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## PLANNING COMMITTEE 9 September 2024

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**Present:**                    **Councillor Elwyn Edwards (Chair)**  
                                     **Councillor Huw Rowlands (Vice Chair)**

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

**Others invited - Local Members:** Councillor Arwyn Herald Roberts and Councillor Gareth Williams

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

Sian Dafydd (Planning Department) - observing

### 1. APOLOGIES

Apologies were received from Councillor Gareth A. Roberts and Councillor Menna Baines (Local Member)

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

- a) Councillor Cai Larsen (a member of this Planning Committee), in item 5.4 (C24/0205/32/LL) on the agenda as he was a Member of the Adra Board

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

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

- Councillor Arwyn Herald Roberts (not a member of this Planning Committee), in item 5.1 (C24/0363/17/LL) on the agenda.
- Councillor Gareth Williams (not a member of this Planning Committee), in item 5.4 (C24/0205/32/LL) on the agenda
- Councillor Gareth T. Jones (a member of this Planning Committee) in relation to item 5.5 (C24/0478/42/DT) on the agenda

### 3. URGENT ITEMS

As a matter of order, it was reported that since the Chair was joining the meeting virtually, the Legal Officer would announce the results of the voting on the applications.

### 4. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 29 July 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 policy aspects.

### 5.1 Application Number C24/0363/17/LL Land near Bryn Llifon, Carmel, LL54 7RW

#### **Construction of affordable dwelling together with creating a new vehicular access to the county highway.**

- a) The Planning Manager explained that this was an application to erect one single-storey house sited on a section of an open field outside but abutting the development boundary of the village of Carmel.

It was reported, in terms of the principle of the development, that figures indicated that there was currently capacity in Carmel for this development, however the site was outside the development boundary, and it was necessary to ensure that the proposal satisfied policy TAI 16 that is material to rural exception sites. It was added that sufficient information had been submitted as part of the application to accept that there was a proven local need for affordable housing that cannot be delivered within a reasonable timescale on a market site within the development boundary. An open market valuation was received for the house shows that indicated that a discount of 40% could be imposed should the application be approved.

In the context of the dwelling's dimensions, it would measure approximately 89 square metres with a living/dining room, two bedrooms, an office together with a 20 square metre garage. Based on the additional information received from the agent explaining that the applicants were a young couple who intend to bring up a family in the near future, and this home would enable them to stay in Carmel, it was considered reasonable to support a house of this size as it would ensure that the dwelling would meet the needs of the current applicants and in the future. It was noted that it was not substantially contrary to the guidance in the affordable housing planning guidance in terms of the size of affordable housing.

In the context of the dwelling's design it was considered that the design and the materials were fairly standard and appeared to be acceptable. However, it was highlighted that policy TAI 16 requires proposals to form a reasonable extension to the settlement. It was noted that the site abuts the development boundary, the proposal involved erecting a new house in an open field with a new access track 40m away from the highway. It was reiterated that the boundary of the Bryn Llifon property (which is by the side of the new access) created a natural boundary for the village and that property was close to and faced the highway. As it was proposed to locate the house away from the highway and far behind the Bryn Llifon development line, it was considered that it did not follow the village's natural development pattern. Reference was also made to the plot at Mount Pleasant Terrace located away from the site and separated by an access track and garden areas with a variety of garden buildings such as sheds and garages. It was considered that the plot lies separate to the built form where the site would be visible from the proposed access, it was not considered that the dwelling would be seen in the same context as the terraced houses.

In the context of general and residential amenities, it was highlighted that the location of the house and the location of the windows had received full consideration when designing the property and there was no concern about the impact on neighbours. Attention was drawn to the need to acknowledge that there would be some impact on Bryn Llifon due to the location of the access and the track, as this proposal was small-

scale and for only one residential dwelling, it was not considered that the level of traffic and disturbance would not have a substantial damaging detrimental impact on the amenities of Bryn Llifon. It was noted that the access had been designed to a standard and that the Transportation Unit had no concerns.

It was reported that linguistic, biodiversity and infrastructure matters had received full attention, and it was considered that the proposal met with the relevant policies. However, the Planning Services recommended that the application should be refused as the proposal was not considered to form a reasonable extension to the settlement.

- b) Taking advantage of the right to speak, the applicant noted the following observations:
- Her husband would be the 6th generation of his family to live in Carmel.
  - The land had been for sale and they had therefore taken the opportunity to buy it. This had given them hope to stay in the local area.
  - They had received approval from Tai Teg.
  - There had been no change in two years - and despite the term 'affordable' the costs of undertaking surveys to get an affordable dwelling were not so.
  - That the Local Development Plan (LDP) stated 12 houses for Carmel over the Plan's period - only 2 houses had been built.
  - They were contributing to the local economy and worked in the local area.
  - There was sufficient information here to justify a house for a young local family.

- c) Taking advantage of the right to speak, the Local Member made the following observations:
- Affordable housing was required for local people - rural communities were suffering.
  - The young couple's roots were in the area and they wished to establish a home in the area.
  - They had received approval from Tai Teg.
  - This design was for a single-storey dwelling, that would be sunk low into the landscape to reduce its impact.
  - That the size was acceptable and was a good example of an affordable dwelling.
  - No objections had been received, particularly from local residents.
  - The Community Council was supportive.
  - The local member supported the application and welcomed similar applications to keep Carmel viable.

- ch) It was proposed and seconded to approve the application, contrary to the recommendation.

Reasons:

- That the extension to the settlement was reasonable
- The need for an affordable dwelling had been proven.

- d) During the ensuing discussion, the following observations were made by members:
- Given, the full picture, the application was acceptable.
  - Not many opportunities arose for local people.
  - It did not appear to be intrusive.
  - The need for affordable housing had been proven.

**RESOLVED: To approve contrary to the recommendation**

1. **5 years**
2. **In accordance with the plans**
3. **Materials**

4. **Withdrawal of permitted rights and C3 use only**
5. **Section 106 Affordable Housing Condition**
6. **Landscaping and land drainage and boundary details,**
7. **Biodiversity condition/biodiversity enhancements**
8. **A Welsh name for the property.**

**5.2 Application Number C24/0306/14/AC Bron y Gaer Ffordd Bethel, Caernarfon, Gwynedd, LL55 1DY**

**Vary condition 2 of the original planning permission C23/0122/14/DT to change the proposal's design.**

- a) The Development Control Team Leader highlighted that the proposal was to vary condition 2 of the original Planning Permission to change the design of extensions from a two-storey extension to the side of the property and a single-storey extension to the rear, to a single-storey flat roof extension only. It was explained that the existing property was a two-storey semi-detached house located within the development boundary of the town of Caernarfon and the residential area.

The application was submitted to the Committee as the applicant was employed in the Planning Department of Cyngor Gwynedd.

In the context of visual amenities, it was noted that a single-storey extension was situated at the back of the property, but it was visible from the front of the property as its width was a little more than the existing house. However, it was not considered that the visual impact was unacceptable given that the two-storey side extension, which was part of the original permission, had by now been removed.

In the context of general and residential amenities, it was noted that the curtilage had a fairly extensive curtilage with a large garden in the back with established shrubs, trees and *cloddiau* screening the rear of the site from the backs of adjacent dwellings along with the grounds of the primary school located directly behind the site. It was reiterated that the proposed extension was single-storey and included openings, it was not considered that they caused an unacceptable overlooking impact to any nearby property and would not cause an increase in disruption as the use of the site was already residential. There was no increase in the number of bedrooms and there were sufficient parking spaces in front of the property already.

When discussing biodiversity matters, it was noted that it was proposed to install bird boxes on the property to improve the site's biodiversity and any external lights would be installed downwards to reduce light pollution.

It was considered that the proposal was acceptable, and it was recommended to approve the application subject to relevant conditions.

- b) The Local Member had declared an interest as he knew the applicant.

It was proposed and seconded to approve the application.

**RESOLVED: To approve**

1. **In accordance with the plans**
2. **Time**
3. **Ensure biodiversity enhancements**

**5.3 Application Number C24/0532/25/LL Land near Pentir Substation, Bangor, LL57 4ED**  
**Proposed Energy Storage Facility, associated access, landscaping, infrastructure, ancillary equipment, with import and export capacity to grid connection of 57MWac.**

Attention was drawn to the late observations form which contained observations from the Transportation Unit.

- a) The Development Control Officer highlighted that this was a full application for the installation and operation of a Battery Energy Storage System - BESS, including energy storage units, electricity substation, site access, landscaping and supporting infrastructure on land west of the existing Pentir electricity substation. Attention was drawn to all the application's elements, and it was noted that the proposal would enable effective use to be made of the sustainable energy, which was already being generated. It was reiterated that an underground cable connection to the electricity grid would be secured via a separate planning application.

It was reported that the site comprised 2.57 hectares of rough pasture in an Open Countryside site outside any development boundary and due to the size of the site, it was explained that the applicant had undertaken a pre-application consultation as was required for the development defined as major by the Welsh Government. It was noted that the development had been screened for the Environmental Impact Assessment and it was considered that the impact on the environment was insufficient to justify submitting an environmental statement with the application.

Reference was made to the response and observations of the Highways Unit confirming that they had no objection in principle to the proposal, subject to conditions to ensure that the assessment of the road's condition is completed prior to and after the construction work, and that the Environmental Construction Management Plan and the Construction Traffic Management Plan are submitted and approved.

In the context of the principle of the development, it was highlighted that justification had been given in the Planning, Design and Access Statement to situate the resource on the proposed site based on the proximity of the Pentir Sub-station and the complexity and impact on the landscape of installing cables to connect the battery storage and the National Grid network, which would therefore meet with the requirements of Policy CYFF 1 - that the location was suitable. It was reiterated that Policy ISA 1 was also supportive of proposals for water, electricity, gas services, etc., to improve the provision, subject to detailed planning considerations and noted the importance that the infrastructure provision for the development site is located and designed in a way that reduces the impact on the natural and built environment. By situating the development on this site close to the existing substation, it was considered that the proposal was acceptable in environmental terms.

It was acknowledged that there would be some disruption during construction that would continue for approximately 12 months, however, after this the site would be managed remotely and there would be no staff present at the site, only occasionally for maintenance.

Based on the information submitted it was considered that all the impacts had been sufficiently mitigated, and that the proposal would not be detrimental to visual amenities, to any unacceptable impacts on nearby sensitive uses, or water quality; the location has been justified without cumulative unacceptable impact on the landscape with the equipment being removed from the site at the end of the scheme's life. Consequently, the proposal was considered acceptable, and it was recommended to approve the application with conditions.

- b) Taking advantage of the right to speak, the applicant made the following observations.
- That the proposal was to supply an energy storage facility that was essential for the future of low carbon renewable energy.
  - That the scheme was in accordance with the requirements of the Welsh Government.
  - The storage of energy was key to achieving net-zero.
  - The scheme would offer work opportunities to local people.
  - That the increase in the use of energy storage was in response to supply and demand.
  - That sufficient and established screening already existed near the sub-station.
  - That the proposal would not create an impact on the landscape - this is hard grazing land that is low in biodiversity. Despite this, it was intended to undertake more planting to reduce the visual impact.
  - Consultation meetings have been conducted with local residents and Pentir Community Council.
  - They had worked with the planning officers and stakeholders.
  - The scheme had community benefits.
- c) Although the Local Member was not present, the member had noted in an e-mail to the Chair that she supported the proposal on the grounds of sustainable development, i.e. that energy storage appeared to be an essential technology when trying to deliver the net zero goal.
- ch) It was proposed and seconded to approve the application.

**RESOLVED: To delegate powers to the Senior Planning Manager to approve the application, subject to the receipt of the observations from the Transportation Unit and the Public Protection Service and the following conditions:**

1. Five years.
2. In accordance with the plans/details submitted with the application.
3. Compliance with the landscaping scheme together with future maintenance work.
4. Compliance with the recommendations of the Initial Ecological Assessment, Arboriculture Impact Assessment and the Green Infrastructure Statement.
5. Prior submission of an Environmental Construction Method Statement to the LPA.
6. Submission of a Construction Transport Management Plan.
7. Agree on the external materials for the structures.
8. Ensure a Welsh name and bilingual signage with priority given to the Welsh language.
9. Agree on an Archaeological Work Programme
10. Submission of an Environmental Management Plan
11. Transportation and Public Protection conditions, as required
12. The site must be restored to the condition agreed with the Planning Authority once the development's operational period has ended

Notes:

Water and Environment Unit  
 Natural Resources Wales  
 Gwynedd Archaeological Planning Service

#### 5.4 Application Number C24/0205/32/LL Land Near Cae Capel, Botwnnog, Pwllheli, LL53 8RE

##### **Full application to construct 18 affordable houses with associated developments.**

Attention was drawn to the late observations form which referred to additional correspondence received raising concern about matters raised in the report.

Some members visited the site on 16-07-24.

- a) The Planning Manager highlighted that this was an application to erect 18 affordable dwellings offering bungalows, providing a new access off the main road that runs through the village, creation of landscaped areas, creation of open play areas, erection of boundary walls and fences and associated drainage work including a sustainable surface water drainage area.

In the context of the principle of the development, it was reported that the latest housing figures indicated that there was capacity within the indicative housing supply for the settlement. It was reported that the site was located within the development boundary and had been designated specifically for 21 units. It was explained that the proposal had been earmarked for a specific number of dwellings, justification was required for a smaller number. In the case of this application, the provision was smaller due to the need to provide a play area and open space and land to provide a sustainable land drainage system and therefore it was considered that there was justification for a smaller number of dwellings.

Although objections had been received on the grounds of over development, given that the application was for a smaller number than had been designated, the intention was to have 100% affordable dwellings, that the floor area of the houses would be restricted to affordable housing standards, that there was a provision for open spaces within the site, it was not considered that there was any evidence of over development.

It was reiterated in accordance with Policy TAI 8 statements and the evidence received noting the reasoning behind the housing mix proposed together with confirmation from the Housing Strategic Unit, that the houses would contribute directly to the aim of Cyngor Gwynedd's Housing Action Plan to provide more houses to meet the existing high demand in the county, whilst also noting that the plan offered a good mix of houses.

It was noted that the LDP recognised the village of Botwnnog as a Service Village and the Affordable Housing SPG noted that 'local' refers to a 5-year connection with the relevant Authority where the application is located. Therefore, this means the entire Gwynedd planning area. It was stated that many observations had been received questioning the need for the number of houses, and the type of housing, however it was explained that the status of Botwnnog in the LDP meant that new houses were to serve Gwynedd as a whole was what was expected for this site. Reference was made to the Strategic Housing Unit's figures stating that 2374 applicants had registered on the Housing Options register for social housing, with 882 applicants registered with Tai Teg for an Intermediate property and although some applicants could appear on both registers, the figures were proof of the undisputed need for affordable housing in the Gwynedd planning area.

In the context of Policy TAI 15 a minimum of affordable housing was required; however the policy did not prohibit a higher provision. As there was strong evidence of the need for affordable housing, there was no policy reason to object to the proposal of providing 100% affordable housing.

In accordance with the requirements of PS 1, a report was received in the form of a Community and Linguistic Statement which concluded that the proposed development would have a small impact on the Welsh language and community, but that it was unlikely to lead to any harm due to the size of the development and the proposal was to provide affordable housing for local need.

After issuing the late observations form to the committee, further observations had been received noting that discussions were continuing with the developer to develop a specific allocations policy for this site and there was also reference to this in correspondence from the agent. It was explained that the Council's Housing Allocation Policy was a matter beyond the planning application and the Planning Committee could not change the policy. It was noted that this was not a valid reason to refuse permission or to revoke the decision, however, this could not prevent discussions from continuing outside the planning process. Policy PS 1 only permitted proposals to be refused should they cause significant harm, and although observations had been received, no robust evidence had been received to prove that the development would cause significant harm to the language or the community.

In the context of general and residential amenities, it was considered that the houses had been designed to a quality standard which would be in-keeping with the feel of the village and would not have a detrimental impact on neighbours' residential amenities. It was noted that an element of the proposal involving the elevations facing the public highway had been amended, to ensure that the form and setting of the houses reflect better and offer a more welcoming picture. The proposal would also include provision of open spaces with a means to impose a condition to ensure the play equipment provision.

Attention was drawn to the concerns received regarding the capacity of local schools to cope with the proposal, however it was pointed out that there was sufficient capacity in the schools and therefore there were no grounds to request a contribution towards improvements or as a reason to refuse the application. It was also highlighted that concerns had been received about the capacity of the local surgery. It was explained that a letter had been addressed to the Local Health Authority and to the GP's Surgery in Botwnnog, but no response had been received. It was reiterated during the process of designating the site, that the Health Board had been consulted and no objection had been received to the proposal then either. Given that no robust evidence had been received regarding capacity and infrastructure matters, there was no justification to refuse the application or to ask for a financial contribution from the developer under ISA 1.

It was noted that transportation, archaeological, biodiversity, flooding and infrastructure matters had been fully considered. It was considered that the proposal met the relevant policies and it was recommended to approve the application.

- b) Taking advantage of the right to speak, the applicant noted the following observations:
- That Local Authority officers supported the scheme and had considered all the matters in detail.
  - The proposal offered a 100% affordable development on a piece of land that had been earmarked within the LDP - this was much more than the required 10%.



- The development would provide 18 affordable homes with a mix of bungalows and 2- and 3-bedroom houses.
  - The development would offer different affordable tenures in response to local demand, be they individuals or families.
  - There was local objection on the grounds that an affordable housing development of this scale was not needed, and the Community Council referred to the 2022 Survey of Housing Needs. The need had increased further since then, with current data indicating that the local need was significantly more than the size of this proposal.
  - The LDP had noted Botwnnog as a Service Village, serving the wider community. As a result, consideration should be given not only to the demand for housing in Botwnnog, but for the demand for housing in the communities and the wards surrounding the development.
  - The Housing Strategy Unit supported the plan.
  - The adopted LDP noted that there was a clear need for affordable housing provision in service villages, such as Botwnnog. Consequently, there was no requirement to prove the need as it had already been proven when the land was earmarked within the LDP. Therefore, the local need for this scheme was clear.
  - In considering the concerns about the Welsh language, it was evident that the level of local demand for affordable housing was high and therefore the scheme would be occupied by local people. They will have the same language characteristics as the local population as they would already be living in the area. Therefore, the impact on the Welsh language would be comparatively little, if at all, and it would not be sufficient to harm the area. Officers from the Local Planning Authority had accepted this and were satisfied with the plan.
  - That providing such affordable developments was key to ensuring that local residents were able to stay in their communities rather than having to leave the area to find suitable housing.
  - Should the Committee decide to approve the application, Adra had offered to undertake discussions with the Local Authority and Cyngor Gwynedd to agree on a local allocations policy for the homes. This was beyond policy requirements and was a reflection of their commitment to respect the area's special features.
  - While there was an objection that the scheme was an over development, it was clear that it had been planned well, including an extensive open space and a suitable density. Indeed, the scheme proposed three fewer properties than the number noted in the LDP, specifically to ensure the site's suitability and its context.
  - In terms of the concerns regarding the capacity of the sewerage system, highway safety, and the capacity of the schools, Welsh Water, the Authority's Highways and Education Departments were satisfied and were in favour of the plan. Therefore, there were no grounds to object the plan on these points.
  - All in all, the proposal before them complied in full with the LDP, and following detailed consideration, the Local Authority officers fully supported the plan. There were no robust grounds to divert from their professional advice.
  - The development was for 100% affordable housing on a designated site and would make a significant local contribution to address the housing crisis.
  - The members were asked to support the application in accordance with the officers' advice.
- c) Taking advantage of the right to speak the Local Member noted the following observations:
- That everyone in the local community had highlighted their objections/ concerns regarding the plan.

- This was an application for 18 houses in a small field in the centre of the village of Botwnnog.
- There was a social housing estate already in the village and an extension to that estate had been refused.
- Such a development would change Botwnnog.
- There was a lack of housing need - Tai Teg facilitators had proven this by noting that only four families had chosen the village as their chosen area, but not their first choice.
- A house had recently been empty and social media had to be used to try and find a family as no one needed it - this was proof of the lack of need in the area.
- The price of a house in Botwnnog was at least £300k - there was no hope for young families to buy a house here and therefore they left the area. This was the crisis and 18 rental houses was not the right solution.
- That the site was ideal for housing that would improve the community without a detrimental impact.
- Botwnnog was a Welsh speaking community and therefore there was a need to ensure that the language was protected.
- Llanllechid Community Council had been in contact to advise Botwnnog Community Council to push against this proposal as a similar application in Dyffryn Ogwen had been approved and had destroyed the community.
- Adra is a business. This was a financial application without any consideration about the impact on the Welsh language and Welsh speaking communities. Getting their rent was all that mattered to them.
- There was a recent application in Aberdaron where the construction of five houses would have a 'significant detrimental impact on the community' and it was ironic that this proposal was acceptable.
- The proposal would be ideal for affordable dwellings for local people to buy - this was supported.
- There were 70 houses in the village. Another 18 would be an increase of 25% - this would be an over development.
- Should this be approved, then 35% of the whole village would be rented property.
- The application was unnecessary and had no character. There was a plea to the Committee to refuse the application.

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

Reason: No local need.

In response to the reason for refusal, the Assistant Head of Planning noted that the reason was a valid planning reason for refusal, however, there was robust and sufficient evidence that clearly reflected the need.

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

- Following a site visit, the field appeared to be small for 18 houses.
- That the development appeared to be large for a small village - it would affect the character of the village.
- The houses had been placed too close together - this would certainly cause stress.
- There was no local demand for the houses.
- The construction of these 18 houses was a major development. There were strong local concerns about the development and the impact on the Welsh language - it would harm the community - this was contrary to Policy PS1 'significant harm to communities'.

- Although the need to adhere to policies was appreciated, the committee had a responsibility to acknowledge that the housing situation had changed during the LDP's period. Would it be possible to consider phased construction or adapt the development to better suit the village?
- Would it be possible to consider that the site was for the 'Botwnnog local community' and not the 'local Gwynedd community'?
- There was clear and strong local objection to the application - this was unusual.
- It was accepted that there may be a need for a social housing estate in towns, but this was not so in villages.
- There was a need to secure the continuation and prosperity of Welsh speaking communities. The area had a linguistic significance - this needed to be protected. This was proposed as another basis to refuse the application.
  
- There was a need to adhere to the Council's policies - the LDP had identified the site as being suitable for 21 houses.
- The application responded to the housing crisis. People really needed housing in Gwynedd. Should this be refused, then the application would go to appeal. The appeal was likely to approve the application as it was in compliance with local policies. The Committee's role was to adhere to its Policies.
- It appeared that different figures had been shared that were misleading. Clarity and assurance were required on the number who needed a house - it was proposed to defer the decision in order to get the correct figures.
- It would be difficult to refuse affordable housing.
- A clear definition was required of the meaning of 'local' in this context.

dd) In response to the proposal to defer to receive the correct figures, the Head of Legal Services noted that the information in the report was sufficient. Botwnnog was a Local Service Village and therefore the figures reflected the County's need. The Assistant Head of the Environment Department added that the information in the report confirmed the need and there was no certainty regarding what other information was available.

In response, the Member noted that she could see two sides to the figures and she needed certainty, but she accepted the explanation and withdrew her proposal.

In response to the observations in the discussion, the Assistant Head of the Environment Department stated that the officers' report was very detailed and included evidence of the serious need for affordable housing. He noted that the Committee had approved similar developments, and the role of these developments was to address the need for affordable housing in the County. Considering the site for the 'local Botwnnog community' and not the 'local Gwynedd community' would deprive people of housing and would restrict those who were eligible. He added that the site was a designated in the LDP and therefore the principle was acceptable. He highlighted that Committee Members had a statutory responsibility to support the LDP decisions.

Since the land was designated in the LDP, should the application go to appeal, there would be significant costs to the Council as the Local Planning Authority would not be able to support the refusal reason. Should the application be refused on the grounds of 'no need' and the report gave clear evidence that there 'was a need', then he would refer the application to a cooling-off period.

In response to the additional refusal reason by the proposer to refuse on the grounds of the detrimental impact on the Welsh language, confirmation was received from the seconder that he was happy to be a seconder to the second refusal reason.

e) It was proposed and seconded to refuse the application.

Reasons:

- Detrimental impact on the Welsh language
- No local need

In response to the result of the vote to refuse the application, the Assistant Head of the Environment Department noted that he would have to refer the application to a cooling-off period.

**RESOLVED: Refer to a cooling-off period**

Reasons:

- **Detrimental impact on the Welsh language**
- **The lack of need within the Botwnnog ward for affordable housing**

## **5.5 Application Number C24/0478/42/DT Tŷ Pen Lôn Las, Morfa Nefyn, Pwllheli LL53 6BG**

### **Creation of an exterior rear balcony with privacy screen**

a) The Development Control Officer highlighted that the application in question was to create an exterior rear balcony, above the existing flat roof extension. It was highlighted that the site was located within the development boundary of Morfa Nefyn and within a residential area, and the application had been submitted to the Planning Committee at the request of the Local Member.

It was reported that most of the flat roof area at the rear of the property comprised an established sedum roof covered by plants, and there was no intention to use all this area as an exterior balcony area. It was added that the existing permanent wall was approximately 1.6m high and extended 1.8m out of the property's main rear wall above the existing flat roof extension, and the proposal would be to create the exterior balcony area behind this wall. It was noted that it was proposed to provide a permanent opaque glazed screen extending 1.7m beyond the wall to the furthest side of the existing flat roof extension with a clear glazed handrail installed from the edge of the wall and across the roof for approximately 4m long, linking to another 2.9m long opaque glazed handrail which would link back to the rear wall of the building so that it restricted the outdoor area behind the existing wall.

In the context of visual amenities, it was considered that the proposal was acceptable on the grounds of the design and scale and its location above the existing flat roof at the rear of the property. It was explained that the site was located between other two-storey residential houses with open agricultural fields to the rear.

In considering the general and residential amenities, it was noted that the location of the proposed development was in the corner of the existing roof, with the permanent existing wall extending partly along the roof. The proposed balcony area would not extend beyond this wall and the ability to go beyond the top of the wall was restricted due to the installation of a permanent glass handrail across the roof area. It was added that it was intended to install a glazed opaque screen that would extend out of the existing wall to the end of the existing flat roof, together with the other side of the proposed balcony area. This would mean that any over looking towards the property from either side would be

very limited to the furthest areas of the curtilages either side. It was considered that the screens of opaque glass would also protect the main areas of the properties' gardens either side; this was an established and relatively dense residential area where gardens abutted each other and windows overlook and thus the existing disruption was inevitable as a result. It was not believed that the development would affect the amenities of nearby properties to an unacceptable and significant degree.

Attention was drawn the fact that the proposal for a balcony had not been refused on this property and it was explained that the applicant had voluntarily removed the balcony element from the previous application.

It was considered that the proposal was acceptable, and it was recommended to approve the application subject to conditions.

- b) Taking advantage of the right to speak, the Local Member made the following observations
- Although the name of the house was 'Tŷ Pen' this was not the last property in the row.
  - He objected on the grounds of overlooking and over development (ref: LDP PCYFF 2 p.7).
  - Installing a privacy screen would be tokenism.
  - The balcony would significantly affect the privacy and enjoyment of nearby dwellings.
  - This was a holiday home and the former house had been demolished.
  - The extension to this property was recently approved with a clear condition that a balcony would not be approved.
  - Although it was noted that the applicant had voluntarily removed the balcony element from a previous application, it appeared that he continued to be discontent and needed a balcony.
  - The balcony would create a permanent impact on the residents of Morfa.
  - There were some houses with a balcony in Morfa, but not on this street - this would stand out.
- c) It was proposed and seconded to refuse the application, contrary to the recommendation.

Reason:

Overlooking and impact on general and residential amenities - (ref policy PCYFF 2)

**RESOLVED: To Refuse**

**Reason: Refuse on grounds of overlooking, impact on general and residential amenities - contrary to policy PCYFF 2**

The meeting commenced at 13:00 and concluded at 14:50

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**CHAIR**