PLANNING COMMITTEE 15/06/15

Present: **Councillor Michael Sol Owen – Chairman**
Councillor Anne Lloyd Jones – Vice-chair

Councillors: Elwyn Edwards, Gwen Griffith, Alwyn Gruffydd, Dyfrig Wynn Jones, Dilwyn Lloyd, June Marshall, W. Tudor Owen, John Pughe Roberts, Eirwyn Williams, Gruffydd Williams, Hefin Williams, Owain Williams and Eurig Wyn.

Others invited: Councillors Anwen Davies, Selwyn Griffiths, John Wyn Williams (Local members).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Development Control Manager), Keira A Sweenie (Senior Development Control Officer), Aneurin Môn Parry (Enforcement Manager), Dafydd Gareth Jones (Senior Planning Officer - Minerals and Waste), Rhun ap Gareth (Senior Solicitor) and Lowri Haf Evans (Member Support and Scrutiny Officer).

Pupils from Ysgol Glan y Môr, Pwllheli were welcomed to the Committee. The pupils were members of the school Council and had been invited to observe the Planning Committee meeting.

1. APOLOGIES: Councillors Endaf Cooke and Jean Forsyth (Local Member).

2. DECLARATION OF PERSONAL INTEREST

(a) Councillor Gwen Griffith declared a personal interest in Item 1 on the agenda (planning application number C13/1412/13/LL) as her son lived nearby in a site that could be flooded and the development could impact his and his family's amenities.

The Member was of the opinion that it was a prejudicial interest and withdrew from the Chamber during the discussion on the application noted.

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

- Councillor John Wyn Williams (not a member of this Planning Committee) in relation to item 4 on the agenda (planning application number C14/1111/25/LL).
- Councillor E. Selwyn Griffiths, (not a member of this Planning Committee) in relation to item 4 on the agenda (planning application number C15/0109/44/LL);
- Councillor Anwen Davies (not a member of this Planning Committee) in relation to item 4 on the agenda (planning application number C15/0162/33/LL);
- Councillor Eirwyn Williams (a member of this Planning Committee) in relation to item 4 on the agenda (planning application number C15/0226/35/LL).
- Councillor Alwyn Gruffydd, (a member of this Planning Committee) in relation to item 4 on the agenda (planning application number C15/0255/44/LL).
- Councillor Gwen Griffith (a member of this Planning Committee) in relation to item 4 on the agenda (planning application number C15/0345/15/LL).

The members withdrew to the other side of the Chamber during the discussions on the applications in question and did not vote on these matters.

3. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 18 May 2015, as a true record.

4. PLANNING APPLICATIONS

The Committee considered the following applications for development. Details of the applications were expanded upon and questions were answered in relation to the plans and aspects of the policies.

RESOLVED

1. Application no. C13/0412/13/AM – Land on Maes Coetmor, Bethesda

An outline application to erect 69 dwellings, including 20 affordable units

(a) **RESOLVED**, **following observations received from the Biodiversity Unit, to defer the application in order to receive further information about bats, trees and the loss of important habitat.**

(b) In response to an observation regarding a request to distribute the language statement with the agenda, it was proposed that the process of distribution could be discussed in the appropriate Scrutiny Committee or the Language Committee.

2. Application no. C14/1111/25/LL – Coed Fodol, Y Felinheli

Provide a permanent gypsy site to comprise 8 hardstanding pitches with permanent units, create a vehicular access and track and a bridge, erect a toilet block and bin storage together with drainage and sewage treatment work and landscaping

(a) The Development Control Manager elaborated on the background of the application, noting that it had been submitted to provide a permanent gypsy site that comprises eight hardstanding pitches with permanent units, creating an access and vehicular track and a bridge over the river, erect a toilet block and bin storage together with drainage work and sewage treatment work and landscaping. It was noted that the site was located on a plot of land between the B4547 and the A487 near a roundabout between Felinheli and Bangor. It was noted that parts of the site, together with parts of the entrance and the B4547 highway, were situated within a C2 flooding zone.

(b) With regard to the principle of the development, it was noted that policy CH16 of the Gwynedd Unitary Development Plan dealt with proposals for new Gypsy sites, and that the policy approved proposals for new gypsy sites in the Plan's area provided there was evidence of genuine need for the development. However, the site layout plan did not show parking spaces for large vehicles, touring caravans or an open area for amenities/drying clothes/play area for children and due to the high number of pitches it was considered that there was insufficient room for large vehicles/towing vehicles to turn around. It was added that the proposal did not provide separate amenity facilities for each pitch, and that the facilities to be shared between the 8 units was insufficient. There was insufficient information submitted to assess the impact of noise from the nearby highway and trunk road on the residents of the proposed site.

(c) It was noted that the Biodiversity Unit confirmed that the site was situated on wooded land with a river running through the site. The land was wet. There was a record of badgers and a hedgehog on the highway near the site and there was a dipper in the river and it was likely that there were also otters there. Rivers were an important habitat and wildlife corridor and a development that was likely to have an impact on these should be avoided.

Additionally, Natural Resources Wales was of the view that there was a lack of ecological information to undertake a full assessment of the proposal and it also stated that the toilet/storage buildings were too close to the river. They stated that a tree report was required and also a rhododendron control plan and that dogs should be prohibited from the site as otters were present there and it was not clear if this requirement was realistic on such a site.

(ch) On the grounds of the Biodiversity Unit's observations, it was considered that the development was not suitable for such a sensitive site, as it would be likely to have a detrimental impact on a wildlife corridor of high importance. Attention was drawn to the fact that a Flooding Consequence Assessment had been submitted as part of the application and following an assessment of the Flooding Consequence Assessment, Natural Resources Wales objected to the application as the platform level was insufficient for dealing with a flooding incident. It was added that the Emergency Planning Officer had also confirmed that he objected to the proposal as the access to the site from the highway and over the bridge over the river was within a C2 zone, and due to the potential of causing an additional burden on the emergency services in a flooding emergency.

It was acknowledged that the need for permanent pitches for gypsies had been proven, but it was essential that proposals for sites also conformed with other policies within the Unitary Development Plan. In this case, it was considered that the proposal was an over-development and that there was insufficient information to assess the impact of noise from the nearby highway and trunk road on the residents of the proposed site.

(d) Taking advantage of the right to speak, the applicant noted the following main points:-

- He was making the application on behalf of his family as the site provided for them in Llandygai was full, and that there was no other suitable location available for Gypsies and Travellers in Gwynedd.
- He owned the land and was not requesting any further support from the Council.

(dd) The following points were made by the local member (not a member of this Planning Committee):-

- There was evidence and a local need for more locations for Gypsies and Travellers, but the question arose as to why Bangor had to meet the County's needs.
- He knew the family and respected their wishes.
- It was essential to consider the fact that the area was likely to flood, and that there was concern about traffic, noise and activity levels.
- He expressed his view that the site was unsuitable for development.

(e) It was proposed and seconded to refuse the application in accordance with the recommendation.

(f) The following observations were noted in favour of the recommendation:

- There was a statutory requirement to provide a site, and as this site was available and on the outskirts of the city, that it was an appropriate location.

(ff) The following observations were noted contrary to the recommendation

- There is a statutory requirement to provide a Gipsy and Traveller site, but this site was not suitable
- Acknowledgement of the evident need, but that consideration had to be given to health and safety issues
- A request for the Council to search for land in order to meet the duty
- Evident that there was demand for this service – a need to hold discussions
- Would it be possible to grant temporary permission until a suitable site could be found?

In response to the above observations, the Development Control Manager noted that there were discussions taking place regarding improving and extending the existing Gypsy site at Llandygai, however no formal planning application had been submitted thus far and therefore it was not a material consideration. With regard to the Authority's duty, it was noted that there was a requirement to respond to this in the Local Development Plan. With regard to temporary permission, it was noted that the harm to biodiversity would be the same during a temporary period as it would be permanently.

RESOLVED to refuse the application.

1. It is considered that the proposal was contrary to the requirements of policy B23 and B33 of the Unitary Development Plan that relate to safeguarding amenities and dealing with developments which create pollution or nuisance. Consequently, it is considered that the proposal is an over-development of the site based on the number of units and the lack of amenity facilities and amenity open area and insufficient space to park and turn for associated/employment vehicles. There is also insufficient information to assess the impact of noise from the highway and trunk road nearby on the residents of the proposed site.

2. Insufficient information has been submitted in order to ensure that the proposal does not cause damage to the integrity or continuation of the landscape that is very important for the flora and fauna, it is therefore considered that the development is not suitable for such a sensitive site, and it would be likely to have a detrimental impact on the wildlife corridor that has a high biodiversity value. It is therefore considered that the proposal is contrary to policy B21 of the Gwynedd Unitary Development Plan which safeguards wildlife corridors.

3. Caravans and residential developments are defined as a development that is particularly vulnerable. A section of the site, including access is located within a C2 flooding zone, and a development such as this should not be situated within a C2 zone. Therefore, the proposal is contrary to policy B29 of the Gwynedd Unitary Development Plan and Technical Advice Note 15: Development and Flood Risk and the Welsh Assembly Government Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites, which confirms that a residential development (and specifically caravans) should not be located within a C2 flooding zone.

3. Application no. C14/1248/11/AM – Former Jewsons site, Penlon Works, High Street, Bangor

An outline application with some reserved matters for constructing four buildings to provide 77 living units, creating a new vehicular access with associated roads, parking spaces and ancillary facilities.

(a) The Planning Control Manager further clarified that this was an application for outline consent for the proposal which includes details of the vehicular access and the layout of the buildings within the site, to include 7 buildings with 77 living units or self-contained flats. It was explained that the site was located within the development boundaries of the city of Bangor, that had been designated as a sub-regional centre in the Gwynedd Unitary Development Plan (July 2009). The site was in a comparatively prominent location and parallel to the lower end of the High Street within the area known as Hirael. The site was most recently used as a business selling construction goods (Jewsons), this use had now come to an end. All the buildings had been demolished and the entire site lay dormant.

(b) The principle of the development was the main consideration in this case and given the details that had been submitted for approval as part of an outline application along with the

location of the site within a residential area and within the Bangor city development boundary it was believed that the proposal was acceptable in terms of this matter.

(c) It was noted that the individual units would vary in size, subject to being a one or two bedroom unit; however, they all included their own kitchen, living room and bathroom. The site occupied a comparatively prominent location in this part of the City of Bangor. The site was surrounded by residential dwellings which varied in size, design and finish. The Strategic Housing Unit stated that there was general demand for affordable housing in Bangor, and therefore 23 affordable units should be included as part of this scheme. It appeared that the average price of two bedroom flats in the Bangor area was £116,000, while one bedroom flats were £90,000. It was noted the applicant had provided a detailed report in the form of an assessment of the local housing market and the need, and in this case, due to the size and value of the units, it was considered that the units were already affordable in any case.

Attention was drawn to the additional observations that had been received.

(ch) It was proposed and seconded that the application should be deferred as insufficient information had been submitted.

A vote was taken on the motion. The motion fell.

Proposed and seconded – to approve the application.

(b) The following observations were noted in favour of the recommendation

- Commend the fact that the developer had listened and responded to the Committee's observations
- The number of units had been substantially reduced, and sufficient space between the blocks
- The surface area had been dormant for some time and attracted pollution.
- There was insufficient local provision for units for single people, and therefore this development responded to the demand
- A request for an affordable housing condition, and a condition that they were units for local people

(dd) The following observations were noted contrary to the recommendation

- Concern at the lack of investment to regenerate the city centre
- Concern that these would be units for students and not for the open market. The reduction in student numbers and as a result these units would add to the number of vacant units in the city

(e) In response to the observations, it was noted that there was statistical evidence proving beyond doubt that there was a need for units of this size. With regard to the provision of houses for local people, it was noted that there was no relevant planning policy for the inclusion of a condition for provision solely for local people. In relation to the affordable housing element, it was agreed to include a condition to include an affordable housing mechanism.

RESOLVED to delegate powers to the Senior Planning Service Manager to approve the application, subject to making arrangements to ensure a suitable provision of affordable housing.

Conditions:

1. The start of the development and the timeframe for submitting reserved matters

2. Details of reserved matters
3. Materials
4. Slate
5. Polluted Land/noise
6. Surface water / Welsh Water conditions
7. Highway conditions
8. Archaeology
9. Eradicate invasive plants
10. Maximum building height
11. Affordable housing arrangements

4. Application no C15/0109/44/LL – Gelert House, Ffordd Penamser, Porthmadog.

Change of use to a materials recycling facility and the manufacture of solid recovered fuel

(a) The Senior Officer – Minerals and Waste, explained that this was a part retrospective application involving a material change of use of an existing industrial unit into a materials recycling facility for the manufacture of Solid Recovered Fuel (SRF) from locally sourced, pre-sorted non-hazardous skip waste. The development would be subject to a throughput of 72,000 tonnes per annum and contained wholly within the building. It was proposed that SRF would be manufactured for sale to power generation companies and other users of solid fuels.

(b) In relation to the principle of the development, it was explained that Welsh Assembly Government had made it clear through the adoption of the overarching waste strategy document for Wales, Towards Zero Waste, that it was committed to a long term strategy for resource efficiency and waste management between now and 2050, based on very high levels of waste recycling and composting together with minimal levels of landfilling.

(c) It was noted that the development of a facility for the manufacture of solid recovered fuel was acceptable in principle at this location and complied with national and regional planning policies and guidelines, and also with Policies C3 and C22 and D2 of the UDP, subject to an assessment of the relevant planning considerations. It was noted that the building was a suitable building for this type of activity.

Attention was drawn to the additional observations that had been received.

(ch) Taking advantage of the right to speak, the applicant's representative noted the following main points:-

- It was a minor variation of its existing use
- An appropriate location, with the building insulated to a high standard
- No noise impact
- Only daytime working hours, 6 days per week
- Contributed towards Gwynedd's challenging waste management targets
- Evidence to show that the application was valid
- Employment for 11 people initially
- The location complied with regional policies and guidance
- The site already had planning permission for a warehouse and distribution centre

(d) The following points were made by the local member (not a member of this Planning Committee):-

- The site had been empty for a long time
- Concerns raised by local people included health and safety issues, dust and air quality, noise impact from the work and traffic noise

- If applications were made for further additions or expansion, that a specific planning application must be submitted
- Need to ensure regular monitoring in the context of the work undertaken on the site, and to monitor fire safety
- Will the water on the site be stored? Will there be water flowing out? Need for clarity.
- The working hours needed to correspond to hours of the delivery and reception of materials

(dd) Proposed and seconded – to approve the application.

(e) The following observations were noted in favour of the recommendation

- Although the concerns of Porthmadog Town Council and the local community were recognised, conditions had been set to address them
- The building had no chimney and the work was enclosed, so there would be no likely noise
- Supportive of an enterprise to avoid landfill
- Local employment opportunities

(f) The observation regarding working hours and to ensure that the conditions were in accordance with the late observations received were accepted

RESOLVED to delegate powers to the Senior Planning Manager to approve the application, subject to the expiry of the consultation period and the following conditions:-

- **Noise and dust monitoring and management plan,**
- **Further details on measures to keep the building under negative pressure,**
- **No stock piles of waste material or finished product to be stored outside the building,**
- **Provision for wheelwash or other measures to dampen haulage surfaces outside the building to prevent the migration of fugitive dust,**
- **Noise conditions,**
- **Working Hours 07.30 – 17:30 hrs. Reception and dispatch of materials between 07.00 – 19.00 hrs,**
- **Further details on dust suppression equipment & proposed water feed,**
- **Sprinkler systems to be retained as a fire precaution measure,**
- **Limit the total tonnage of raw material and finished product to be stored within the building at any time,**
- **Submission of a Legionella risk assessment prior to the commencement of operations,**
- **No cause to pollute water courses when the site is operational,**
- **Note to applicant in respect of NRW, Welsh Water and Network Rail statutory requirements.**

5. Application No. C15/0119/15/HY – Spar Shop, High Street, Llanberis

Provision of new signage including illuminated signs

(a) The Senior Planning Control Manager further explained the background of the application, noting that this was an application to display advertisements which includes various illuminated signs on the front elevation of the Spar Shop and one near the car parking spaces on High Street, Llanberis. This was a result of an additional user being established within the shop which needed to be advertised by means of external signage. Following the

concerns of the Community Council and objectors and following a site inspection by the Planning Officer, amended plans had been submitted which meant that:-

- The stand-alone sign would now only be part-illuminated rather than the whole sign as originally proposed.
- The fascia signs above the main door would be reduced in size from 4.1m to 3.1m with the letters only to be illuminated.
- The signs had been adapted to be bilingual.

It was added that the TAN 7 Control of Outdoor Advertisements document stated that outdoor advertisements could only be controlled in the interests of public amenity and safety (impact on the safe use and operation of any type of traffic or transport). Given the content of the above assessment in its entirety it was noted that the proposal, as amended, was acceptable and complied with the relevant local and national planning policies.

(b) Proposed and seconded – to approve the application.

(c) Observations noted from the discussion:
- There was a need to control commercial illuminations
- Light pollution – the building was prominent in the middle of the village and therefore was there a need for illuminated signs?
- Businesses needed signs in order to advertise
- Needed to ensure that the signs were bilingual

RESOLVED to approve the application
Conditions:
1. In accordance with the amended plans.
2. Restrictions on the lighting levels of the signs.
3. Signs to be illuminated between 7:00 and 23:00 Monday to Sunday (which complies with the shop's opening hours).

6. Application no C15/0162/33/LL – Gallt y Beren, Rhydyclafdy

A part retrospective application to construct a building to be used as a commercial garage, change of use of a building approved and used previously as a commercial garage at Gallt y Beren to agricultural use, along with proposed improvements to the entrance to the B4415 from Hendre Wen.

(a) The Senior Planning Service Manager elaborated on the background of the application. A report was submitted to the Planning Committee on 27 April 2015 and the Committee's intention was to approve the application, contrary to the officers' recommendation. The reasons that had been given by the Committee for supporting the application had been that they considered that the development conformed with policy D7 of the Gwynedd Unitary Development Plan (Small scale Rural Workshops or Industrial/Business Units outside the outside the development boundaries); that the development provided local employment; geographical local need, and no similar business within reach of the site.

Attention was drawn to the fact that one letter had been received since publishing the report, supporting the application on the grounds that the visual impact was considered to be acceptable; that there were no alternative suitable sites and that there would be no impact in relation to traffic.

(b) Details of the background of the application were given, noting that the retrospective element of the application was to retain the building and use it as a commercial garage with floor area of 264m^2 near a dwelling known as Hendre Wen, together with improvements to the access to the B4415 from Hendre Wen. Regarding the site's planning history, attention

was drawn to the fact that an application to change the use of the agricultural building in Hendre Wen into a garage and MOT centre had been refused on 21 February 2013, and as a result, an enforcement notice had been submitted to terminate the use and demolish the building used as a commercial garage and remove all the materials associated with that use from the site.

It was reported that an appeal had been lodged against the enforcement notice and the planning refusal, and both appeals had been refused in May 2014. The enforcement notice was amended, in accordance with the Planning Inspectorate's decision, to extend the compliance period to the notice to 12 months. It was noted that the period would end on 4 May 2015, but that no effort had been made to comply with the requirements of this notice. It was highlighted that the applicant had acted contrary to the Inspector's recommendation and had therefore committed a crime. It was emphasised that the application's recent planning history clearly established the current planning policy stance on this application, and that the application was wholly contrary to the principles of the policy.

It was noted that the development was industrial, and therefore it must be considered whether the development had specific location needs under policy D5 of the GUDP. In this case, there were no specific location needs to site the business on this specific site in open countryside, especially bearing in mind that the applicant had an established business in a shed on the family farm opposite the current site. It was noted that units were available in areas such as Nefyn and Y Ffor, that may comply with the applicant's needs and it was considered that the possibility of adapting and using one of the units should be investigated rather than retaining a new unit at a totally unacceptable location. It was also noted that there were other businesses in the area providing this type of service and that there was therefore no justification to accepting the proposal as a 'special local needs development'.

It was considered that the proposal had an unacceptable impact on the character of the area and there was no justification for locating the development on this site. It was emphasised that the Planning Inspectorate's decision on behalf of Welsh Ministers to refuse the application supported the view of the Council in this case to refuse an appeal against the refusal of the previous planning application and enforcement notice. To this end, it would be very difficult for the Committee to justify going against the appeal decision without causing significant risks to the Council itself. It was emphasised that the proposal was contrary to the guidance included in the national and local policies. It was highlighted that the main risk to the Council would be for the Welsh Government to formally intervene in the way the Council provides the Planning Service, that could ultimately totally or partly remove the right to determine planning applications from the Council. Options to be considered by the Committee were listed in the report, which emphasised that the recommendation to refuse the application was clear and robust in considering the recent planning history.

(c) The following main points were made by the local member (not a member of this Planning Committee):-

- The lack of a decision on the application was a matter of concern for the family and the local community.
- It was a successful business in the countryside
- The company offered a service for agricultural machinery, and therefore its scale was appropriate
- The business employed 6 staff members. These were young, local families trying to build a future for their children; they were valuable jobs in a rural area where there weren't many jobs;
- The business contributed considerably to the local economy;
- The applicant intended to change the colour of the shed.

- Refusing the application would lead to a loss of employment in the countryside, along with the applicant's family's livelihood.
- She was supportive of the application.

It was proposed and seconded to refuse the application in accordance with the recommendation and to suggest that the applicant discussed the possibilities with the Planning Service in relation to the site at Gallt y Beren and other suitable alternative sites – option 5.1(ii) of the report.

(ch) The following observations were noted in favour of the recommendation:

- Consideration had to be given to the Planning Inspectorate's decision
- The inspector had supported the officers' decision and that the inspector's decision could not be undermined;
- That the decision had to be made in accordance with the policies in order to ensure fairness and consistency for all applicants.
- Accept that it was a difficult decision but that care had to be taken not to set a dangerous precedent
- Agree on the need to support industry and employment in the countryside, but as the appeal had been refused twice, the Committee must adhere to its policies
- The proposal was contrary to policy 7 of the GUDP;

(d) The following observations were noted contrary to the recommendation:

- The business was a successful economic enterprise which was to be welcomed.
- The business had developed naturally, supported local farmers and demonstrated that the service needed to remain on the site
- Agricultural buildings had existed on the site for a long period of time, and therefore industry in the countryside had to be prioritised, and this had to be accepted as an exception.
- Customers would have to travel further, possibly with tractors, which could mean an increase in traffic levels on rural roads during the summer
- There was a need to safeguard jobs and support a company that supported the Welsh language
- The applicant intended to improve the site through landscaping to make it less visible
- There were no other suitable units nearby
- If a precedent was set in allowing this development it would send a positive message that local businesses and young people were being supported.

(dd) In accordance with the Procedural Rules, the following vote to **refuse the application** was a registered vote:

In favour of the proposal to refuse the application, (8) Councillors: Gwen Griffith, Anne T. Lloyd Jones, Dyfrig Wynn Jones, June Marshall, Michael Sol Owen, Tudor Owen, Eirwyn Williams and Hefin Williams.

Against the proposal to refuse the application, (7) Councillors: Elwyn Edwards, Alwyn Gruffydd, Dilwyn Lloyd, John Pughe Roberts, Gruffydd Williams, Owain Williams and Eurig Wyn.

RESOLVED to refuse the application in accordance with the recommendation and to suggest that the applicant discusses the possibilities with the Planning Service in relation to the site at Gallt y Beren and other suitable alternative sites (option 5(ii)).

1. **It is considered that the proposal was tantamount to erecting a new industrial building in open countryside and that it is not possible to consider the application as one for the change of use of the existing building. There is no justification for locating the development in open countryside and no special location needs exist for this development. Therefore, the proposal is contrary to policies D5, D7, D8 and C1 of the Gwynedd Unitary Development Plan.**

2. **The building that has been erected due to its colour, openings and finishes stands out as a prominent industrial feature that does not respect and is not in keeping with its location in open countryside which is designated as a Landscape Protection Area. In addition it is considered that work to the access has a detrimental impact on the area's character and appearance. It is therefore considered that the proposal does not comply with the requirements of policies B10, B22, B25 of the Gwynedd Unitary Development Plan.**

7. Application no. C15/0226/35/LL – Garage, Merllyn Road, Cricieth

To demolish existing garage and erect a two-storey holiday unit

(a) The Senior Development Control Officer elaborated on the application's background and noted that the proposal involved the demolition of the existing garage and erection of a two-storey holiday unit in its place. The site was located near the development boundary of Cricieth. To the north of the site was the Cambrian Railway line, and a public car park lay to the south and the west. It was highlighted that the architecture of the centre of Cricieth was very traditional, but more modern houses surrounded the application site and the Morannedd café had been listed as an example of a Grade II modern building. The design of the building was very modern but with careful use of materials and colours it was not considered that the development would be an alien feature.

(b) An objection had been received from the owner of the property on the other side of the railway expressing his concern regarding the effect on the amenities of his property. In accepting that there would be an adverse effect on the views from the house towards the castle, the new building would not be exactly in front of the existing house and the open views towards the south in the direction of the sea would remain. It was therefore not considered that the development would have a domineering impact on the residents of the Merllyn Crossing Cottage. In addition, given the distance that would be between the buildings, it was not considered that there would be a significant loss of light deriving from the development, or an oppressive impact.

It was noted that the proposal was acceptable and that it complied with the GUDP for the reasons noted in the report. It was noted that there was an additional clause to safeguard the privacy of Merllyn Crossing Cottage by installing a privacy screen on the rear balcony and opaque glass in the first floor rear window.

(c) Taking advantage of the right to speak, an objector noted the following main points:-

- Concern regarding safe access for users of the Coastal Path
- Concern about road safety as the proposed property would block the unobstructed views of traffic descending the hill and pedestrians crossing the road
- Concern that it would impede the views from neighbouring houses
- There was a covenant regarding views between neighbours
- A two-storey building would spoil the view from their property

(ch) The local member (who was a member of this Planning Committee) said that he had no objection to the application on planning grounds, and that he agreed with the recommendation and the conditions.

(d) In response to the observation regarding a private covenant, the Solicitor explained that this was solely a discussion between the owners, and was of no consideration to the Planning Committee.

(dd) Proposed and seconded – to approve the application.

(e) Observations noted from the discussion:

- The existing property was an eye-sore on the side of the road. Cricieth was a vibrant and prosperous town and the proposal was to be welcomed.
- There was a garage on the site, and therefore the site had been busier in the past.
- The intended layout was low, and therefore would not be an intrusion to others
- Consider single-storey instead of two-storey?

(f) In response to the observation about considering a single-storey building, it was noted that there had been lengthy discussions between the candidate and the architect, and it had been accepted that the proposed design was in keeping with the buildings that had already been granted planning permission. Concern about the view was the main reason for the objection and in the context of a 'view' there was no 'right to a view' in planning terms.

RESOLVED to approve the application.

Conditions

1. Five years
2. Colours and materials
3. Holiday use only/keep a register
4. Withdrawal of general permitted development rights
5. Water conditions
6. Comply with the approved plans
7. Opaque glass in the screen on the balcony and in the first floor rear window

8. Application No. C15/0255/44/LL – former Furniture Wales site, Tremadog

Change of use of A1 Business Use (shops) to D2 business use (assembly and leisure) to enable the provision of martial arts classes.

(a) The Senior Development Control Officer elaborated on the background of the application for the change of use of a building from an A1 (shop) to a D2 use (assembly and leisure) for its use as a studio to provide martial arts classes. It was noted that the unit had been vacant for some time, and that there was no intention to make any external changes.

Reference was made to the relevant policies, and it was noted that policy C3 approved applications that gave priority to reusing previously developed buildings rather than using greenfield sites. It was also noted that objections from local residents had received full consideration and that the responses to the consultation period were listed in the report.

Attention was drawn to the additional observations received, and that the applicant had provided information on the size of the classes that would be held.

(b) Taking advantage of the right to speak, the applicant noted the following points:-

- The company ran classes throughout Gwynedd.
- The company taught respect, gave confidence, and information on health and welfare for children
- They rented a room in the local school, but the intention was to establish their own site
- The business supported other local businesses in the area

(c) The Local Member (who was not a member of this Planning Committee), noted the following points:-

- The previous business had closed due to the development of the bypass, which had posed a challenge for the village to remain viable
- Objections regarding parking. It appeared that a drop-off and pick-up point would be needed as opposed to permanent parking spaces
- He supported this application and the enterprise would be an exciting addition to the energy of the village.

(ch) Proposed and seconded – to approve the application.

RESOLVED to approve the application in accordance with the recommendation

Conditions
1. Commence the development within five years
2. Complete the development in accordance with the Design and Access Statement and the plans submitted

9. Application no. C15/0276/16/LL – Zip World, Penrhyn Quarry, Bethesda

(a) The Senior Planning Control Officer elaborated on the background of the application, noting that it was a full application for the erection of a new three-storey building for the Zip World company, to include a reception area and associated facilities including a cafe and bar as well as the removal of existing temporary buildings, creation of a new zip wire course, car park, pedestrian boardwalk to connect with the existing visitors car park and installation of a sewage treatment plant. The application site was located on a platform of slate/stone waste at a lower level than the site which was currently used.

It was noted that the site was located within the boundary of Penrhyn Quarry on the outskirts of Bethesda, and would use the same entrance to the Quarry as was currently used. The Zip World business which had been established within the Quarry had developed as an extremely successful and popular attraction, contributing to the local economy and also providing a link to the area's economic heritage. As a result there was demand for the provision of a building that would improve the attraction's image in future.

Policy D8 of the Gwynedd Unitary Development Plan related to the expansion of existing enterprises, existing businesses or other enterprises if they conformed to specific criteria regarding the appropriateness of the existing use in relation to the surrounding area and adjacent uses and how relevant they were to the existing work. It was also noted that a Language and Community Statement must be submitted with this proposal due to the size of floor space exceeding 1000m^2. It was explained that the Joint Planning Policy Unit had confirmed that it was not anticipated that the development would have a significant impact on immigration to the area, and that it therefore complied with the requirements of policy A2 above.

Attention was drawn to the additional observations received about late information which had come to hand requesting that consideration should be given to relocating the building and the car park on another site within the red line, due to problems that had become evident in relation to the development in the location shown as part of the current application.

(b) Taking advantage of the right to speak, the applicant's agent noted the following points:-

- That the location needed to be moved slightly, within the red lines, as the foundations were not suitable
- The attraction drew visitors to North Wales

- The current facilities were insufficient for visitors and staff and the provision needed improvement
- The building would be used as the Company's Headquarters which now operated throughout the United Kingdom
- 20 additional people would be employed

(c) The Local Member (who was a member of this Planning Committee), noted the following points:

- The employment generated by the company was important to Gwynedd
- The small zip wire for children would provide a family attraction
- Better resources required for staff
- A company investing locally
- The company's decision to locate its headquarters in Gwynedd was a positive sign of its commitment to the County
- 85,000 used the zip wire annually – the business was developing
- A request to encourage bilingual signage

(ch) Proposed and seconded – to approve the application.

(d) Matters arising from the discussion:

- The attraction had grown quickly and the further improvement of the resource by the company was to be welcomed, which would also upgrade the attractions of north Wales

RESOLVED to delegate powers to the Senior Planning Manager to approve the application, subject to the receipt of plans relating to the new location of the building and the car park, and the receipt of favourable observations following a second consultation period.

Conditions:

1. **Five years**
2. **In accordance with the plans**
3. **Complete the mitigation measures in accordance with the ecological report and the addendum.**
4. **The use of the café/bar and shop within the building approved here to be restricted to uses linked to the main use as a zip wire course only.**
5. **The mitigation must be achieved in accordance with the ecological report 05.05.2015**
6. **A programme of archaeological work to be submitted.**
7. **Slate**
8. **Materials**

Note: bilingual signage

10. Application no. C15/0345/15/LL – Part of Llyn Padarn, near Ystâd Ddiwydiannol Y Glyn, Llanberis

Engineering works to create a slipway (amended location to the previously approved application ref. no. C15/0022/15/LL)

(a) The Senior Development Control Manager elaborated on the background of the application, for engineering works to create a slipway for the users of Llyn Padarn to facilitate direct access to the lake. The site was located in the area of 'Y Glyn', on the outskirts of the village of Llanberis, an area of mixed use. It was noted that the proposal involved unsubstantial regrading of the land on the lakeside in order to create a suitable approach

towards and into the lake. It was intended to set the slipway, measuring 3m in width and approximately 11m in length, on the land and then onto the lake bed. The slipway would be made of pre-cast concrete similar to a 'plinth', set on the land and secured by anchoring it to a concrete beam buried in the earth, and by a series of pegs. The proposal would improve the existing leisure provision on the lake in comparison with the existing provision.

(b) In the context of the other considerations, it was noted, that due to the site's location within the SSSI, and in order to conform to current requirements, the proposed development had been formally screened to ascertain whether an Environmental Impact Assessment (EIA) needed to be submitted. The screening confirmed that an EIA was not required in this case.

(c) In relation to the consultation period, it was noted that there were a number of objections to the application due to concerns that the slipway was for power boats. It was clarified that this was not the intention. For clarity, only rowing boats and sailing boats were permitted on Llyn Padarn. Power boats were prohibited unless a power boat was supervising or safeguarding an event or an activity where power boat supervision was required.

Attention was drawn to the additional observations that had been received.

(ch) Proposed and seconded – to approve the application.

(d) Matters arising from the discussion:

- Had the department consulted with Seiont Angling Club and Llanddeiniolen Parish Council?
- Regarding health and safety, the slipway was welcomed, due to the sharp slates on the lake bed.
- The slipway would be beneficial to local people and visitors

(dd) In response to a question regarding the consultation, it was noted that the department had consulted in accordance with the statutory requirements and everything on the site was now acceptable and had received the support of the statutory consultees.

RESOLVED to approve the application

Conditions
1. Time
2. Comply with plans

The meeting commenced at 1.00 pm and concluded at 4.45 pm

CHAIRMAN