyn, located adjacent to the B4417 highway, approximately 50m away from the crossroads with the B4412. It was highlighted that there were no other buildings on this side of the road in this location (except for the funeral director's building and existing public toilets).

It was noted that the application was a re-submission of a proposal that was refused under reference C22/0568/42/LL and that the agent of the application had provided a statement in response to the refusal reasons for that application. Originally, it was unclear how the proposed building would operate with the existing building and no information was presented with the application regarding the exact current and proposed use of the existing workshop.

Further information had now been received, confirming that the applicant was one of three on the coroner/police list for dealing with emergency calls in the Pen Llŷn area. The new building would be used to store a hearse, providing a temperature-regulated area and room for the family/doctor to visit the deceased.

It was explained that the existing building was not accessible as there was a staircase down to the part currently used as a temperature-regulated area and therefore a trolley could not be used in compliance with health and safety requirements. In addition, it was proposed to purchase a new hearse and it would not be possible to park this within the existing building as the new hearse was bigger, this meant that the hearse would have to be loaded outside in a location open to the public. The applicant confirmed that the business would work effectively by using both buildings and the proposal provided showed how the existing building would be used as well as how it would be used should the new building be approved.

It was also noted that a revised site plan had been submitted which extended the application site to improve access into the site, provide three additional parking spaces together with a turning area within the site and to keep the vehicular access doors into the building clear. A Green Infrastructure Plan and Statement proposing hedge planting and installing nesting and bat boxes on the proposed building had also been submitted.

It was highlighted that the application had been submitted to the Planning Committee at the request of the Local Member. The application was deferred at the Planning Committee on 28.11.2022 (at the request of the applicant) to try and solve highways matters and to present further information.

In the context of the principle of the development, it was reported that the site was located in open countryside, outside but abutting the development boundary of the village of Morfa Nefyn. It was considered that there was sufficient justification and rationale to construct a business building as an extension of the existing business in the open countryside and the proposal complied with the requirements of policy PCYFF 1 and criterion 2 of policy PS 5.

In the context of highways matters, it was previously noted that the parking spaces had been set in front of the access doors to the loading/unloading space, and it was unclear what the arrangement would be should the doors need to be used when the parking spaces were in use. It was noted that a revised site plan had been submitted that provided three additional parking spaces together with a turning area, leaving the area in front of the vehicle loading doors empty.

Further observations were proposed by the Transportation Unit that confirmed that there were no objections to the proposal by now, based on the revised site plan (rev E), together with setting a condition to ensure that parking spaces were provided before using the building.

Following receipt of additional revised plans and information relating to the existing building and how both buildings would be used in the future, as well as a site plan with a revised parking arrangement and biodiversity mitigation and enhancement measures, it was considered that the proposal was acceptable and complied with the requirements of the relevant policies. The Planning Authority recommended approving the application with conditions.

- b) Taking advantage of the right to speak, the applicant's agent made the following observations;
- That the existing building was unsuitable for providing a modern service
 - That this was an application to extend the existing building
 - The service was necessary and there was no other suitable site for the company in the village - it was not a business that could be run in a street or an industrial site
 - That the existing site was ideal
 - That the company and Council officers had collaborated well to ensure that each party was satisfied with the application

c) The Local Member declared an interest and stepped back from the discussion. He highlighted that the application was contentious locally and therefore required the Committee's decision.

ch) It was proposed and seconded to approve the application, noting that such a service was desperately needed.

RESOLVED: To approve – conditions

1. **5 years**
2. **In accordance with the plans and the green infrastructure plan and statement**
3. **Agree on external finish**
4. **Welsh Water Condition**
5. **Parking**
6. **External appliances may not be installed in relation to the temperature-regulated area without prior agreement with the Local Planning Authority.**

Notes:

SUDS

Biodiversity supervision note

**5.2 Application Number C24/0071/16/LL
CNC Fuels, Parc Bryn Cegin, Llandygai, Bangor, Gwynedd, LL57 4BG**

Erection of 10 industrial units, new access, parking and landscaping

Attention was drawn to the late observations form

a) The Planning Manager highlighted that this was a full application to erect a building on a vacant plot of land within the Bryn Cegin Business Park, Llandygai. It was noted that the building would be split into ten units, with the intention of obtaining consent for Use Class B2, namely General Industrial. Despite not being completely relevant to the application, it was noted that there were no specific users for the units yet.

In terms of the principle of the development, it was reported that the site was located outside the development boundary but was part of a site protected as a Strategic Regional Business site within the LDP for B1, B2 and B8 use. It was noted, as the intention was for class B use, it would comply with policy CYF 1 that related to protecting, allocating and reserving land and units for employment use.

It was noted that the plot of land surrounding the building would include 31 parking spaces and the access would be provided through the existing vehicular entrance that provided access from the inner road that serviced the broader business park.

Although fairly large, (floor area of 995m² and 8.2m to the roof ridge), the new building would be of a size, design and materials that would be expected for contemporary industrial buildings. It was considered that the design and appearance was acceptable and complied with policy PCYFF 3. In addition, impact on amenities could be managed with conditions that related to opening hours and any external machinery e.g. extraction systems.

A statement relating to the Welsh Language had been submitted and, as part of the consultation process, observations had been received highlighting concern about the impact of the development on the Welsh language. In response, an explanation was received by the applicant noting that the units could not be advertised to tenants until the application received Planning permission. To promote the Welsh language, the applicant stated his willingness to collaborate with the Language Unit and create a transfer file for the units that would commit the tenants to the Cynnig Cymraeg (Welsh Offer) that was in accordance with the Language Unit's advice.

It was reported that late observations had been received from the Transportation Unit confirming that there was no objection to the proposal and that a green infrastructure statement had been received that complied with the requirements of Planning Policy Wales. As a result, it was not considered that the proposal was contrary to any material planning policy within the LDP and the proposed development was appropriate for the site and likely to be of strategic importance to the county as a starting point for business developments on the site. The Planning Authority recommended approving the application with conditions.

- b) The Chair noted that the Local Member had apologised that he could not be present, but he had sent the following observations via e-mail:

I have no objection in principle to the proposal as there is local demand for industrial units of this size, but I am concerned that the developer has not provided sufficient evidence to show how this development would increase the use of the Welsh language.

However, I note the willingness of the developer to collaborate with the Council's Language Unit to create a transfer file for the units that would commit the tenants to the Welsh Commissioner's "Cynnig Cymraeg", and I look forward to seeing the outcome of this work.

- c) It was proposed and seconded to approve the application. Welcoming a development on the site that had been dormant for some time

RESOLVED: To approve the application subject to material planning conditions relating to:

1. **Time**
2. **Compliance with the plans**
3. **All materials to be agreed**
4. **Permitted use of Units for any purposes within Use Class B1, B2 or B8 only**
5. **Landscaping / biodiversity enhancements condition.**
6. **Opening hours: 06:30 to 18:00 Monday to Friday, 06:30 to 17:00 Saturday and 08:00 to 16:00 Sunday / Bank Holidays**
7. **Details of any external equipment installed on the building must be submitted.**
8. **No unit should be brought into use until the connection with the public sewer has been completed.**
9. **Act in accordance with the submitted Construction Traffic Management Plan.**
10. **Welsh Water Condition**
11. **Ensure Welsh / Bilingual signs**

Notes

- Welsh Water

- Land Drainage Unit
- Language Unit

5.3 Application Number C23/0936/14/LL

Caernarfon Abattoir, Cibyn Industrial Estate, Caernarfon, Gwynedd, LL55 2BD

Full application for the erection of a new workshop/office building, a workshop/welding building and a vehicle wash unit together with a private fuel storage tank and other ancillary spaces

- a) The Development Control Team Leader highlighted that this was a full application with the intention to include the following elements:
- Workshop and Office Building
 - Workshop and Welding Unit
 - Vehicle Wash Unit
 - External Storage Area
 - 15 HGV parking spaces
 - 40 parking spaces including 3 disabled and 8 EV charging points.
 - Bike storage area

It was reported that the site was located on Lôn Cae Darbi (unclassified road) on the eastern periphery of Cibyn Industrial Estate and within the Caernarfon development boundary and designated employment site. It was reiterated that the site had been used as an abattoir until recently and the buildings had by now been demolished under advance notice C22/0431/14/HD. It was noted that rubble waste and skips remained on the site following demolition and the vegetation around the site had been cut or removed. The proposal meant erecting buildings as well as using them to service and repair commercial vehicles.

In the context of visual amenities, it was acknowledged that the proposal meant constructing substantial buildings on the site, that was now visible from the Caernarfon bypass. It was also acknowledged that the site was located within an existing Industrial Estate and formed part of a designation for safeguarding B1, B2 and B8 employment uses. The buildings associated with the employment uses would be substantial in terms of their nature and the cross-section plans confirmed that the proposal in question would cause a similar visual impact to that which previously existed on the site. It was reiterated that the proposal provided an external storage area on the site, and the height of what would be stored here could be restricted to 4m by means of a Planning condition; most of the trees and hedges that surrounded the site had been felled but it was proposed to landscape the site to compensate for the loss of this vegetation.

In the context of general and residential amenities, it was noted that the site was located at least 170m away from any residential property, with the nearest houses either located on the Industrial Estate, or on the opposite side of the bypass which ran past the outskirts of the site. On this basis, and that the site was located on an existing Industrial Estate, adjacent to other existing industrial units, it was not considered that the proposal was likely to have a significantly detrimental impact on any nearby residents.

It was reported, in addition to the servicing and repairing commercial vehicles use, that it was proposed to provide 15 HGV parking spaces, 40 general parking spaces (including three disabled and eight EV charging points) and a bike storage area. It was highlighted

that a Construction Traffic Management and Environmental Management Plan had been submitted as part of the application that showed that it was proposed to use the site's existing accesses and an HGV turning cycle within the site. The Transportation Unit and the Welsh Government's Transportation Department confirmed that they had no objection and therefore complied with the requirements of policies TRA 2 and TRA 4.

In the context of biodiversity matters, it was noted that biodiversity improvements such as creating habitats through planting and installing nesting boxes and bat boxes on the site had been proposed as part of the ecological report. Although a green infrastructure statement was not formally submitted as part of the application, it was considered possible to assess the proposal and confirm that it complied with the requirements of policy PS19 of the LDP and the updated chapter six of Planning Policy Wales.

It was reported that a Language Statement had been submitted as part of the application, and it stated that the proposal would likely have a positive impact on the Welsh Language. As the proposal was to provide business on a site that was located within an existing Industrial Estate, the Language statement confirmed the business' existing commitment to the Language and that it was proposed to tie the site to that commitment; there was no evidence to show that the development would cause harm to the language and by imposing conditions, it was considered that the proposal was in accordance with policy PS1.

It was not considered that the proposal was contrary to any material planning policy within the LDP and the proposed development was appropriate for the site and likely to be beneficial to the local economy. Having taken all material planning considerations into account, it was not considered likely that the proposal would cause unacceptable adverse effects to nearby residents or the community in general and the Planning Authority recommended approving the application with conditions.

- b) Taking advantage of the right to speak, the applicant's agent made the following observations.
- That this was an application to construct a building to repair commercial vehicles
 - There was an intention to create 23 jobs that would include 15 mechanics
 - The company would collaborate with local colleges to establish apprenticeships
 - That pre-application advice had been received
 - That the application was acceptable - the building was better than the previous building
- c) It was proposed and seconded to approve the application - the plan was too good to lose.

RESOLVED: To approve

1. **5 years**
2. **In accordance with the plans and documents submitted as part of the application**
3. **Colour of finish to be agreed**
4. **PV panel details to be agreed**
5. **Carry out landscaping in accordance with the plan contained within the LVIA (Landscape Visual Impact Assessment)**
6. **Biodiversity improvements must be completed in accordance with the contents of section 4 of the ecological report**
7. **Welsh Name**
8. **Welsh Signs**

9. **Condition for discovery of unidentified pollutants**
10. **Welsh Water Conditions**
11. **Equipment/material to be stored in the external storage area to be no higher than 4m.**

Notes:

Nature Conservation

SUDS

Major applications

Welsh Water Letter

Natural Resources Wales Letter

5.4 Application Number C24/0011/30/AM

Bodernabwy, Aberdaron, Pwllheli, Gwynedd, LL53 8BH

Outline application with some reserved matters (appearance, landscaping) to create five self-build plots for affordable housing

- a) The Planning Manager highlighted, that an outline application was in question to consider the principle of the proposal, and details of the access, landscape and scale of the development. The appearance and landscape did not form part of the application.

It was explained that the existing site was open agricultural land with the surrounding boundaries in a mix of natural hedgerows, earth banks and post and wire fencing - the whole site was outside the existing development boundary of the village of Aberdaron and was therefore a site to be considered in open countryside, with parts of the site's southern boundary partially abutting the development boundary. It was reiterated that the site was within the Llŷn AONB and the Llŷn and Bardsey Landscape of Outstanding Historic Interest designations.

In terms of the development's principle, it was noted that Aberdaron had been defined as a rural / coastal village in the LDP with approximately 95 houses and some facilities within the development boundary - the latest housing figures showed that there was capacity within the Aberdaron supply level for a development of this scale.

With the site being outside the development boundary, it was highlighted that Policy TAI 16 was the relevant policy and consideration needed to be given to the acceptability of the site as an exception site. It was noted in the formal response given to the pre-application enquiry that evidence was needed in the form of a Housing Statement to include an assessment of the need of eligible applicants for affordable housing. Despite this, information was received in the form of a questionnaire completed for local connection for 5 people/couples. It was highlighted that this information, in addition to a chapter within the Planning Statement, was the justification for the need of these five houses, and although there was also reference noting that these individuals had registered with Tai Teg, no evidence had been submitted in the form of an assessment to prove that these individuals had a real need for affordable housing or the type of houses that they needed.

The officer noted that it was completely essential that applicants for affordable housing were assessed fully for their needs and that 'desire' was not a sufficient reason for the need for affordable housing. Reference was made to the Housing Unit's observations where it was noted that six people were on the Tai Teg register for intermediate properties, but Tai

Teg had confirmed that the six, who were on their register for intermediate properties, had not been fully assessed for a self-build plan. As a result, it was not considered that the need had been proven and therefore the proposal did not comply with policy TAI 16.

Reference was made to Policy TAI 8 that also required a housing statement for an application of this size to ensure an appropriate mix of housing. It was reported that no statement had been received, although this had been clearly highlighted in the pre-application advice, and without this information, it was not possible to assess the mix and type of housing provided, their affordable price or how the proposal would address the needs of the local community. Examples of this would be to note that the number of bedrooms in each affordable property would correspond to the needs of the individual. It was also expected for the independent valuation of the houses to be submitted to apply a discount to ensure that they were affordable - the need for evidence of this type was completely essential to conduct a full assessment and was a minimum requirement with this type of application.

In the context of visual matters, it was noted, although this was an outline application, without detailed design details, that consideration needed to be given to the visual impact of the development. It was highlighted that the site was sensitive with an open feel, which contributed to the quality of the landscape. Although there were other houses in the vicinity, the setting of the proposed houses within an open field away from the existing built pattern would stand out, and the impact would be substantial - would change the site's visual appearance. Members were reminded that the site lay within the AONB where the conservation value was of the same status as a National Park and that there was a duty on authorities to protect and improve the natural beauty of the AONB.

It was reported that Natural Resources Wales did not often offer observations on landscape matters, but observations were received advising the need to submit landscape assessments to fully assess the visual impact of the AONB. It was explained that the information had not been sought as this would not make the proposal acceptable as it already did not comply with other policies.

In the context of residential amenities, it was noted that it was inevitable that there would be some impact deriving from the proposal, but considering the location of the site and the fact that the houses could be designed to avoid over-looking and loss of privacy, it was not considered that the proposal was contrary to policy PCYFF 2 that protected general and residential amenities.

It was reported that a Language Statement had been submitted that formed part of the planning statement and that the Language Unit had declared the need to include the latest information from the Census, instead of the 2011 figures. Despite that, receiving such a correction would not make the rest of the development acceptable and it would be unfair to expect the applicant to incur additional costs knowing that this information would not ensure compliance with all relevant policy requirements. However, no evidence was received that showed that this development would likely be harmful to the language and because the proposal was for five affordable houses, where the occupancy would be limited to local people only, it was not considered that the proposal was likely to be harmful to the language. As a result, it was not considered that the proposal was totally contrary to policy PS 1.

In the context of transport and access matters, it was highlighted that the Transportation Unit had received late observations that confirmed that they had no objection to the proposal and it was possible to set conditions to ensure safe access to the site.

In the context of biodiversity matters, although additional observations had been received by the biodiversity unit, they did not respond to any additional information and, consequently, the planning authority's assessment remained relevant. It was explained that the development site was approximately 150m from a watercourse, hydrologically linked to the Pen Llŷn and Sarnau Special Area of Conservation (SAC) and the West Wales Marine Special Area of Conservation. It was reported that Natural Resources Wales had highlighted concerns about disregarding the proposed development's harm to the SAC. It was reiterated that the Biodiversity Unit agreed that there was a need to conduct a Habitats Assessment under the Conservation of Habitats and Species Regulations considering the size of the development and its location near a Special Area of Conservation, but unfortunately, not enough information had been included with the application to be able to complete the assessment - the application was therefore contrary to policy PS 19, AMG 5 and the Conservation of Habitats and Species Regulations.

The Planning Authority was eager to emphasise that it was fully aware of the current housing situation in the village of Aberdaron and how difficult it was to find a house at an affordable price. It was expressed that the principle of a new residential development that would contribute towards meeting the local need would be fully supported and there was support for that within the LDP's policies. However, it did not mean that any proposal submitted could be approved and there was a need to ensure that proposals fully complied with the requirements of relevant policies that protected an extremely sensitive area from unacceptable new developments. The disappointment of receiving an application with lack of substantial evidence was reiterated, although the needs of the application had been highlighted in the pre-application advice.

The recommendation of the Planning Authority was to refuse the application. Three reasons for refusal were listed relating to the visual impact of the development, lack of information about the need and mix of housing, and lack of information to complete an assessment under the Conservation of Habitats and Species Regulations.

- b) Taking advantage of the right to speak, the applicant made the following observations;
- There was no guarantee of being able to live at home
 - The youth of the area was acknowledged as 'the caravan generation' who had to live in a caravan in their parents' garden as they could not afford to buy a house locally
 - That they asked for the right to live within their square mile
 - The average house price in Aberdaron was £376,000 - there was no hope of affording this and therefore were forced to move out of the area - no fairness in this
 - Aberdaron was a small Welsh community that was dying on its feet. Without any affordable housing for young people, there was no future for the community. This was a heartbreaking situation when communities were seen thriving in other places.
 - This was only an application for five houses; Five houses for five local families
 - Ysgol Gynradd Abersoch had to close because local people had been priced out of the area - would this be Aberdaron's fate?
 - Cyngor Gwynedd's priorities were to put the people of Gwynedd at the centre of everything - by refusing the application, this would not put the people of Gwynedd at the centre

- The wish was to live at home. Do not take the right away from us
- c) Taking advantage of the right to speak, the Local Member made the following observations;
- 'Housing Emergency' - words that were often heard, and local people were priced out of their area. Consequently, communities were lost - the emergency had hit Pen Llŷn
 - The average house price in Aberdaron was £376,000 - there was no hope for young people to afford these houses on low incomes
 - Daily Post headings noted that only 2% could afford to buy a house in Aberdaron
 - The application in question was a golden opportunity - the landowner offered plots of land to construct houses
 - The idea / plan was one that people craved in the area
 - Local people had already shown an interest
 - Although the officers recommended refusal, there were positive observations to the application
 - The Community Council, unanimously supported the application and Welsh Water had confirmed that there was existing capacity to link to the public system
 - Although some concerns had been highlighted by Natural Resources Wales, it was possible to overcome them
 - AONB noted that the plan was not intrusive to the landscape - if screening, it could contribute to local biodiversity
 - The Biodiversity Unit noted that the assessment was good
 - The Housing Strategic Unit noted that the plan partially addressed the need
 - Cyngor Gwynedd took pride in the fact that they put the people of Gwynedd at the centre of everything they do, if so, they had to support the application and support young people's wish of living within their square mile - the recommendation was to refuse! Refuse the opportunity for youth to stay home!!
 - Although officers noted that the site was outside the development boundary, maps highlighted that it would form a tidy extension to the village and a cluster within the 20mph.
 - That two houses already existed in the field that had been built through a previous successful project in 2011
 - Although the 5 local people / couples had registered with Tai Teg, it seemed that evidence was needed in the form of an assessment to prove 'real need'. Why had this not been discussed in the pre-application advice?
 - Although the officers noted that the site was fully visible within the AONB, it was noted that the AONB officer had had the opportunity to present observations and had noted that the development would not be intrusive to the landscape. Therefore, why raise a concern if the AONB officer was happy with the application?
 - There was also an intention to keep public footpath 17 that ran along the boundary and was useful to walk to the village
 - There was an intention to plant trees that would add to the area's biodiversity
 - In the context of 'ease of arrangements to find and give an opinion and advice before the applicant went ahead to submit an application', it was noted that there was disappointment that information had been presented following pre-application advice, how was the applicant therefore meant to know to do things differently? The appropriate steps had been addressed.
 - This was not an application that had been 'thrown together' - preparation work of over a year with research and amending information and feedback following pre-application advice - this was an outline application; therefore it would be difficult to present detailed plans.

- The refusal reason that the development would 'have a harmful impact' was very disappointing. This did not make any sense - the community was dying because young people moved away to live. There was no community without young families. This regenerated a community; it did not create an impact
- There was a duty on the Council to support young people instead of hiding behind policies. Pleaded that the Committee supported the application and give the young people of Aberdaron the opportunity to stay in their community.

d) It was proposed and seconded to approve the application, contrary to the recommendation because the development did not create a visual impact on the landscape, and it abutted the development boundary.

Although they were not Planning reasons, the proposer noted that the plan was an affordable way of erecting houses in Aberdaron, instead of forcing young people to move to a different area. Such a plan would keep people local and protect the language. He reiterated that the AONB officer was happy with the plan and that the demand had been proven locally.

In response to the reasons, the Monitoring Officer noted that some elements of the application were acceptable but that a lack of necessary information that would ensure appropriate conditions for affordable housing had not been presented e.g., discount size. The Assistant Head reiterated that the lack of evidence was a problem, because evidence about the demand and the affordability was fundamental to making a decision. He also noted that conducting a habitats assessment was a legal requirement on the Council and this information had not been presented with the application. Despite supporting the application, it was not possible to recommend approval without evidence. He suggested that the Committee deferred making a decision and apply for evidence to overcome the refusal reasons and conduct a site visit to assess the relevance of the site within the wider area.

An amendment was proposed to approve the outline application on condition that information was presented, as well as a correct environmental assessment of the site.

In response, the Monitoring Officer noted, despite being an outline application, it would not be possible to decide on approving and then ask for information - implementing this would be a legal risk.

The amendment was not seconded

- e) During the ensuing discussion, the following observations were made by members:
- The land abutted the village boundary
 - There were not many suitable locations in Aberdaron to build houses - this would be the best place to build five houses
 - Despite being supportive of affordable housing, the application was premature
 - There were numerous barriers here for people who wanted to live in their habitat
 - Agreed with the applicant and the Local Member that people had a right to live at home

In response to an observation regarding whether the officers had discussed the lack of information submitted with the applicant, the Planning Manager noted that pre-application advice had been implemented where it was listed in detail what needed to be done, but they did not return to the applicant because enough information had been presented in the pre-application advice.

In response to a question regarding why the plot of land was not included by Self Build Wales, the Monitoring Officer noted that this specific application looked at the process of using Tai Teg. The Planning Manager reiterated that consents for 106 did not fall under Self Build Wales.

- f) An amendment was proposed and seconded to defer the application in order to receive more information and conduct a site visit by ensuring sufficient time for the applicant to present information.

RESOLVED: To defer in order to conduct a site visit and request more information and evidence from the applicant

The meeting commenced at 13:00 and concluded at 14:25.

CHAIR

PLANNING COMMITTEE	DATE: 20/05/2024
REPORT OF THE ASSISTANT HEAD OF ENVIRONMENT DEPARTMENT	

Number: 1

Application Number: C23/0938/41/LL

Date Registered: 12/03/2024

Application Type: Full

Community: Llanystumdwy

Ward: Llanystumdwy

Proposal: Revised layout for the erection of new dwelling, including parking and sewerage treatment plant

Location: Capel Rhoslan, Rhoslan, Cricieth, Gwynedd, LL52 0NW

Summary of the Recommendation: TO REFUSE

PLANNING COMMITTEE	DATE: 20/05/2024
REPORT OF THE ASSISTANT HEAD OF ENVIRONMENT DEPARTMENT	

1. Description:

- 1.1 This application is a full application for the erection of a new single-storey dwelling on a parcel of land near Capel Rhoslan. The proposal would include creating a vehicular access and parking provision as well as the installation of a private sewerage treatment system. The house has been designed with a pitch roof and contains a kitchen/living room, bathroom and three bedrooms. The dwelling would be finished with a roof and walls of black coloured corrugated sheets. It is intended to install solar panels in the slope of the south-western elevation of the roof.
- 1.2 The site is located in a rural location on a parcel of triangular land associated with Capel Rhoslan, which has been converted into a house. The site is served by a second-class county road and a track on either side to the plot, which serves Public Footpath Number 36 Rhoslan. There are some scattered dwellings in the vicinity. The site is within a 500-metre zone of a Registered Ancient Monument, Cefn-Isaf Burial Chamber and to the north there is an area of land identified as a Local Wildlife Site.
- 1.3 Plans, a Preliminary Ecological Assessment Report and a Design and Access Statement (DAS) were submitted with the application. It is noted in the DAS submission that the applicant is completing an engineering apprenticeship in the army and wishes to have a house for himself and his family.
- 1.4 The application is submitted to the Committee at the request of the local member.

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 in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan. Although the Gwynedd and Ynys Môn Joint Local Development Plan (LDP) pre-dates the latest version of Planning Policy Wales (PPW), it is considered that the policies that are relevant to this application in the Joint LDP remain consistent with PPW.
- 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 drawing up the following recommendation, the Council has sought to ensure that the needs of the present day are met without endangering the ability of future generations to meet their needs also.
- 2.3 **The Anglesey and Gwynedd Joint Local Development Plan 2011-2026 adopted on 31 July 2017**

PS 1: The Welsh language and culture
 ISA 1: Infrastructure Provision
 TRA 2: Parking standards
 TRA 4: Managing transport impacts
 PS 5: Sustainable development
 PS 6: Alleviating and adapting to the effects of climate change
 PCYFF 1: Development Boundaries
 PCYFF 2: Development Criteria
 PCYFF 3: Design and place shaping
 PCYFF 4: Design and landscaping
 PS17: Settlement Strategy
 TAI 6: Housing Clusters

TAI 15: Affordable housing threshold and distribution
 TAI 16: Exception Sites
 PS 19: Protect and/or enhance the natural environment
 AMG 5: Local Biodiversity Protection
 PS 20: Protecting and where appropriate enhancing heritage assets
 AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.

Supplementary Planning Guidance (SPG):
 SPG: Maintaining and Creating Distinctive and Sustainable Communities
 SPG: Affordable Housing

2.4 **National Policies:**

Future Wales: The National Plan 2040
 Planning Policy Wales (Edition 12 – February 2024)
 Technical Advice Note 5: Planning and Nature Conservation
 Technical Advice Note 6: Planning for sustainable rural communities
 Technical Advice Note 12: Design
 Technical Advice Note 18: Transportation
 Technical Advice Note 20: Planning and the Welsh language

Practical Advice of TAN 6 Rural Enterprise Housing

3 **Relevant Planning History:**

C07D/0717/41/LL – Change of use and conversion of a chapel into a dwelling house and installation of new septic tank – Approved 6 August 2009
 C23/0603/41/LL – Erection of a single-storey dwelling, creation of access and parking provision and installation of a private sewerage treatment system – Refused 25 September 2023

4. **Consultations:**

Community/Town Council: Not received.

Transportation: I have no objection to the application, but I would ask for the following condition to be attached to any planning consent granted:
 The applicant must take every precaution to prevent surface water from the curtilage of the site from spilling onto the highway.

Welsh Water: Not received.

Water and Environment Unit YGC: **Flood Risk and Land Drainage**
 INFORMATIVE: The site lies within zone A (Development advice maps accompanying TAN15: Development and Flood Risk) which is usually considered to be at a very low risk of flooding, if any. However, it is shown that the site is at some risk of flooding on the latest surface water flooding maps.

The developer should be aware of the surface water flood risk and should take all necessary precautions to protect the development from the impacts of flooding in the future. This should include raising the floor levels adequately and include flood-proof fabrics and fittings outside the proposed development.

SuDS Approval Body Comments

Since 7 January 2019, sustainable drainage systems (SuDS) are needed to control surface water for every new development of more than 1 house or where the construction area with drainage obligations is 100m² or greater. Drainage systems must be designed and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers.

These systems must be approved by Cyngor Gwynedd in its role as SuDS Approval Body (SAB) prior to commencement of the construction work.

Due to the size and nature of the development, it is likely that an application will need to be provided to the SuDS Approval Body for approval before construction work commences. No details regarding surface water drainage have been submitted and until an application is made to the SuDS Approval Body, there is no assurance that the site plan would enable compliance with the full suite of national SuDS standards. A consultation with the SAB is recommended.

<https://www.gwynedd.llyw.cymru/cy/Trigolion/Cynllunio-a-rheolaeth-adeiladu/Cynllunio/System-Draenio-Cynaliadwy.aspx>

Biodiversity Unit:

Observations 2 April 2024

The two photos of the above site show that the site has been cleared (trees, bushes, natural vegetation) since 2009. By the ecological report from Cambrian Ecology, the land shows grass as a lawn without biodiversity interests. The location is near the Ty'n Rhos 722 Wildlife Site, but it is unlikely to affect the Wildlife Site, except for the loss of trees that formed part of the nature corridor.

The plan is not good enough. The plan has not included enough measures to enhance nature. The plans for the development should include a natural hedge around the site, 2 metres wide, which includes 9 trees per square metre. Trees (hazel, holly, oak, alder, blackthorn, hawthorn, elder).

In 2007, a planning application was submitted to convert the chapel into a residential house. This application had provided a bat report (Alison Johnston 2008). The permission included a condition to follow the recommendations in the bat report. Has the Chapel completed the conversion and has the chapel included the measures for bats and barn owls?

Observations 31 January 2024

The PEA and impact assessment has been produced to a good standard. The impact to biodiversity as a result of this development will be negligible. The developer should produce a Green Infrastructure Statement which evidences how the stepwise approach has been applied and what

commitments the developer is making to ensure a net benefit for biodiversity (NBB) is attained. All mitigation and enhancement should also be included in the design drawings. – the ecologist has provided guidance in their report and details what actions can be taken to avoid and minimise the impact of the development to biodiversity (as per the first two steps under stepwise). As no impact is predicted, the applicant does not need to address the mitigate / compensate steps. The ecologist has also provided recommendations of reasonable enhancements to attain NBB (sec. 10.2).

Observations 18 December 2023

No ecological information has been provided. A PEA should be submitted which assesses the impact of this development on biodiversity and describes how this development will attain biodiversity net benefit.

- | | |
|--------------------------|---|
| Cadw: | Not received. |
| Public Protection: | Not received. |
| Natural Resources Wales: | Thank you for consulting with Natural Resources Wales regarding the above application. 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, Development Planning Advisory Service: Consultation Topics (September 2018). |
| Rights of Way Unit: | Public footpath number 36 Llanystumdwy must be protected during and after this development. |
| Public Consultation: | <p>A notice was posted on the site and neighbouring residents/nearby properties were informed. A response was received, voicing concerns on the following grounds:</p> <ul style="list-style-type: none"> • An over-development of the area which is outside the village boundary. • The building materials are not harmonious with those used in the nearby existing dwelling houses. • Matters involving the proposed treatment tank and its location. • Matters involving the conversion of the former chapel into a dwelling house, e.g. reducing the curtilage. • A right of way across a drive is in the ownership of a nearby property for the converted chapel only and it does not include a right of way for the proposed dwelling. • An easement was provided when the chapel was converted in order to provide a new water supply across a 10-metre-wide drive that is in the ownership of a nearby property and this easement is for the conversion of the chapel only and not for any utilities to the proposed dwelling. • The application notes that the site benefits from mains water but this is not a specific supply but it |

shared with the chapel and therefore does not comply with building regulations.

- The public footpath is not shown on the plans.

5. Assessment of the material planning considerations:

The principle of the development

- 5.1 No development boundary has been earmarked for the village of Rhoslan, but it has been identified as a Cluster village under Policy TAI 6 of the Gwynedd and Anglesey Joint Local Development Plan (LDP). To comply with the requirements of policy TAI 6, development plots would be expected to be an infill site between buildings coloured red on the Inset Map (see map below), or immediately adjacent to the curtilage of a coloured building. The site in question is located approximately 250 metres away from the nearest coloured building in the Rhoslan Cluster, which is in the central nucleus of the village. The following map shows the location of this planning application in blue, in the context of the cluster to the south of the site on the Map. Therefore, the proposal does not meet the basic location requirements of Policy TAI 6, and is therefore contrary to policy.



- 5.2 Due to the distance of the site from the nucleus of the village, the site must therefore be considered as open countryside in relation to the LDP. Policy PCYFF 1 (Development Boundaries) states that proposals outside development boundaries will be refused unless they are in accordance with specific policies in the Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.
- 5.3 As a result of the need to preserve and protect the countryside, very special justification is needed to approve the construction of new houses there. Therefore, new dwellings in the countryside will only be approved in exceptional circumstances. For the purposes of the LDP, those exceptional circumstances where new houses in the countryside can be approved are included in policy PS17 Settlement Strategy, which confirms that only housing developments that comply with Planning

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Policy Wales and Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities (as well its accompanying Practical Guidance document), will be approved in open countryside.

- 5.4 Paragraph 4.3.1 of TAN 6 notes that one of the few circumstances in which a new isolated residential development in the open countryside can be justified is when accommodation is required to enable a rural enterprise worker to live at, or close to, his workplace. Whether this is essential in any particular case will depend on the needs of the rural enterprise concerned and not on the personal preference or circumstances of any of the individuals involved. TAN 6 also notes that Local Planning Authorities should carefully assess applications for planning permission for new rural enterprise dwellings to ensure that a departure from the usual policy of restricting development in the open countryside can be fully justified by reference to robust supporting evidence.
- 5.5 The information in the submission of the Design and Access Statement notes that the applicant currently works in the army in Portsmouth. It also highlights the challenge of buying a house in the area. He wishes to build a house, near his parents who reside at Capel Rhoslan, for him and his family. Whilst it appears that the applicant is a local person, born and raised in the area, there is no evidence that a current need for a house exists, or an affordable need. But as referred to above, the site is not suitable as a rural exception site due to its location away from the cluster. There is no agricultural holding on the land or any agricultural justification or rural enterprise proven here.
- 5.6 The principle of erecting a new dwelling on the application site, in open countryside, therefore does not comply with the requirements of policies PCYFF 1 and PS17 of the LDP, as well as paragraphs 4.2.37 – 38 of Planning Policy Wales and part 4.3.1 of TAN 6: Planning for Sustainable Rural Communities, which requires exceptional justification to approve new housing in open countryside.

Visual amenities

- 5.7 Policy PCYFF 3 of the LDP is relevant to this application and relates to the design, finishes and visual amenities. The policy notes that it will be expected for proposals to show a high-quality design which gives full consideration to their context in the natural, historical and built environment. New developments are expected to add to, and enhance, the character and appearance of the site, respect the site and its vicinity in terms of its place in the local landscape and use of appropriate materials.
- 5.8 Since refusing the previous application, C23/0603/41/LL, the design has been amended. In application C23/0603/41/LL, the house was a flat-roofed single-storey house with an exterior finish of black bricks, timber and render. Now, the proposal is for a single-storey, pitch roof dwelling, sitting centrally within the plot, with an exterior finish of black corrugated sheets. The content of the Design and Access Statement is noted in terms of the proposal imitating the exterior of other traditional agricultural buildings in the vicinity. However, it is not considered that the design for the house imitates the traditional dwelling houses seen in the local area. It is not considered that the proposal would respect its context near the traditional Chapel and Chapel House building in the closest vicinity to the application site. Approving the application would result in a new development on green land in open countryside, which would inevitably lead to an urban spread to the countryside, in a place that is visible from the road and nearby public footpaths. It is considered, therefore, that the proposal is contrary to the requirements of Policy PCYFF 3, relating to protecting the area's visual amenities.
- 5.9 The site is located within a 500-metre zone to the scheduled monument of Cefn-Isaf Burial Chamber. The scheduled monument is approximately 460 metres to the south-east of the site. Considering the proposal in question, its location and distance from the scheduled monument, it is not considered that the proposal would have a detrimental impact on how the monument would be

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experienced, understood or appreciated. Therefore, it is considered that the proposal is acceptable in terms of Policy PS 20 and AT 1 of the LDP.

Residential amenities

- 5.10 There are dispersed dwelling houses in the vicinity of the site, but the nearest houses are Tŷ Capel Rhoslan and Capel Rhoslan to the north-west, which has been converted into a house and has a connection to the land in question. Due to the single-storey design, the distance and element of separation between the proposed house and nearest house, it is not believed that there would be any significant direct harmful impacts on the amenities and privacy of nearby residents. It is noted that a letter from the neighbour notes concerns and issues relating to rights of way and an easement but these matters are not planning considerations and are rather matters between the applicant and the owner of the nearby land. It is considered that the proposal is acceptable in terms of Policy PCYFF 2 of the LDP in terms of its impact on the amenities of nearby residents.

Transport and access matters

- 5.11 The site is served by a second-class county road, namely the B4411, with a vehicular access off it and a track serving 4 properties. This track also serves public footpath number 36 Llanystumdwy. It is proposed to use the existing Capel Rhoslan track to serve the house with a vehicular access and parking and turning provision within the plot. The Transportation Unit has no objection to the proposal, but it is noted that they would wish to see a condition to prevent surface water. It is considered that the vehicular access is safe as it is off a track with sufficient space for two cars to park in the curtilage. Neither does the proposal disturb the course of two public footpaths which run on either side of the plot. Therefore, it is considered that the proposal is acceptable from the perspective of compliance with policies TRA 2 and TRA 4 roads and parking in the LDP.

Drainage matters

- 5.12 A response was received from the neighbour, expressing concerns about the water drainage arrangements on the site, noting that it would be located within 10 metres of an existing long-established watercourse and that it would discharge water into a problematic culvert. In an e-mail, the applicant noted that the existing owners of the Chapel had the required authority approval to create two 'outlet' drains for a water course, one to drain from the Chapel and the second from a pool, located on the application site; this has been drained and filled, and the land level has been raised (around half-a-metre above the nearby levels) to mitigate against any potential flooding. The proposal is to connect surface water drainage from the new dwelling and paved areas directly around the building as well as the foul drainage through a Bio Pure 2 type treatment tank site into this 'outlet', and it is estimated that this is likely to reduce how much will be discharged into this outlet. Whilst the location of the proposed treatment tank was noted on the plans, detailed plans for the drainage matters were not submitted, and neither were full details of the proposed treatment tank. Therefore, at present, insufficient information has been received on the sewage disposal and surface water treatment method to assess these matters in full against the LDP's policies. Therefore, as things stand, the proposal is contrary to policy PCYFF 2 and PS 6 of the LDP as there is a need to know that the land is suitable for the private system before the application can be approved in order to protect the environment.

Biodiversity matters

- 5.13 As a result of the original observations of the Biodiversity Unit, a Preliminary Ecological Assessment Report was received, which also incorporates the Green Infrastructure Statement part.
- 5.14 Observations were received from the Biodiversity Unit on 31 January 2024 confirming that the Preliminary Ecological Assessment had been carried out to a good standard and that the impact on biodiversity as a result of this development would be negligible. The observations also refer to the fact that all mitigation and enhancement measures should be included in the design drawings.

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It was noted in the observations of the Biodiversity Unit that the ecologist had provided guidance in their report and detailed what steps could be taken to avoid and reduce the impact of the development on biodiversity, and as no impact is anticipated, the applicant does not need to address the mitigation / compensation steps of preparing a Green Infrastructure Statement. The biodiversity enhancements included in the Preliminary Ecological Assessment Report include the installation of bat tubes, installation of bee bricks and planting of native trees. A plan was received from the applicant showing the location of the bat tubes and bee bricks on the proposed house. No details of the location of the trees have been submitted.

- 5.15 The latest observations of the Biodiversity Unit dated 2 April 2024 are noted, i.e. that the plan has not included sufficient measures to enhance nature and that the development should include a natural hedge around the site and include 9 trees for every square metre. However, given the previous observations dated 31 January 2024, it is not considered that these observations are reasonable considering that the previous observations had accepted the biodiversity enhancements. If it is decided to approve the application, it would be possible to impose a condition that the development is made in accordance with the content of the Preliminary Ecological Assessment. It would also be possible to include a condition to agree to the details of the location of the native trees to be planted as biodiversity enhancements. It is considered that in doing so, that the proposal is acceptable from the perspective of policy PS 19, AMG 5 and Planning Policy Wales.
- 5.16 In their observations dated 2 April 2024, the Biodiversity Unit has raised matters relating to converting the former chapel into a house. However, it is not considered that these matters are relevant to this application.

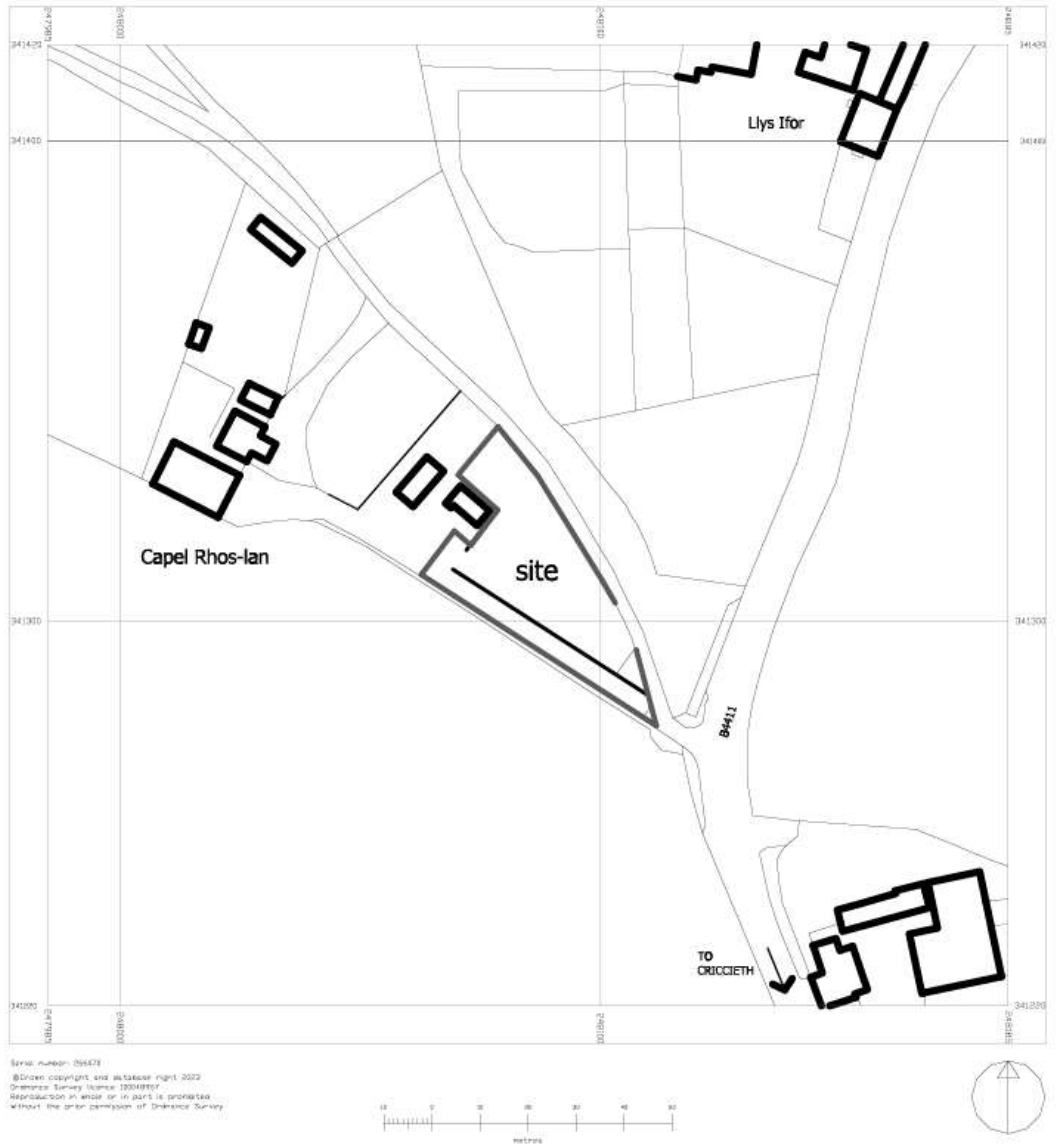
6. Conclusions:

Having weighed up the proposal against the relevant policies and after considering the response to the consultations and objections received, it is concluded that the proposal is essentially contrary to many local and national policies. Based on the above assessment, there is no option but to refuse the application.

7. Recommendation:

To Refuse

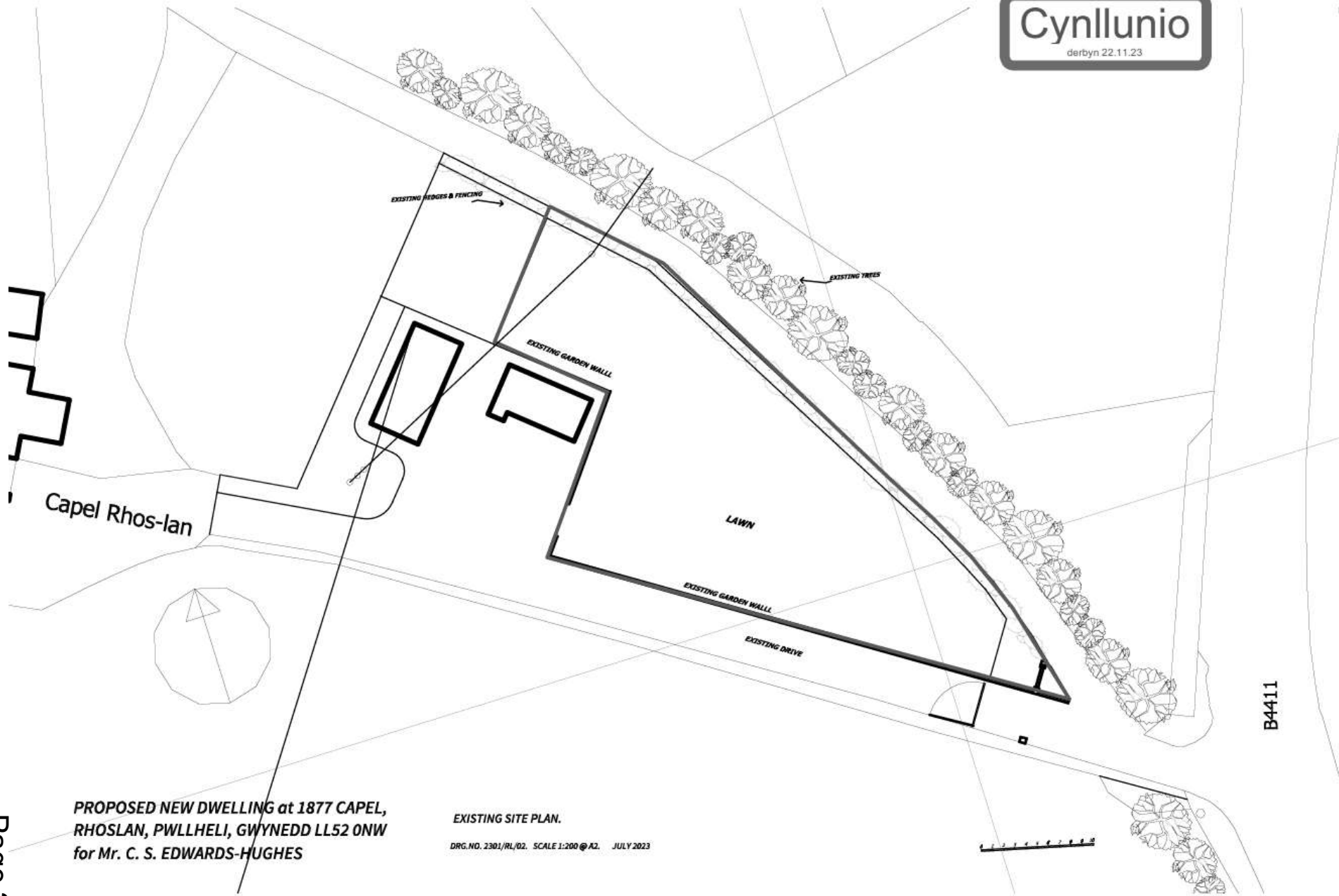
1. There is no proven need for the erection of a new dwelling in the open countryside and therefore the proposal does not comply with the requirements of policies PCYFF 1 and PS17 of the Gwynedd and Anglesey Joint Local Development Plan 2017 together with paragraphs 4.2.36 - 37 of Planning Policy Wales and part 4.3 of Technical Advice Note (TAN) 6: Planning for Sustainable Rural Communities which ensures that new housing in the open countryside can only be approved in exceptional and specific circumstances.
2. This development would be detrimental to the landscape causing urban encroachment into a greenfield site in open countryside. It is not considered that the proposal would complement or enhance the character and appearance of the site and would not integrate with its surroundings. The proposal is therefore contrary to the requirements of Policy PCYFF 3 of the Gwynedd and Anglesey Joint Local Development Plan
3. Full details of the sewage treatment plant and means of drainage have not been submitted as part of the application to fully assess their impact against the requirements of policies PCYFF 2 and PS 6 of the Anglesey and Gwynedd Joint Local Development Plan 2017.



Cynllunio
Deddf 12.03.24

Cynllun Diwygiedig
Amended Plan

PROPOSED NEW DWELLING at 1877 CAPEL,
RHOSLAN, PWLLHELI, GWYNEDD LL52 0NW
for Mr. C. S. EDWARDS-HUGHES
LOCATION PLAN.

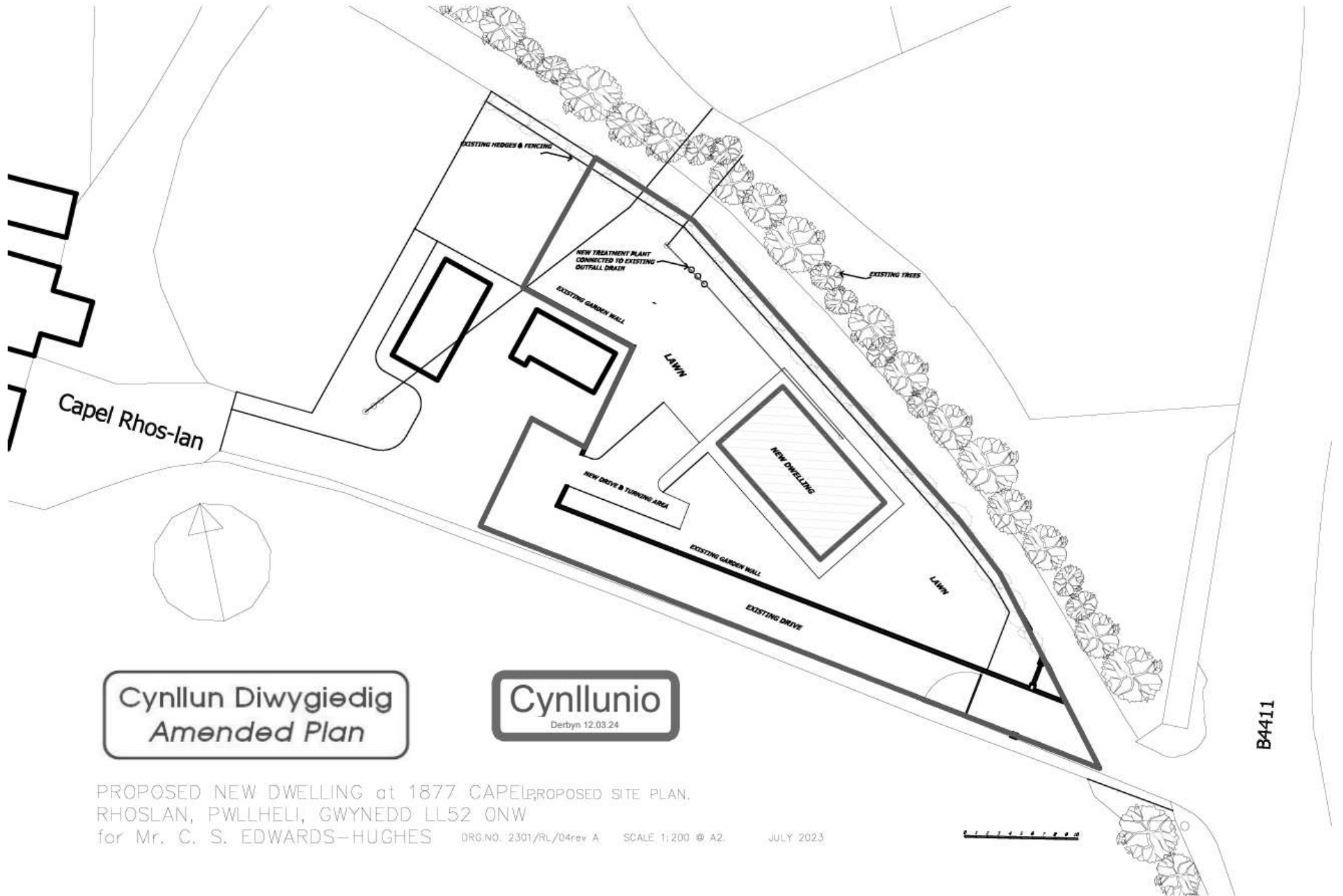


B4411

**PROPOSED NEW DWELLING at 1877 CAPEL,
RHOSLAN, PWLLHELI, GWYNEDD LL52 0NW
for Mr. C. S. EDWARDS-HUGHES**

EXISTING SITE PLAN.

DRG. NO. 2301/RL/02. SCALE 1:200 @ A2. JULY 2023



Cynllun Diwygiedig
Amended Plan

Cynllunio
 Derbyn 12.03.24

PROPOSED NEW DWELLING at 1877 CAPEL RHOSLAN, PWLLHELI, GWYNEDD LL52 0NW
 for Mr. C. S. EDWARDS-HUGHES

DRG.NO. 2301/RL/04rev A

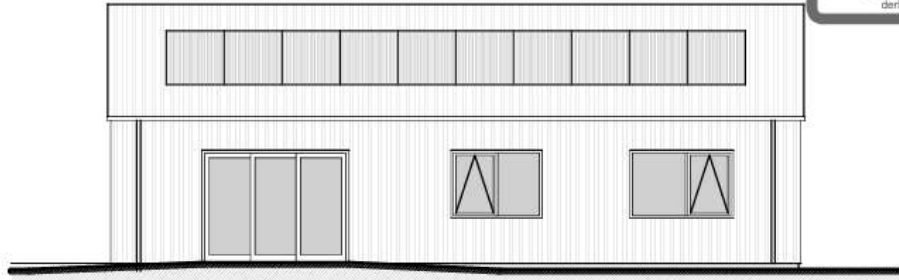
SCALE 1:200 @ A2.

JULY 2023

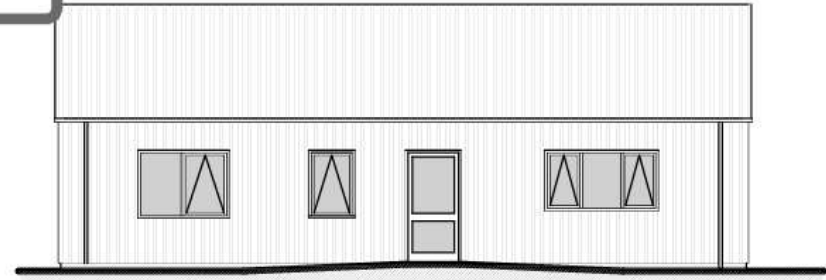


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derbyn 22.11.23



SOUTH WEST ELEVATION



NORTH EAST ELEVATION



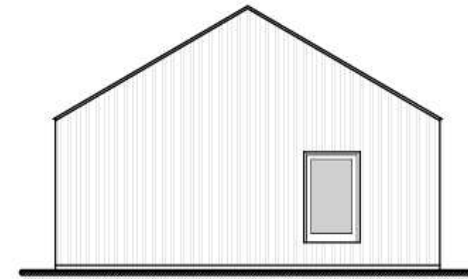
PLAN

FINISHES.

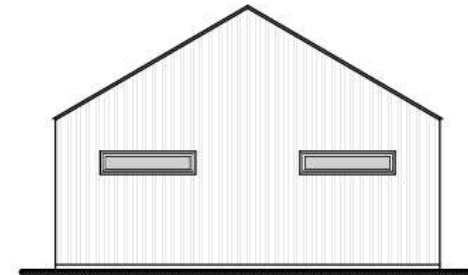
WALLS.
To be black profiled sheeting
to match adjoining buildings

WINDOWS/DOORS
To be pvc - colour black

ROOF.
To be black profiled sheeting
to match adjoining buildings
with matching rainwater goods
with solar panels as indicated



NORTH WEST ELEVATION



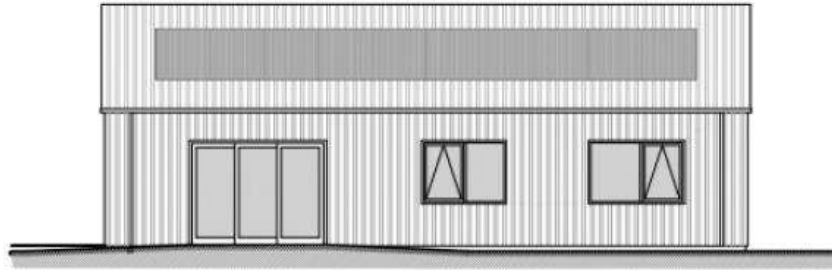
SOUTH EAST ELEVATION

PROPOSED NEW DWELLING at 1877 CAPEL,
RHOSLAN, PWLLHELI, GWYNEDD LL52 ONW
for Mr. C. S. EDWARDS-HUGHES

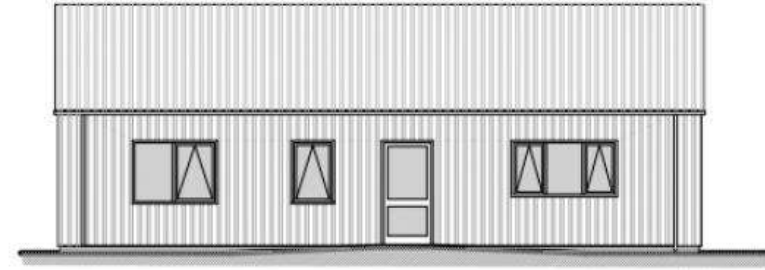
PROPOSED REVISED PLANS AND ELEVATIONS.

DRG.NO. 2301/RL/103. SCALE 1:100 © A3. Nov. 2023

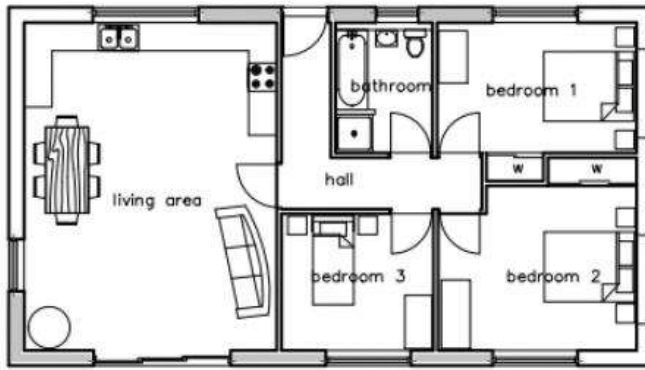
1877 Capel Rhôslan: Location of bat tubes and bee bricks



SOUTH WEST ELEVATION

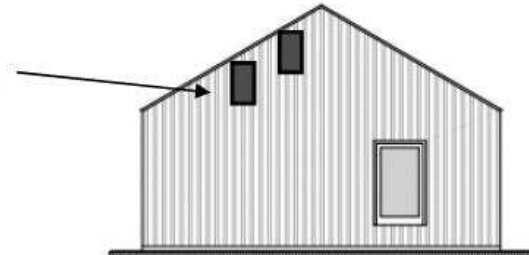


NORTH EAST ELEVATION



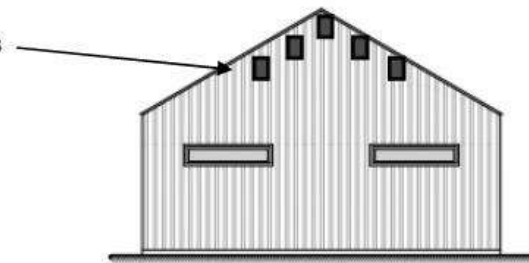
PLAN

Location of bat tubes



NORTH WEST ELEVATION

Location of bee bricks



SOUTH EAST ELEVATION

PROPOSED REVISED PLANS AND ELEVATIONS.





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PLANNING COMMITTEE	DATE: 20/05/2024
THE REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 2

Application Number: C24/0131/42/DT

Date Registered: 21/02/2024

Application Type: Householder

Community: Morfa Nefyn

Ward: Morfa Nefyn and Tudweiliog

Proposal: Proposed external works including reinstatement and extension to terrace/patio area, construction of a new wall and other various alterations

Location: Hafan Lôn Bridin, Morfa Nefyn, Pwllheli, Gwynedd, LL53 6BY

Summary of the Recommendation: APPROVE WITH CONDITIONS

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THE REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

1. Description:

- 1.1 Application to undertake external works involving a residential property including reinstatement and extension to terrace/patio area, construction of a new wall and other various alterations.
- 1.2 The site is located outside the current development boundary of the village of Morfa Nefyn and is part of a cluster of other residential buildings that abut the nearby beach. For clarity, it is not a site within the Llŷn AONB, however, it is within the Llŷn and Enlli Landscape of Outstanding Historic Interest. The property and the cluster of adjacent houses are partly within part of the Site of Special Scientific Interest (SSSI) from Porth Dinllaen to Porth Pistyll and Clogwyni Pen Llŷn Special Area of Conservation (SAC) and opposite the Pen Llŷn a'r Sarnau SAC.
- 1.3 The proposal has been amended since it was originally submitted in response to the concerns raised by officers and during the public consultation. The proposal now entails:
- Creating a front wall by using gabions filled with stone, as well as an internal space to be used for storage.
 - Improve and extend the existing terrace/external area above the wall and include new boundary treatment in the form of wooden posts with a wire between them (this element has been changed from the original submission that included a glazed boundary treatment).
 - Changes to the floor level in front of the property by raising it by 150mm and creating a low 450mm high stone wall to highlight private land and the right of way.
- 1.4 To confirm, the right of way goes along the front of the site that runs parallel with the sea-wall. This is not a formal public footpath but is one that has historically been used by the public especially at times of high tide. The applicant has no intention to divert or stop-up the use of this path but there is an attempt to highlight the difference between the land used as a path and private lands by erecting a low stone wall.
- 1.5 The application is submitted to the Planning Committee for a decision following the receipt of the Local Member's comments who confirmed that he objected the proposal due to an over development of an ancient and beautiful house in a prominent place; it would spoil the character and appearance of the row of distinguished small houses that are directly near to the AONB: the unstable cliffs near the back/side garden should not be allowed to be affected.

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 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 Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 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.

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2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017**

PS 1 - The Welsh Language and Culture

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 19 - Conserving and where appropriate enhancing the natural environment

AMG 5 – Local Biodiversity Conservation

PS 20 - Conserving and enhancing cultural assets

AT 1 – Conservation areas, world heritage sites and landscapes, parks and registered historic gardens

Also relevant in this case are the following:

Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Notes (TAN) 5: Planning and Nature Conservation

TAN 12: Design

TAN 24: The historic environment

3. **Relevant Planning History:**

- 3.1 Application C15/0598/42/LL - Demolish existing garage and connected building and build a double garage and new toilet - Approved 27/07/15

4. Consultations:

Community/Town Council:

Refuse - the plan is not in-keeping with the area.

Second consultation - An amended plan and information were received and as a result a second consultation was undertaken with the Community Council and the Local Member. No further observations were received for the amended plan at the time of writing this report.

Natural Resources Wales:

We do not oppose the proposed development as submitted and we provide the following advice:

Special Area of Conservation Sites (SAC)

The development is partly located within the Clogwyni Pen Llŷn SAC and opposite the Pen Llŷn a'r Sarnau SAC. Based on the information submitted, we are of the view that the proposed development is unlikely to harm the characteristics for which the Special Areas of Conservation have been designated, on condition that the work is undertaken as shown on the Proposed Site Plan and that no development work or storage of materials occurs outside the work areas shown on this plan.

Our advice is based on the understanding that no work will be undertaken (including for the purposes of constructing an access) along the foreshore. Should there be a need to undertake work or an access/such work then you should re-consult with NRW for further advice. The applicant should also note that a Maritime Permit may be required from NRW for any work towards the sea from the Mean High-Water Spring. All work on site should be carried out in line with the Guidance on Pollution Prevention 5 (GPP5): 'Work and maintenance work in or near water' that is available via the relevant website.

As the competent authority under the Habitat and Species Protection Regulations 2017 (as amended), it is your Authority that will undertake the Likely Significant Impacts test for the proposed development. Should you conclude that the proposal is likely to have a significant impact on the Special Area of Conservation, either in isolation or in conjunction with other plans or projects, a proper assessment of the project's implications for that site must be carried out taking into account its conservation objectives. You must, for the purposes of the assessment, consult NRW and consider any comments we make within the reasonable period you indicate.

Site of Special Scientific Interest (SSSI)

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The development is partly located within the Porth Dinllaen to Borth Pistyll SSSI. Based on the information submitted, we are of the view that the proposed development is unlikely to harm the characteristics of the SSSI Porth Dinllaen to Borth Pistyll of special interest, on condition that the work is undertaken as shown on the Proposed Site Plan and that no development work or storage of materials occurs outside the work areas shown on this plan.

Biodiversity Unit:

We agree with the observations of Natural Resources Wales, this development is unlikely to have a substantial impact on the protected sites. It will not be necessary to conduct a Likely Significant Effects test under the Regulations of the Conservation of Habitats and Species Regulations 2017 system, (as amended). No assessment has been conducted of the possible impact on biodiversity but in this case, it is not anticipated that the work would have a significant impact. The Green Infrastructure Statement notes that there will be Biodiversity improvements by maintaining a new planting area in front of the new terrace together with additional shrubs to the existing shrubs on the slope behind the terrace area. The details of the type of native species will be required to consider this as a Biodiversity improvement. The photographs within the information indicates the presence of Montbretia. The eradication of this plant would be considered as a Biodiversity improvement.

Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertising period has expired and no letter / correspondence of objection have been received.

5. Assessment of the relevant planning considerations:

The principle of the development

- 5.1 Generally, policies PCYFF 2 and PCYFF 3 permit proposals for extensions and alterations to existing dwellings provided they do not have a detrimental impact on visual amenities and that they respect and improve the appearance of the site and the area in general. In addition, extensions to existing buildings are required to:
- add to and enhance the character and appearance of the site, the building or the area in terms of siting, appearance, scale, height, massing and elevation treatment;
 - respect the context of the site and its place within the local landscape
- 5.2 In this case, the proposal in question has been amended from its previous submission with a change to the type of proposed finish to the boundary treatment highlighted as an unacceptable element by officers with the original proposal. It can be seen that what is proposed makes use of

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natural finishes such as stone, and it is believed that the scale, appearance and the expanse of the work is unacceptable within this special site.

Visual amenities

- 5.3 This proposal means undertaking work within the external area that has already been developed. The appearance of the existing site has 'dated' and shows its age, which is inevitable considering its location on such an open site at times of inclement weather. It can be seen that the finishes of the site are a mix of natural stone walls with slate and stone floors with concrete used to create the seawall. It is proposed to maintain these elevations by using natural stone material and it is believed that changing the handrail from glass as originally proposed to wooden posts with a wire running between them, is an improvement by not highlighting this new element and avoiding a too urban appearance. The original building and its relationship with the other cluster of nearby buildings looks striking however, it is believed that this proposal, bearing in mind its location in the far end of the site within part of the curtilage that has already been developed, is acceptable and would not affect the siting and appearance of the site to an unacceptable degree.
- 5.4 It is recognised that there is a lack of current space to enable the area to be extended in other directions such as towards the back and that it is due to practicality that the proposal has been submitted in this way. As already noted, it should also be recognised that changes have been made following the original proposal by reducing the prominence of the proposal by using less obvious finishes.
- 5.5 It must be acknowledged that the siting of other houses within the wider area varies in size and appearance. It can be seen that the external arrangements of many have been extended by including additions of various forms and it is not believed that this proposal would be substantially different, if at all, to the types of development that have already been approved locally.
- 5.6 Given the additions and alterations in the amended form, it is believed that what is proposed now is acceptable in relation to design and scale, and that as a result would be acceptable on the grounds of the relevant requirements of criteria policy PCYFF 3 which aims, amongst other things, to ensure that all proposals complement or enhance the character and appearance of the site, the building or the area.
- 5.7 Concern was highlighted about the impact of the proposal on the ancient building and its impact on the character and siting of the row of nearby buildings. It must be acknowledged that the building and its siting are attractive and are of a striking character that is an important contribution to the appearance of the nearby area. Despite its character and age this building nor any of the nearby buildings have not been listed. However, it must be ensured that a proposal that may affect the existing elevations of this distinctive site, does not affect to a totally unacceptable degree on its current character. It is deemed that amending the element that included a glazed handrail to a less conspicuous and natural element namely wooden posts and wire is a change for the better. It is noted that this area of the site has already been developed by creating concrete platforms and additional formal areas to the house. It is not considered that the scale, location and the appearance of the new elements would be likely to lead to a totally adverse impact on the character of the existing building and its relationship within the cluster of nearby buildings and therefore is acceptable in terms of the relevant requirements of policy PS 20. Given the size, form and location of the proposed development, it is not believed that the proposal will have a significant impact on the wider designation of the historic landscape that is relevant to this area, and therefore it is not considered that it would be unacceptable based on the relevant requirements of policy AT 1.

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General and residential amenities

- 5.8 The property is located close to other residential dwellings. The location of the proposed development in the far area of the site, away from the nearby houses and within an area that is currently used as an external amenities space. It is not believed that the proposal would affect the residents of the nearest houses to an extent that is more than the current situation. Having conducted a full assessment of the proposal in its amended form and the likely impact, it is not found that there is no likely actual adverse impact. In relation to this element, it is not believed that the development would affect the residential amenities of nearby properties to a degree that is significantly more unacceptable than the existing situation in relation to matters regarding disturbance etc. Therefore, it is deemed that it would not affect the residents of nearby housing in terms of this particular aspect to an unacceptable degree and as a result it would not be unacceptable in terms of the relevant requirements of policy PCYFF 2.

Transport and access matters

- 5.9 The existing parking provision has been affected by the proposal because of the location of the work in the far end of the site and therefore it is not believed that the proposal is unacceptable based on the requirements of relevant policies TRA 2 and TRA 4 in relation to access and parking matters.

Biodiversity matters

- 5.10 As can be seen from the observations of the Biodiversity Unit and Natural Resources Wales, no concern has been highlighted about the proposal in terms of its impact on protected sites. There is no suggestion that it would be harmful to these designations due to the scale and location of the proposal. Improvements to the current situation are likely to derive as a result to the development by improving landscaping and eradicate invasive plants. In accordance with recent legislative changes to Planning Policy Wales (PCC) and the need to introduce a Green Infrastructure Statement, a statement has been submitted and for the purpose of satisfying PPW in terms of this aspect, it is believed that this has been done in this case. The proposal is therefore acceptable in relation to the requirements of policies AMG 5, PS 19 and PCYFF 4, together with an update to Chapter 6 Planning Policy Wales regarding green infrastructure and the phased approach.
- 5.11 The local member noted a concern regarding the impact of the proposal in a location so close to the cliffs behind the site. It is seen that a series of supporting walls already exist on the applicant's land and there is no suggestion that work would be done to change these elements. The proposed development will take place in the front section of the site and it is not shown to expand towards the back of the site affecting the bottom of the cliffs. No concern was highlighted by Natural Resources Wales regarding the proposal in terms of consideration regarding the stability of these cliffs.

The response to the public consultation

- 5.12 It is acknowledged that 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 relevant planning considerations and all the comments received during the public consultation and that no one was let down when considering this application.

Language Matters

- 5.13 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 further reiterated 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.
- 5.14 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, 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.
- 5.15 The proposal before you is to undertake work within the site of the established residential property. Planning consent has already been approved in the past for work that is attached to the residential use, and the proposal before you entails further maintenance work to improve the area within their curtilage for supplementary use for the property. It is not considered that the proposed developments are likely to have a detrimental impact on the Language and therefore, it is considered that it complies with the requirements of policy PS1 in this context.

6. Conclusions:

- 6.1 Given the above and having considered all the relevant planning considerations, including local and national policies and guidance as well as all the observations received, it is believed that this proposal is now acceptable in its amended form and therefore 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, subject to the following conditions:
1. Time
 2. Compliance with plans
 3. Landscaping scheme
 4. Details of finishes/materials
 5. Eradicate invasive plants
 6. Agree/prevent work areas



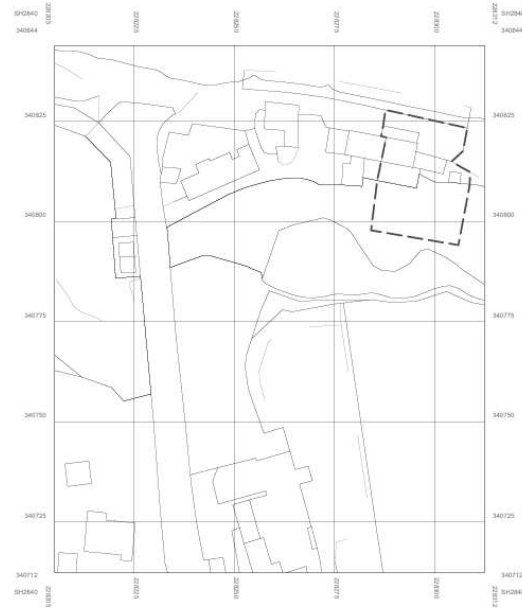
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A126 - P - 5



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Rev	Issue Notes	Date
-	-	-



Site Location Plan - 1:1250

Project Title -
Proposed External Works at
Hafan, Morfa Nefyn

Drawing Title -
Site Location Plan

Scale - 1:1250

Paper Size - A3

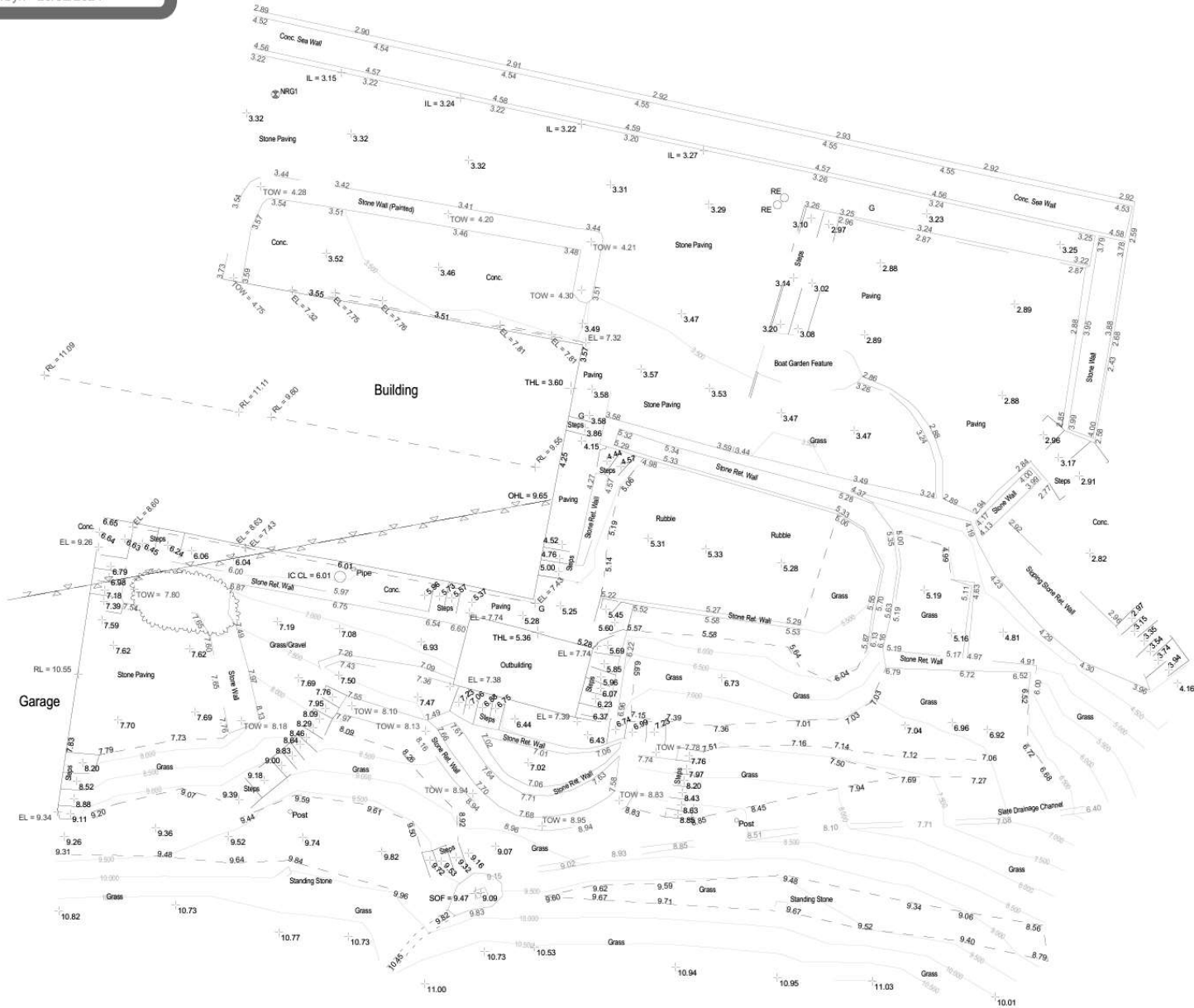
Job Reference - A126

Drawing Number - 5

Drawing Revision - -

Drawing Status - Planning

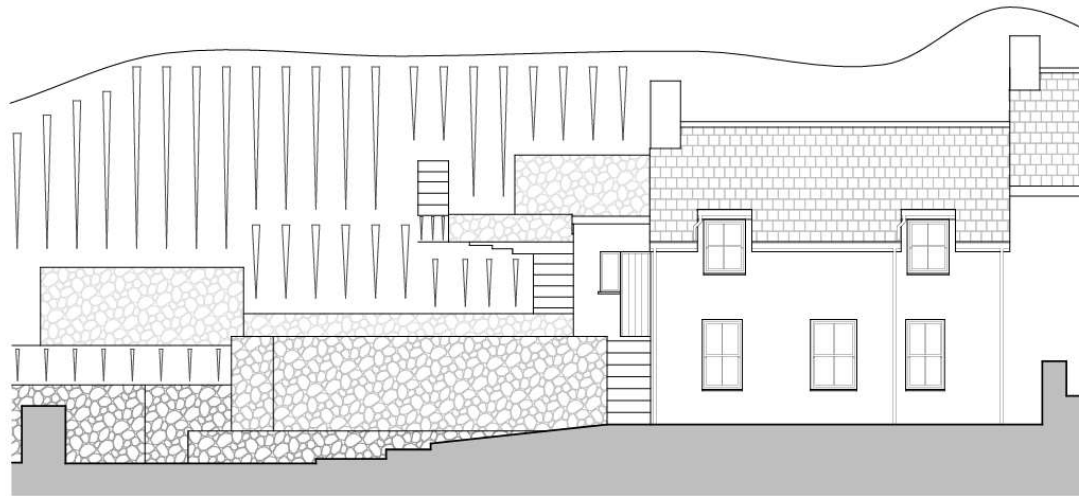
Date - 14/02/2024



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Rev	Issue Notes	Date
-	-	-

Project Title -	Proposed External Works at Hafan, Morfa Nefyn
Drawing Title -	Existing Site Plan
Scale -	1:100
Paper Size -	A3
Job Reference -	A126
Drawing Number -	2
Drawing Revision -	-
Drawing Status -	Planning
Date -	14/02/2024



Existing Site Section/Elevation A-A



Existing Site Section/Elevation B-B

Drawg Ref:

A126 - P - 3



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Rev	Issue Notes	Date
-	-	-

Project Title -
Proposed External Works at
Hafan, Morfa Nefyn

Drawing Title -
Existing Site sections/elevations

Scale -	1:100
Paper Size -	A3
Job Reference -	A126
Drawing Number -	3
Drawing Revision -	-
Drawing Status -	Planning
Date -	14/02/2024

Cynllun Diwygiedig Amended Plan

Ecology note :

All works are superficial, cladding to existing stone walls, gabion basket to the front of the lower platform to form a storage area and extend the decked area with the existing stone walls remaining insitu.

The ground below the new decked area is made up of stone and rubble, and was previously a platform.

New planting as noted below to the planter area.

A habitat report has not been commissioned as we feel the works do not affect the existing habitat in any way.

Hafan

CLIENT:
Darryl Cooke
Hafan, Morfa Nefyn

Drawg Ref:

A126 - P - 2_A



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Rev	Issue Notes	Date
A	Class hatched areas removed and replaced with timber and wire infill panels	09/04/24

Project Title -
Proposed External Works at
Hafan, Morfa Nefyn

Drawing Title -
Proposed Site Plan

Scale -	1:100
Paper Size -	A3
Job Reference -	A126
Drawing Number -	2
Drawing Revision -	A
Drawing Status -	Planning
Date -	14/02/2024

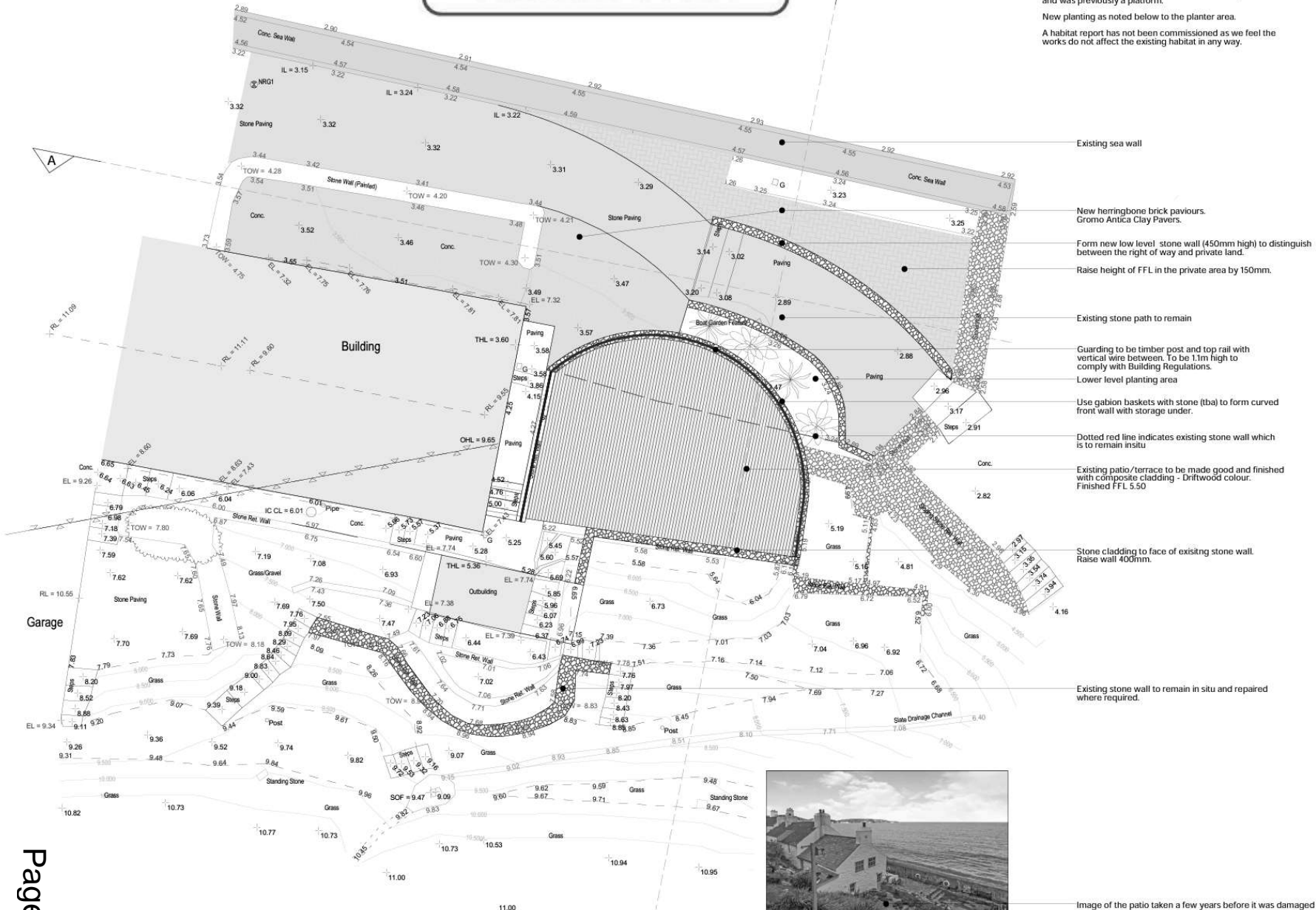


Image of the patio taken a few years before it was damaged

**Cynllun Diwygiedig
Amended Plan**

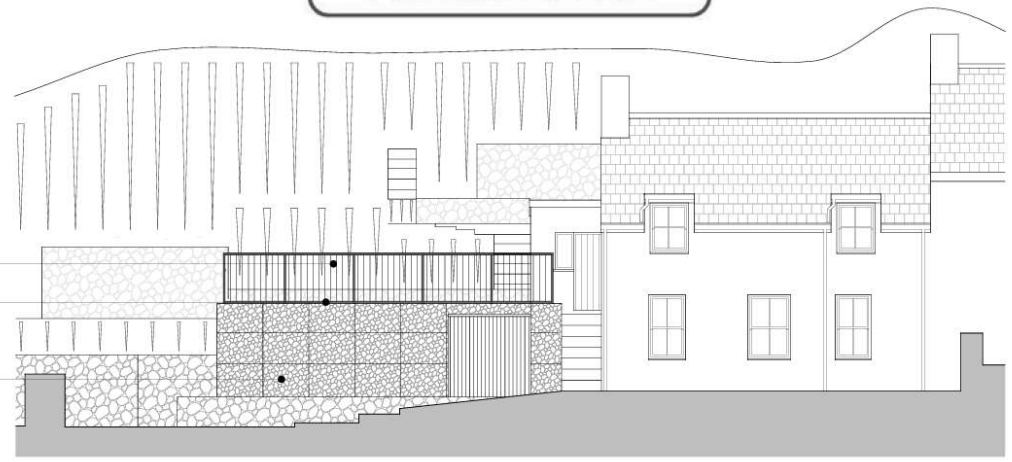
Hafan
CLIENT:
Darryl Cooke
Hafan, Morfa Nefyn

Drawg Ref:
A126 - P - 4_A



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Guarding to be timber post and top rail with vertical wire between. To be 1.1m high to comply with Building Regulations.
Existing patio/terrace to be made good and finished with composite cladding - Driftwood colour. Finished FFL 5.50
Use gabion baskets with stone (tba) to form curved front wall with storage under.



Proposed Site Section/Elevation A-A

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Rev	Issue Notes	Date
A	Glaco balustrade removed and replaced with timber and wire mesh panels	09/04/24

Project Title -
Proposed External Works at Hafan, Morfa Nefyn

Drawing Title -
Proposed Site Sections/Elevations

Scale - 1:100
Paper Size - A3
Job Reference - A126
Drawing Number - 4
Drawing Revision - A
Drawing Status - Planning
Date - 14/02/2024

Guarding to be timber post and top rail with vertical wire between. To be 1.1m high to comply with Building Regulations.
Use gabion baskets with stone (tba) to form curved front wall with storage under.



Proposed Site Section/Elevation B-B

Raise height of FFL in the private area by 150mm.
Form new low level stone wall (450mm high) to distinguish between the right of way and private land.







