

# Complete Agenda

Democratic Service Swyddfa'r Cyngor CAERNARFON Gwynedd LL55 1SH

Meeting

# **PLANNING COMMITTEE**

Date and Time

1.00 pm, MONDAY, 8TH SEPTEMBER, 2025

\*NOTE\*

This meeting will be webcast

https://gwynedd.public-i.tv/core/l/en GB/portal/home

Location

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

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# **PLANNING COMMITTEE**

# **MEMBERSHIP (15)**

# Plaid Cymru (10)

# Councillors

Elwyn Edwards Elin Hywel Olaf Cai Larsen Gareth A Roberts John Pughe Delyth Lloyd Griffiths Gareth Tudor Jones Edgar Wyn Owen Huw Rowlands Berwyn Parry Jones

# 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 <sup>rd</sup> party to speak the Chairman will invite the speaker to come forwards.	
3.	Objector or a representative of the objectors to address the committee.	3 minutes
4.	Applicant or a representative of the applicant(s) to address the committee.	3 minutes
5.	Local Member(s) to address the committee	10 minutes
6.	Committee Chairman to ask for a proposer and seconder for the planning application.	
7.	The committee to discuss the planning application	

### **AGENDA**

# 1. APOLOGIES

To accept any apologies for absence.

# 2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

### 3. URGENT ITEMS

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

**4. MINUTES** 6 - 26

The Chairman shall propose that the minutes of the previous meeting of this committee, held on 14 July 2025, be signed as a true record.

### 5. PLANNING APPLICATIONS

To submit the report of the Head of Environment Department.

# 5.1 APPLICATION NO C25/0361/30/LL AEL Y BRYN, RHIW, 27 - 47 PWLLHELI, GWYNEDD, LL53 8AG

Full application for the demolition of the existing dwelling (C3) and garage and replacement with a 3-bed dwelling property (C3)

Local Member: Councillor Gareth Williams

Link to relevant background documents

# 5.2 APPLICATION NO C24/1124/34/AC CEFN GRAIANOG, 48 - 71 LLANLLYFNI, CAERNARFON, GWYNEDD, LL54 6SY

Application under Section 73 for variation of condition 1 of planning permission reference C20/1063/22/AC (proposed eastern extension for the extraction for the extraction of sand and gravel and progressive restoration) to allow for 4-year extension for the completion of minerals operations and restoration.

Local Member: Councillor Dafydd Davies

Link to relevant background documents

# 5.3 APPLICATION NO C24/0960/46/LL LAND TO THE WEST OF 72 - 88

# YSGOL GYNRADD TUDWEILIOG, TUDWEILIOG, PWLLHELI, LL53 8ND

Full application for a change of use of land to create a new cemetery for the village of Tudweiliog and vicinity and works to create access and parking area and landscaping.

Local Member: Councillor Gareth Tudor Jones

Link to relevant background documents

# **5.4 APPLICATION NO C25/0370/11/DT TREETOPS, 3 BRYN** 89 - 106 EITHINOG, BANGOR, GWYNEDD, LL57 2LA

Two Storey side extension and alterations

Local Member: Councillor Elin Walker Jones

Link to relevant background documents

# **PLANNING COMMITTEE 14 July 2025**

#### **Attendance**

Chair: Councillor Elwyn Edwards Vice-chair: Councillor Huw Rowlands

### Councillors:

Delyth Lloyd Griffiths, Elin Hywel, Berwyn Parry Jones, Gareth T Jones, Anne Lloyd Jones, Louise Hughes, Edgar Owen, Gareth Coj Parry, John Pughe Roberts, Cai Larsen, Gareth A Roberts and Gruffydd Williams

#### Officers:

Sion Huws (Propriety and Elections Manager), Gareth Jones (Assistant Head of Planning and the Environment), Gwawr Hughes (Planning Manager), Glyn Llewelyn Gruffudd (Senior Planning Manager), Iwan ap Trefor (Traffic and Projects Service Manager), Rhys Gwyn Roberts (Wales Coastal Path Project Officer), Swyn Melangell Hughes (Professional Trainee – Planning), Siân Dafydd (Planning Trainee) and Rhodri Jones (Democracy Services Officer).

### Others invited:

Councillors Rhys Tudur, Geraint Parry and Gareth Williams (Local Members)

### 1. APOLOGIES

Apologies were received from Councillor John Pughe

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

- a) The following members declared that they were a local member in relation to the item noted:
  - Councillor Rhys Tudur in items 5 and 6.8 (C25/0204/41/LL) on the agenda
  - Councillor Elin Hywel in items 6.1 (C23/0673/45/AM) and 6.2 (C23/0671/45/AM) on the agenda
  - Councillor Geraint Parry in item 6.5 (C24/0804/03/DT) on the agenda
  - Councillor Gareth Williams in item 6.7 (C25/0361/30/LL) on the agenda

#### 3. URGENT ITEMS

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

### 4. MINUTES

The Chair accepted the minutes of the previous meeting of this committee held on 16 June 2025 as a true record.

# 5. PROPOSAL TO CREATE A PUBLIC FOOTPATH IN THE COMMUNITY OF LLANYSTUMDWY UNDER SECTION 26 OF THE HIGHWAYS ACT 1980

A proposal was submitted by the Wales Coastal Path Project Officer to create a new public footpath in the Community of Llanystumdwy, over a parcel of land that was part of a private property called Fferm Afonwen, Glanllynnau and Tŷ'n Morfa which would facilitate the Wales Coastal Path Project and the interests of the area's residents.

It was noted that, should the Committee approve the order, a statutory arrangement should be followed which would begin with publishing a notice that an order had been made and conducting an extensive consultation. It was explained, if objections would not be received, the order would continue, but if objections were received, the Council would present all the evidence to Planning and Environment Decisions Wales (PEDW) for a decision. It was emphasised that the decision would not be made by the Council - an independent auditor would be appointed by PEDW.

It was explained that the proposal highlighted the intention to create a new part of the Wales Coastal Path which would provide access on foot between the Afonwen area and the current footpaths network in the vicinity of Tŷ'n Morfa.

Despite the effort made to secure a voluntary agreement, it was highlighted that the landowners did not believe that the footpath was needed, therefore possible options had to be considered and create the path by following the enforcement procedure. The proposed footpath would run approximately 2.63km on the inland side of the railway. It was considered that the proposal was an improvement to the Coastal Path, a significant improvement to the current footpath (which was currently located on a very busy road) and addressed the requirements of the Welsh Government and Natural Resources Wales – the option was reasonable and had the local support of the Local Member and the Community Council. Should the proposal be approved, the door would be open for the landowners to discuss possible options.

- b) Taking advantage of the right to speak, the Local Member made the following comments:
  - He welcomed the plan in principle
  - There was a lack of public footpath along the coast between Afonwen and Afon Dwyfor
  - It would be good to see a footpath along the coast
  - The current detour was significant following the coast would be more ideal
  - It would be good to get the views of landowners if they preferred a better alternative footpath
  - This was a significant step the proposal should be praised
  - Had consideration been given to laying the footpath on the inside of the railway or was this related to land erosion near the sea?
- c) It was proposed and seconded to approve the application
- ch) During the ensuing discussion, the following observations were made by Members:
  - They hoped that the landowners were ready to discuss alternative options
  - Great to see the footpath being developed and see people using it
  - The road which the footpath was currently a part of was extremely busy
  - They supported the application for walkers only

d) In response to a question as to whether the footpath could also be a bridleway, it was noted that this footpath joined footpath no. 54 and, because it was intended for the footpath to run adjacent to a noisy railway, it was considered unreasonable for horse use.

In response to a question regarding the plan ending in Tŷ'n Morfa and whether there were plans to upgrade the area and connect onwards with the coastal path, it was noted that a bridge of approximately 36m would have to be constructed over the river to continue with the path. Despite significant costs, it was noted that this was the wish for the future, but it was not part of this plan.

In response to a question about why the footpath had to be on the inland side of the railway which would mean that it would not be possible to get views of the sea, and whether consideration could be given to 'automatic roll back' as was being done in England, it was noted that Network Rail owned the land on the side of the sea and they were unwilling to lay a footpath here. It was reiterated that there were no roll back powers in Wales.

# **RESOLVED:** To approve the application:

- a) To prepare and submit a Section 26 Creation Order to secure public access over a substantial parcel of land (2.63km) in private ownership.
- b) Should no objection to the order be received, or should an objection be received which is withdrawn at a later date, that the Order is approved.
- c) Should an objection be received which is not withdrawn, that the Council submits the creation order for the attention of PEDW for a decision.

#### 6. 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.

# 6.1 APPLICATION NUMBER C23/0673/45/AM Land off Caernarfon Road, Eastern Plot, Pwllheli, LL53 5LF

Application for the construction of residential dwelling houses including access

Attention was drawn to the late observations form

a) The Planning Manager highlighted that this was an outline application for a residential development of 24 houses in Pwllheli on a plot of land to the east of the Aldi supermarket site. Members were reminded that the Planning Committee's decision at the end of March 2025 had been to refuse the application contrary to officers' recommendation due to the lack of affordable housing, lack of information about the housing mix / balance and the harmful impact on the Welsh language. In accordance with the instruction of the Assistant Head of Environment Department, as there was a significant risk to the Council in respect of the intention to refuse the application contrary to the recommendation, the application was referred to a cooling off period.

It was reported that the application had now been amended to include 30% of affordable housing and was therefore being re-submitted to the Council for further consideration based on the changes.

It was noted, although detailed plans and landscaping were not part of the application, that there was a need to consider the principle of the proposal, as well as the access details – should the application be approved, the applicant would be required to submit another application to agree on the reserved matters.

In the context of the principle of the development, it was expressed that developing houses on the site was acceptable as the land was within the development boundary of Pwllheli and had been earmarked for residential development within the LDP. It was considered that the proposed development density was acceptable given the levels of the site, but there was a need to protect biodiversity and provide a sustainable drainage system and an open play area.

It was explained, from the perspective of Pwllheli housing figures, that the proposal was acceptable due to the designation of the site for houses where there was an expectation of 150 new houses, although accepting that 150 would not be possible due to the physical constraints of the site and the presence of the Aldi supermarket. Attention was drawn to Policy TAI 15 which required an affordable housing contribution on residential developments of two or more units. A contribution of 30% was required for Pwllheli and this provision was now being offered – 30% for this development was equivalent to 7.2 units and was in accordance with the Supplementary Planning Guidance – Affordable Housing, this would mean providing 7 affordable units and a commuted sum for the remaining 0.2, or providing 8 affordable units.

It was elaborated that the applicant had noted that they hoped a registered social landlord (RSL) and/or a housing developer/builder would be involved in the development by the time a reserved matters application was submitted and that this could offer a way forward in providing affordable housing through the possible support of a development grant from the Welsh Government; with the proposal now proposing to provide 30% of affordable housing, it was considered that the proposal was acceptable in terms of Policy TAI 15 of the LDP.

It was highlighted that there was an intention to set a condition to ensure that all the units were dwelling houses to be used as sole or primary residences, namely C3 use. It was elaborated, whilst realising either way that there was no guarantee that the houses would be occupied by Welsh families, the fact that they would be permanent housing would mean that families occupying them would be integrated into the local community with the children attending local schools that provided education through the medium of Welsh. It was acknowledged that there was sufficient capacity within local schools to cope with additional children that would live in the houses.

Reference was made to the Welsh Language Statement which noted that there would be a Welsh name for the houses and there was an intention to use bilingual signs and advertising (this could be conditioned).

In the context of visual impact, it was noted that the site was located in a dip and therefore it was considered that the visual impact would only be locally, and it would be unlikely to have an impact on the wider landscape. Additionally, the houses would be located near the Aldi supermarket with houses within close vicinity and they therefore formed a logical extension to the settlement.

In the context of residential amenities, due to the location of the site in relation to other dwellings in the area, as well as the land levels, it was unlikely that the development would impact residential amenities, but reference was made to the impact of other developments,

as well as the impact of the road on the occupiers of the new houses from the perspective of noise and disturbance. It was elaborated that a noise assessment had been submitted as part of the application and the Public Protection Unit was happy to impose conditions to protect the amenities of the houses' residents.

Attention was drawn to the details of the access which were in accordance with the details approved as part of the Aldi application, and the Transportation Unit was keen to impose conditions to ensure that the work was completed. It was elaborated that it would be a requirement for the applicant to commit to a Section 278 agreement with the Council to include matters such as reviewing the speed limit, introducing street lighting, construction of cycle path/footways, installing bus stops and crossings. It was also noted that conditions could be imposed to ensure archaeological investigations, biodiversity improvement and mitigation measures and a land drainage plan.

The officers recommended to approve the application with conditions.

- b) Taking advantage of the right to speak, the Agent noted the following observations;
  - The application was returning to the committee following a cooling off period as a result of concerns about the lack of affordable housing in the original proposal
  - Follow-up discussions had been held with the planning officers and the Local Member
  - An outline application was being submitted to agree on amending the original application to include affordable housing. There was only an estimation of the number of units within the site, but there would be an agreement to present more information in the future
  - The possibility that a Housing Association would be responsible for the development in the future was noted, as they would be able to offer wider options and attract grants to address the costs
  - There would be more information when the Housing Association and the developer were part of the proposal
  - That the application to revise a plan to provide affordable housing complied with Policy Tai 15
- c) Taking advantage of the right to speak, the Local Member made the following observations;
  - That she appreciated discussions with the agent during the cooling off period
  - Although 30% was the minimum of affordable housing here, the application, despite being an outline application, opened discussions for more housing which would respond to the need in the local community
  - Land was in short supply in Pwllheli and although there were many houses for sale in the town, there was a genuine need for the right houses to respond to the need
  - There was good economy, work and services in the town and therefore there was a need for suitable housing in the community
  - She encouraged the Committee to accept this application, keeping an eye out for a full application in the future the application must respond to the needs of the community and consider the impact on the language, the population and the housing market
- d) It was proposed and seconded to approve the application
- e) During the ensuing discussion, the following observations were made by Members:
  - That several houses were for sale in the town and the wider area constructing more would not help the situation. A suggestion to delay building houses and assist those who were trying to sell

- Welcomed the development
- Welcomed the affordable housing condition

In response to a question about who would then decide on the full details should the outline application be approved, it was noted that a full application or an application to approve reserved matters would be submitted for the Committee's decision. This would include the size and type of houses and how they would address the need.

In response to a question regarding why a 106 condition had not been included in the conditions list, it was noted that that needed to be agreed: should a Housing Association be responsible for the development, they could discharge the condition, but should a private developer be responsible, a 106 condition would have to be implemented before discharging the condition.

RESOLVED: To delegate powers to the Head of Environment Department to approve the application, subject to receiving the observations of the Gwynedd Archaeological Planning Service and to conditions.

- 1. The time in terms of the commencement of the development
- 2. The time in terms of submitting the reserved matters application
- 3. Submission of a reserved matters application for the layout, scale, appearance and landscaping
- 4. In accordance with the plans
- 5. Slates on the roof
- 6. Materials
- 7. C3 use for all housing
- 8. Welsh name for the housing estate and houses
- 9. Welsh and / or bilingual signs
- 10. Submission and agreement of a Construction Environmental Management Plan / Construction Method Statement
- 11. Construction working hours
- 12. Noise levels and reduction of noise and vibration during the construction period
- 13. In accordance with the Transport Assessment.
- 14. Entrance to be completed in accordance with the plans.
- 15. Highways conditions with regard to completing the estate road and pavements together with the street lighting
- 16. Parking
- 17. Prevention of surface water from discharging onto the highway
- 18. In accordance with the Ecological Survey Report
- 19. External lighting scheme
- 20. Submission and agreement of a Management Plan for the woodland
- 21. A condition to complete landscaping work as agreed in the landscaping details.
- 22. In accordance with the Arboriculture Report
- 23. Welsh Water condition to undertake a hydraulic modelling assessment prior to the commencement of the development
- 24. No surface water / land drainage to connect with the public sewer
- 25. Ensure acceptable noise levels in the proposed dwellings
- 26. Submit and agree upon a noise insulation plan

- 27. Submission and agreement of details of a suitable acoustic fence for the gardens
- 28. Development to be undertaken in accordance with the noise assessment.
- 29. Archaeological conditions
- 30. Condition to submit and agree on details to provide 30% affordable dwellings
- 31. Removal of permitted development rights for the affordable dwellings in terms of extensions, outbuildings etc
- 32. Agree and submit details of how open space is intended to be provided as part of the development

#### Notes-

- 1. Major development
- 2. SuDS
- 3. Refer to Dŵr Cymru comments
- 4. Street Works
- 5. Fire Service observations note

# 6.2 APPLICATION NUMBER C23/0671/45/AM Land off Caernarfon Road, Western Plot, Pwllheli, LL53 5LF

Application for the construction of residential dwelling houses including access

Attention was drawn to the late observations form.

a) The Planning Manager highlighted that this was an outline application to erect 12 residential dwellings in Pwllheli on a plot of land between Glan y Don garage and Aldi supermarket.

Like the previous application, (6.1 Application Number C23/0673/45/AM) the decision of the Planning Committee at the end of March 2025 had been to refuse the application contrary to officers' recommendation due to a lack of affordable housing, lack of information about the housing mix/balance and the harmful impact on the Welsh language. In accordance with the instruction of the Assistant Head of Environment Department, as there was a significant risk to the Council in respect of the intention to refuse the application contrary to the recommendation, the application was referred to a cooling off period. By now, the application had been amended to include 30% of affordable housing within the development and therefore the application was being re-submitted to the Committee for further consideration based on these changes.

It was highlighted, although detailed plans and landscaping did not form part of the application, that there was a need to consider the principle of the proposal, as well as the access details. It was noted, should the application be approved, the applicant would need to submit another application to agree on the reserved matters.

In the context of the principle of the development, it was expressed that developing houses on the site was acceptable as the land was within the development boundary of Pwllheli and had been earmarked for residential development within the LDP. It was considered that the proposed development density was acceptable given the levels of the site, but there was a need to protect biodiversity and provide a sustainable drainage system and an open play area.

As noted above, from the perspective of Pwllheli housing figures, the proposal was acceptable due to the designation of the site for houses where there was an expectation of

150 new houses, although accepting that 150 would not be possible due to the physical constraints of the site and the presence of the Aldi supermarket. Attention was drawn to Policy TAI 15 which required an affordable housing contribution on residential developments of two or more units. A contribution of 30% was required for Pwllheli and the provision was now being proposed – 30% for this development was equivalent to 3.6 units and in accordance with the Supplementary Planning Guidance – Affordable Housing, this would mean providing 4 affordable units.

The applicant stated that it was hoped that a RSL and / or a housing developer/builder would be involved in the development by the time a reserved matters application was submitted and that this could offer a way forward in providing affordable housing through the possible support of a development grant from the Welsh Government. Those types of grants would give viability matters in the development of the site a better chance of being supported, compared to the support that would be available to a private sector developer. It must also be remembered that planning permission lasts for 5 years and the situation could change significantly within that time. As the proposal was now for the provision of 30% affordable housing, the proposal was considered acceptable in relation to Policy TAI 15 of the LDP.

It was highlighted that a set of conditions was planned to ensure that all the units were dwelling houses to be used as sole or primary residences, namely C3 use. It was elaborated, whilst realising either way that there was no guarantee that the houses would be occupied by Welsh families, the fact that they would be permanent housing would mean that families occupying them would be integrated into the local community with the children attending local schools which provided education through the medium of Welsh. It was acknowledged that there was sufficient capacity within local schools to cope with additional children that would live in the houses.

Reference was made to the Welsh Language Statement which noted that there would be a Welsh name for the houses and there was an intention to use bilingual signs and advertising (this could be conditioned).

In the context of visual impact, it was noted that the site was in a dip and therefore it was considered that the visual impact would only be locally, and it would be unlikely to have an impact on the wider landscape. In addition, the proposal would infill a piece of land between existing businesses within an area where there were various uses, with housing also found in the vicinity. It was not considered, therefore, that dwelling-houses would look out of place in this location.

In the context of residential amenities, due to the location of the site in relation to other houses in the area, as well as the land levels, it was unlikely that the development would impact residential amenities, but reference was made to the impact of other developments, as well as the impact of the road on the occupiers of the new houses in terms of noise and disturbance. It was elaborated that a noise assessment had been submitted as part of the application and the Public Protection Unit was happy to impose conditions to protect the amenities of the houses' residents.

It was elaborated that conditions could be imposed to ensure a safe access, archaeological investigations, biodiversity improvement and mitigation measures and a land drainage plan.

The officers recommended to approve the application with conditions.

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

- This outline application opened the door to a housing development locally
- There was a need to ensure that the development responded to the local need
- There was a need to ensure that the small space available for construction provided the right type of housing
- Encouraged the Committee to support this outline application, and yet, keep an eye
  out for the full application to ensure that it responded to the need the right price,
  affordable rent, social housing, size, number of bedrooms and that the local /
  community data was correct.
- c) It was proposed and seconded to approve the application

RESOLVED: To approve the application subject to conditions.

# To approve the application subject to the following conditions:

- 1. The time in terms of the commencement of the development
- 2. The time in terms of submitting the reserved matters application
- 3. Submission of a reserved matters application for the layout, scale, appearance and landscaping.
- 4. In accordance with the plans
- 5. Slates on the roof
- 6. Materials
- 7. C3 use for all housing
- 8. Welsh name for the housing estate and houses.
- 9. Welsh and / or bilingual signs
- 10. Submission and agreement of a Construction Environmental Management Plan
- 11. Construction work hours
- 12. Internal noise levels
- 13. External noise levels
- 14. In accordance with the Noise Impact Report
- 15. Details of air source heat pumps including noise levels and any necessary mitigation measures. Highways conditions regarding the completion of the estate road and pavements together with street lighting
- 16. Complete road improvements agreed on application C22/0969/45/LL
- 17. Highways conditions with regard to completing the estate road and pavements together with the street lighting.
- 18. Parking
- 19. Prevention of surface water from discharging onto the highway
- 20. In accordance with the Ecological Survey Report.
- 21. External lighting scheme
- 22. Submission and agreement of details for the meadow / wet meadow
- 23. Submission and agreement of a management plan for the woodland that forms part of the Candidate Wildlife Site.
- 24. A condition to complete landscaping work as agreed in the landscaping details.
- 25. In accordance with the Arboriculture Report
- 26. Welsh Water condition to undertake a hydraulic modelling assessment prior to the commencement of the development
- 27. No surface water / land drainage to connect with the public sewer.
- 28. Archaeological conditions
- 29. A condition to submit and agree on details to provide 4 affordable homes.

- 30. Removal of permitted development rights on the affordable homes in respect of extensions, outbuildings etc.
- 31. Agree and provide details of how open space is intended to be provided as part of the development.

Notes:

Major Development Note SuDS note Refer to Dŵr Cymru and the Fire Service's comments Ordinary Watercourse Consent

# 6.3 APPLICATION NUMBER C25/0186/11/LL Halifax, 243-245 High Street, Bangor, Gwynedd, LL57 1PA

Proposed development for the change of use of an existing property to form 13 self-contained residential flats (C3 use) along the lower ground floor, ground floor, first floor, second and third floors. The proposal also sought to retain an element of commercial floor area on the ground floor for retail purposes (A1).

a) The Senior Planning Officer highlighted that this was a full application to change the use of the existing building into 13 residential flats with the plan to retain an element of floor area for retail use on the ground floor. The flats would be located over the 5 floors with access to the flats through stairs at the rear of the building and access to the retail area from the high street. The development would include a refuse storage and bicycle storage on the ground floor. The self-contained flats would be a C3 use and the retail area would be an A1 use and the front of the shop would remain the same. The work would not involve any external work.

The building was located in the middle of Bangor High Street, within the development boundary of the Sub-regional Centre as defined in the LDP. It was located within a Conservation Area and within the Defined Town Centre and Main Shopping Area.

Reference was made to the indicative supply level of housing for Bangor over the period of the LDP, noting that the provision was already being met through the sites in the land bank. In such circumstances, consideration would be given to the units that had been completed thus far within the Main Centres tier. It was considered that by adding 13 residential units to the housing stock, the development which was subject to this application would help to contribute towards the housing targets of the LDP in a way that responded positively to the requirements of the local housing market. It was elaborated that the size and type of dwellings proposed was an appropriate mix of housing provision and complied with Policy TAI 8.

The application was being submitted to the Committee as it was a development for five or more dwellings.

It was considered that the proposed use was acceptable and met the policy requirements. The officers recommended to approve the application with conditions.

- b) Taking advantage of the right to speak, the Agent made the following observations:
  - The application involved the conversion of an empty building on Bangor High Street to form 13 flats and a retail area
  - The building, which was a former bank, had been empty since April 2023 and had not been used since then

- The proposal offered a suitable use of the building which would meet the housing requirements locally and the viability of the High Street
- Marketing research from estate agents had highlighted that there was a specific demand for rental flats with 1, 2 and 3 bedrooms.
- Although student accommodation houses were available in Bangor, there was a lack of dwellings for professional individuals, couples and small families, with some moving from the city to rent in Ynys Môn, Bethesda and Caernarfon
- The size of the flats would be affordable they would not be out of reach of local people
- The retail unit, despite being small, was available for an affordable rent. This encouraged local businesses to move to the High Street and have a positive economic impact on the area
- The proposal would offer a quantitative impact on the Welsh language Cyngor Gwynedd's Language Unit had sufficient evidence to support this
- The site was located in Bangor City centre, with good access to public transport the location was sustainable and would promote the use of travelling without a car
- The proposal fulfilled the local housing requirements and led to economic benefits in terms of employment and retail use on the High Street
- The proposal was bringing a building that had been empty for two years back into bespoke use.
- c) It was proposed and seconded to approve the application
- ch) During the ensuing discussion, the following observations were made by Members:
  - They welcomed the application
  - Although there were many applications for flats in Bangor presented without the affordable element (offering the excuse that they would be affordable anyway), it was good to see that some of these dwellings had been conditioned to be affordable
  - There was a need for high-quality new dwellings in Bangor e.g., nurses wished to live in places that were convenient for work
  - The numbers attending Bangor University were decreasing, there were fewer people coming from abroad to the city since the lockdown and less demand for multi-occupancy houses. It was stated that Bangor's population would decrease by 4% by 2043 – therefore, who would these houses accommodate? The city was filled with multi-occupancy houses – there was a need for houses for families.

In response to a question regarding parking provision and the tenants' amenity principles, it was noted, in the context of amenity matters such as parking provision, that this was met outside the site by existing public parking spaces and green lands, which was standard for a city centre development. It was elaborated that the proposal met the need for housing and brought an empty building back into use which contributed to the regeneration of the High Street. It was also noted that the application was not for multi-occupancy houses – this was an application for self-contained flats, and the Housing Strategic Unit and research from estate agents had acknowledged the need.

### RESOLVED: To approve the application subject to conditions.

- 1. Time five years
- 2. In accordance with the plans
- 3. Restrict the use to C3 use class residential dwellings only
- 4. Restrict the construction hours

- 5. Sound insulation measures must be imposed and agreed.
- 6. The objectives of the Green Infrastructure Statement must be implemented
- 7. Affordable housing condition

Notes:

Welsh Water Note

# 6.4 APPLICATION NUMBER C22/0579/03/LL Gwylfa Garage, Ffordd Manod, Manod, Blaenau Ffestiniog, Gwynedd, LL41 4AR

Construction of 8 dwellings (use class C3)

a) The Professional Trainee – Planning highlighted that this was a full application for the construction of 8 dwellings with the aim of providing 1 affordable dwelling as part of the development, as well as 18 parking spaces within the site (2 for each property and an additional 2 for visitors). It was noted that the site was located within the development boundary of Blaenau Ffestiniog, and within a World Heritage Site and the Landscape of Outstanding Historic Interest. It was explained that the site was currently empty, with the buildings of the former garage demolished. To the north of the site lies a playing field, to the east there was a football field, to the west was the A470 trunk road and to the south the site bordered with a dwelling house.

The application was submitted to Committee as it was an application for 5 or more dwellings.

It was reported that the development was supported against the indicative supply level for Blaenau Ffestiniog. It was considered that the proposal was acceptable in terms of density and met the requirements of criterion (3) of Policy PCYFF 2 of the LDP. It was elaborated that it would be appropriate to impose a condition for the houses to be restricted to use class C3 only, namely dwelling-houses to be used as a sole or main residence.

It was considered that the mix and type of housing intended was acceptable and met local demand – the proposal was acceptable in terms of Policy TAI 8 and the SPG – Housing Mix. In accordance with Policy TAI 15, a 10% contribution of affordable homes was expected – 8 houses, therefore a 0.8 contribution of affordable units was expected. It was explained, when the requirement for affordable housing fell under 1 unit on the site, then the provision of an affordable unit would continue to be a priority where possible. It was elaborated that the developer had confirmed that plot 1 in the plan would be offered as a site for an affordable dwelling. Consequently, providing this unit on the site would meet the requirements in terms of the number of affordable units.

In the context of the impact on the Welsh language, it was considered that the proposed development would have a neutral impact on the Welsh language. It was highlighted that Welsh names had been recommended for the estate in the Language and Community Statement and it was considered appropriate to impose a condition to ensure a Welsh name for the development in accordance with criterion 5 of Policy PS 1.

Although there were a number of linear developments near the site, examples of housing estates of this type could be found in the area and an estate of the design in question was not considered to be out of character for the area. The proposal in question would offer a variety in the type and size of houses and it was considered that the setting,

appearance, scale, height, and mass of the proposed dwellings would be suitable for the site.

Having considered all relevant planning matters, the officers recommended approving the application with conditions.

- b) Taking advantage of the right to speak, the applicant made the following observations:
  - The planning application was to construct 8 dwellings on the site of a former garage in Manod with an affordable element
  - The plan was suitable and responded to local needs it brought social, economic and linguistic advantages to the area
  - The site, which was already empty, was located within the development boundary of Blaenau Ffestiniog.
  - There was an intention to provide 8 modern homes with a practical internal layout which respected the character of the area, with the Stad yr Ysgol houses
  - There would be one affordable unit and every property would include 2 parking spaces, with additional spaces for visitors
  - One of the strengths of the scheme was the commitment to use Welsh names on the properties and to promote the Welsh language as a natural part of social life
  - A Language and Community Statement had been presented, and they intended to commit to respecting and reinforcing the area's Welsh identity
  - The development gave local contractors and construction workers an opportunity for work during the period of building the project which would mean local income, local jobs and the investment would stay in the community – this was essential in a deprived area like Blaenau Ffestiniog
  - The scheme addressed the local need for housing it enabled young people and families to stay or return to the area – this helped to keep the local population alive and active.
  - The scheme supported Ysgol Gynradd Manod which welcomed the plan. By attracting families with young children, the scheme would contribute directly to the sustainability of the school – It offered a direct benefit to Welsh education in the community
  - Information from the Housing Strategic Unit proved the need for local housing there was currently a lack of semi-detached homes in the area
  - The site was located next door to the playing field which was ideal for families
  - The scheme would bring many benefits to Manod housing for local people, work for local contractors, support for the Welsh language, appropriate parking provision and a positive impact on the school and the community.
  - The scheme was balanced, responsible and socially beneficial it complied with local planning guidelines and policies
- c) Taking advantage of the right to speak, the Local Member made the following observations
  - This had been the Capel Gwylfa site before the garage
  - There were no strong local objections to the application
  - There was a need to keep to the Welsh names
  - There was sufficient capacity in the school for the children of the houses
  - Supportive of the application, but wished to see a condition to facilitate traffic issues near the entrance of the development

In response to a request for a condition, the Assistant Head of Department noted that the Trunk Road Agency had not objected to the application and as there was a trunk road here, the Agency would review the situation in terms of safety issues. It was suggested for the

Planning Officers to directly contact the Agency and the Council's Transport Officers to discuss the matter and try to scope potential improvements. It was explained that this could not be conditioned but it would certainly be possible to hold discussions.

- ch) The approval of the application was proposed and seconded
- d) During the ensuing discussion, the following observations were made by members:
  - This was a development that would fill a plot of land in Manod
  - There would be no overlooking as there were playing fields bordering the development

RESOLVED: To delegate powers to the Head of Environment Department to approve the application, subject to a 106 agreement for an affordable dwelling and to conditions relating to the following:

- 1. The time in terms of the commencement of the development
- 2. In accordance with the plans
- 3. Slates on the roof
- 4. Materials
- 5. C3 use for all housing
- 6. Welsh name for the housing estate and houses.
- 7. Welsh and / or bilingual signs
- 8. Construction working hours
- 9. Capel Gwylfa date stone to be installed in accordance with the approved plan prior to occupation of the houses.
- 10. In accordance with the Land Contamination Inspection Report.
- 11. NRW condition relating to unidentified contamination.
- 12. Submit and agree on foul water drainage details.
- 13. Transport Department (Welsh Government) conditions relating to the access and road safety.
- 14. Landscaping work in accordance with the details submitted, in the first planting season following occupation / completion of the development and replanting if any tree / hedge fails within 5 years.
- 15. Bird and bat boxes to be installed in accordance with the Green Infrastructure Statement before the houses are first occupied.

Notes:

SuDS note

Refer to observations from Dŵr Cymru and the Transport Department (Welsh Government) – submit.

#### 6.5 APPLICATION NUMBER C24/0804/03/DT

Glan Dwyryd Pencefn, Tanygrisiau, Blaenau Ffestiniog, Gwynedd, LL41 4BW

Proposed siting of a twin lodge as an annex with decking.

Attention was drawn to the late observations form.

a) The Planning Manager highlighted that this was an application to site a chalet in the form of a twin lodge to be used as an associated annex to the main property, as well as installing a decking and a ramp which would measure approximately 0.5m high at its highest point and surround the proposed chalet. It was elaborated, because of its construction as a twin lodge and its location within the property's curtilage and its use (which would be supplementary to the use of the main property), the chalet would not require planning permission, therefore it was highlighted that only an assessment for installing the decking and ramp was required.

It was reported that the site of the proposed development was located outside any development boundary, and within a Landscape of Outstanding Historic Interest area and within 500m of a scheduled Monument.

It was explained that the proposed decking and ramp were to provide accessible access to the chalet, and it was considered that the location of the decking was acceptable where existing vegetation would mitigate any impact to the south west. It was not considered that the decking would have a significant detrimental impact on the amenities of nearby residents, as it would be located on the side of the chalet facing the curtilage of the property which was the subject of the application. It was elaborated that the closest dwelling was approximately 15m from the proposed decking, and reference was made to an objection that had received based on installing additional lighting on the site. It was acknowledged that lighting could lead to a nuisance for nearby residents, and to this end it was considered appropriate to impose a condition to agree on any external lighting on the decking.

It was acknowledged that objections had also been received from nearby residents, and the observations included a reference to the chalet and the impact on the current sewage handling system on the site, but as there was no need for planning permission for the chalet, these matters were beyond what could be controlled through the application in question.

It was concluded that a condition could be imposed to carry out biodiversity improvements.

The officers recommended approving the application.

- b) Taking advantage of the right to speak, the Applicant made the following observations:
  - The only reason for submitting the application was because of his father's disability and the site that he currently lived in was unsuitable – he lived in one room, was unable to have a shower and often fell.
  - The situation was heartbreaking and therefore they were presenting an application to make his parents' lives easier, and his life easier to be able to be near his family to support them
  - The chalet's layout would mean access to a bathroom and more space to move he
    was currently only able to get out of bed into the chair
  - The stairs to the existing house were unsuitable and it was difficult having to use various equipment to get him into the house and out with the stairs.
  - It was not an easy decision as the house had been a family home going back centuries, which had never been sold, but due to the health of his parents, these steps would have to be taken
  - A local, Welsh family his parents had worked throughout their lives until his father had a stroke, and as a result, everything had had to change completely.
- c) The Local Member had declared a prejudicial interest and therefore did not speak on the application
- ch) The approval of the application was proposed and seconded
- c) During the ensuing discussion, the following observation by the Member was noted:

 Given the circumstances of the application, it was a surprise that the Community Council objected

In response to a question regarding the fact that planning permission was not required for a twin lodge, it was noted that a twin lodge was defined as a caravan and if a caravan was sited within a property curtilage as supplementary use to that property, planning permission was not required.

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

- 1. 5 years
- 2. In accordance with plans
- 3. Agreement required on any external lights
- 4. Green Infrastructure Statement condition.

# 6.6 APPLICATION NUMBER C25/0008/39/LL Berth Ddu Caravan Park, Bwlchtocyn, Pwllheli, Gwynedd, LL53 7BY

Increase the number of caravans to a total of 15 touring units, construction of toilet/shower block, landscaping and associated works.

Attention was drawn to the late observations form.

a) The Planning Trainee highlighted that this was a full application for extending an existing caravan site into an adjacent agricultural field, as well as the construction of a new toilet and shower block, landscaping and associated works. It was noted that the site was located outside the development boundary and was therefore considered a site in open countryside.

Attention was drawn to the fact that the property was within the Llŷn Area of Outstanding Natural Beauty and within the Llŷn and Enlli Landscape of Outstanding Historic Interest, with the site served by a single lane, unclassified rural road. It was elaborated that the land in question had been graded as class 2 land, namely good quality agricultural land. Reference was made to paragraph 3.58 of Planning Policy Wales (PPW) which noted that "agricultural land of grade 3a, as well as grades 1 and 2, in the Agricultural Land Classification (ALC)16 is deemed as the best and most versatile and should be conserved as a finite resource for the future."

Having researched the planning history of the site, it seemed that no Planning permission existed for caravans on the site and although there was a 'Caravan and Motorhome Club' certified sign displayed there, following enquiries with the exempt Club, confirmation was received that there was no longer a certificate for the site. Consequently, this was not an application to extend an existing site, but an application for a new touring caravan site (15 caravans).

The application had been submitted to the Committee as it was a development on a site of 0.5 hectare or greater in size.

Consideration was given to policies TWR 5, AMG1 and PS6 of the LDP.

It was reported that although the application stated that trees and extensive hedgerows concealed the site from every vista, from inspecting the site, the quality of landscaping on

the site's cloddiau boundaries was weak overall. It was elaborated that the site was separated from the county road by only a field's width, with relatively bare cloddiau on the eastern boundaries, which would make the site prominent from the public road running past the property and from a public footpath that was one field to the west of the site. Although the site was fairly level, the views would be limited but would be prominent from the adjacent road and from higher lands in Bwlchtocyn and some areas along the area's public footpaths. It was acknowledged that they intended to reinforce the screening of the site by improving and adding landscaping to the existing cloddiau, but given the site's high and open location, there was no certainty that the landscaping would establish itself and it was emphasised that it would take many years to sufficiently screen the site, if at all. It was noted that reliance on landscaping to form a sufficient screen contained an element of risk, with doubt that adequate screening could be secured in the short term.

Reference was made to policy AMG 1 which noted that there was a need for proposals within or affectin the setting/views into or out of the AONB to consider the AONB Management Plan. Attention was drawn to observations from the AONB unit which noted that "...there was a significant number of touring caravans in the Sarn Bach/Bwlchtocyn area which put pressure on the AONB environment and local services." Therefore, it was not considered that the touring caravan units would easily assimilate with the landscape, and it was not considered an unobtrusive location that was well-concealed by the existing features of the landscape, therefore the development would be detrimental to the visual quality of the landscape. The proposal would not add to the preservation, enhancement or restoration of the recognised character of the Llŷn Area of Outstanding Natural Beauty.

Concern was noted about creating a new caravan site a considerable distance from the main roads network along a busy rural road where there was a high density of holiday sites, and the impact of the associated development work on the features and character of the landscape. It was considered that the proposal was contrary to the relevant requirements of Policies TWR 5 and AMG 1 of the LDP and the Supplementary Planning Guidance (SPG): Tourist Facilities and Accommodation. Insufficient evidence had been presented as part of the planning application to highlight that full consideration had been given to the impact of the loss of the best and most versatile agricultural land. It was considered that the application was contrary to the requirements of criterion 6 of Policy PS 6 of the LDP, as well as the advice provided in paragraphs 3.58 and 3.59 of Planning Policy Wales.

The officers recommended that the application be refused

- c) It was proposed and seconded to refuse the application
- ch) During the ensuing discussion, the following observations were made by the Member;
  - The site operated through a club licence for 5 plots, but now had 7 plots 2 plots were there without agreement
  - The application intended to increase from 7 plots to a total of 15 plots no planning permission existed for the caravans, this would be an application for a new touring caravan site

RESOLVED: To refuse the application in accordance with the recommendation.

## Reasons:

 It is not considered that the proposed units would easily assimilate to the landscape and therefore it is not considered an unobtrusive location that is wellconcealed by the existing features of the landscape, so the development would be detrimental to the visual quality of the landscape. The proposal would not add to the preservation, enhancement or restoration of the recognised character of the Llŷn Area of Outstanding Natural Beauty. There is also concern about creating a new caravan site a considerable distance from the main roads network along a busy rural road where there is a high density of holiday sites, and the impact of the associated development work on the features and character of the landscape. Therefore, the proposal is considered to be contrary to the relevant requirements of Policies TWR 5 and AMG 1 of the Anglesey and Gwynedd Joint Local Development Plan and the Supplementary Planning Guidance (SPG): Tourist Facilities and Accommodation.

 Insufficient evidence has been presented as part of the planning application to demonstrate that full account has been given to the loss of the best and most versatile agricultural land. It is therefore considered to be contrary to the requirements of criteria 6 of Policy PS 6 of the Anglesey and Gwynedd Joint Local Development Plan 2011-2026 and advice provided in paragraphs 3.58 and 3.59 of Planning Policy Wales.

# 6.7 APPLICATION NUMBER C25/0361/30/LL Ael y Bryn, Rhiw, Pwllheli, Gwynedd, LL53 8AG

Full application to demolish the existing house (C3) and garage and erect a new three-bedroom house (C3) in its place.

Attention was drawn to the late observations form.

a) The Senior Planning Officer highlighted that this was a full application to demolish an existing two-storey house and erect a new three-bedroom two-storey house in its place. In addition, the applicant planned to carry out external alterations, including the removal of the existing single-storey garage and the creation of parking spaces. The new house, of the same footprint, would offer a living room, a dining room/kitchen, a shower room and a hall on the ground floor and three bedrooms and a bathroom on the first floor.

It was noted that the applicant had confirmed that the property would be a social house, with Cyngor Gwynedd's Housing Options Team leading on the process of allocating the property jointly with Cynefin for users on the waiting list. It was added that the plan was to let the property as an intermediate property, and the priority would be to look at this tenure first, and if so, advertise it through Tai Teg.

It was explained that the site was located outside any current development boundary and was therefore in open countryside within the Llŷn and Enlli Area of Outstanding Natural Beauty and the Llŷn and Enlli Landscape of Outstanding Historic Interest designations. There were two detached dwellings adjacent to the site and an unclassified public road ran along the eastern boundary of the site. It was noted that the existing building was in a fragile condition and a security fence protected the site.

The application had been submitted to the Planning Committee for a decision after receiving observations from the Local Member who confirmed that he objected the proposal.

It was considered that the proposal complied with the planning policies and guidelines and therefore the officers recommended to approve the application with the conditions listed in the report, as well as additional conditions relating to agreement on finish, doors, windows and details of boundary treatments.

- b) Taking advantage of the right to speak, the Agent made the following observations
  - The intention was to demolish the existing property and erect a new three-bedroom house which would fulfil the local housing needs
  - Ael y Bryn had been owned by Cynefin since it was left to them in a will
  - They acknowledged that the property had been empty for a long time, but it was challenging to get a plan for it which was viable and sustainable
  - The property was unsuitable for a family in its current form
  - It did not meet the Welsh Government's housing quality standards and repair works in its current structural form would also not satisfy the standards either, e.g., the structural report highlighted that the existing stairs created a risk to any occupier and re-doing them would mean losing a bedroom
  - The best option would be to demolish and create a new property which would comply with the Welsh Government's requirements for new houses
  - Cynefin would lead on the work with grant support from the Welsh Government which would be managed through Cyngor Gwynedd's development programme – it would address Cyngor Gwynedd's Housing Strategy
  - Cynefin had consulted and worked with relevant consultees to ensure that the plans were acceptable and had also met with Aberdaron Community Council and Cyngor Gwynedd officers to discuss the plans – they were thanked for their observations.
  - Although acknowledging concerns from some about the design and that it did not suit the area, it was noted that there was an intention to reuse stones from the old house on the new house
  - The application complied with planning policies
  - It was intended to let the new house on rent, prioritising intermediate rent through Tai Teg policies which prioritised local connection as part of their requirements
  - The waiting list showed that there was a need for properties in Rhiw
  - Tai Teg provided housing for local people, including those who spoke Welsh
  - Requested that the Committee approved the application for an affordable house in Rhiw
- c) Taking advantage of the right to speak, the Local Member made the following observations
  - Ael y Bryn was a traditional cottage which was a wider part of a cluster of traditional cottages in Mynydd y Rhiw which lay in the centre of the Llŷn AONB
  - It was part of the Llŷn Heritage Coast and abuts the Pen Llŷn a'r Sarnau SAC.
     Cottages that should be protected from this type of development
  - The proposed application was contrary to the following policies: AMG1 Applications
    that negatively impact views in and out of the AONB are refused; AMG3; AMG4;
    PS19. The Councils will manage developments in order to conserve and, where
    relevant, enhance the natural environment, the countryside and coastline of the plan
    area and proposals that will have a substantial detrimental impact are refused.
  - The new development was also contrary to the Llŷn AONB Dark Skies
  - Ael y Bryn had been left to Tai Eryri / Cynefin in the former owner's will with a condition that a local young family settled there – this happened 12 years ago

- The feeling locally was that Cynefin had deprived a local family from having a home, and with the property being empty for over a decade, the structural work had deteriorated
- Following a presentation from Cynefin explaining the option to demolish, the rationale behind this had been highlighted, noting that the property had to attain a grade A score for energy efficiency – to reach that, the only option would be to demolish and re-construct to secure a grant
- Despite accepting the rationale, the new house must be similar to the original property and suit the area and keep its character insufficient effort had been made with the proposed application to ensure this
- According to the observations of the AONB Officer, it was noted that the traditional building contributed to the character of the AONB and he had suggested a condition to ensure a requirement for windows that were traditional in size to suit and restrict floodlights. However, these conditions had not been included in the report – therefore, why ask for observations? It was considered that the committee had a duty to consider the AONB Officer's observations and conditions
- There was too much plastic cladding on the new house plan this did not suit needed more natural stone use
- Was not asking the Committee to refuse the application as this would deprive a grant
  to renovate the cottage which would consequently remain empty, but improvements
  had to be made to the application to suit the area and keep the character of Ael y
  Bryn.
- ch) It was proposed and seconded to conduct a site visit

Reason: A cluster of traditional cottages were being lost – needed to give an opportunity to the Committee to familiarise itself with this natural location to assess the visual impact of the site

- d) During the ensuing discussion, the following observations were made by Members:
  - There was no need for a modern house, like a Hollywood-type house in the middle of traditional cottages
  - There was a need for a plan and design that suited the area
  - A site visit removed the grant the priority was to build a house for local people

## RESOLVED: To defer a decision and conduct an inspection site visit

# 6.8 APPLICATION NUMBER C25/0204/41/LL Land adjacent to Maes Llwyd, Llanystumdwy, LL52 0SQ

A proposal to construct 5 affordable dwellings, including work to form an internal access road, hard and soft landscaping and associated drainage provisions on land near Maes Llwyd, Llanystumdwy.

Attention was drawn to the late observations form.

a) The Professional Trainee – Planning highlighted that Policy TAI 16 ('Exception Sites') enabled housing developments on sites that were outside, but abutted the development boundary, however it must be ensured that the proposal complied effectively with the Policy requirement. It was reported that the proposal was for 100% intermediate affordable housing

in the form of shared ownership. A housing needs survey had been submitted with the application which stated that there was a need for this type of housing in the Llanystumdwy area on the grounds that those who needed the affordable housing were being priced out of the market. In addition, the Housing Strategic Unit had confirmed that the proposal addressed the need for intermediate affordable housing locally and that the definition of local in this case meant people who needed affordable housing and had a 5-year connection to the Local Village of Llanystumdwy or its rural hinterland. As a result, it was considered that the local need had been proven for affordable housing, and any permission would be subject to a planning condition to secure the affordable provision.

In the context of the location of the application, it was considered that the site was suitable for such a residential development as it offered an extension to an existing housing estate and would comply with the current use of the land next to it, and due to the small nature of the development of five houses. It was noted that the planning statement explained that the units would be developed by Tŷ Gwynedd and then sold based on an equity model which would enable the buyer to purchase the property for an affordable price. The Strategic Housing Unit had been consulted and stated that there was 68 people on the common housing register for social housing in the area, and there were 19 applicants on the Tai Teg register for intermediate housing, with the highest demand being for two-bedroom houses and the second most popular for three-bedroom houses. The Strategic Unit noted that the proposed plan addressed the need in the area and noted that the plan contributed directly to the aim of Cyngor Gwynedd's Housing Action Plan to provide more housing to meet the existing high demand in the County.

The site was located within 25m of two grade II listed buildings and the Llanystumdwy Conservation Area. It was reported that these buildings were currently surrounded by stone dwellings, and due to the elements of stone that would be present in the appearance of the proposed houses and its link with the Maes Llwyd estate, it was considered unlikely that the proposed development would have a significant detrimental impact on the listed buildings or on the Llanystumdwy Conservation Area. It was therefore considered that the development complied with policy AT1 and PS 20 of the LDP.

Attention was drawn to the Welsh Language Impact Assessment which had been submitted to support the proposal, and the Language Unit confirmed that sufficient evidence had come to hand to support the conclusion that the development would likely have a generally beneficial impact on the area.

The Officers recommended to approve the application with conditions.

- b) Taking advantage of the right to speak, the Local Member made the following observations:
  - He was supportive of the application for 5 houses
  - The scale was acceptable for the local need
  - There was an intention to submit part-ownership plans which was a plan that was worth being encouraged welcomed this trial
  - Concern had been highlighted in the observations about the data which showed the demand for housing – although confusing, in terms of this model, it was considered that 5 were on the Tai Teg purchase register and 10 on the Tai Teg rent register and therefore this was to be welcomed. Should the application be for 15-20 houses, then better data would be required to justify the need
  - Supportive and pleased with the part-ownership schemes for the site

c) It was proposed and seconded to approve the application, noting that it was a plan for 5 houses under the Gwynedd Housing plan. It would be great to see similar plans across Gwynedd.

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

- 1. Five years.
- 2. In accordance with the plans.
- 3. Slate
- 4. Removal of permitted development rights
- 5. Affordable Matters
- 6. C3 use only
- 7. Agree on a Development and Environment Management Plan
- 8. Welsh name for the housing estate and houses.
- 9. Biodiversity matters
- 10. Public Protection Matters
- 11. Highways Matters:
  - A Construction Traffic Management Plan (CTMP), Traffic Management Plan (TMP) and a pre-condition survey of the kerbs and surface of Maes Llwyd must be submitted to and agreed with the Planning Authority prior to the commencement of any work on the site.
  - The car parking space shall be completed in full accordance with the details as submitted before the dwelling(s) is/are occupied.
  - The road and footways shall be surfaced to base-course and illuminated prior to the occupation of any dwellings that they serve. The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the site or such any other period as may be agreed in writing with the Local Planning Authority, whichever is the sooner.
  - The applicant must take every precaution to prevent surface water from the curtilage of the site from discharging onto the highway.

Notes: SuDS note

Welsh Water Note

The applicant is instructed to write to the Street Works Manager to receive permission under Section 171/184 of the Highways Act, 1980 to undertake any work within the road/pavement/green verge which is required to construct the access.

-	CHAIR			
The meeting con	ililieliceu at	13.00 and	concluded	at 15.25
The meeting con	amanaad at	12:00 and	aanaludad	ot 15:25

Agenda Item 5.1

PLANNING COMMITTEE	DATE: 08/09/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 1

**Application** 

C25/0361/30/LL

Number:

Date Registered: 13/05/25

**Application** 

**Full** 

Type:

**Community:** Aberdaron

Ward: Pen draw Llŷn

**Proposal:** Full application to demolish the existing house (C3) and

garage and erect a new three-bedroom house (C3) in its

place

Location: Ael y Bryn, Rhiw, Pwllheli, Gwynedd, LL53 8AG

**Summary of the** 

**Recommendation:** TO APPROVE WITH CONDITIONS

PLANNING COMMITTEE	DATE: 08/09/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

# 1. Description:

- 1.1 Members are reminded that this application has been previously discussed with a recommendation for approval from officers at the time. The decision was deferred in the Planning Committee held on 14.07.2025 order to conduct a site visit. Full application to demolish an existing two-storey house and erect a three-bedroom two-storey house in its place. In addition, it is intended to maintain external alterations, including the removal of the existing single-storey garage and creation of parking spaces.
- 1.2 It is intended to erect the new house completely over the footprint of the existing house but larger in terms of its size, including surface area and height and set back further from the side of the adjacent road compared to the location of the existing construction. Currently, a two-storey house is seen on the site, comprising of a hall, a kitchen, a living room and bathroom on the ground floor and three bedrooms on the first floor. It is of a relatively small size (approximately 78m²) and a simple appearance. It is seen that the original building has been extended in the past by erecting an extension in the form of a conservatory on the elevation facing the garden, whilst two extensions extended to the nearby road, one was possibly original with a pitched roof and the other more recent with a flat roof. The roof of the main building comprises of a natural slate finish whilst the walls are a mix of natural stone and render, and the original openings are simple but equate to each other. The new house would be two-storeys with the internal layout as follows:
  - Ground floor lounge, dining room/kitchen, shower room, hall
  - First floor three bedrooms, a bathroom.
- 1.3 The building's external finish includes a pitched roof from natural slate with integrated solar panels whilst the walls would be a mix of natural stone and cladding. It is seen that there would be various openings to be included with a light grey finish. It is noted that the collective size of the new building would be 95m<sup>2</sup>.
- The site is located outside any existing development boundary and therefore in open countryside. The location of the houses in the local area are dispersed and vary in terms of size, form and finish, including single-storey and two-storey houses. Two separate houses are adjacent to the site. A public unclassified road runs adjacent to the eastern boundary of the site. There is already an entrance into the site which is currently restricted due to a safety fence protecting the site, but it is seen that a parking space and a single-storey flat-roof garage is on a separate part of the site. The level of the land falls from the road towards the furthest garden boundary with agricultural land extending beyond the garden boundaries to the western and northern direction.
- 1.5 The site is situated within the Llŷn Area of Outstanding Natural Beauty and the Llŷn and Enlli Landscape of Outstanding Historic Interest designations. The Seacliffs of Pen Llŷn Special Area of Conservation (SAC) and the Mynydd Penarfynydd Site of Special Scientific Interest designations are approximately 50m away from its closest part from the site to the south-eastern direction whilst there is land designated as the Bryn Tirion Wildife Site abutting the adjacent public road to the east.
- 1.6 As part of the application, the following information was submitted:
  - Planning Statement
  - Bat survey and initial ecological report (which includes a Green Infrastructure Statement)
  - Survey of protected species
  - Drainage Strategy
  - Property Structural Condition Report

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- 1.7 The application is submitted to the Planning Committee for a decision after receiving the observations of the Local Member, who confirmed that he objected to the proposal for the following reasons:
  - Ael y Bryn is a traditional cottage which is a wider part of a cluster of traditional cottages in Mynydd y Rhiw which lies in the centre of the Llŷn AONB
  - It is part of the Llŷn Heritage Coast and abuts the Pen Llŷn a'r Sarnau SAC. Cottages should be protected from this type of development.
  - The proposed application is contrary to the following policies: AMG1 Applications that negatively impact views in and out of the AONB are refused; AMG3; AMG4; PS19 The Councils will manage developments in order to conserve and, where relevant, enhance the natural environment, the countryside and coastline of the plan area and proposals that will have a substantial detrimental impact are refused.
  - The new development is also contrary to the Llŷn AONB Dark Skies.

#### 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 (Wales) Act 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.

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

PS 1: The Welsh Language and Culture

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS 5: Sustainable development

AMG 1: Areas of Outstanding Natural Beauty Management Plans

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AMG 5: Local Biodiversity Conservation

PS 1: The Welsh Language and Culture

TRA 2: Parking standards

TRA 4: Managing transport impacts

TAI 13: Replacement Dwellings

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

Also relevant in this case are the following:

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

### 2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Note 12: Design

Technical Advice Note 6: Planning for sustainable rural communities

### 3. Relevant Planning History:

- 3.1 34/70/62 Construction of a conservatory, a bedroom and a toilet Approved 27/04/70
- 3.2 34/70/62A Construction of a garage Approved 20/01/71

### 4. Consultations:

Community/Town Council: Not received

Transportation Unit: I refer to the above application and I confirm that the transportation

unit does not have any objection. The applicant should consult with the Streetworks Manager regarding any work near the highway.

Welsh Water: The proposal intends to connect the site's sewerage and surface

water systems to the public sewerage system and sustainable drainage system. A connection to the public sewerage system is acceptable. Standard advice is given regrading issues of suds and

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general drainage.

**Biodiversity Unit:** 

The ecological reports have been created to a good standard. This development would avoid significant impact on biodiversity. Biodiversity improvements must be included and shown on the plans.

**Public Protection:** 

Point 3.1 of Ael y Bryn, Rhiw Planning Statement by Caulmert Limited Document Reference: 5289-CAU-XX XX-RP-T-0300.A0.C1 April 25 states that - Air Source Heat Pump and solar panels have also been included in the design to increase the properties sustainability credentials. A noise assessment has not been included in the application and I have attached the advice note on the Department's requirements when submitting such information, without this information, we are unable to make observations or present recommendations.

**AONB Unit:** 

Ael y Bryn is located in a rural area in Y Rhiw and within the AONB. A public road runs behind the house, there are trees and hedges in front of it.

It is a historic stone house with a slate roof and some more recent additions. It is noted from the report that its condition is poor, but it is structurally sound. Traditional buildings such as Ael y Bryn contribute towards the character of the AONB. Polisi HP2 in the AONB's Management Plan notes the following: Protect and maintain the historical features including archaeological remains and structures and historical buildings and their setting.

If it decided to demolish and erect the new house in question, windows of a more traditional appearance and size are suggested at the front elevation to suit the area and restrict light outflow.

Natural Resources Wales:

We do not oppose the proposed development as submitted and we provide the following standard advice regarding matters such as Protected Sites; Protected Species; and Designated Landscape.

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.

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Public Consultation:

A notice was posted on the site and nearby residents were notified. The advertisement period has expired, and one letter / item of correspondence was received objecting on the following grounds:

- the modern design of the new development which would suit a new estate of urban housing perhaps but completely unsuitable on the outskirts of a rural village such as Y Rhiw.
- Ael y Bryn is one of the few traditional houses which has retained some character and I believe, with some alterations, it would make a comfortable home without causing any disruption to the surrounding area.

# 5. Assessment of the material planning considerations:

# The principle of the development

- 5.1 It is a requirement that planning applications are determined based on the attributes of the specific scheme in question and in accordance with the adopted development plan, unless other material planning considerations state otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case.
- 5.2 The site is located in open countryside in a comparatively remote location in the area of Rhiw with other residential houses scattered within the local area. Policy PCYFF1 of the LDP states that outside the development boundaries, proposals will be refused unless they are in accordance with specific policies in the LDP or national planning policies or that the proposal shows that its location in the countryside is essential, while criteria 1 of policy PCYFF 2 notes that the proposal should demonstrate its compliance with all the relevant policies in the plan.
- 5.3 Policy TAI 13 allows proposals to rebuild a house if it conforms to the following criteria, where appropriate:
  - 1. Outside development boundaries or identified clusters, the present dwelling has a lawful residential use;

Although it is assumed that the existing building has not been used for residential purposes for some time, there are doors and windows in place to protect the property and the site itself is protected with a security fence which, as a result, protects the building and the site. As a result, the Local Planning Authority does not have a sufficient reason to conclude that the use rights as a dwelling have come to an end.

2. The building is not a listed building;

The house is not listed.

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

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This is a building of its period which conveys a simple building which was a local characteristic during the last century. Although it is not considered that there is a unique or completely special architectural value to the dwelling, it stands discreetly within the site. However, it is not believed that it is of sufficient value to consider retaining it as it is.

4. Outside development boundaries, it is not possible to retain the existing building through renovation or extension and/or it can be demonstrated that repairing the existing building is not economically feasible;

Information/evidence was received as part of the application to justify the demolition. It is seen that it does not meet the current standards in terms of energy efficiency and so on, and repairing the current building would be problematic, costly and impractical to satisfy such requirements

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

## Not applicable

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

The new house would be completely over the footprint of the existing house.

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

The proposed house would be larger than the existing one, but it is noted that the existing house is relatively small and restricted in terms of its form and internal arrangement. The proposed house has been designed with a ridge roof that is higher than the ridge of the existing building but would be lower than the highest part of the existing chimney. It is believed that there would be a minor visual impact as a result of the proposal, whether it is within the site and nearby area and areas further away. It is acknowledged that the proposal was larger than the existing property in terms of height and floor area (95.1m² compared to the existing 78m²), but as a comparison with standard measurements for affordable housing, it is seen that it would be lower than 110m² as suggested for a three-bedroom two-storey affordable house. Given all the relevant planning matters and having conducted a full assessment, it is not considered that the proposal leads to an unacceptable visual impact compared with the existing building and therefore complies with this criterion.

8. In areas at risk of flooding and outside the Coastal Change Management Area: i. A flood consequence assessment has been undertaken for the development, and satisfactory risk mitigation measures has been identified; ii. The dwelling will incorporate flood mitigation and resiliency measures in accordance with Community and Local Government (CLG) publication 'Improving the flood performance of new buildings; flood resilient construction'; iii. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overtopping of the tidal defences; iv. A flood warning and evacuation plan has been prepared for the property and will be displayed on the site.

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The site is not on land at risk of flooding.

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

Not applicable.

5.4 Given all the criteria for policy TAI 13, it is considered that the proposal is acceptable and therefore in accordance with the requirements of the criteria of policy TAI 13.

### Visual amenities

- 5.5 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan approve proposals for new developments provided that they do not have a detrimental impact on health, safety or the amenities of the occupiers of local properties or on the area in general. In addition, developments are required to:
  - Contribute to, and enhance the character and appearance of the site
  - Respect the site and surroundings in terms of their location in the local landscape
  - Use appropriate materials
- Policy PCYFF 3 clearly states that all proposals are expected to exhibit a high-quality design that gives full consideration to its context in the natural, historic and built environment. Additionally, developments should add to and enhance the character and appearance of the site in terms of setting, appearance, scale, mass and elevation treatment. They should also respect the context of the site and its place in the local landscape.
- 5.7 The existing property is a two-storey house standing discreetly and insignificantly in the land-scape. Its condition is poor, and it does not contribute positively to the visual amenities of the nearby area. The proposed property, due to its layout, scale, height and mass, would appear to be larger within the site. Although it would be larger, the proposed development would be better in terms of its architecture and therefore it would be visually better than the existing property. The development's design has responded to the existing form and restrictions of the site, which makes the building sit comfortably within the landscape, and it would not significantly increase the visibility of the property against the horizon compared with the existing building.
- 5.8 Each application must be considered on its own merits and each site individually and in this case, it is believed that the proposal has succeeded to improve the character and appearance of the site.
- 5.9 The AONB Officer stated that the existing house is in a rural area in Y Rhiw and within the AONB and traditional buildings such as Ael y Bryn contribute to the character of the AONB. It continues to note that the decision is made to demolish and erect the new house in question, windows of a more traditional appearance and size are suggested at the front elevation to suit the area and restrict light outflow. Despite the concerns, there was no complete objection to the proposal in terms of its impact on the AONB designation. Certainly, there would be change on the site between the current and the proposed, but it is not believed that this change would be widely harmful and certainly would not be completely unfamiliar in terms of the form and design of the building within the context of the local area. Therefore, despite the concerns, it is not believed that they are so significant that it results in a completely harmful impact and it is therefore in accordance with the relevant requirements of policy AMG 1.

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- 5.10 In addition to the AONB, the site is also within the Llŷn and Enlli Landscape of Outstanding Historic Interest designation. However, it is not believed that it would have a wider impact on the historic landscape. Therefore, it is considered that the proposal is acceptable in terms of Policy AT1 of the LDP.
- 5.11 Therefore, in this case, it is considered that the design of the proposal in terms of form, layout, scale and mass is acceptable in terms of its site context and integrates within the context of the nearby area. The proposal is therefore acceptable in terms of the relevant requirements of policies PCYFF 2 and PCYFF 3, criterion 7 policy TAI 13 and criterion 13 of policy PS 5 of the Anglesey and Gwynedd Joint Local Development Plan, 2017.

#### General and residential amenities

- 5.12 The property is located close to other residential dwellings. Open agricultural fields extend beyond the rear boundary of the site and are therefore a consideration regarding the impact of the adjacent housing only is provided. Despite the increase in the size of the proposed building compared with the existing building, it is not believed that there would be a prominent impact on the nearby houses' residential amenities as a result of the distances between then and the presence of a public road. It can be seen that the Public Protection Unit's observation referred to matters relating to the proposed heat pump and as is normal with such features, conditions are imposed to ensure that the unit's noise levels do not impact residential amenities to an unacceptable degree and that it operates in accordance with current standards. It is therefore not considered that it would be unacceptable based on the relevant requirements of policy PCYFF 2.
- 5.13 Therefore, in terms of this element, it is not believed that this development would disrupt the amenities of nearby residential properties to a significantly unacceptable degree. Therefore, having considered the impact in its entirety and having assessed the relevant considerations in full, it is not believed that the proposal would be entirely unacceptable nor, therefore, contrary to the relevant requirements of policy PCYFF 2.

#### Transport and access matters

5.14 No concerns were highlighted regarding the impact of the new development on matters relating to access and movements on the nearby highway and the application is not objected by the highways unit. As usual, it is suggested to include standard notes to ensure that an application for an appropriate licence to maintain the work, as well as notes to protect the interests of the highway and therefore it is considered that the proposal is acceptable in terms of the relevant requirements of Policies TRA 2 and TRA 4.

### **Biodiversity matters**

5.15 It can be seen that ecological assessments have been conducted on the site and reports have been created with the results of the findings. It was noted that the building was not used by bats. A response was received to the consultation from the Biodiversity Unit noting that the assessments had been conducted to a good standard. It is seen that further ecological improvements have been proposed as a result of an observation from the Biodiversity Unit and it is believed that it would be reasonable to reiterate an appropriate condition to ensure that the development is conducted in accordance with the recommendations from the report presented, as well as the Green Infrastructure Statement which also recommends biodiversity improvements and therefore it is believed that compliance can be ensured with the relevant requirements of Policy AMG 5 and advice within TAN 5, as well as a letter from the Climate Change Minister relating to an update to chapter 6 of Planning Policy Wales in relation to green infrastructure and the step-wise approach.

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- 5.16 NRW notes in their response to the consultation "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."
- 5.17 In this case, it is intended to exchange a current house for a new house on an already developed site. The location of the site is outside the SAC designation and is unlikely, due to distances, the nature of the proposal and form and layout of nearby developed sites to lead to a direct impact on this designation subject to following pollution prevention guidelines and advice noted by NRW. Cyngor Gwynedd as the competent authority under the Habitats Regulations has considered the proposal in relation to the SAC and has concluded that the development would be unlikely to have an impact on the SAC itself. It is therefore accepted that the proposal is acceptable based on the requirements of policies AMG 5 and P18 as well as relevant legislation.

# **Housing Matters**

5.18 Information was received to confirm that residential use established within use class C3 (Dwelling houses used as a sole residence or main residence) is the status of the current property, and this would also be the proposed use. Consequently, it is not believed that there is change in the use of the property and no impact on the housing stock locally.

# **Drainage Matters**

5.19 A Drainage Strategy has been presented as part of the application to outline the drainage plan for surface water from the site, and to this end, the proposal complies with the requirements of paragraph 7.6 of Technical Advice Note 15: Development, Flooding and Coastal Erosion.

# **Language Matters**

- 5.20 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.
- 5.21 It is noted that there are some specific types of development 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 for submitting 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.
- 5.22 The proposal submitted is to erect a new house to replace the existing house within an established residential site. It is not considered that the proposed developments are likely to have a detrimental impact on the Language as a result of the proposal as the intention is to exchange one house for a

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new house and therefore it is considered that it complies with the requirements of policy PS1 in that respect.

# Response to the public consultation

5.23 It is acknowledged that an objection has been received to this proposal and we consider that all relevant planning matters have been duly addressed as part of the above assessment. A decision is made based on a full consideration of all the material planning considerations and all the comments received during the public consultation and that no one was let down when considering this application.

### **Relevant Planning History:**

- 5.24 It is believed that it is reasonable here to refer to the previous planning history of this property, as well as a decision made to an appeal in the area against the Council's decision to refuse an application to redevelop a residential property.
- 5.25 It is seen from details of historical application 34/70/62 that erecting a conservatory on the front of this property was approved and as is prominent from the pictures, it is seen that is has been implemented. The form and location of this addition has undermined the general character of the building and, although this does not justify unacceptable developments, it is not believed that the general or native character of the building is fully protected. It is also noted from the details of this historical application that there was a proposal to erect a flat-roof two-storey extension to the rear of the property, near the public road. Should this have been implemented (and there would be a right to do that due to the implementation of the application by erecting the conservatory), another significant change to the building would have been maintained, which would certainly have a significant impact on its character.
- 5.26 The appeal decision made by the Planning Inspectorate is also relevant to approve the redevelopment of a residential property in the area of Y Rhiw contrary to the Council's decision to refuse. This is a development which included modern elements in a prominent location, certainly more prominent than the location of the current application. Here are parts of what the Inspector said at the time: "The current building has a very restricted architectural quality, if that, and as such, it cannot be considered that it makes any positive contribution to the character of the area in terms of historical interest and landscape...it created significant harm to the landscape that it has been located. Therefore, I do not see any overriding value in attempting to retain the current dwelling in its current form, or even in attempting to reproduce the style of the property and extensions of a similar design. On this basis, the development proposed would not harm the character and appearance of the area substantially, and it would take advantage of the opportunity to improve the appearance of the host building and the site of the appeal significantly...the proposal would not be too excessive in public vistas, and it would not lead to a substantial loss of views. The proposal would represent an improvement in the general appearance of the site of the appeal, which is currently substantially degraded by the existing dwelling. Despite its unique design locally, and the fact that the extensions proposed would appear to be significant and present an additional sum of new construction work, the points above lead to the conclusion that the plan would not harm the landscape. Therefore, I believe that the development would not harm the character and appearance of the host dwelling or nearby area, or have a detrimental impact on views into, out of and across the Llŷn AONB. As such, it would not conflict with Policies PCYFF3, PCYFF4, PS19 and AMG 1 of the LDP or PPW."

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5.27 It is believed that this decision to an extent sets a precedent on what is acceptable in terms of new developments within an area such as Y Rhiw. Despite the location within the AONB, this in itself is not a reason for refusing developments which would present new or modern elements to houses in an area. It is not believed that what is intended through the current application present a completely modern and unfamiliar design to the area, as it includes many familiar characteristics to what is currently on the site and in general in the area. This planning history is relevant as it shows what was accepted in the past as an acceptable development.

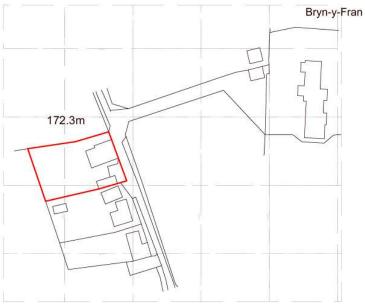
#### **6.** Conclusions:

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

### 7. Recommendation:

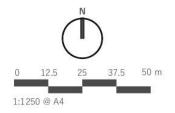
- 7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions:
  - 1. Time
  - 2. Compliance with plans
  - 3. Agree on materials, including roof slates
  - 4. Ecological matters, including maintaining the development in accordance with the improvements as noted in the Green Infrastructure Statement
  - 5. Agree on a Building Management Plan
  - 6. Landscaping
  - 7. Highways Matters
  - 8. Drainage matters
  - 9. Condition to manage noise associated with the heat pump





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PROJECT:

# AEL Y BRYN, RHIW

CLIENT:

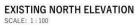
# **GRWP CYNEFIN**

DRAWING TITLE:

# LOCATION PLAN

PURPOSE OF ISSUE:	STATUS
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SCALE:	REVISION
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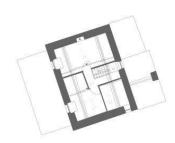
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EXISTING SOUTH ELEVATION SCALE: 1:100



EXISTING WEST ELEVATION SCALE: 1:100



EXISTING FIRST FLOOR PLAN

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EXISTING GROUND FLOOR PLAN SCALE: 1:100



AEL Y BRYN, RHIW

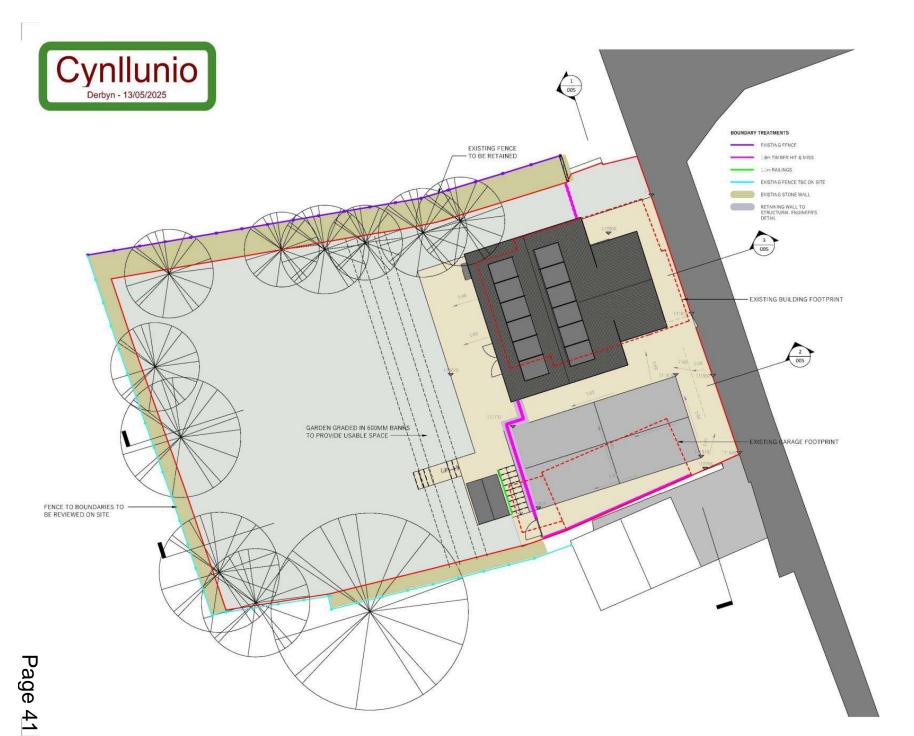
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EXISTING SITE PLAN AND ELEVATIONS

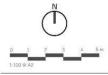
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AEL Y BRYN, RHIW

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PROPOSED SITE PLAN

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PROPOSED FIRST FLOOR PLAN

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PROPOSED - SOUTH ELEVATION

**PROPOSED - NORTH ELEVATION** 

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FFL 170,090 m GROUND FLOOR



**PROPOSED - WEST ELEVATION** 

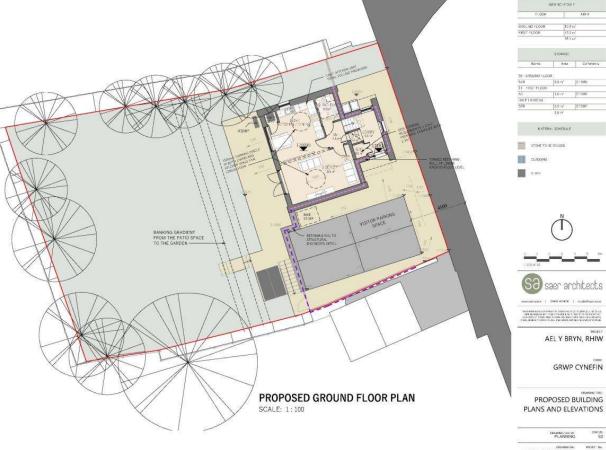
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PROPOSED - EAST ELEVATION

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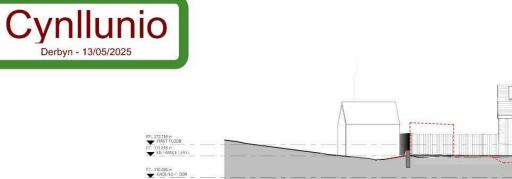
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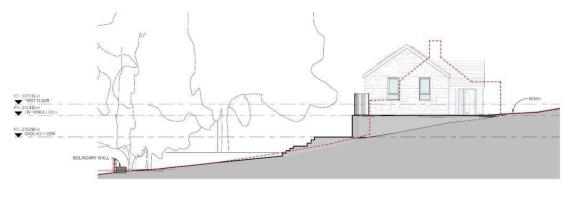
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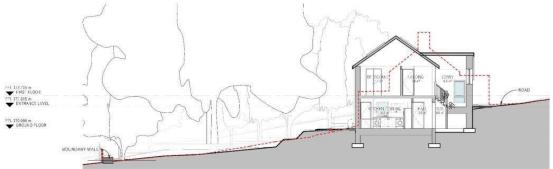
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SECTION 3

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Agenda Item 5.2

PLANNING COMMITTEE	DATE: 08/09/2025
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Number: 2

**Application** 

C24/1124/34/AC

Number:

Date Registered: 20/12/24

**Application** 

**Removal/Variation of condition(s)** 

Type:

**Community:** Clynnog

Ward: Clynnog

**Proposal:** Application under Section 73 for variation of condition 1 of

planning permission reference C20/1063/22/AC (proposed eastern extension for the extraction for the extraction of sand and gravel and progressive restoration) to allow for 4-year extension for the completion of minerals operations

and restoration.

Location: Cefn Graianog, Llanllyfni, Caernarfon, Gwynedd, LL54

6SY

**Summary of the** 

 $\label{eq:total conditions} \textbf{Recommendation:} \quad \textbf{TO APPROVE WITH CONDITIONS}$ 

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### 1. Description:

- 1.1 This is an application under Section 73 of the Planning Act 1990 to vary condition 1 of planning permission reference C20/1063/22/AC (Proposed Eastern extension for the extraction of sand and gravel and progressive restoration) to allow for a 4-year extension for the completion of mineral operations and restoration at Cefn Graianog.
- 1.2 The application site is an extension area to the eastern flank of the main extraction area, approximately 530m from the Llyn AONB to the west with the Eryri National Park approximately 1,500m to the southeast. It comprises of land that was previously restored and has been re-visited in order to re-work mineral that was previously considered uneconomical, but also to enable the scheme of extraction to access further deposits extending eastwards. The area is bordered by the existing working area to the west, the Lon Eifion cycleway to the east and area of rough, marshy grassland to the north.
- 1.3 This extension area originally permitted under C16/0816/34/MW comprises of two phases of extraction to release an additional 380,000 tonnes of sand and gravel.
- 1.4 The working methods would be the same as currently employed at the quarry and would utilise the same excavators, conveyors and other mobile plant as existing. The sequence of operations will be subject to the same conditions as existing covering amongst other requirements, hours of operation, noise, ecology, dust, agricultural husbandry and archaeological recording/mitigation in advance of extraction. The proposed scheme of restoration and aftercare to agricultural use will continue as present for the most part, as the sequence of operations progress eastwards into the extension area. In addition, the proposal recognises that there is an opportunity to enhance nature conservation and biodiversity interests, and a scheme of restoration has been configured accordingly.
- 1.5 The proposed development therefore does not fall within the description and criteria set out in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. However, the development does fall within the description of development set out in Paragraph 2 to Schedule 2 of the Regulations (quarries, open cast mining and peat extraction) & paragraph 13 (any change to or extension of development ....... where that development is already authorised, executed or in the process of being executed, and the change or extension may have significant adverse effects on the environment). Having screened and assessed the proposal in accordance with the development criteria under Schedule 3, it is considered that the likely impact of the development on the environment is insufficient to justify the submission of an environmental impact assessment with the planning application.

# 2. Relevant policies:

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

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

- Strategic Policy PS 1: Welsh Language and Culture
- Strategic Policy PS 5: Sustainable Development
- Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy
- Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
- Strategic Policy PS 22: Minerals
- AT 4: Protection of Non-Designated Archaeological Sites and Their Setting
- AMG 1: Areas of Outstanding Natural Beauty Management Plans
- AMG 3: Protecting and Enhancing Features and Qualities that are distinctive to the Local Landscape Character
- AMG 5: Local Biodiversity Conservation
- PCYFF 2: Development Criteria
- PCYFF 6: Water Conservation
- MWYN 3: Mineral Developments
- MWYN 5: Buffer Zones Around Mineral Sites
- MWYN 9: Restoration and Aftercare
- Supplementary Planning Guidance Maintaining and Creating Distinctive and Sustainable Communities 2019

#### 2.4 **National Policies:**

- Planning Policy Wales (PPW Edition 12, 2024)
- Future Wales The National Plan 2040.
- Technical Advice Note (TAN) 5: Nature conservation and planning
- Technical Advice Note 10: Tree preservation order
- Technical Advice Note 11: Noise
- Technical Advice Note 12: Design
- Technical Advice Note 15: Development and flood risk (2004)
- Technical Advice Note 18: Transport
- Technical Advice Note 20: Planning and Welsh language
- Technical Advice Note 23: Economic development
- Technical Advice Note 24: The historic environment
- Mineral Technical Advice Note 1 (MTAN): Aggregates

### 3. Relevant Planning History:

- Associated Section 73 applications reference C24/1125/34/AC and C24/1126/34/AC currently undetermined.
- C20/1065/22/AC 'Application under Section 73 of the Town and Country Planning Act to vary condition 1 on planning permission C10D/0487/34/MW to extend the life of quarrying and associated processing operations for a further four years to allow for the completion of mineral working with a further year for the completion of restoration' Granted permission on 15/04/2021.
- C20/1064/22/AC 'Application under Section 73 of the Town and Country Planning Act to vary condition 2 on planning permission C15/0299/34/MW (construction of 3 ancillary silting lagoons and sociated works to provide the necessary capacity to enable the ongoing working of mineral and the provision of a closed system for the control of quarry water on site ) to allow a four-year extension for the use of the lagoons in connection with the minerals operations and a further year for the completion of restoration.' Granted permission on 15/04/2021.
- C20/1063/22/AC 'Application under Section 73 of the Town and Country Planning Act to vary condition 1 on planning permission C16/0816/34/MW (proposed eastern extension for the extrac-

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tion of sand and gravel and progressive restoration) to allow a four-year extension for the completion of minerals operations and a further year for the completion of restoration.' – Granted permission on 15/04/2021.

- C16/0816/34/MW 'Proposed eastern extension of the extraction of sand and gravel and progressive restoration' Granted subject to conditions on the 18<sup>th</sup> of November 2016.
- C15/0299/34/MW Granted subject to conditions on 22nd June 2015 Construction of 3 ancillary silting lagoons and sociated works to provide the necessary capacity to enable the ongoing working of mineral and the provision of a closed system for the control of quarry water on site.
- C10/0487/34/MW Application submitted with an Environmental Impact Assessment. Planning permission granted subject to conditions on 23rd August 2011 to vary conditions on an existing planning permission to extend the life of the quarrying operations up until 31 December 2020 and variation of a scheme of working under conditions 1&2 of planning permission 2/14/12G and C00D/0487/34/MW.
- The site has a long history of sand and gravel extraction dating back to the earliest known planning permission granted in May 1958, with documented evidence of the workings supplying material for several large-scale civil engineering contracts in the area including the Dinorwig Power Station, Stwlan Dam and several local road improvement contracts. The following permissions are specific to the application area. In recent years, the site has been operational under planning permission 2/14/16G granted on the 1st March 1996, which includes both the Cefn Graianog processing area and the extractive operations at Graianog Farm. A further permission, C00D/0005/34/MW granted under in May 2000 to vary conditions 1 & 2 of this consent to alter the sequence of extractive operations. This variation enabled the operation to blend various mineral types within the working face to meet production/sales requirements and to rationalise the sequence of progressive restoration.

#### 4. Consultations:

Community Council: Comments received on 22/02/2025:

Following on from the Clynnog Fawr Community Council meeting held on Tuesday night 18/02/2025 where this planning application

was discussed there was no objection.

Transportation Unit: No comments submitted.

Public Rights of Way Unit No comments submitted.

Natural Resources Wales: Comment received on 01/08/2025:

Considering the mitigation measures, we would agree with the

conclusion of your "HRA".

Comments received on 16/01/2025:

We have no objection to the proposed development as submitted and

provide the following advice.

**Protected Sites** 

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From the information provided, NRW consider that the proposals may affect the Corsydd Eifionydd Special Area of Conservation (SAC), Cors Gyfelog Site of Special Scientific Intererst (SSSI), and Cors Gyfelog National Nature Reserve (NNR). Our advice is on the basis that no works are proposed within the SSSI/SAC. However, we have identified potential pollution impact pathways to features of this site. This pathway may not result in an adverse effect if the developer adheres to pollution prevention guidelines. No assessment of likely significant effect under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 has been undertaken by your authority or it has not been forwarded to NRW for consideration. Should you conclude that the proposed development is likely to have a significant effect on the European site, we look forward to being re-consulted. In the absence of this assessment, NRW cannot offer assurances that the proposals would not result in an adverse effect upon the SAC.

# **Protected Species**

The Biodiversity Assessment (Kedd Limited, Report Ref – KD.CFN.ER.001, December 2024), stated that the extended operational period would not have any significant impact upon European Protected Species. We recommend that you consult your ecologist on any possible enhancement opportunities and landscaping proposal.

### **National Landscape**

The development is situated adjacent to the Llŷn AONB. We note that there is no information regarding landscape assessments with the application and therefore, we are assuming that your Authority has screened the application and concluded that any impacts on landscape are unlikely, and the proposal is in line with Planning Policy Wales (PPW 12) Planning policy Wales GOV.WALES. If you require further advice, then please reconsult us.

#### Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service:

Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, they We advise the applicant that, in addition to planning permission, it is their responsibility to ensure secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

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### Advice for the Developer

Environmental Management: The applicants must minimise discolouration to the watercourse from the construction and operational works. Silty water should be treated, either through the use of settlement lagoons, or tanks, or discharged across a grassed area. For work in river channels the use of coffer dams is recommended, to keep river water out of the working area. River crossings must be kept free from mud or dust deposits. Oil and chemical storage must be kept away from the watercourse, on an impervious base, within a bund, and secured. Absorbents or a suitable spill kit must be kept on site for use in the event of an emergency. NRW should be notified immediately of such an occurrence. The mixing, use and washing of machinery and shuttering of wet concrete and cement must be carefully controlled to minimise the risk of any material entering the watercourse. The applicant is advised to follow the guidance within Guidance for Pollution Prevention 5 "Works and maintenance in or near water": http://www.netregs.org.uk/media/1415/gpp-5-works-andmaintenance-in-or-near-water.pdf If you have any queries on the above, please do not hesitate to contact us.

Land Drainage Unit:

Comments received on 14/01/2025:

Thank you for the consultation below. The unit has no comments to offer in terms of land drainage, local flood risk or coastal erosion.

Public Protection Unit:

No comments submitted.

**Biodiversity Unit:** 

Comments received on 13/03/2025:

I have no objection regarding the extension of time for mineral operations and restoration. However, I would like to raise two important ecological issues regarding this site:

- 1. The restoration of the site must provide habitats of biodiversity value such as pools and shallow scrapes and features such as hibernaculum for reptiles. Areas of grassland can be managed as wildflower meadows and be grazed over the winter months. I recommend that the restoration scheme for the site include a long-term management plan that covers monitoring, grazing management, hay cutting etc.
- 2. I visited Graianog in May 2024 and saw a pair of ring plovers within the quarry area that was actively being restored. I would like to ensure that the management of the site is undertaken in a sensitive way to nesting birds, in particular ringed plover.

AONB:

Comments received on 21/07/2025:

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Cefn Graianog sand and gravel work is a fairly significant industry in the Area of Outstanding Natural Beauty (AONB). There is Cors Gyfelog nearby which has been designated as a SSSI and Special Conservation Area.

The work has been running for years now and time limits were placed on the planning rights in 2020 in order to control the period and restore the site.

It is noted that there is no intention to extend the site itself and therefore the development would not further disrupt the landscape. Completing the work and restoring the site at the end of the period in question will improve the environmental condition of the site.

Heneb: No comments submitted.

North and Mid Wales Trunk

Roads Agency:

Comments received on 10/01/2025:

I refer to your consultation of 24/12/2024 regarding the above planning application and advise that the Welsh Government as highway authority for the A487 trunk road does not issue a direction in respect of this application.

in respect of this application.

Local Authority Language Unit:

Comments received on:

We have no comments on this application apart from the below

As this application relates to the continuation of a business that is already active and does not represent any change to the business, sufficient evidence has been received to support the conclusion

contained in the Language Assessment.

Public Consultations: A notice was placed in the press, notices were placed in several

locations close to the site and nearby residents were informed. The advertising period has expired and received no comments from the

public.

# 5. Assessment of the material planning considerations

#### **Principle of development**

5.1 Planning Policy Wales Edition 12 (PPW) integrates the Welsh Government's planning policies for minerals development which were previously set out in Minerals Planning Policy Wales (2001). In accordance with the requirement of PPW 12, Gwynedd Council as the Mineral Planning Authority has a duty to ensure that mineral resources are exploited in a sustainable way so that they can make an

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appropriate contribution to the area's construction materials requirements. The key principles noted in the section 5.14 (Minerals) of the PPW are;

- Provide positively for the safeguarding and working of mineral resources to meet society's needs now and in the future, encouraging the efficient and appropriate use of high-quality materials;
- Protect environmental and cultural characteristic of places, including those highly cherished for their intrinsic qualities, such as wildlife, landscapes, ancient woodlands and historic features, and to protect human health and safety and general well-being;
- Reduce the impact of mineral extraction and related operations during the period of working by
  ensuring that impacts on relevant environmental qualities caused by mineral extraction and transportation, for example air quality and soundscape, are within acceptable limits; and
- Achieving, without compromise, a high standard of restoration and aftercare so as to avoid dereliction and to bring discernible benefits to communities, heritage and/or wildlife, including beneficial after uses or opportunities for enhancement of biodiversity and the historic environment.
- Amongst other objectives, Planning Policy Wales recognises that mineral working is different from other forms of development in that extraction can only take place where the mineral is found to occur, and that the development is transitional and cannot be regarded as a permanent land use even though operations may occur over a long period of time.
- 5.2 Gwynedd Council, along with all of the Welsh Authorities have endorsed the Regional Technical Statement (RTS) produced by the North Wales Regional Aggregates Working Party (NWRAWP). The statement has been prepared in accordance with the provisions of the Minerals Planning Policy (Wales) and Technical Advice Note (Wales) 1: Aggregates (MTAN1), to set out an overarching objective to ensure a sustainable managed supply of aggregates;

".... so that the best balance between environmental, economic and social considerations is struck, while making sure that the environmental and amenity impacts of any necessary extraction are kept to a level that avoids causing demonstrable harm to interest of acknowledged importance".

- 5.3 The main purpose of the Regional Technical Statement is to set out the strategy for the provision of the aggregates in the North Wales region. The 2021 RTS identified an existing permitted reserve of sand and gravel in Gwynedd of 1.175 million tonnes (an equivalent of 6.7 years landbank) with a shortfall of shortfall and minimum allocation needed to meet required provision of 2.659 million tonnes.
- 5.4 The continuation of sand and gravel extraction at Cefn Graianog will ensure that the Council can fulfil its apportionment obligations in the RTS, of supplying minerals for the North Wales sub-region and maintain a 7-year landbank of sand and gravel. There are few permitted reserves of sand and gravel in North West Wales and this proposal will secure an essential supply of sand and gravel for the local building economy, and therefore the principle of the development is acceptable.

# Visual amenities and landscape

- 5.5 Policies PCYFF 3, PCYFF 4, MWYN 3 and MWYN 9 of the JLDP are all relevant policies to consider in terms of visual and landscape impact. The potential significance of any landscape and visual impacts are determined by a combination of the magnitude of changes and sensitivity of the landscape setting to change.
- 5.6 This application is specifically for the prolongment of the development and does not include any extension or physical alterations to the already approved working area. The nature of the proposal to

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- extend the lifespan of the operations would undoubtedly prolong the visual impacts in the mediumterm but given its overall context in an established mineral working it is not considered that it would result in any great levels of visual impact.
- 5.7 The working of sand and gravel is relatively dynamic when compared with hard rock quarrying as reserves are commonly found under agricultural land and may be worked relatively quickly by means of an excavator. Consequently, the Mineral Planning Authority requires progressive restoration to offset the loss of amenity and productive land to mitigate for the impacts of such working. To date worked out sites have been effectively reinstated to their original use, mainly agriculture, and now blend in with the surrounding landscape. An existing scheme of progressive working and restoration has previously been approved and ensures that the proposal complies with the requirement of policy MWYN 9 of the JLDP.
- 5.8 The landscape and visual impact assessment submitted as part of the development proposals for the parent permission, C16/0816/34/MW (subsequently revised by C20/1063/22/AC) includes an appraisal of the development including a selection of viewpoints and photomontages taken from vantage points from within landscape character areas within and around the site. The assessment makes an evaluation of the surrounding landscape in terms of the AONB, Eryri National Park as well as local impact. The 'Nantlle' Landscape of Outstanding Historic Interest is located approximately 1000m northeast of the existing quarry and it is not considered that the proposal will impact on the nature and historic fabric of this landscape designation or the cultural significance of the slate quarrying areas.
- 5.9 The AONB Unit confirmed that there is effective restoration work on the site in recent years which reduces the impact on the landscape. Given that there is a limited period of additional time involved with the settlement lagoons, there are no concerns regarding the impact on the AONB.
- 5.10 Within the overall context of the existing Quarry site, the identified landscape and visual changes have a limited level of effect and the extension of the timescale for the operation of the water management system would not result in any great levels of visual impact. Therefore, with the retention of existing conditions it is considered that the application complies with policies PCYFF 3, PCYFF 4, MWYN 3 and MWYN 9 of the JLDP.

# General and residential amenities

- 5.11 Policy MWYN 3 of the JLDP states that extensions to existing mineral sites will be acceptable subject to no unacceptable harm to the amenity or health of residents in terms of visual impact, levels of dust, noise, vibration, and light as a result of the operation itself or the resulting traffic movements.
- 5.12 MTAN 1 Wales; Aggregates and policy MWYN 5 of the JLDP recognises that there is often a conflict between mineral workings and other land uses and has established the principle of buffer zones around permitted and allocated mineral extraction sites. The objective of a buffer zone is to protect land uses that are most sensitive to the impact of mineral operations by establishing a separation distance. MTAN1 recommends a minimum distance of 100 metres for sand and gravel operations.
- 5.13 There are no sensitive properties located within a 100m buffer zone of this development and it will be subject to the same working conditions as present, including the control of noise, dust & working hours. The loading of the feed hopper and conveyor remains the most intrusive noise

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- source at the working face as plant machinery operates in an elevated position to the surrounding ground level. White noise alarms are fitted to plant machinery to minimise disturbance.
- 5.14 Given the separation distance and evidence to demonstrate that the site already operates without detriment to amenity under the terms of planning conditions and/or environmental permits it is considered that the proposal complies with policy PCYFF 2, MWYN 3 and MWYN 5 of the JLDP
- 5.15 It is considered therefore that subject to appropriate conditions to control the impacts of noise and dust and working hours the proposal will not have a detrimental impact on the amenities of the area and therefore conforms to policy PCYFF 2, MWYN 3 & MWYN 5 of the JLDP.

# Traffic matters, Public Rights of Way and Common Land

- 5.16 The proposal does not include any alteration to transport movements or existing access arrangements.
- 5.17 It is considered therefore that the existing road network is of sufficient standard to deal with the flow of traffic expected from the site the development is therefore compliant with Policy TRA 4 of the Gwynedd and Môn Joint Local Development Plan 2011 2026.

### **Ecological matters**

- 5.18 The ecological assessment and mitigation proposals for the parent permission, C16/0816/34/MW included an extended Phase 1 Habitat Report which identified a range of flora and fauna within the site and surrounding area. For the most part, the application site comprises of improved and semi-improved neutral grassland with wet areas dominated by rush but also, historic features that may provide habitat such as, field boundaries and areas of stone clearance.
- 5.19 In the determination of the parent application, a pre-commencement condition was imposed to request a plan of reasonable avoidance measures to ensure that reptiles and badgers will be protected during works which was formally discharged under reference C19/1171/34/AC on the 7th of January 2020.
- 5.20 An updated biodiversity assessment has been completed in order to support the extension of time application. The report considers all of the existing habitats present within the site and assesses whether there has been any change on these habitats since the previous ecological surveys were undertaken and recommends that requirements for implementing reasonable avoidance measures for protecting badgers and reptiles during any field boundary clearance or soil stripping is maintained.
- 5.21 Mitigation for reptiles requires a qualified ecologist present during the removal of stone walls in advance of any soil stripping and/or mineral extraction. Any reptiles found by the ecologist are to be captured and immediately relocated to suitable receptor sites outside of the planned extraction area, but within the area of land under the control of the applicant.
- 5.22 On 7th February 2024, the Welsh Government published an update to Chapter 6 of Planning Policy Wales (PPW), which deals with green infrastructure, net worth to biodiversity, the protection afforded to Sites of Special Scientific Interest and trees and woodlands. The applicant has provided a Green Infrastructure Statement (GIS) that has followed the stepwise approach in chapter 4. The stepwise approach is a hierarchy of actions used to assess and limit the impact of the development on biodiversity.

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- 5.23 Conditions can be attached to a permission to ensure that recommendations and biodiversity enhancement measures included are achieved.
- 5.24 Therefore, the proposal conforms to the requirements Strategic Policy PS 19 and Policy AMG 3, AMG 5, MWYN 3 & MWYN 9 of the Gwynedd and Môn Joint Local Development Plan 2011 2026.

### **Habitats Regulations Assessment**

- 5.25 As the competent authority under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), Cyngor Gwynedd must undertake an HRA assessment, before deciding to give consent for a project which is likely to have a significant effect on designations.
- 5.26 The development is located closest to the Corsydd Eifionydd SAC designated site and is comprised of 4 component SSSI's that includes Cors Llanllyfni, 1.5km to the north, Cors Gyfelog 1km to the south, Cors y Wlad 2.5km southwest and Cors Grainaog 5km southeast.
- 5.27 Qualifying features of the Corsydd Eifionydd SAC include species of Slender green feather-moss, Marsh fritillary butterfly and habitat of very wet transition mires and bogs identified by an unstable 'quaking' surface.
- 5.28 The conservation objectives of the SAC are;
  - Support three features of international importance namely transition mire and quaking bog, marsh fritillary and slender green feather moss.
  - Cors Gyfelog and Cors Graianog should support a diverse range of nutrient poor to moderately nutrient rich fen habitat which often manifest as quaking rafts, particularly over former peat-cuttings.
  - The SAC should support healthy populations of rarer plants such as intermediate bladderwort, bog sedge, royal fern, oblong-leaved sundew together with rare insect populations.
  - Cors Gyfelog and Cors Graianog should support areas of mature wet woodland (willow carr).
  - Wet woodland should cover no more than 30% of Cors Gyfelog and 10% of Cors Graianog. There should be no rhododendron present within either site or the SAC as a whole.
  - The sites should regularly support a viable population of the marsh fritillary butterfly, which contributes towards the larger population of this butterfly in the general area. To ensure this, at least 80% of the Cors y Wlad should be covered by rushy vegetation (rhos pasture). The habitat should be of good quality (tussocky grassland at a height of 10 20 cm) with an abundance of devil's bit-scabious, the food plant of the butterfly larvae.
  - Cors Llanllyfni and Cors Gyfelog should support a healthy population of the slender green feathermoss. Management shall ensure that the population remains stable and afford it the opportunity to expand.
- 5.29 This application seeks to extend the duration of mineral working and completion of restoration work by 4 additional years. Although this application only applies to a portion of the total mineral extraction area, it should be considered in combination with two other applications seeking to extend the duration of mineral working and associated activities for the rest of the quarry (the whole Cefn Graianog site). Therefore, for the purposes of the HRA regulations, the application(s) constitute a project proposal that is not directly connected with the running of the designated site.
- 5.30 Although there is no alteration to the development area and working method (in each planning application) potential hydrological and airborne pathways for pollution in the event of an accident, spillage or fugitive dust from mineral extraction, processing and associated activities have been identified during the screening process.

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- 5.31 Mineral extraction, processing and associated activities will continue in accordance with previously approved application other than for an extended period of time. The quarry and associated works are not within the SAC or a similar habitat that is contiguous with any of the 4 component sites. Therefore, the development will not lead to directly loss of habitat within the SAC. A closed loop lagoon system has been constructed within the quarry and will be retained for the remainder of the development to ensure no pollution enters the SAC and that the hydrology of bog is not altered. Additionally, the development will be conditioned to adhere to pollution prevention best practice included in Guidance for Pollution Prevention 5 "Works and maintenance in or near water". These measures will include:
  - Treatment of silty water either through the use of settlement lagoons, or tanks, or discharged across a grassed area.
  - River crossings must be kept free from mud or dust deposits.
  - Oil and chemical storage must be kept away from the watercourse, on an impervious base, within a bund, and secured.
  - Absorbents or a suitable spill kit must be kept on site for use in the event of an emergency.
  - The mixing, use and washing of machinery and shuttering of wet concrete and cement must be carefully controlled to minimise the risk of any material entering the watercourse.
- 5.32 The extant permissions were previously assessed for likely significant effects under requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017 when originally determined. It was considered that the development would not likely have a significant effect on the conservation features of the Corsydd Eifionydd SAC.
- 5.33 NRW have confirmed that subject to the mitigation measures that the assessment undertaken is satisfactory.
- 5.34 Therefore, subject to the retention mitigation measures through pollution prevention techniques and the closed loop hydrological system we can rule out all reasonable scientific doubt that the proposal would not have an adverse effect on the integrity of the Corsydd Eifionydd SAC.

## Hydrology and Hydrogeology

- 5.35 Mitigation measures for the protection of watercourses, springs and wetlands have previously been submitted and assessed as required under condition 36 of the parent permission (C16/0816/34/MW).
- 5.36 Since the submission of the application, Welsh Government have published a revised TAN 15 on the 31st of March 2025. The revised TAN 15 is titled 'Development, flooding and coastal erosion' and is accompanied by Circular 002/2025 'Guidance on The Town and Country Planning (Flood Risk Area Development) (Notification) (Wales) Direction 2025' and clarification letter from the Chief Planner of the Welsh Government's Planning Directorate. Section 1 of the new TAN 15 states "This document replaces Technical Advice Note 14, published in 1998 and Technical Advice Note 15, published in 2004. Development Plans and planning decisions should no longer refer to those documents."
- 5.37 However, the clarification letter states "...the publication of new guidance may have impacts on the processing of planning applications so there will be a transitional period for the implementation of the TAN. Planning applications which were submitted and registered before the publication of the new TAN will continue to be assessed against the previous version..."

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- 5.38 Therefore, official guidance from the Welsh Government is for planning applications submitted and registered prior to the 31st of March 2025 is for assessment of flood risk to be made on the policy content of the 1st edition of TAN 15 published in 2004.
- 5.39 TAN 15 (2004) is supported by Development Advice Maps (DAM) that have been substituted by Flood Map for Planning (FMfP) that were released pending the adoption of the revised TAN 15. A delay in adopting the revised TAN 15 required LPAs to consider both DAM and FMfP given that the later included the most recent and correct data.
- 5.40 A small area at the eastern portion of the application site is situated within a 'Surface Water and Small Watercourse Flood Zone 2' on the Flood Map for Planning. There have been no objections or concerns relating to drainage or flood risk in response to consultation with Natural Resources Wales or Lead Local Flood Authority and it is considered therefore that the proposal will not have a detrimental impact on the flood risk and complies with PCYFF 6 and the requirements of TAN 15 (2004).
- 5.41 It is considered that the proposed development would not have any detrimental effect on hydrological features and flood risk and complies with the requirements of Strategic Policy PS 19 and Policy AMG 3, AMG 5, PCYFF 2, PCYFF 3, PCYFF 6 and MWYN 3 of the Gwynedd and Môn Joint Local Development Plan 2011 2026.

### Archaeology and cultural heritage

- 5.42 An archaeological survey and assessment were submitted as part of the original application as the area is one that is known to be rich in archaeological remains, with a number of sites having been excavated close to the area of extraction. The programme of archaeological work at Graianog is ongoing and has yielded some interesting results.
- 5.43 The application area contains several archaeological sites recorded on the regional Historic Environment Record and identified as earthworks and stone-built features, possibly as the result of boulder clearance and the remains of huts or field enclosures. However, the trial trenching undertaken as part of the archaeological assessment reveals that although there was evidence of human activity in the form of field clearance, nothing was found to suggest occupation or industrial activity at the site.
- 5.44 A specification for archaeological work required under the parent permission has been formally discharged and there remains a requirement to comply with these details for the remainder of the development.
- 5.45 It is considered that the archaeological assessment provides the scope for further archaeological work and mitigation for the potential archaeological and cultural heritage impacts of the development and complies with the requirements of Policy AT 4 of the Gwynedd and Môn Joint Local Development Plan 2011 2026, (protection of non-designated archaeological sites and their setting).

### The Welsh language

5.46 Criterion 1 (a) of strategic policy PS 1 'The Welsh Language and culture' notes that a Welsh Language Statement will need to be provided with a proposed "retail, industrial or commercial development which employs more than 50 employees and/or has a floor area of at least 1,000 m sq. or more".

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- 5.47 In response to this requirement, the applicant has provided a Welsh Language Statement. Chapter 6 of the statement has assessed the potential effects of the developments on the language and community based on language and population movement; visual elements; quality of life and community infrastructure; employment.
- 5.48 This application will secure the continuation of an existing operation where the existing local workforce. The entire workforce has the ability to speak Welsh and therefore the development is likely to retain Welsh speakers in the local community who will use the language in the workplace.
- 5.49 The Council's Language Unit has no objection to the request for an extension of time from a linguistic point of view.
- 5.50 Based on the nature of the application and evidence to hand, it is not considered likely that the proposal would have a negative impact on the Welsh Language. It is therefore considered that the proposal conforms with policy PS 1 and the guidance contained within the SPG Marinating and creating distinctive and sustainable communities.

### The economy

- 5.51 Technical Advice Note 23, Economic Development states; in determining planning applications local planning authorities need to bear in mind that traditional business use, classes B1-B8, only account for part of the activity in the economy. It is important that the planning system recognises the economic aspects of all development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations. It further states that; Local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development.
- 5.52 The proposal is critical to supply of mineral and the site makes a direct and significant contribution to the local economy and direct/indirect employment as a result of quarry operations. Furthermore, the retention of a local workforce has positive impacts on the culture and more specifically, the status of the Welsh Language in the region.
- 5.53 Therefore, it is considered that the proposal would make a positive impact of the economy of the area and accord with policy PS 13 of the JLDP and TAN 23.

### 6. Conclusion:

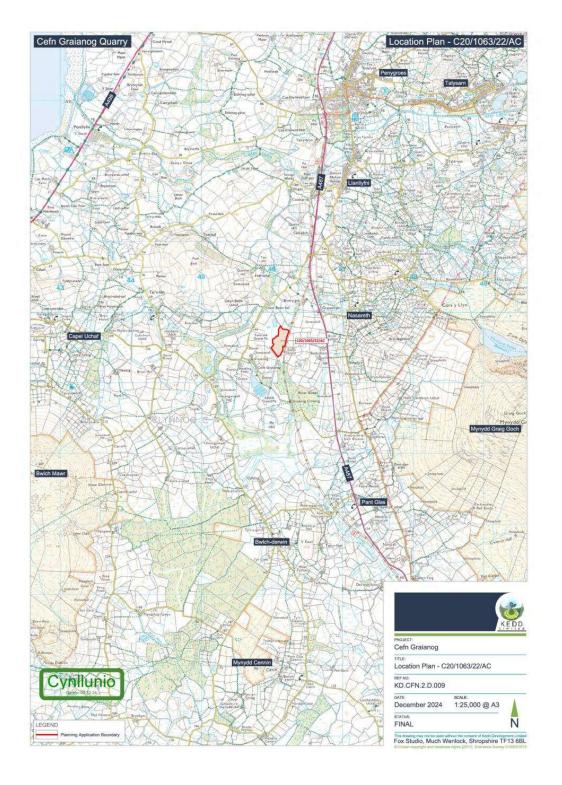
- A proposal for an additional 4 years to complete the extraction and phased restoration of the quarry extension needs to be assessed against planning policy criteria and the authority has consulted on this application to ascertain the potential impacts of the development. The submission covers the material planning considerations in assessing the impact of the proposed development.
- 6.2 There is unlikely to be any apparent change in site working conditions or visual impact of the workings and the development will not detract from the positive features in the landscape.
- 6.3 The continuation of a phased scheme of extraction and restoration will mitigate the impact of the mineral workings on the setting of the National Park, Llyn AONB as well as local Landscape Character Areas in accordance with Policy PS 19, AMG 3, AT 1, MWYN 3 & MWYN 9 of the Gwynedd & Môn Joint Local Development Plan 2011 2026.

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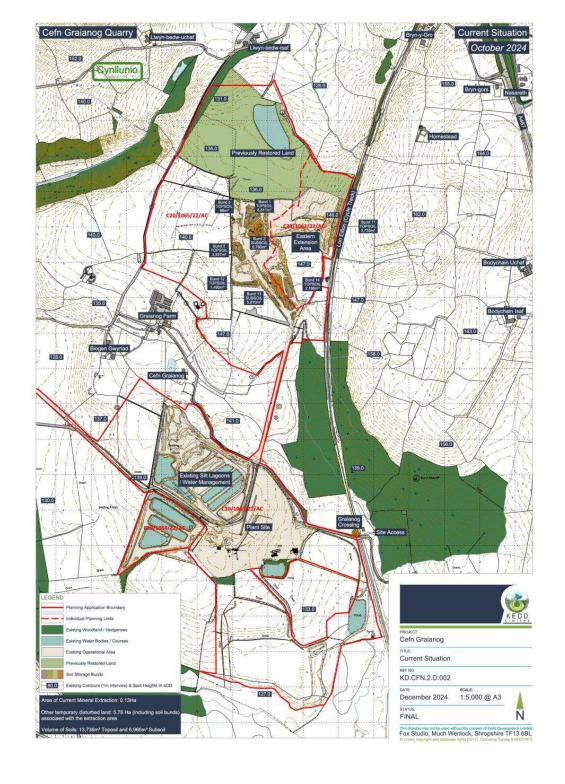
- There are no overriding planning policy issues sufficient to warrant refusal of planning permission and issues relating to noise, dust & environmental controls are well established on this site. It is considered therefore that subject to appropriate conditions to control the impacts of noise and dust and working hours the proposal will not have a detrimental impact on the amenities of the area and therefore conforms to policy PCYFF 2, MWYN 3 & MWYN 5 of the Gwynedd and Môn Joint Local Development Plan 2011 2026.
- 6.5 The development is acceptable in principle, and it would contribute to the landbank of sand and gravel reserves in Gwynedd and conforms to regional and local mineral planning policy requirements. It conforms to regional and local mineral planning policy requirements and complies with the sustainability criteria of Policy PS 22 of the Anglesey and Gwynedd Joint Local Development Plan 2011 2026, having regard to current national policy for maintaining a landbank of mineral reserves in accordance with the guidance contained in MTAN1 (Wales) Aggregates and the Regional Technical Statement. In addition, the proposal is likely to make a positive contribution on the economy of the area in accordance with Strategic Policy PS 13 of the Anglesey and Gwynedd Joint Local Development Plan 2011 2026.

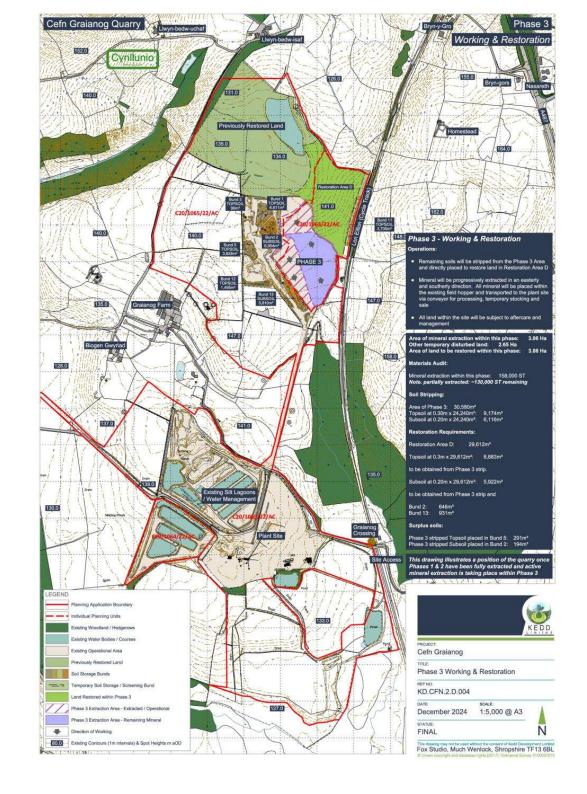
# 7. Recommendation:

- 7.1 To delegate powers to the Head of the Environment Department to approve the application, subject conditions relating to the following:
  - Extraction of minerals shall cease by 31 December 2028 by which time all plant and machinery shall have been removed from the site; restoration shall be completed by 31 December 2039.
  - Restriction on Permitted Development Rights, buildings, structures, erections, private ways, floodlighting & fences,
  - Mitigation for potential impacts on springs to the north of the extraction area,
  - Mitigation an enhancement for local biodiversity, Badgers, breeding birds & reptiles,
  - Permitted Operations & Compliance with the Submitted Details/Plans,
  - Hours of Working,
  - Safeguarding of public rights of way,
  - Soil Handling & husbandry
  - Drainage, measures to prevent the pollution of local watercourses,
  - Restoration to mixed agricultural nature conservation use,
  - Reinstatement of field boundaries,
  - Micro-adjustment of restoration levels to ensure a flow of water into the wetland north of the application area,
  - Archaeological mitigation and recording,
  - Aftercare measures for agricultural use & biodiversity management,
  - Dust controls & noise limitations the same as existing but also, plant machinery at the working face to be fitted with white noise alarms.



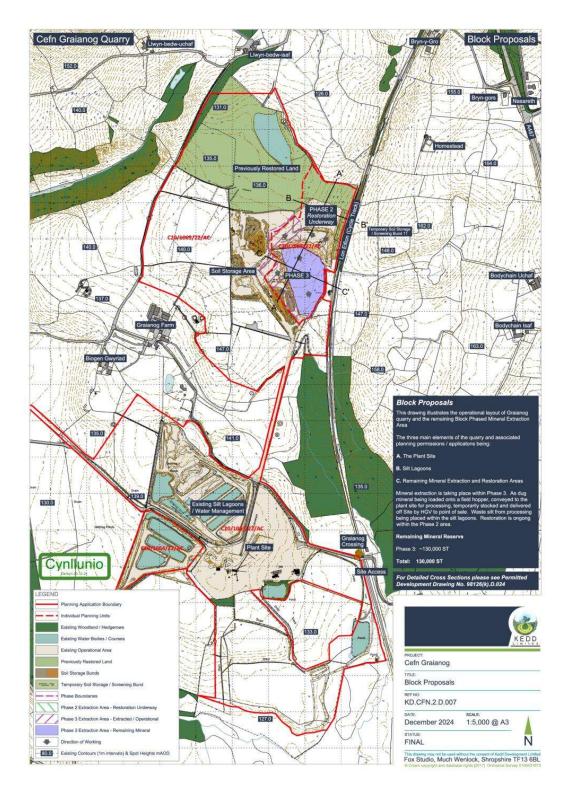




























Agenda Item 5.3

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Number: 3

**Application** 

C24 /0960/46/LL

Number:

Date Registered: 16/04/25

**Application** 

**Full** 

Type:

**Community:** Tudweiliog

Ward: Morfa Nefyn and Tudweiliog

**Proposal:** Full application to change the land use to create a new

cemetery for the village of Tudweiliog and the surrounding area along with works to create an access a parking site and

landscaping

**Location:** Land West of Ysgol Gynradd Tudweiliog, Tudweiliog,

Pwllheli, LL53 8ND

**Summary of the** 

**Recommendation:** TO APPROVE WITH CONDITIONS

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#### 1. Description:

- 1.1 A full application from Tudweiliog Community Council to change the use of existing agricultural land to create a new public cemetery to contain 393 graves for the village of Tudweiliog and the surrounding area. The proposed development would also involve the creation of a new vehicular access, the creation of an access walkway, car park and landscaping and erecting an earthen *clawdd*.
- 1.2 The site, as mentioned, is currently agricultural land and rises in height from the southern section of the site in a northerly direction. There are established hedges at some existing boundaries particularly on the southern verges. Access to the site is from an existing junction in the centre of the village of Tudweiliog from the B4417 Class 2 road, via a unclassified road and then an access road which serves a residential house further west. This road has also been designated as a public footpath. From the unclassified road off the junction with the B4417, there is access to neighbouring residential houses, a public house and Ysgol Gynradd Tudweiliog. The school also has a separate car park with dedicated entrances in and out of the unclassified road. The site and surrounding area are within the Western Llŷn Special Landscape Area and the Llŷn and Enlli Landscape of Outstanding Historic Interest designations.
- 1.3 In terms of the details of the application, it is seen that a new access is to be created with a walkway then leading to a parking area for 24 vehicles including spaces for disabled users with a separate parking and turning area for undertakers' vehicles. Pedestrian access will be created from the car park into the site and then permanent paths will be created through the centre of the site and along the western boundary where it will abut a new stone wall. The other boundaries of the site, where appropriate, are formalised by the installation of a standard post and wire fence while an earthen *clawdd* is to be erected between the car park and the cemetery itself which will consist of a hedge of native plants planted on top.
- 1.4 Advice was given prior to submitting an application regarding this proposal and this is submitted to the Committee due to the applicant's family connection with a member of staff in the Planning service.
- 1.5 Additional information including a drainage statement was received as part of the application following comments regarding sustainable drainage issues, along with details of the entrance following comments from the Transportation Unit.

#### 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

ISA 2: Community facilities

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

AMG 2: Special landscape areas

AMG 3: Protecting and improving features and qualities that are unique to the character of the local landscape

AMG 5: Local biodiversity conservation

AT1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.

#### 2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - 2024)

Technical Advice Note 12: Design

Technical Advice Note 15: Development, Flooding and Coastal Erosion

#### 3. Relevant Planning History:

- 3.1 It appears that this site has no relevant Planning history.
- 3.2 A pre-application enquiry was submitted under reference Y24/0264 where it was confirmed that the proposal's principle was acceptable but that there were concerns about the location of the proposed development.

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#### 4. Consultations:

Community/Town Council: Not received

Transportation Unit: I ask the applicant to provide a detailed plan for the proposed access

point. The plan should include information regarding: The visibility splays from the access. The gradient of the access. The surface material of the access. The dimensions of the access. Curb line details between the access and the road. Whether the access will be gated or

not?

Natural Resources Wales: We have concerns regarding the application as submitted. However,

we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted: Condition 1:

Protection of Ground Water

Welsh Water: Standard conditions and advice

Public Protection Unit: Current guidance in Wales requires cemeteries to be:

1. located at least 250 metres away from any well, borehole, or well supplying drinking water or is used for food production;

2. they should also be at least 30 metres from any well or watercourse not used for drinking water supply or for food production;

3. and there shall be at least 10m distance from field drains;

4 there will be no burials into standing water and the bottom of the grave must be above the local water table.

The risk assessment for groundwater has referred to known extractions but does not refer to private water supplies in the area. Our records have been scrutinised, and I can confirm that there are no records of any well, borehole, or well supplying drinking water or being used for food production within 250m of the proposed site.

Noise - There is potential for noise from the cemetery construction work, and we would seek a condition regarding Building hours.

Land Drainage Unit: 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

implications is 100m<sup>2</sup> or more. Drainage systems must be designed

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and constructed in accordance with the minimum standards for sustainable drainage as published by Welsh Ministers.

If an application for planning permission is made prior to approval from the Approved Body, the applicant will be required to submit a Drainage Statement as part of the application process.

No Drainage Statement, as described above, has been submitted with the application.

#### Re-consultation

Having considered what the applicant has told us in his email, we do not offer any objections on the grounds that if the infiltration process fails, surface water will be discharged in the watercourse, without having to make any third-party agreements.

However, when submitting the SDC application we expect further filter testing at the development location. We recommend doing these tests at a less shallow depth, to match the construction depth of the access road and parking. Filtration can work at shallow depths, which would allow tracking of the highest release point in the hierarchy. This would also eliminate the need for long and expensive transportation to the body of water.

Biodiversity Unit:

The proposal is to create a cemetery within an agricultural field. The aerial photos from 2022 and 2006 show that the field has been ploughed, therefore the grassland will not be of high biodiversity value. Aerial photos show that there are good hedges surrounding the field, which is an important habitat for biodiversity. Approximately 5m - 8m of hedge will be lost to create a new entrance to the field. The proposed plans indicate that the existing hedges will be retained, and a *clawdd* with a hedge will be created. I have no objection to this plan.

Rights of Way Units:

I refer to the above application. The public right of way (Footpath) number 27 in the community of Tudweiliog is affected by this proposal. The right of way runs on the track near the proposed development. We do not anticipate that the path will be severely affected but the applicant will need to ensure that the public path remains open and available to users before and after this development. In addition, the applicant will have to accept that if any damage is done to the footpath either during the development or in the future because of vehicle use, the Rights of Way Team will not be responsible for its maintenance.

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**Public Consultation:** 

A notice was posted near the site and in a prominent location at the junction with the nearby highway and nearby residents were informed. The advertising period has expired, and 1 letter / correspondence was received from the headteacher of the primary school and the chair of governors responding to the request on the grounds of:

The school supports the principle of the development and appreciates that the village needs this.

The access to the proposed cemetery is located to the west of the school, and all visitors to the cemetery would use the narrow road bordering the school to reach the site. There are no arrangements submitted in terms of traffic impact control and mitigation as part of the application. Therefore, concern must be expressed that there would be a significant increase in the number of vehicles using the narrow road at times when children and their parents arrive and leave school and this raises safety issues.

A car park has been provided as part of the development. At times when the car park would be full, it is likely that the school car park would be used as there are no suitable parking spaces nearby. This would not be a concern on weekends, or when the school is closed. But it would raise safety concerns if the car park was used during the school term as it is used by school staff, visitors, parents and the school bus.

As part of determining the application, we request that a traffic management and mitigation and parking procedure be agreed through the highways department, the school and the community council.

Correspondence was received from the local member commenting on the application on the grounds of:

• A word to confirm that as a local member I am in favour of application C24/0960/46/ll to change the use of land to create a new cemetery for the village of Tudweiliog and the surrounding area near Ysgol Tudweiliog. Finding a suitable site for a new cemetery has meant a great deal of work for Tudweiliog Community Council and others. A new cemetery is urgently needed. I assume that the land is suitable and that there is space for parking and that the narrow lane at the entrance to the cemetery can be adapted.

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

#### The principle of the development

- 5.1 It is a requirement that planning applications are determined based on the attributes of the specific scheme in question and in accordance with the adopted development plan, unless other material planning considerations state otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case.
- 5.2 The site is located outside the current development boundary of the village of Tudweiliog and is therefore in the open countryside. Policy PCYFF1 of the LDP states that outside the development boundaries, proposals will be refused unless they are in accordance with specific policies in the LDP or national planning policies or that the proposal shows that its location in the countryside is essential, while criterion 1 of policy PCYFF 2 notes that the proposal should demonstrate its compliance with all the relevant policies in the plan.
- 5.3 Policy ISA 2 supports developments for public facilities as long as the proposal meets specific criteria and it is considered that criteria 1.i, 1.iii, 1.iv and 1.v apply to this particular application, namely:
  - 1.i they are located within or adjoining development boundaries or they are located outside development boundaries but within clusters where the proposal will provide an essential facility to support the local community.
  - 1.iii where the proposal is for a facility being relocated, it can be demonstrated that the existing site is no longer suitable for that use;
  - 1.iv that the proposal is of an appropriate scale and type compared to the size, character and function of the settlement;
  - 1.v that the proposal is easily accessible by foot, cycle and public transport.
- 5.4 It is seen that one of the main considerations of this policy is to aim to protect existing community facilities and encourage the development of new facilities where appropriate. Local leisure and community facilities are important to the health, social, educational, linguistic and cultural needs of the Plan area, as well as its economic well-being.
- Please note that when a new facility is offered outside the development boundary, it must be demonstrated that the proposed location is the best available location and that it is accessible to the community. The nearest part of the site is located approximately 13m from part of the existing development boundary with the remainder of the site extending a considerable distance into land within open countryside. Confirmation has been received from the Community Council regarding the current situation of the village cemetery which is that potentially only two new graves can be provided there, and this is the only site available to satisfy the need. Although concern about the location of the proposal was highlighted through the pre-application enquiry, it is seen that the current situation of the village of failing to provide such a vital facility in the future is a complicated matter and an obvious solution is needed. It is very likely that other suitable lands were not available closer or directly adjacent to the development boundary and therefore this site had to be considered. It is therefore believed that after considering all relevant information and evidence, there is a justification for a new cemetery at this location and it is consequently in accordance with the relevant requirements of policy ISA 2.

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#### Visual amenities

- 5.6 Policy PCYFF3 states that proposals will only be permitted provided they conform to a number of criteria, including that the proposal complements and enhances the character of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment; that it respects the context of the site and its place within the local landscape; that it utilises materials appropriate to its surroundings and incorporates soft landscaping; that it enhances a safe and integrated transport and communications network; that it limits surface water run-off and flood risk and prevents pollution; that it delivers inclusive design allowing access by all and helps to create healthy and active environments, and considers the health and well-being of future users.
- 5.7 The proposal involves carrying out works which would change the appearance of the land from its current state to one which would include permanent uses and features. However, it is believed that the impact would only be visible from adjacent locations and would not create a very conspicuous feature from the nearest county road. It is considered that the layout and associated elements are appropriate for this type of development and that the inclusion of features such as a stone wall and earthen *cloddiau* convey the existing features generally found within the local area and the proposed landscaping would, in time, be a further aid to create a natural screen for parts of the site. The proposal is considered to be in accordance with the relevant requirements of policies PCYFF 3 and PCYFF 4.
- 5.8 The site is within the Western Llŷn Special Landscape Area and the Llŷn and Enlli Landscape of Outstanding Historic Interest. It is likely to have a local impact in terms of appearance and it is not believed that it would have a wider impact on the landscape designations. Therefore, the proposal is considered acceptable from the point of view of policies AMG 2 and AT 1.

#### General and residential amenities

- 5.9 There are no residential houses directly adjacent to the site, however, access to the cemetery would be via a road shared by other residential dwellings. Existing movements along this road are linked to the local public house and shop along with the primary school and therefore an element of increased footfall already exists. It is not deemed that there would be continued movement associated with the new cemetery, particularly following the initial construction phase (which will only provide an entrance, parking spaces and footpaths) and although there would be a period of intensified use at certain times thereafter, it is not believed that there would be excessive damage as a result of the development on the residential amenities of any nearby property. The proposal is therefore considered acceptable in relation to the relevant requirements of policy PCYFF 2.
- 5.10 The application was advertised on the site and nearby residents were consulted by letter. No response to the statutory publicity was received. While it cannot be assumed that due to the lack of formal objections, there is support for the proposal from nearby residents, it is unlikely that the proposed use would affect the amenities of nearby residents and is therefore unlikely to raise concerns. The proposal is not considered to be contrary to policy PCYFF 2 as well, for this reason.

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

5.11 The response from the Transport Unit shows that additional information is required in order to carry out a full assessment of the proposal. A revised plan containing details of the entrance and proposed arrangements has been submitted, the Transport Unit has been re-consulted but no response has been received at the time of writing this report. It is believed that the original comments of the Transportation Unit were technical elements regarding the arrangements and form of access raised rather than an objection to the proposal and therefore on receipt of additional information it is

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- believed that an orderly and suitable development of the entrance can be ensured by including conditions for carrying out of the works and the approved details.
- 5.12 Full consideration will also be given to the representations received on behalf of Ysgol Gynradd Tudweiliog. It is believed that these matters are reasonable enough to try and seek a resolution to protect the existing school arrangements and facilities and to this end, it is considered reasonable to add a condition to ensure that a suitable programme or arrangement is agreed upon between the interested parties.
- 5.13 It is recognised that the access road is relatively narrow in places, but it is also noted that the further section where access is proposed is an unclassified road. However, it is unlikely that permanent and intensive movements are likely to occur on a regular basis. Having considered the additional information submitted, it is considered that the proposal is in accordance with policies TRA 2 and TRA 4 in the LDP.

#### **Biodiversity matters**

5.14 A Green Infrastructure Statement was submitted with the application. A response was received to the consultation from the Biodiversity Unit noting that the site has no high value in terms of biodiversity. Although part of an existing hedge is to be lost, the proposed plans indicate that the rest of the existing hedges will be retained, and a *clawdd* with a hedge will be created and there is no objection to the plan. It is believed that it would be reasonable to add an appropriate condition to ensure that the development is carried out in accordance with the statement recommendations. It is therefore believed that the proposal is acceptable as submitted and is consequently acceptable based on the relevant requirements of policy AMG 5 together with the Letter from the Minister for Climate Change relating to an update to chapter 6 of Planning Policy Wales in relation to green infrastructure and the step-wise approach.

#### **Language Matters**

- 5.15 In accordance with the Planning (Wales) Act 2015, it is a duty when determining 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.
- 5.16 It is noted that there are some specific types of development 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 for submitting 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.
- 5.17 Confirmation has been received on behalf of the Community Council that any public signs will be bilingual, with priority to the Welsh language and a new village cemetery being essential for the Welsh language. It is noted that the lack of a cemetery in a Welsh village such as Tudweiliog would have a negative impact on the Welsh language as, very often, services such as funerals in

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rural villages bring together many Welsh speakers and that it is consequently essential for the language and the community. Having considered the proposal in terms of linguistic considerations, it is deemed that it complies with the requirements of policy PS 1.

#### **Drainage Matters**

5.18 A detailed report in the form of a groundwater assessment has been submitted with the application which has been carried out to assess the risk arising from the use of the land as a cemetery on pollution matters etc. There is no objection to the proposal on the basis of these issues from the relevant bodies. In accordance with the requirements of paragraph 7.6 of Technical Advice Note 15: Development, Flooding and Coastal Erosion, a Drainage Strategy must be submitted as part of an application to outline the drainage scheme for surface water from the site, unless a separate application has been made to the approval body i.e. Cyngor Gwynedd's Land Drainage Unit. It is noted that additional information has been received in relation to this element and that the Drainage Unit is satisfied with the details and proposed arrangements and offers further advice for the submission of a sustainable drainage system application and consent in accordance with paragraphs 7.9-10 of TAN 15.

#### Response to the public consultation

5.19 It is acknowledged that objections have been highlighted regarding some elements or impacts stemming from this proposal and it is considered that all relevant planning matters have been duly addressed as part of the above assessment. A decision is made based on full consideration of all the material planning considerations and all the comments received during the public consultation and that no one was let down when considering this application.

#### **6.** Conclusions:

6.1 Having considered the above and all the material planning matters including the local and national policies and guidance, together with all the observations received, it is considered that this proposal as shown conforms with the requirements of the relevant policies as noted above, and that it is therefore acceptable for approval.

#### 7. Recommendation:

7.1 To approve subject to conditions

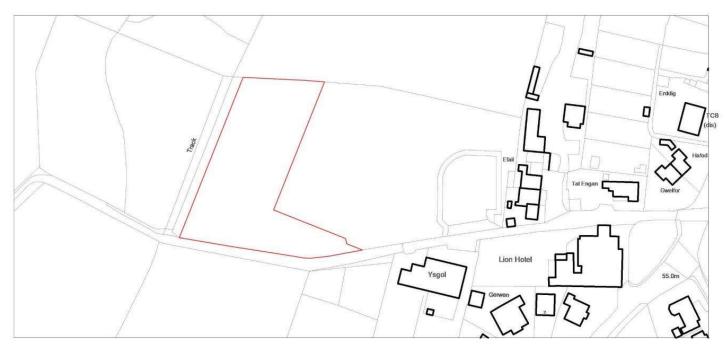
To approve – conditions

- 1. Time
- 2. Compliance with plans
- 3. Highway issues/agree on a Transport/parking Management Plan
- 4. Biodiversity Matters
- 5. Landscaping
- 6. Drainage matters
- 7. Protection of the public footpath
- 8. Building control plan

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REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

- 9. Natural Resources Wales Condition
- 10. Completion of boundary treatments





### 1 Lleoliad / Location



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(01758) 614444 info@haydnewilliams.com www.haydnewilliams.com Lleoliad / Location

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No.	Description	Date



Syrfewyr Adeiladu Siartredig **Chartered Building Surveyors** 

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Gellidara, Penrhos, Pwilheli, Gwynedd, Li53 7HF

(01758) 614444 info@haydnewilliams.com www.haydnewilliams.com

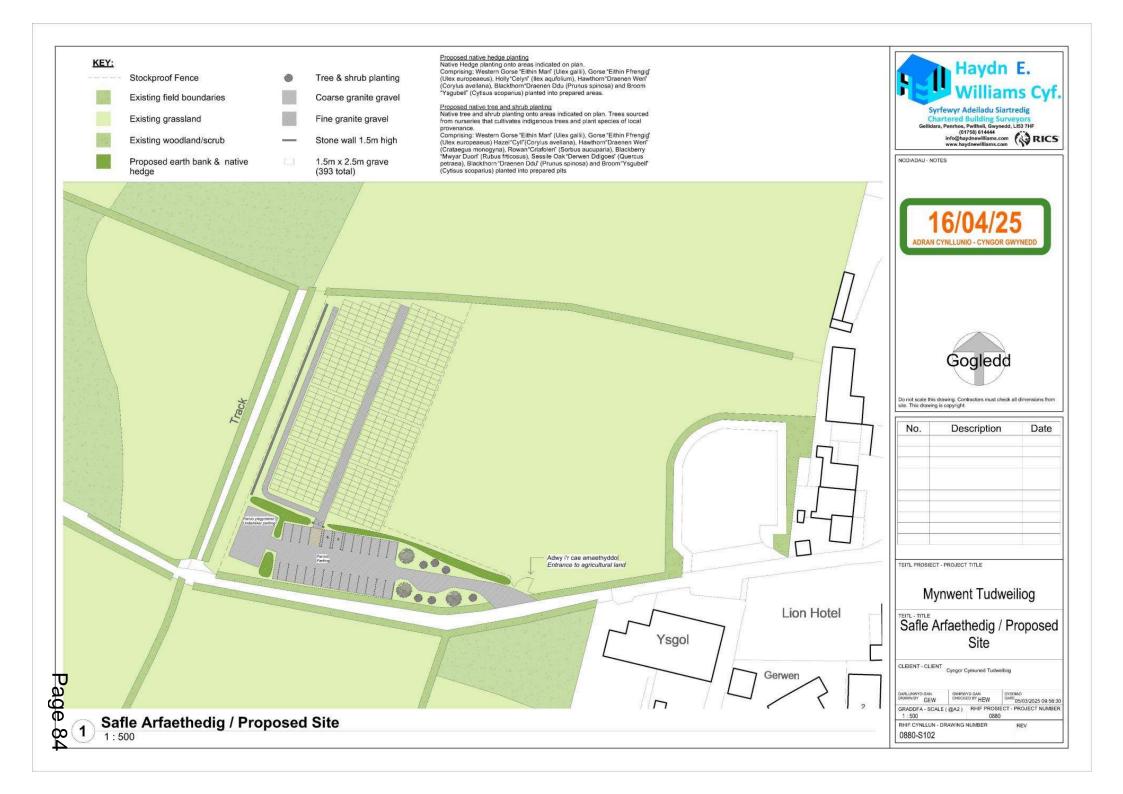
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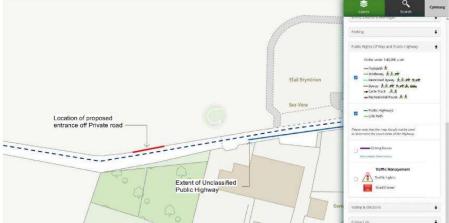
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ĺ	GWIRWYD GAN CHECKED BY HFW	0880-S101		







Map showing location of public highway with respect to proposed access.(Gwynedd Council Maps)

Haydn E.
Williams Cyf.
Syrfewyr Adeiladu Siartredig
Chartered Building Surveyors
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info@haydnewilliams.com
www.haythewilliams.com
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Www.haythewilliams.com

NODIADAU - NOTES

GWYBODAETH YCHWANEGOL ADDITIONAL INFORMATION





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No.	Description	Date

TEITL PROSIECT - PROJECT TITLE

#### Mynwent Tudweiliog

TEITL - TITLE

#### **Entrance Details**

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0880-S103

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Agenda Item 5.4

PLANNING COMMITTEE	DATE: 08/09/2025
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Number: 4

**Application** 

C25/0370/11/DT

Number:

Date Registered: 30/06/25

**Application** 

Householder

Type:

**Community:** Bangor

Ward: Glyder

**Proposal:** To erect a side extension together with alterations

Location: Treetops, 3 Bryn Eithinog, Bangor, Gwynedd, LL57 2LA

**Summary of the** 

Recommendation: TO APPROVE WITH CONDITIONS

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#### 1. Description:

- 1.1 Householder application to demolish a single-storey flat roof extension at the side and front of the property together with erecting a two-storey pitched roof side extension and a single-storey extension in the form of a lean-to to the front. The extension would measure approximately 6.5m by 8.5m at the most. The ridge roof and the eaves of the two-storey section would correspond to the height and eaves of the existing property. The proposal would provide an additional two bedrooms with an en-suite, together with a utility room and new dressing room. The proposal also provides three parking spaces in front of the property.
- 1.2 The property is in a housing estate of various two-storey houses near Ysgol Tryfan within the Bangor City development boundary. The existing property is a two-storey house with a flat roof one-storey section enveloping the side and front of the property.
- 1.3 This application is submitted to the Planning 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.
- 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.

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

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 5: Sustainable development

**PCYFF 1: Development Boundaries** 

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping Policy

PS19: Conserving and where appropriate enhancing the natural environment

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#### 2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Note - 12 Design.

#### 3. Relevant Planning History:

#### 3.1 Not relevant.

#### 4. Consultations:

Community/Town Council: Not received

Transportation Unit: The increase in the number of bedrooms means that off street parking

would be required for three vehicles for the dwelling. Could the

applicant confirm the proposed parking arrangements?

Welsh Water/Dŵr Cymru: ASSET PROTECTION

We advise that the proposed development site is crossed by a public sewer with the approximate position being marked on the attached plan. In accordance with the Water Industry Act 1991, Dŵr Cymru

Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs.

Having reviewed the proposed site plan, it would appear that the proposed extension would be located outside of the protection zone of the public sewer measured 3 metres either side of the centreline.

Notwithstanding this, it is recommended that the developer contact our Plan and Protect team (PlanandProtect@dwrcymru.com) to carry out a survey to verify the location of these asset and establish their relationship to the proposed development.

Should the proposed development be located within the protection zone of the public sewer, there would be a requirement to apply for a Build Over Sewer (BOS) agreement / submit a Declaration of Works.

#### SEWERAGE

Turning towards drainage matters, we would request if minded to grant planning consent that the following Condition and Advisory

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Notes are included to ensure no detriment to existing residents or the environment and to Dŵr Cymru Welsh Water's assets:

#### Condition

No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

**Public Consultation:** 

A notice was posted on the site and nearby residents were notified. The advertisement period has expired, and one item of correspondence was received from the Local Member objecting on the following grounds:

Over-development

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

#### The principle of the development

5.1 The site is in a housing estate of various two-storey houses in a residential area near Ysgol Tryfan within the Bangor City development boundary. Extensions to residential houses are considered suitable in principle, subject to a full assessment in terms of size, design and impact on the area's amenities and residents. It is considered that the principle of erecting an extension on this property is acceptable and complies with the requirements of policy PCYFF 1 of the JLDP.

#### Visual, general and residential amenities

5.2 Policy PCYFF3 states that proposals will be approved, including extensions and changes to existing buildings and structures, if they comply with a number of criteria that include that the proposal complements or enhances the character of the site, the building or the area in terms of siting, appearance, scale, height, massing and elevation treatment; that it respects the context of the site and its place in the local landscape; that it utilises materials appropriate to its surroundings and incorporates soft landscaping; that it enhances a safe and integrated transport and communications network; its drainage systems are designed to limit surface water run-off and flood risk and prevent pollution; that it achieves an inclusive design by ensuring barrier free environments, allowing access by all and to help create healthy and active environments, and considers the health and wellbeing of future users.

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- 5.3 The proposal involves demolishing the existing flat-roof extension on the side and front of the building and erecting a two-storey and partially single-storey extension with a pitched roof in its place. Although the extension is fairly substantial, its location on the property and its design mean that it appears as an alien feature in the vicinity. The extension does not extend out further than the rear of the existing property, and it extends to the side by approximately 1.7m further than the existing extension (4.2m compared to 2.5m). The height of the extension matches the height of the existing property, and the single-storey section on the front includes a roof in the form of a lean-to approximately 3.3m in height. No details regarding the finish have been submitted as part of the proposal, however it is considered that it is appropriate to impose a planning condition to ensure that the finish matches the existing property. It is considered that the visual impact of these elements of the proposal is acceptable and are in compliance with the policy principles of PCYFF 3.
- As stated already, it is recognised that the extension extends out from the side of the property by 1.7m more than the existing extension, this means that the extension would be a little less than 1m away from the boundary with the property next door. However, it is considered that the proposal would not have a detrimental effect on the amenities of the residents directly next door to the site. The appearance of the property next door that faces this site does not include any openings, and the proposed openings on the extension includes a utility door, toilet window and en-suite only on the ground floor. An existing fence exists between both properties, and there is a right to erect a fence up to 2m in height between residential dwellings to mitigate any possible impact from movements and lower floor openings.
- 5.5 The extension does not extend out any further towards the rear boundary of the site than the existing property, however it is acknowledged that the proposal would provide two additional first floor windows in the extension. These windows are for a dressing room and an en-suite and it is considered reasonable to impose a planning condition to ensure that these windows have opaque glass, as the site backs onto property 6 of Min Menai estate.
- As a result of the above assessment, it is considered that the proposal is acceptable and is unlikely to have a detrimental impact on the amenities of any nearby residents. It is therefore considered that the proposal complies with policy PCYFF 2 in the JLDP.

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

5.7 The proposal involves erecting an extension to provide two additional bedrooms, and the Transportation Unit has confirmed that three off road parking spaces need to be provided for the proposal. A site plan was received on 22.08.2025 that indicates the intention to provide three parking spaces within the site's curtilage and therefore it is not considered to be contrary to the objectives of Policies TRA 3 or TRA 4 in the JLDP.

#### **Biodiversity matters**

5.8 A Green Infrastructure Statement has been submitted as part of the application and the proposal is for biodiversity enhancements that include installing bird boxes. It is considered appropriate to impose a planning condition to complete the biodiversity enhancements together with a surveillance note in case any protected species are found when carrying out the work. Based on this, it is considered that the proposal is acceptable and that it complies with the requirements of policy PS19 of the JLDP, as well as chapter 6 of Planning Policy Wales that deals with green infrastructure and the step-wise approach.

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#### **Language Matters**

- 5.9 In accordance with the Planning (Wales) Act 2015, it is a duty when deciding 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.
- 5.10 It is noted that there are some specific types of development 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 for submitting 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.
- 5.11 The proposal in question is for extending a current residential house. It is not considered that the proposed extensions are likely to have a detrimental impact on the Welsh Language and therefore, it is considered that it complies with the requirements of policy PS1 in this context.

#### 6. Conclusions:

6.1 Having considered the proposal in the context of relevant policies, it is considered that the proposal is acceptable as it would not have an impact on the street scape, the amenities of nearby residents, road safety, biodiversity or the Welsh language.

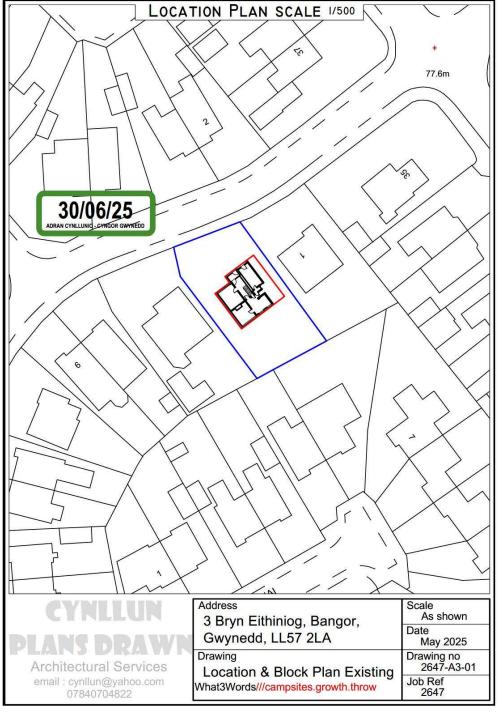
#### 7. Recommendation:

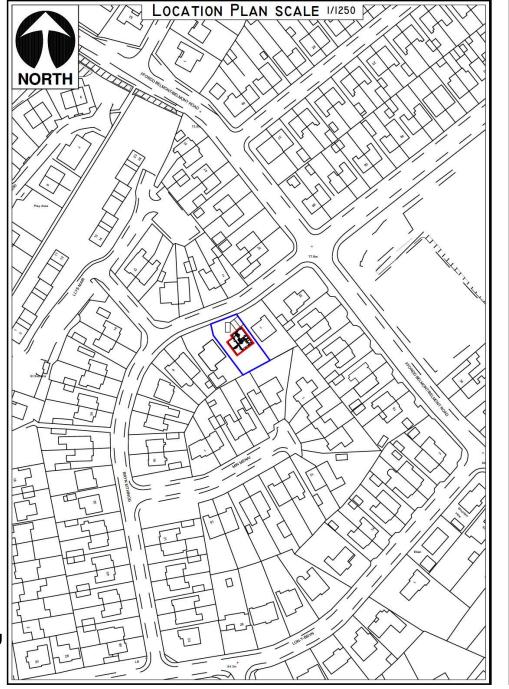
To approve – conditions

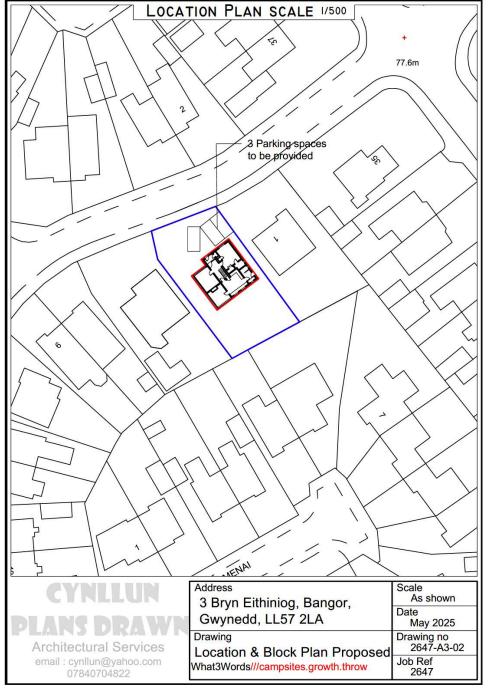
- 1. Five years to commence the work.
- 2. In accordance with plans.
- 3. Slates and finish to match
- 4. Install opaque glass in the back windows on the first floor.
- 5. Biodiversity Enhancements
- 6. Welsh Water Condition

Information note: Welsh Water, Biodiversity

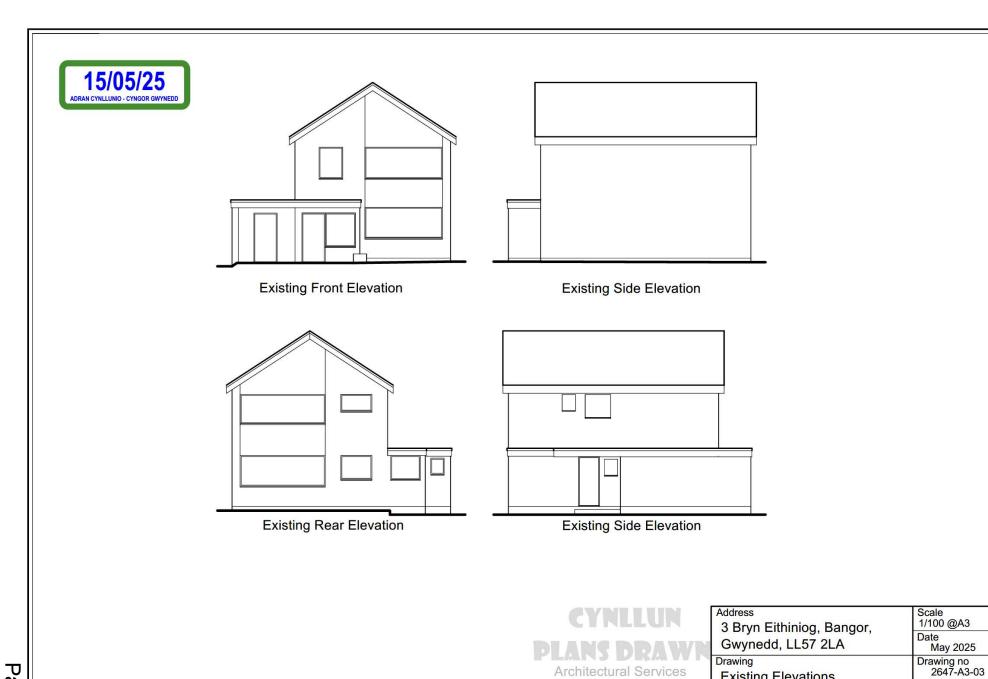








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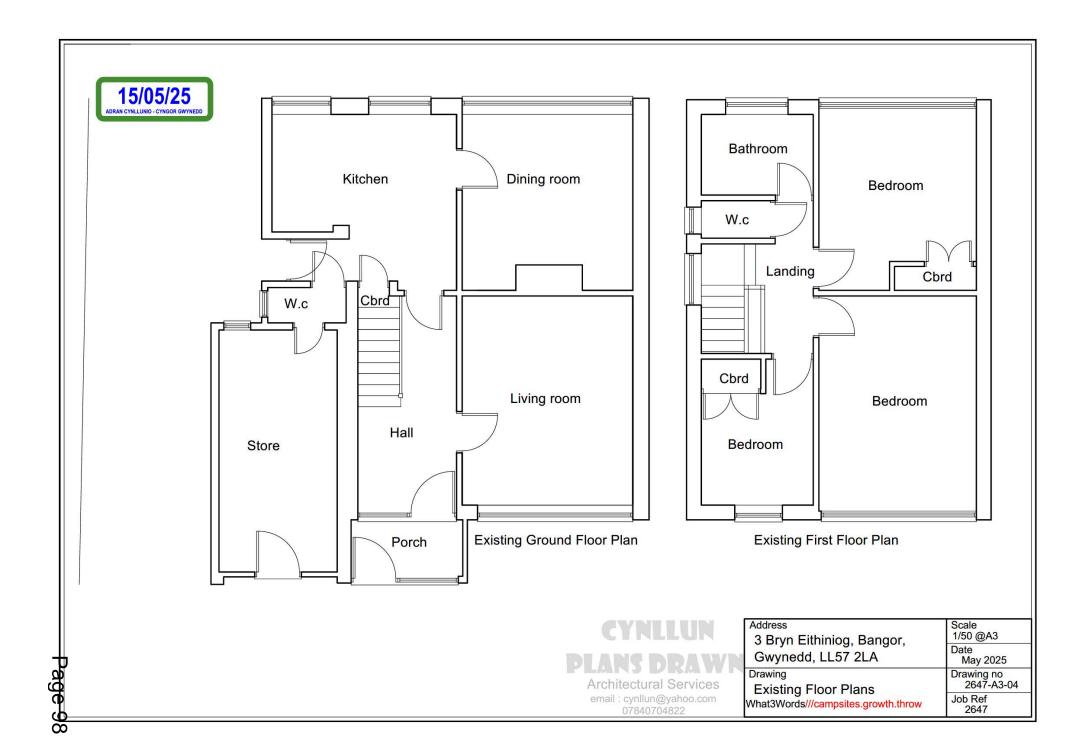
**Existing Elevations** 

What3Words///campsites.growth.throw

email: cynllun@yahoo.com 07840704822

Job Ref 2647

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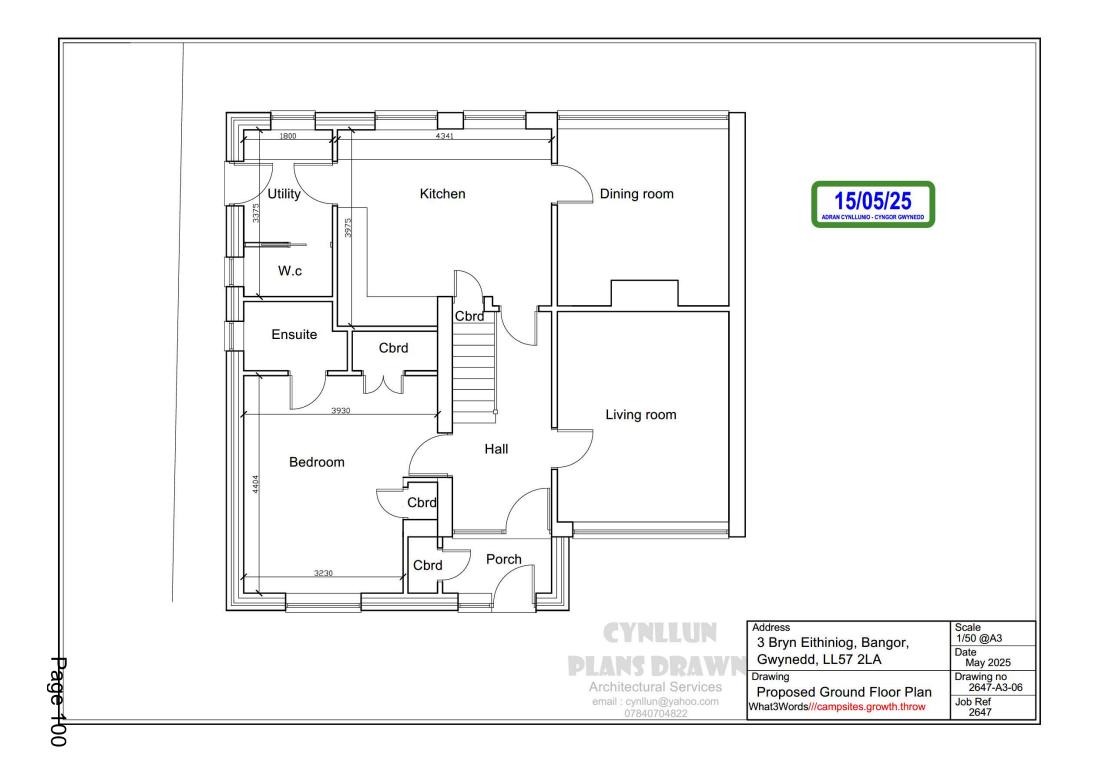
#### **Green Infrastructure Statement**

This extension will be constructed by committed to sustainable practices through the incorporation of environmentally friendly design elements. We prioritise the use of eco-friendly construction materials where possible, aim to maximize energy efficiency through thoughtful architectural choices, and explore opportunities for green space integration. Our goal is to not only enhance the living space but also contribute to a greener and more sustainable built environment, aligning with principles of responsible urban development and ecological consciousness." The proposal specifically will have dedicated nest box and nest cup as part of the proposal together with shrouded pir controlled external lighting which will benefit nature.

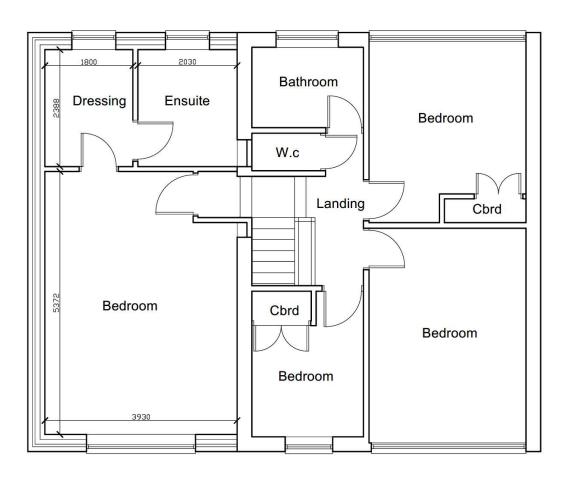
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LANS DRAW

Architectural Services email: cynllun@yahoo.com

Address 3 Bryn Eithiniog, Bangor,	Scale 1/100 @A3
Gwynedd, LL57 2LA	Date May 2025
Drawing Proposed Elevations	Drawing no 2647-A3-05
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15/05/25
ADRAN CYNLLUNIO - CYNGOR GWYNEDD



## CYNLLUN PLANS DRAW

Architectural Services email: cynllun@yahoo.com 07840704822 Address 3 Bryn Eithiniog, Bangor, Gwynedd, LL57 2LA

Drawing

Proposed First Floor Plan What3Words///campsites.growth.throw Scale 1/50 @A3 Date May 2025 Drawing no 2647-A3-07

Job Ref 2647 Sparrow terrace bird box

Swift box

#### Finishes -

Roof: to match existing

Render: to match existing or similar approved Windows & Door: uPVC (colour to match existing) Fascia boards: uPVC (colour to match existing) Rainwater goods: uPVC (colour to match existing)





External lighting directly facing the ground (with a cowling to prevent any external light upwards), be of low luminance and illumination, be on the warm white spectrum (ideally <2700Kelvin), LED bulbs shall be used, and be on a timer to reduce the amount of light pollution and disturbance.

There should be no light illuminating the newly installed nature boxes and their flight paths to the nearby vegetation

#### Green Infrastructure Statement

This extension will be constructed by committed to sustainable practices through the incorporation of environmentally friendly design elements. We prioritise the use of eco-friendly construction materials where possible, aim to maximize energy efficiency through thoughtful architectural choices, and explore opportunities for green space integration. Our goal is to not only enhance the living space but also contribute to a greener and more sustainable built environment, aligning with principles of responsible urban development and ecological consciousness." The proposal specifically will have dedicated nest box and nest cup as part of the proposal together with shrouded pir controlled external lighting which will benefit nature.

# CYNLLUN LANS DRAW

Architectural Services email: cynllun@yahoo.com 07840704822

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Proposed 3d Views
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Scale nts Date May 2025 Drawing no 2647-A3-08 Job Ref 2647









