
PLANNING COMMITTEE 9/12/24

Attendance: Chair: Councillor Elwyn Edwards

Councillors: Delyth Lloyd Griffiths, Louise Hughes (item 5.3 only), Gareth T Jones, Cai Larsen, Edgar Owen, John Pughe Roberts, Gareth A Roberts and Gruffydd Williams.

Officers: Gareth Jones (Head of Planning and Environment), Keira Sweenie (Planning Manager), Iwan Evans (Monitoring Officer) - item 5.3 only, Sion Huws (Propriety and Elections Manager, Legal Services) - item 5.1 and 5.2 only, Eryl Williams (Senior Building Conservation Officer) and Lowri Haf Evans (Democracy Services Officer).

Others invited: Councillor Elwyn Jones – Local Member

1. APOLOGIES

Apologies were received from Councillors Elin Hywel, Huw Rowlands, Anne Lloyd Jones, Gareth Coj Parry, and John Pughe.

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) The following member declared that he was a local member in relation to the item noted:
- Councillor Elwyn Jones (not a member of this Planning Committee), in item 5.3 - application number C24/0346/45/LL on the agenda
- b) The following officer declared an interest in relation to the item noted:
- Iwan Evans (Monitoring Officer), in item 5.1 application number C24/0074/11/LL and 5.2 application number C24/0075/11/CR on the agenda, as the architect of the plans was a close relative.

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 21 October 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

6. APPLICATION NO C24/0074/11/LL YSGOL ANNIBYNOL BANGOR, FFORDD GWYNEDD, BANGOR, LL57 1DT

- a) The Planning Manager highlighted that this was a full application to change the use of a former school to nine self-contained residential units, which would include two affordable units. It was noted that there was no intention to undertake any external alterations - the building was a striking four-storey building within an independent curtilage which was also a grade II listed building. It was explained that the site was located within the development boundary, in Bangor city centre and within a conservation area.

In terms of the principle of the development, it was noted that policy TAI 9 permitted the sub-division of existing properties to self-contained flats. It was considered that the proposal complied with the policy's criteria as the building did not require an external change. As a result, there was no concern in terms of the impact on the layout of the listed building or the conservation area, and it was considered unlikely to have a detrimental effect on amenities considering its location in the city centre. It was noted that the site was within its own curtilage, with plenty of parking spaces; the site was accessible and close to public transport.

Considering the housing figures in Bangor, it was reported that the expected provision was being addressed through the site in the land bank, but the need for more housing continued in the key centres tier. It was considered that the proposal was acceptable in terms of need, and it was noted that there was an intention to set a condition to ensure a main residence C3 use only and to prevent the use of second homes or short-term holiday accommodation. Providing two affordable units would meet with policy TAI 15, and this could be ensured by setting an appropriate planning condition.

A Welsh Language Statement was received with the Language Unit highlighting that the statement did not come to a firm conclusion of the linguistic risk / impact of the development. However, no evidence was received which showed that the development would likely be harmful to the language, and considering that the proposal included two affordable units, it was not considered entirely contrary to PS1. It was reiterated that a condition could be set to ensure a Welsh name for the development to fully address policy PS1.

In the context of biodiversity, it was noted that a green infrastructure statement offering measures to improve biodiversity had been submitted with the application and should the permission include conditions which ensured compliance with the ecological information, then this would reduce concerns.

In the context of flooding and drainage matters, attention was drawn to the discussions with Natural Resources Wales (NRW), because of the lack of information about the danger of flooding on the site. It was explained that the site was located within Zone A, which was associated with the current TAN, which meant that residential use in this location was not contrary to policy. However, it was highlighted that the Flood Map for Planning, which included more recent information, noted that the site was partially within Fluvial Flood Zone 2/3, namely in this case, the area of the car park behind the building. It was reiterated that the Flood Map for Planning was a material consideration, and therefore, due to the risk, it was considered that there was justification for requiring a flood consequence assessment. An assessment was received with the application and

it showed that risks could be managed effectively. Consequently, NRW had no objection to the application.

Having considered all the relevant planning matters, including that the proposal could protect and ensure a future for the striking listed building within Bangor City centre, it was considered that the proposal was acceptable. The officers recommended to approve the application with conditions.

- b) It was proposed and seconded to approve the application.
- c) In response to a question regarding the number of permissions over the years to convert buildings in the Bangor area to a multi-tenancy use and if the waiting list for a home has increased or reduced, it was noted that this was an application for nine permanent housing which would only have a C3 use condition. They would not be available as multi-tenancy units - the condition would ensure a permanent unit.

In response to a question regarding the number of references to flooding in the report, it was noted that discussions had been held with NRW due to inconsistent information between the maps associated with the TAN and new flood maps. It was reiterated, although the new maps highlighted a risk in the car park, that NRW was satisfied with the mitigation measures submitted.

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

1. **5 years.**
2. **In accordance with the plans.**
3. **Natural Resources Wales condition in relation to flooding - close the lower ground floor access.**
4. **Details of any vents and flues to be agreed beforehand.**
5. **Welsh Water conditions relating to safeguarding the sewers.**
6. **Agree the details of Welsh names for the development together with signs advertising and promoting the development.**
7. **Restrict the use to dwellings within C3 use class.**

7. APPLICATION NO C24/0075/11/CR YSGOL ANNIBYNOL BANGOR, FFORDD GWYNEDD, BANGOR, LL57 1DT

- a) The Planning Manager highlighted that this was an application for a listed building permission to convert a building into nine self-contained residential units. It was explained that a principle of changing the use of the building was irrelevant to the application and the decision of application C24/0074/11/LL (to change and convert the Bangor Independent School, Ffordd Gwynedd, Bangor building into nine living units). The Committee was requested to only consider the physical changes to the building in accordance with Technical Advice Note 24: The Historical Environment and the need to assess specific matters for this type of application.

It was reported that the alterations mainly related to new openings within some existing walls and to construct new internal walls. It was reiterated that there was an intention to insulate the walls internally and two external doors would be closed from the inside to protect the building from floods. There would be no external changes. The internal stairs in the building would be retained, with a second less decorated set of stairs being closed up. It was noted that two

amenity groups had declared concerns about the stairs and asked for more details and confirmation about the work. Confirmation was received by the Agent that the stairs would remain as they were and be protected.

With all the new units, including a new kitchen and bathroom, the need to install a ventilation system within the building through the new services and out of the current chimneys was highlighted, which was to be welcomed as there would be no damage to the building. It was reiterated that there was an intention to install secondary glazing through the building, which was again to be welcomed as it meant retaining and restoring the original windows - the details to be agreed through conditions.

It was explained that the proposal was a sensitive one, with the little internal work respecting the layout and protection of the main characteristics. The majority of this work could be taken in the future (if required) - this would ensure that there would be no permanent harm to the building.

As a result, it was considered that the proposal complied with the requirements of national and local policies. It was reiterated that the report had been prepared by Cyngor Gwynedd's Senior Conservation Officer who had delegated rights to decide on applications for listed building permissions. This meant, should the application be approved by the Committee, there would be no need to refer the application to CADW.

- b) It was proposed and seconded to approve the application.
- c) During the ensuing discussion, the following observations were made by Members:
 - Although the car park was the flood risk area, the back door on the lower ground level of the property which opened out to the car park must be permanently closed from the inside as a flood prevention matter - was this reasonable?
 - There was a need to ensure a condition to protect the stained-glass windows.

RESOLVED to approve the application subject to the following conditions:-

1. **5 years.**
2. **In accordance with the plans.**
3. **Photographic record.**
4. **Details of any vents and flues to be agreed beforehand.**
5. **Details of any secondary glazing to be agreed beforehand.**
6. **Any window replaced to match the existing window.**

8. APPLICATION NO C23/0463/18/LL PLAS COCH, PENISARWAUN, CAERNARFON, GWYNEDD, LL55 3PW

- a) The Planning Manager highlighted that this was a retrospective application to convert an outbuilding into a self-contained holiday accommodation - the original building was an outbuilding that was being used as an ancillary use to the Plas Coch property. The decision on the application was adjourned at the January 2024 Committee to give the applicant the opportunity to respond to the observations regarding overlooking on nearby housing and to give him an opportunity to submit information about mitigation measures and a management

plan for the holiday unit, which would alleviate neighbours' concerns. Reference was made to the information submitted in the late observations form, as well as a photo showing that curtains had been put up very recently on the large window. A copy of rules for the holiday unit was received which asked guests not to use the hot tub after 9pm and to keep the noise to a minimum after 10pm. They do not permit parties including stag or hen parties, nor do they permit visitors who had not registered to stay in the accommodation.

In the context of the principle of the development, it was noted that Policy TWR 2 was the relevant policy. In terms of the LDP, although the site was in open countryside, the Policy permitted a new self-contained holiday accommodation in the countryside on previously developed sites. It was explained, although the site was within a residential home curtilage, it complied with the definition of the LDP and Planning Policy Wales of previously developed land. It was reported that such applications should be supported by a structural report, but that work had already been completed, it was considered that it was not worth asking for a further report. It was highlighted that the observations received raised concerns about the quality of the work and the Building Control Unit was aware of the situation and could be implemented if required. Another key element of Policy TWR 2 was to assess the over-provision of self-contained holiday accommodation - in this case, there was no evidence of over-provision in this part of the County and the proposal did not mean a loss of permanent housing stock.

In terms of visual amenities, observations were received noting concerns that the Holiday Unit did not suit the landscape and that the original materials had been removed and replaced by more modern materials. In response, although the original materials had not been retained, it was considered that the materials used were acceptable and they did not have an impact on the character of the area significantly enough to cause a negative impact on the landscape.

Reference was made to concerns received which noted that the change in the building created a negative visual impact, although the plans did not show substantial change in shape or size of the original building with the height of the building sitting comfortably next to the Plas Coch house. It was accepted that there had been substantial change to the gable of the building with glass installed across the elevation. However, it was considered that the appearance did not directly face nearby houses and it was not overly noticeable from the road. It was reiterated that the design did not cause a negative impact on the residential amenities of nearby properties and that it would be possible to refurbish the building's external appearance without the need for planning permission.

It was noted that there were concerns regarding the location of the holiday unit on a narrow road that was used by local people and the use of a holiday unit would increase the busyness on the narrow road, disrupting the amenities of nearby residents. In response, it was acknowledged that movements of holiday units could be different to the normal residential house, but the development was a small scale that would unlikely lead to a detrimental impact on nearby residents' amenities or a substantial increase in traffic on the roads which serve the site. There had been consultations with the Unit regarding the matter and they had no objection.

It was explained, although several requests had been made to the applicant about evidence regarding the observation given about the language, no information was received that would support the application. As a result, a conclusion was made, as the proposal was otherwise acceptable and complied

with the rest of the policies, especially in terms of over-provision, that there was no evidence to show that the proposal would have a negative impact on the language, and it was reiterated that it would be possible to ensure some mitigation measures through a condition. In addition, it was noted that the applicant had expressed in his business plan that he supported local businesses.

Having considered all the policies and the relevant planning guidance, it was considered that the proposal was acceptable, and it would be possible to manage the development through planning conditions. The Members were reminded that they could try to correct the impacts of the unauthorised development and not to punish the person(s) responsible for the development. Completing development work before receiving planning permission was not a valid reason to refuse the application. The Officers recommended to approve the application with conditions.

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

- There was a lack of responding and communicating from the applicant
- That attention had been given to the application because the development had been completed without permission
- The proposal had an impact on nearby houses
- A site visit had been arranged for the Members
- The original building was not of the same height as the new building - disappointing that this could not be proven further
- There was an element of over-looking on nearby properties
- Lack of response to officers' requests for information
- Should the application be a normal one, it would certainly be refused
- Concern that the message here was to develop before obtaining permission

c) It was proposed and seconded to refuse the application

Reason: The application was contrary to planning policy PCYFF 3 - impact on residential amenities

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

- Putting curtains up to mitigate over-looking was insufficient
- The window on the gable of the building was too big and likely to disrupt substantially on neighbours - creating an intrusive impact
- The Community Council objected to the application
- Many concerns had been presented by local residents - attention must be given to these concerns
- There was a lack of respect towards the planning process - no attempt to work together
- The road to the property was narrow and unsuitable - no need for more use

RESOLVED: TO REFUSE contrary to the recommendation.

Reason: The application was contrary to policy PCYFF 3 because the development would have a detrimental impact on residential amenities and the gable windows would cause over-looking and an intrusive impact.

The meeting commenced at 1.00 pm and concluded at 1.45 pm

CHAIRMAN