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## PLANNING COMMITTEE 13/2/17

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**Present:** Councillor Anne Lloyd Jones - Chair  
Councillor Elwyn Edwards - Vice-chair

**Councillors:** Endaf Cooke, Simon Glyn, Gwen Griffith, Dyfrig Wynn Jones, Eric M. Jones, June Marshall, Michael Sol Owen, W. Roy Owen (substitute), W. Tudor Owen, Eirwyn Williams, Gruffydd Williams, Hefin Williams and John Wyn Williams.

**Others invited:** Councillors Aled Ll. Evans, Dafydd Meurig and R. H. Wyn Williams (Local members).

**Also in attendance:** Gareth Jones (Senior Planning Service Manager), Cara Owen (Planning Manager), Keira Sweeney (Senior Development Control Officer), Gareth Roberts (Senior Development Control Officer - Transport), Rhun ap Gareth (Senior Solicitor) and Bethan Adams (Member Support Officer).

**Apologies:** Councillor John Pughe Roberts and Councillors Selwyn Griffiths and Dilwyn Lloyd (Local Members).

### 1. DECLARATION OF PERSONAL INTEREST

(a) The following members declared a personal interest for the reasons noted:

- Councillor Gruffydd Williams, in items 5.5 and 5.6 on the agenda, (planning application numbers C16/1603/41/AM and C16/1363/41/AM) as he was in a relationship with the applicant;
- Councillor Eirwyn Williams, in item 5.7 on the agenda, (planning application number C16/1394/35/AM) as his customers used the golf club.

Members were of the opinion that they were prejudicial interests and they left the Chamber during the discussion on the applications noted above.

(b) The Planning Manager declared a personal interest in items 5.5 and 5.6 on the agenda, (planning application numbers C16/1603/41/AM and C16/1363/41/AM) as her parents owned a property opposite the application site access.

The officer was of the opinion that it was a prejudicial interest and she left the Chamber during the discussion on the applications.

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

- Councillor R. H. Wyn Williams, (not a member of this Planning Committee), in relation to items 5.2 and 5.10 on the agenda, (planning application numbers C16/1336/39/LL and C16/1578/39/LL);
- Councillor Aled Ll. Evans, (not a member of this Planning Committee), in relation to items 5.5 and 5.6 on the agenda, (planning application numbers C16/1603/41/AM and C16/1363/41/AM);
- Councillor Eirwyn Williams (a member of this Planning Committee) in relation to item 5.7 on the agenda, (planning application number C16/1394/35/AM);
- Councillor Simon Glyn, (a member of this Planning Committee), in relation to item 5.8 on the agenda, (planning application number C16/1380/46/LL);

- Councillor Dafydd Meurig (not a member of this Planning Committee), in relation to item 5.11 on the agenda, (planning application number C16/1625/16/R3).

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.

## 2. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 16 January 2017, as a true record.

## 3. 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 number C16/1250/17/LL – Fferm Tanyffordd, Cilgwyn, Carmel, Caernarfon

Erection of a multi-purpose agricultural building.

- (a) The Planning Manager elaborated on the application's background and noted that the application had been deferred at the Committee meeting held on 28 November 2016 in order to give the applicant an opportunity to submit further information.

Reference was made to the additional information submitted by the applicant along with a letter of support that was received.

Attention was drawn to the fact that policy D9 of the Gwynedd Unitary Development Plan (GUDP) supported proposals to erect buildings and structures for agricultural purposes if they were reasonably necessary for agricultural purposes. On the basis of the information that had been submitted with the application and the observed use/activity in the existing 'agricultural' shed and within the surrounding site, officers remained of the opinion and had not been convinced that the proposed shed in this location was a reasonable necessary development for agricultural purposes.

Concern was noted about the impact of adding a large industrial-style shed on the site in addition to the existing sheds, on the visual amenities of the area.

It was believed that the proposal to erect another multi-purpose agricultural building on the site was unacceptable and that it was contrary to the requirements of the relevant policies in the GUDP.

- (b) It was proposed and seconded to refuse the application.

During the ensuing discussion, the following main observations were noted:

- The proposal was not in line with policies;
- Fear of creating a dangerous precedent should the application be approved as it did not appear that the shed would be for agricultural use;
- The Committee had given the applicant an opportunity to submit additional information but it was insufficient and, therefore, policies had to be adhered to;

- The applicant specialised in pedigree stock and that it was wrong to measure a person's needs based on land size. The member would abstain his vote.

**RESOLVED to refuse the application.**

Reasons:

1. The Local Planning Authority had not been convinced that there was a proven reasonable necessary need for an agricultural shed for this site. It was therefore considered that the proposal was contrary to the requirements of policy D9 of the Gwynedd Unitary Development Plan.
2. The location of the proposed shed was prominent within the local landscape due to its form and size and its elevated position, and it was therefore considered that this would harm the nearby area's visual amenities, including the Dyffryn Nantlle Landscape of Historical Interest, which was contrary to the relevant requirements of policies B12, B22 and B23.

**2. Application number C16/1336/39/LL – Anhywel, Lôn Pont Morgan, Abersoch**

New two bedroomed house with associated work.

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that the application had been deferred at the Committee meeting held on 16 January, 2017 in order to undertake a site visit. Some members had visited the site prior to the meeting.

It was noted that the site was located within the development boundary of the village of Abersoch and also within the Area of Outstanding Natural Beauty (AONB).

It was reported that a previous application for the development of a house on this site had been refused, and furthermore, an appeal against that decision had been refused on the grounds that the plan would be overbearing on the Carrog house (next door) and that it would be an over-development of the site, and consequently it would not safeguard the character of the AONB. It was highlighted that the Inspector in his decision had recognised that the principle of developing the site for residential purposes was acceptable in respect of the broader urban character of the landscape. It was noted that the proposed plan was substantially smaller than the previous proposal.

Although the site was within the AONB, it was added that it was also an infill site within the development boundary of the village of Abersoch and that it was surrounded with other residential developments. It was noted that there were many differently designed houses in the area and there was no typical building pattern. Although modern, the design was of a scale that would be in keeping with the site, along with its materials. The intention was to protect a substantial part of the existing vegetation, and ensure that more trees and shrubs were planted. Attention was drawn to the fact that the AONB Unit was of the opinion that the development would not have an unacceptable impact on the AONB.

Reference was made to concerns raised in terms of impact on the amenities of the residents of the Carrog house, it was considered that there was a reduction to the bulk of the building compared with the previous plan, along with the fact that the building was further away from the boundary which meant that the new building would not be obtrusive.

It was noted that the plan submitted responded to the Inspector's concerns regarding the previous application and resolved them and, therefore, the proposal was acceptable.

- (b) The local member (not a member of this Planning Committee) objected to the application and he made the following main points:-
- The previous application had lost an appeal and the situation had not changed;
  - Concern about road safety - that there would be no space for cars to turn in the curtilage thus forcing drivers to reverse into the busy road. The Council had refused a similar application in Cysgod y Graig, and it had been refused on appeal, on highway grounds in terms of reversing into the road;
  - His concern that the Planning Service was being seriously challenged by applicants bearing in mind that the application next door had been refused as the cliff was relevant;
  - This would be the only house that could be seen above the wall, therefore, the view in part of the Llŷn Coastal Path would be lost;
  - A strict covenant, on land next door to the site which had been bestowed to Abersoch by the family, prohibited construction on the land;
  - The Inspector had noted "On this basis, I'm concerned that the restricted space surrounding the dwelling would lead to a confined development, that it would not reflect the general pattern of the development on the eastern side of Lôn Pont Morgan."
  - There would be significant harm to the landscape including views into and out of the landscape;
  - The Community Council was willing to submit evidence should there be an appeal to a refusal;
  - Reference was made to a By-law in St Ives, consideration should be given to establishing the same type of system given that 60% of houses in Abersoch were holiday houses;
  - 14 paragraphs in the Inspector's appeal decision noted that the application was unacceptable.

In response to the observations of the local member, the Senior Solicitor noted:

- Planning officers submitted a recommendation impartially and in accordance with their professional opinion. It was a matter for the Committee to determine whether or not they would agree;
- A covenant on private land was not a planning matter, therefore, it should be disregarded by members.

The Senior Development Control Officer noted that the Inspector had noted in his decision "Although I deem the principle of developing the site for residential purposes acceptable in terms of the broader urban character of this landscape, I conclude that the size of the proposed property would constitute an over-development of the site and, as a consequence, it would fail to safeguard, maintain and enhance the character of the AONB...". The plan submitted was a substantial reduction and determining whether or not it was acceptable was a matter for the Committee. It was noted that the house would be in accordance with the existing pattern of housing and set back in line with the adjacent house, therefore, it would not intrude more into the coast than Carrog house next door.

The Senior Development Control Officer - Transport referred to a plan on page 41 of the agenda which showed two parked vehicles and the road that provided vehicle turning space.

- (c) It was proposed to refuse the application contrary to the officers' recommendation due to over-development, design, road safety and impact on the AONB.

The Senior Planning Service Manager noted that the Inspector did not refer to road safety in his appeal decision and that refusing the application on these grounds would be difficult to defend in an appeal. Attention was drawn to the fact that the floor area of the house had

been reduced to 94m<sup>2</sup>, compared with 166m<sup>2</sup>, therefore, it would be difficult to justify refusing based on over-development. It was noted that design and impact on the AONB was a matter for the Committee, but it was emphasised that the AONB Unit had no objection to the proposal.

The proposal was seconded. The seconder noted that the proposal was contrary to policy B23 of the GUDP in respect of visual amenities as it would be possible to see the pitch of the roof from the pavement. In response, the Planning Manager noted that the impact would not be worse than the current situation as there was a relatively high fence between the boundary and the pavement already and that one could not see the AONB above it. It was proposed to set the house back further and lower than the existing fence, therefore, there would be more chance of seeing the view than there was currently.

The seconder noted that it was inappropriate for officers to disagree with reasons for refusing offered by members, they should note instead whether or not reasons were valid.

(ch) During the ensuing discussion, the following main observations were noted:

- Concern regarding the cumulative impact on the AONB when approving such designs that intruded into the traditional ones. There was a duty to protect the AONB in its entirety for our current purposes and for future generations;
- It was useful to receive the response of officers to reasons for refusing due to the risk of wasting public money. Sympathised with the Local Member but there was no point in wasting money and resources on an appeal that would be lost;
- The proposal corresponded with national guidelines in respect of a vehicle turning space within the curtilage of a house;
- The appeal had established that there was space to construct a house on the site and bearing the neighbouring houses in mind, it deemed that there was no problem with its size;
- Would it be possible to impose a strict condition that there would be no further development on the site?
- There was a presumption to approve if specific conditions were imposed to make the proposal acceptable;
- The appeal decision provided guidance in terms of acceptable development;
- It was difficult to note an unacceptable impact on the AONB bearing in mind the observations of the AONB Unit;
- The proposal was an over-development and that impact on the AONB was a matter of opinion.

In response to the observations, the Senior Planning Service Manager emphasised that the appeal decision noted that the principle of constructing a house on the application site was acceptable and it was considered that the submitted plan overcame the reasons for refusing and that the recommendation to approve with conditions was firm. He strongly suggested to limit reasons for refusing to matters involving the AONB and the design, costs against the Council would be likely on appeal should the application be refused due to parking as there was no supporting evidence. The same was noted in terms of over-developing.

(d) A vote was taken on the proposal to refuse the application and it fell.

It was proposed and seconded to approve the application.

**RESOLVED to approve the application.**

Conditions:

1. Five years

2. Work in accordance with the plans
3. Agree on materials
4. Highways / parking
5. Opaque glass windows only on the north-eastern elevation
7. Landscaping / trees
8. Water
9. Removal of general permitted rights

### 3. Application number C16/0761/44/LL - Capel Garth, Bank Place, Porthmadog

Conversion of a former chapel into nine residential units with parking provision.

- (a) The Planning Manager elaborated on the background of the application and noted that the existing building had been empty for approximately 18 years. It was reported that an application was approved in 2010 to convert the building into eight living units, however, this consent was not implemented during the statutory period. It was noted that the application site was located within the town centre of Porthmadog with a class 3 highway running in front of the building which was a grade II listed building.

It was considered that the proposal was acceptable in principle. Reference was made to policy CH6 of the GUPD which related to ensuring a percentage of affordable housing in a development of this type. Looking at the floor plans, it was noted that a number of the units fell into a unit size that would be considered as affordable in the context of the Supplementary Planning Guidance: Affordable Housing. It was not considered that the development's location in the town centre gave premium value to the units that would be provided and therefore, this, as well as their size, meant that a percentage of the units would be affordable anyway, without the need to limit that further through a 106 Agreement. On the morning of the Committee meeting, it was reported that confirmation was received of the potential open market price for the units and none of the units' price was higher than £110,000. It was considered unreasonable to restrict the price further by means of a 106 Agreement.

It was noted that it was not intended to undertake many external adaptations to the building, the biggest work would be at the front of the building in order to create the new vehicular access to provide parking spaces for each living unit.

It was noted that this plan was an opportunity to secure the long-term use of the grade II listed building which was deteriorating.

Reference was made to objections received from local residents on the grounds of overlooking and disturbance during the realisation period of the plan. It was noted that it was recommended to impose a condition to ensure that windows facing the Gwylfa house were re-glazed with frosted glass (or similar) in order to ensure the privacy of the house and that no unacceptable overlooking would occur as a result of the proposal.

Attention was drawn to additional observations received from the Joint Planning Policy Unit which noted that they considered that the proposal and matters in respect of affordable housing were acceptable.

The development was acceptable in terms of relevant local and national policies for the reasons noted in the report.

- (b) It was noted that the local member supported the application with the conditions.

It was proposed and seconded to approve the application.

(c) During the ensuing discussion, the following main observations were noted:

- Although units were naturally affordable as their size limited their value, they could not be prevented from becoming holiday accommodation, therefore, would it not be possible to impose a 106 agreement on some of them?
- As the applicant had not refused a 106 agreement, why could a 106 agreement not be imposed which would assist the Council in terms of providing affordable housing?
- Imposing a 106 condition was not the solution to everything, the prices of the units were reasonable anyway;
- The proposal would be a good use of the building.

In response to the observations, the Senior Solicitor noted that there were problems with imposing a 106 agreement on units when open market prices were low and a discounted price could mean that they were unviable. It was explained that it was not possible to limit units in the larger centres, such as Porthmadog, to local people. It was noted that national policies promoted bringing listed buildings back into use and there were substantial costs involved.

**RESOLVED to approve the application.**

Conditions:

1. Five years
2. In accordance with the amended plans
3. The design and finish of the vehicular access to be approved in writing by the LPA.
4. Photographic record condition
5. Roof slates to match the existing slates
6. Original windows as they are to be repaired and any windows replaced to be in keeping with the original/glazing conditions with opaque/frosted glass
7. New back door to be made of wood to match the rest
8. Cast-iron rainwater goods
9. Original stairs to be retained at all times
10. Details to safeguard the ceiling rose to be agreed beforehand and approved in writing by the LPA
11. The building work must be undertaken between 08.00 - 18:00 Monday to Friday, 08.00 – 13.00 on Saturdays, with no working on Sunday or Bank Holidays.
12. Highway conditions
13. Welsh Water
14. Details of any external vents to be approved in writing by the LPA prior to commencement of the work.
15. Agree on a plan to re-use the internal features within the development.

Note: bats

**4. Application number C16/0835/44/CR - Capel Garth, Bank Place, Porthmadog**

Conversion of former chapel into nine residential units with parking provision.

(a) The Planning Manager elaborated on the background of the application and noted that only national matters would be assessed, namely, the impact of the proposal on the appearance and historical and architectural character of the listed building.

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

It was noted that it was appreciated that it was necessary to adapt features within the building at a fairly extensive rate, however, there had to be a balance between this and ensuring a future for the building. It was noted that its condition had deteriorated and it was

now impacting the building itself, the streetscape and the amenities of nearby housing not to mention being a hazard. It was emphasised that the correct balance needed to be struck between safeguarding a listed building and its features and ensuring its long-term use. It was felt that this was lost in assessments by some statutory consultees; ideally it would have been brought back into use sooner, but bearing in mind the situation one had to be more open minded about allowing new use of the building.

It was considered that the principle of the proposal to re-use and convert the building was to be welcomed which would ensure the future and new use of the grade II listed building. It was noted that interior work was substantial in nature, but as explained above, this was considered essential to enable the establishment of a new long-term use for the building, and the compromise was to ensure that many of the features that would be removed/taken off were used within the units.

- (b) It was proposed and seconded to approve the application.

In response to a question by a member, the Planning Manager noted that the detailed schemes attached to the application showed an intention to re-use many of the seats in the gallery as part of new kitchens and partitions and within the units. She added that the ceiling would be protected by being concealed as often happened with chapel conversions.

Members expressed their sadness in terms of losing heritage and intricate work but that it was difficult to strike a balance in terms of safeguarding features and bringing the building back into use.

**RESOLVED to approve the application subject to receiving confirmation from CADW.**

Conditions:

1. Five years
2. In accordance with the plans
3. Design and finish of the vehicular access, to include the door, to be approved in writing by the LPA prior to the commencement of any other work subject to the permission.
4. Photographic record condition
5. Roof slates to match the existing slates
6. Original windows as they are to be repaired and any windows replaced to be in keeping with the original/glazing conditions with opaque/frosted glass
7. New back door to be made of wood to match the rest
8. Cast-iron rainwater goods
9. Original stairs to be retained at all times
10. Details to safeguard the ceiling rose to be agreed beforehand and approved in writing by the LPA
11. Details of any external vents to be approved in writing by the LPA prior to commencement of the work.
12. Agree on a plan to re-use the internal features within the development.

**5. Application number C16/1603/41/AM - Cae Bodlondeb, near Ael y Bryn, Chwilog**

Outline application for the erection of nine houses to include three affordable homes along with provision of access and estate road.

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that it was an outline application for the erection of nine dwellings, with three of them affordable on a part of a site within the village of Chwilog which had been designated for 21 houses in the GUDP. The application related to half the site located nearest to the existing houses of Tŷ'n Rhos estate and also included an access road. It was noted that the application had been submitted under C16/1363/41/AM for the erection of nine additional



houses (three of them affordable) for the remainder of the site, which was to be considered at this meeting.

It was noted that the proposal for the site in its entirety (this application and application C16/1363/41/AM) comprised 18 houses and, therefore, on the whole, it was considered that the number of units was acceptable for the site and that suitable use (based on density) would be made of the land. The application offered 33.3% of affordable housing, namely the closest figure to the target that could be achieved with these numbers.

It was reported that observations had been received from the Land Drainage Unit on the morning of the committee meeting referring to surface water problems on a section of the field. They were of the opinion that work associated with developing the land would assist the existing situation.

It was considered that a financial contribution (to be agreed) to improve facilities in the existing park by means of a 106 Agreement, considering that the development permitted on the Bryn Hyfryd site (C14/0113/41/AM) would provide a space within the site, would be acceptable to ensure that a provision of open spaces of recreational value in the local area met the needs of the development.

It was explained that a financial contribution of £9,359 would be expected from both applications submitted, in order to ensure that Chwilog Primary School could cope with any increase in pupil numbers, as a result of the residential units noted for the sites in Chwilog in the GUDP.

Should the application be approved, it was noted that it was recommended to impose an additional condition, that no vehicular access could be created from the site to the track leading to the cemetery.

It was considered that both applications together were acceptable in terms of assessing them against the requirements of the Development Brief for the site and against the requirements of other relevant local and national policies noted in the report.

- (b) Taking advantage of the right to speak, the applicant noted the following main points:-
- The proposal met the requirements of the Joint Planning Policy Unit;
  - Concern had been noted about Japanese Knotweed on the site but there was no evidence of this and it had not been noted by the Biodiversity Unit;
  - With regards to the Biodiversity Unit's observations, that the farmer had cut the hedge as it spread to the grazing land.
- (c) The local member (not a member of this Planning Committee) noted the following main points:-
- The fact that two applications had been submitted had caused some confusion;
  - Defects in the drains had existed for some time which had led to water flowing to a nearby house. Would it be possible either to obtain further confirmation or impose a condition that the development would not cause flooding and that the problem would be resolved?

In response to the observations of the local member, should the application be approved, the Senior Development Control Officer noted that it was recommended to impose a condition to agree on the details of a land drainage plan prior to commencing the development and the applicant was encouraged to contact Welsh Water and the Land Drainage Unit before the design stage to respond to existing problems.

- (ch) It was proposed and seconded to approve the application.

In response to an enquiry by a member regarding the educational contribution, the Senior Development Control Officer noted that the financial contribution had been calculated in accordance with policies.

A member noted that it would be useful to note a specific figure in terms of the contribution to improve facilities in the existing park in order to have an idea of how much improvement would be made to the facilities.

**RESOLVED to delegate the power to the Senior Planning Manager to approve the application subject to the applicant signing a 106 Agreement relating to the educational financial contribution and to improve the play area and to ensure that three of the nine houses are affordable for general local need.**

Conditions:

1. Standard conditions at the time of an outline application
2. Condition to receive reserved matters
3. Slate
4. Highways Conditions
5. Welsh Water Condition
6. Removal of permitted delegated rights from the affordable units
7. Agree on a plan to dispose of Japanese Knotweed
8. Landscaping
9. Phased development
10. No vehicular access to be created from the site to the track leading to the cemetery

Note Welsh Water  
Highways Notes

**6. Application number C16/1363/41/AM - Cae Bodlondeb, near Ael y Bryn, Chwilog**

Outline application for the erection of nine houses to include three affordable homes along with provision of access and estate road.

- (a) The Senior Development Control Manager elaborated on the background of the application and noted that the application related to the furthest half of the site. This application, along with the application approved above, was a logical extension to the village.

Should the application be approved, it was noted that it was recommended to impose an additional condition, that no vehicular access could be created from the site to the track leading to the cemetery.

It was recommended to approve the application subject to planning conditions and a 106 agreement to deal with affordable housing and open space and educational contributions.

**RESOLVED to delegate the power to the Senior Planning Manager to approve the application subject to the applicant signing a 106 Agreement relating to the educational financial contribution and to improve the play area and to ensure that three of the nine houses are affordable for general local need.**

Conditions:

1. Standard conditions at the time of an outline application
2. Condition to receive reserved matters
3. Slate
4. Highways Conditions

5. Welsh Water Condition
6. Removal of permitted delegated rights from the affordable units
7. Landscaping
8. Phased development
9. No vehicular access to be created from the site to the track leading to the cemetery

Welsh Water Note  
Highways Notes

**7. Application number C16/1394/35/AM - Mynydd Ednyfed Fawr, Cricieth**

Outline application for the construction of three holiday cabins.

- (a) It was reported that a request had been received from the applicant to postpone discussing the application as the applicant was unavailable to take advantage of the right to speak but no planning reason was submitted to request a postponement.

The Senior Planning Service Manager noted that a pattern was emerging which led to a misuse of the process. He was disappointed that the applicant was not present considering that they were aware of the date of submitting the application to the Committee.

The Senior Solicitor suggested that arrangements should be tightened if a specific date was requested and, in future, if nobody was present to take advantage of the right to speak (the applicant or someone else nominated by them) the application would still be considered.

A member noted that arrangements needed to be tightened, but determination of the application should be postponed if a valid reason was received.

**RESOLVED to defer the application.**

**8. Application number C16/1380/46/LL – Bryn Eithin, Llangwnnadi**

Erection of a garage.

- (a) The Planning Manager expanded on the application's background and noted that the original approval was to erect a house on the site to include the construction of a garage. It was noted that although the proposed garage would be larger in size than the garage that has already been approved, the length and breadth of the proposed garage were not considered unusual.

Furthermore, it was noted that the proposal would not stand out prominently in the landscape that was designated as a Landscape Conservation Area, also because of its location it would not impair the views in and out of the AONB.

A reference was made to the objection of the residents of Tan y Graig, it was noted that the distance between the garage and the boundary with Tan y Graig was the same as it was for the garage approved in application C05D/0346/46/LL. It was recognised that there would be noise and disturbance concerns for nearby properties should a business use be made of the site, however, this was not the application and it was considered that this was a matter that may be controlled via a condition to restrict the use to domestic use only.

The development complied with the GUDP for the reasons noted in the report.

- (b) The application was supported by the local member (who was a member of this Committee), he noted his disappointment that the application for a garage had to come before committee and that the rules regarding the submission of applications before

committee should be tightened. Attention was drawn to the fact that the Community Council had no objection to the proposal.

- (c) It was proposed and seconded to approve the application.

A member asked if it would be better for the finish of the garage to be in the same external material as the houses, rather than box profile. In response, the Planning Manager noted that it was not unreasonable for the finish to be box profile and a condition to agree on the colour would be sufficient.

In response to a question by a member, the Planning Manager noted that the location of the garage was the same as the existing approval and there was no requirement for it to be moved.

**RESOLVED to approve the application.**

Conditions:

1. Five years
2. Ensure that the development is completed in accordance with the plans submitted.
3. Agree on the colour of the garage.
4. Use as a domestic garage only/and not for running a business.

Note Welsh Water

**9. Application Number C16/1575/08/LL - The Fountain, Portmeirion**

A retrospective planning application to retain a chess board on the lawn of Portmeirion Village.

- (a) The Senior Development Control Manager elaborated on the background of the application, noting that the site was located within the village of Portmeirion which was also in a Conservation Area. The site was also included on the Register of Historic Landscapes, Parks and Gardens (grade II\*), and there were several listed buildings nearby. The site was also within a Landscape of Outstanding Historic Interest.

Attention was drawn to the objections received stating that the development was not suitable and was not in keeping with the site.

It was noted that justification has been provided for the work, in relation to the condition of the land that often became wet and muddy. It was not considered that approving this application would have a detrimental impact on the architectural or historical character of the listed buildings or the Conservation Area.

**RESOLVED to approve the application.**

**10. Application Number C16/1578/39/LL - Glenville, Abersoch**

Demolition of existing dwelling and associated outbuildings and erection of two dwellings and associated development.

Some members had visited the site prior to the meeting.

- (a) The Planning Manager elaborated on the background of the application and noted that the site was located in a residential area within the Abersoch development boundary and the property's front curtilage boundary abutted the A499 class 1 county highway. There was a

AONB designation over the adjacent county highway and it was reported that observations had been received from the AONB Unit on the morning of the committee which stated that they had no objection.

It was noted that Policy CH4 of the GUDP stated that in principle, proposals to build new houses on unallocated sites within the development boundaries of villages will be approved. The applicant stated that three viability assessments for three different values had been submitted for the proposed houses and in each case the assessment indicated that the development would not provide sufficient returns to create an affordable house (one house of the proposed pair) or a commuted sum towards other affordable housing developments. It was noted that the policy requested that a 'proportion of the units on all sites are affordable' and in reality as this was only an increase of one additional unit, then it would be inappropriate to request that the one additional house on the site should be affordable and it was considered that approving the application would not undermine the aims of clause 1 within the policy.

Attention was drawn to the fact that the application site was within an area characterised by detached houses, in a variety of designs and sizes, there was no specific pattern or general theme to the existing dwellings. It was noted that the submitted plan indicated a pair of houses in a modern design with traditional features. It was considered that the materials used could be seen in the area and that the proposal would be suitable for the site in terms of finishes. It was noted that the site was sufficient in size for housing and that it would not cause an over development of the site.

Reference was made to the objections received and noted in the report.

The applicant stated that the current flooding consequences assessment answered the concerns of Natural Resources Wales (NRW) regarding the assessment submitted with the previous application and indicated that it was possible to manage flooding consequences in accordance with TAN 15: Development and Flood Risk (TAN 15) for the lifetime of the development. The plan's design had changed and there were no living spaces on ground level, the finished floor height of the house has been raised to 5.5 AOD and the forecourt height had been raised to be level with the county highway in order to facilitate safe access in an emergency from the property.

It was noted that the development was suitable and acceptable for the site and that it complied with the local and national policies and guidelines noted in the report.

- (b) The local member (not a member of this Planning Committee) noted the following main points:-
- There was a need to be shrewd when such applications were submitted, due to the lack of land and costs;
  - The member was not against the application, it was a compromise with the number of units reduced from three to two;
  - That he anticipated an increase in the number of applications in Abersoch as the Committee had opened the door to other applications by approving the Anhywel application;
  - The NRW report was accepted as flooding could impair the site. The tide came in more along the road that was opposite the site.
- (c) It was proposed and seconded to approve the application.

During the ensuing discussion, the following main observations were noted:

- The development was not suitable for the location as it was not in keeping with the area's architecture. Unhappy that the buildings would affect the AONB;

- That profit was the main driver with an increase in the number of holiday homes. How could this be prevented?
- The demolition of a house could not be supported in order to erect buildings in its place bearing in mind the environmental impact and in the context of policy C7 of the GUDP 'Sustainable Developments';
- Concern that other buildings in the vicinity had a flooding risk bearing in mind that NRW had attached a condition to this application that there should be no living units on the lower floor;
- In terms of energy conservation, the development would be more sustainable than the existing house;
- Sympathy with the local member in terms of impairing on village architecture, it was difficult to justify refusal on this basis.

In response to the above observations, the officers noted:-

- In terms of the sustainable development, was one house sustainable for the site? There was room for more units on the site and the new units would be more sustainable in terms of their construction. It would be difficult to refuse the application on this basis;  
That NRW assessed new developments in terms of flood risk and this could not be implemented retrospectively.

**RESOLVED to approve the application.**

Conditions:

1. Commencement within five years.
2. Slates and external materials
3. Agree on material of privacy screen and future maintenance
4. In accordance with the plans
5. Welsh Water conditions.
6. Finished floor level to be no lower than 5.50m AOD and the proposal to be in accordance with a Flood Consequences Assessment report.
7. Complete the parking and turning spaces in accordance with the plan, and they must be operational before the property is occupied for the first time.
8. Opaque glass for the side window in the bedroom
9. Withdrawal of boundary permitted rights.
10. Agree on the details of the drainage method and surface materials of the site's forecourt prior to the commencement of the development.

Note: copy of NRW letter

**11. Application Number C16/1625/16/R3 - Greenacres Residential Caravan Site, Llandygai Road, Llandygai, LL57 4HP**

Upgrade and extend the existing site to provide 12 pitches, each with an amenity building for gypsies and travellers, construct a new access road within the site and create a children's play area.

- (a) The Senior Development Control Manager elaborated on the background of the application, noting that historically all the site was used however currently only five pitches were used at the top section of the site.

It was reported that background work for the preparation of the Joint Local Development Plan (Topic Paper 18) recognised that there was a need for ten additional permanent pitches to the current provision in Gwynedd. The current site in Llandygai was full and there

was a reserve list to secure a pitch. It was considered that there was an evident need for additional pitches. It was noted that there was a statutory requirement for every Local Authority in Wales to identify the needs of gypsies and travellers in their areas and provide appropriately. It was noted that the proposal would ensure that the site would provide facilities in accordance with Welsh Government legislation and guidance.

Attention was drawn to the additional observations received from the Joint Planning Policy Unit which noted that they agreed with the proposal to approve with conditions and their assessment of the submitted Language and Community Statement.

- (b) The following main points were made by the local member (not a member of this Planning Committee):-
- The proposal to upgrade the site was to be welcomed;
  - That the amenity buildings would be more fit for purpose;
  - The need had been proven and there would be no more impact than there was currently;
  - That he was content with the recommendation to approve with conditions.
- (c) It was proposed and seconded to approve the application.

During the ensuing discussion, the following main observations were noted:

- There was a real need to upgrade the site;
- Had observations been received from the Gipsy Society?
- A fatal accident had occurred near the entrance, therefore it had to be ensured that the entrance was cleared and made safe.
- There was a local need for the provision;
- The proposal was welcomed, however, the site's name had to be re-considered;
- There had been many difficulties historically on the site and therefore it was very important to speak with the residents and the Gipsy Council. Had Maesgeirchen residents been consulted?
- Safeguarding minorities was a good thing;
- Was there a protocol for the Committee to follow when determining an application submitted by the Council?
- That pushing the site to the back of the industrial estate did not do justice to us as a Council and was uncivilised. A better location should have been sought;
- Could something be done to improve the look of the site with soft landscaping?

In response to the above observations, the officers noted:-

- The Gipsy Society had not been consulted, consultation had been in accordance with the statutory requirements. A notice was posted on site and the Council had spoken to the residents;
- That a note could be attached to the permission of the need to clear and keep vegetation down at the access;
- The application had not been advertised specifically in Maesgeirchen, it had been decided to advertise in the press as strong feelings could arise;
- Historically, there was a protocol for the Planning Committee to deal with an application submitted by the Council however this was not implemented now;
- It was proposed to erect a new boundary wall and there was a landscaping scheme to improve the appearance of the site.

- (ch) The members voted on the proposal to approve the application and it carried.

Councillor Simon Glyn noted his wish for it to be recorded that he had voted against the proposal.

**RESOLVED to approve the application..**

Conditions:

1. Time
2. Compliance with plans
3. Slate roof for the buildings
4. Welsh Water Condition.
5. A desktop investigation must be submitted and agreed to assess the pollution risk. If the desktop investigation indicated that further action was needed, any precautionary and/or remedial measures would have to be agreed prior to commencing work on the development.
6. Development must be completed in accordance with the recommendations of the Phase 1 Environmental Assessment report.
7. Agree on soft and hard landscaping finishes

Notes

Welsh Water

Natural Resources Wales

Highways

Fire Officer

Need to clear and keep vegetation down at the access

The meeting commenced at 1.00pm and concluded at 3.30pm.

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**CHAIR**