
PLANNING COMMITTEE 3/7/17

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

Councillors: Simon Glyn, Louise Hughes, Sian Wyn Hughes, Berwyn Parry Jones, Eric M. Jones, Huw G. Wyn Jones, Dilwyn Lloyd, Edgar Wyn Owen, Catrin Wager, Eirwyn Williams, Gruffydd Williams and Owain Williams.

Others invited: Councillors Judith Humphreys, W. Gareth Roberts and Elfed Williams (Local Members).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Planning Manager), Idwal Williams (Senior Development Control Officer), Rhun ap Gareth (Senior Solicitor) and Bethan Adams (Member Support Officer).

1. DECLARATION OF PERSONAL INTEREST

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

- Councillor Huw G. Wyn Jones, in items 5.3 and 5.8 on the agenda, (planning application numbers C17/0159/39/LL and C17/0438/18/LL) as he knew the representative of Cadnant Planning;
- Councillor Judith Humphreys, in item 5.7 on the agenda (planning application number C17/0437/22/LL) as she was a Governor of Ysgol Gynradd Bro Lleu;
- Councillor Catrin Wager, in item 5.8 on the agenda, (planning application number C17/0438/18/LL) as she was a friend of an objector.

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 following members declared that they were local members in relation to the items noted:

- Councillor Sian Wyn Hughes, (a member of this Planning Committee), in relation to item 5.4 on the agenda (planning application number C17/0185/42/LL);
- Councillor W. Gareth Roberts (not a member of this Planning Committee), in relation to items 5.5, 5.6 and 5.7 on the agenda (planning application numbers C17/0221/30/LL, C17/0237/30/LL and C17/0437/22/LL);
- Councillor Judith Humphreys (not a member of this Planning Committee) in relation to item 5.7 on the agenda (planning application number C17/0437/22/LL);
- Councillor Elfed Williams (not a member of this Planning Committee), in item 5.8 on the agenda (planning application number C17/0438/18/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.

2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 5 June 2017, as a true record, subject to adding the name of Councillor Edgar Wyn Owen to the members who were present.

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 C17/0325/38/LL – Land near 2 Bryn Goleu, Llanbedrog, Pwllheli

Construction of two-storey house

- (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 5 June, 2017 in order to give officers from the Joint Planning Policy Unit an opportunity to prepare a plan for the committee showing the location of the proposed house in relation to the village's development boundary as designated within the Gwynedd Unitary Development Plan (GUDP) and the Joint Local Development Plan (LDP). The plan had been included within the agenda and it was estimated that 60% of the floor surface area of the house would be outside the development boundary.

It was noted that the main planning matter was the principle of the development. It was explained, as a vast section of the site as well as the house are located outside the development boundary, the proposal was tantamount to erecting a new house in the countryside and contrary to policy C1, CH4 and CH9 of the GUDP.

It was noted that the officers remain concerned regarding the detrimental impact of the proposal based on overlooking, loss of privacy and creating an oppressive structure and have a negative impact on the occupiers of nearby houses.

Having considered all the relevant matters, including local and national policies and guidance, as well as the observations received from the applicant, it was deemed that this development was unacceptable.

- (b) A proposal to undertake a site visit was made and seconded.

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

- Had received correspondence from the applicant, he disagreed in terms of the location of the development boundary;
- Would a higher percentage of floor area within the boundary make a difference?
- A number of unsuccessful applications had been submitted in relation to the site;
- Llanbedrog Community Council had withdrawn its observations;
- The proposal did not comply with the policies as it was outside the development boundary and it would disrupt the residential amenities of nearby houses;
- In order to show fairness to the applicant, a site visit should be carried out;
- Did not see any purpose for undertaking a site visit;
- Had proposed carrying out a site visit in order to assess the proximity of the house to the workshop and the impact of the proposal on the road and the access.

- (c) In response to the above observations, the officers noted:

- That confirmation had been received from the Joint Planning Policy Unit that the development boundary in the GUDP and the LDP was the same and due to the discussion at the previous Committee meeting, a slide had been provided to the Committee in order to clearly show the situation regarding the boundary and the location of the proposed house.
- That it was a matter of principle, only in some exceptional circumstances, an open market house would be approved outside the development boundary. The circumstances of this application were not exceptional, therefore, it was not considered that there was any purpose of carrying out a site visit.

A vote was taken on the proposal to carry out a site visit and it fell.

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

A member enquired whether or not the applicant had discussed the possibility of improving the proposal with the officers. In response, the Planning Manager noted that setting the house more inside the development boundary would worsen the impact on the residential amenities of nearby houses. She explained that the officers had already discussed a number of options with the applicant.

RESOLVED to refuse the application.

Reasons:

1. Policy CH7 of the Gwynedd Unitary Development Plan states that houses will be approved on the peripheries of village development boundaries as an exception to policy, and this is for affordable housing. The proposed development does not offer an affordable development, no evidence has been submitted to demonstrate that this applicant is in genuine need of an affordable house and there is no intention of restricting occupancy in future to affordable need, therefore the proposal is tantamount to a new house in the countryside. The proposal is therefore contrary to the principles of policies C1, CH7 and CH9 of the Gwynedd Unitary Development Plan and Supplementary Planning Guidance: Affordable Housing, Gwynedd Council 2009.
2. The house, by virtue of its size and location would lead to an oppressive intrusion that would be harmful to the amenities of residents of neighbouring properties, especially because of its dominating effect and the overlooking that would result. The application is therefore contrary to Policies B22 and B23 of the Gwynedd Unitary Development Plan.

2. Application number C17/0059/03/LL - Pencae Fucheswen, Blaenau Ffestiniog

Application to demolish the existing shed and construct an extension in its place.

- (a) The Planning Manager elaborated on the background of the application and noted that the proposed extension was of a size and design that was in keeping with the main property. It was not considered that the proposal was likely to have a detrimental impact on the amenities of neighbouring residents in terms of privacy or overlooking.

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

It was noted that the Footpaths Unit had confirmed that the public footpath running past the front of the site should be kept clear at all times.

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

- (b) Taking advantage of the right to speak, the applicant noted the following main points:
- The extension would have the same footprint as the existing shed and it would improve the appearance from the path;
 - The development would not impair the access to the public footpath;
 - The former owner had received planning permission for such an extension in 2010 but he had not acted upon the permission.
- (c) It was proposed and seconded to approve the application.

A member noted her concern regarding the impact of the development on the public footpath and the need for assurance that the path would be protected. A member drew

attention to the recommendation to impose a condition to protect the path should the application be approved.

RESOLVED to approve the application.

Conditions:

1. Time
2. Compliance with plans
3. Agree on finishes
4. Slate
5. Protect the footpath

3. Application number C17/0159/39/LL – The Shanty, Pen Bennar, Abersoch, Pwllheli

Demolition of house to be replaced with a three-storey house

- (a) The Planning Manager elaborated on the background of the application, noting that the site was located on the Abersoch headland, outside the village's development boundary and within the Llŷn Area of Outstanding Natural Beauty (AONB). It was noted that the site was on various levels and was located within a residential area and amongst other various houses located on a cliff above the sea. It was reported that photographs had been submitted with the application showing the proposed house in the wider landscape; it could be seen from the photos that the house was visible from the sea mainly and from the adjacent property to the south and north of the site. In addition, the roof, a section of the rear wall of the garage and the site's boundary wall were visible from the adjacent public footpath.

Attention was drawn to the additional observations that had been received with reference towards the response of the AONB Unit to the amended plans. It was noted that the Unit was of the opinion that the proposal would not disrupt the AONB. After receiving observations from an objector associated with providing listed building status to the current structure, the observations were discussed with the Council's Senior Conservation Officer who confirmed that the current building was not of historical or architectural value and that it did not justify listed status.

It was noted that Policy CH13 of the GUDP, which was the main policy in assessing the principle of the development, stated that proposals to demolish a dwelling in a poor condition in the countryside and to replace it with a development of new residential units, will be approved subject to compliance with five relevant criteria.

It was noted that it was considered that the design of the property from looking at it from the sea, was in keeping with the site as it followed the shape, setting and profile of the site and materials that created a soft design were being used. It was felt that the images, submitted as part of the application, showed that the building would not create an intrusive development in the landscape and although the appearance of the house was different, it was not considered that it would have a significant harmful impact on the AONB's landscape and coastline.

It was noted that a Public Footpath was located near the site and that it needed to be protected during and at the completion of the development and this could be achieved by means of a condition on the planning permission.

It was noted that the location, density and increase in size were reasonable and the design and materials were an improvement for an open site of this type. Bearing in mind that a house was located on the site already, along with a number of other houses on either side of the site, there would be neither a significant change in the landscape and views from, and across the AONB, nor a significant substantial impact on the amenities of nearby residents.

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

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

- The development had been designed to be in keeping with the outline/landform;
- The design sought to obtain a balance in terms of privacy to neighbours and the desire for views;
- The height of the building and wall on the boundary near the public car park had been amended in order to improve views from the public footpath and the change had been acknowledged by the AONB Unit;
- That the photographs submitted as part of the application showed, in particular the one from the direction of Lôn Pont Morgan, that the development would be hardly visible from the village;
- Neighbours had not objected and the applicant had addressed their observations.

(c) A proposal to undertake a site visit was made and seconded.

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

- Concern in terms of the principle of demolishing and erecting a house and other applications would be submitted should the application be approved. That building demolition was being driven by commercial reasons rather than concerns about the stability of the building;
- If the application was approved, the village image of Abersoch would completely change;
- That the Community Council objected to the proposal as it would not be congruent with the remainder of the surrounding houses;
- That the design was in keeping with the site;
- That Abersoch was a seaside village; did not see that the design was in keeping with the site. A site visit should be undertaken;
- Concern regarding the impact on the Welsh language in the village;
- Concern regarding the demolition of houses with a history so that they could be sold on the open market. Sites were being sold due to their location;
- That the proposal was ambitious. It had to be acknowledged that we did not live in the past and in European countries, houses of a different design could be seen in the same area;
- The existing building was unsuitable. A site visit should be carried out as it was in a prominent location;
- That there was a duty to protect the AONB, concern regarding the cumulative impact in terms of the right to demolish and modernise, on views within and outside the AONB. Of the opinion that reducing the height of the building by 1 metre was not acceptable and that the Llŷn AONB Consultative Committee should consider the application due to its impact.

(ch) In response to the above observations, the officers noted:

- That an assessment in terms of the principle of the development against the five criteria of policy CH13 of the GUDP 'Demolition and Reconstruction of Dwellings in rural villages' had been included in the report;
- Encouraged conducting a site visit as the main matters arising were the visual impact and the impact on the AONB.

A member noted that should a site visit be held, that the site should be viewed from different directions in the village and note the built character of the area.

RESOLVED to undertake a site visit.

4. Application number C17/0185/42/LL – Caffi Porthdinllaen, Lôn Golff, Morfa Nefyn, Pwllheli

A part-retrospective application for improvements to an existing café, to include the replacement of an awning with timber windows, the creation of a timber platform, a storeroom and new toilet provision

- (a) It was confirmed that this application had been withdrawn.

5. Application number C17/0221/30/LL – Penrhyn Canol, Aberdaron, Pwllheli

Side extension, installation of septic tank and construction of new access road.

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that the application site was located within the AONB and a Landscape of Outstanding Historical Interest.

It was noted that the extension in terms of its design, scale and size was acceptable and commensurate to the existing property.

Attention was drawn to the AONB Unit's observations that the proposed extension was in keeping with the original building and that there were no concerns in terms of the impact on the AONB. After receiving observations from the AONB Unit regarding the access track, it was recommended to impose a condition, should the application be approved, to submit landscaping details for the track and specifically for the eastern boundary.

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

- (b) Taking advantage of the right to speak, the representative of an objector noted the following main points:
- That he was speaking on behalf of the family of Fferm Bryn who were agricultural tenants of the applicant;
 - That the applicant had not consulted with the tenants prior to submitting the application;
 - That the farm was approximately 100 acres and losing a little land would have an impact and would threaten the farm's viability;
 - That the owner had confirmed to the tenants verbally that the site would not be sold;
 - That it would be better to locate the extension behind the house, rather than on the side, in order to avoid the agricultural land;
 - That a report needed to be submitted regarding bats and the white owl that roosted in the outbuildings.
- (c) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- That the proposal was acceptable in planning terms;
 - Tenancy matters were irrelevant to planning;
 - The Biodiversity Unit, the AONB Unit, the Community Council nor Natural Resources Wales objected to the proposal.
- (ch) The local member (not a member of this Planning Committee) noted the following main points:
- That the extension was in keeping with the current building;
 - That he agreed with the observations in the report in terms of the need to erect a *clawdd* and to use the excavated soil to create the access track;
 - That a survey needed to be carried out to confirm whether or not bats were present before the work would be carried out.

(d) In response to the above-mentioned observations, the Planning Manager noted that the Biodiversity Unit had confirmed that the bat presence risk in the building was low and that it would be unreasonable to request a full survey. She added, if the application was approved, as usual, that a note would be included on the application noting the necessity to stop works if bats were present. This would be managed outside the planning system.

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

A member noted that he could not understand why a new access track in the AONB was being requested when an access to the site already existed. He proposed an amendment to carry out a site visit, the amendment was seconded.

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

- That a landowner had to give notice to an agricultural tenant;
- Concern regarding the public footpath with the adjacent extension;
- If the applicant would not be able to provide a new access track, what would the situation be?

(e) In response to the above, the officers noted:

- That some matters referred to by the objector's representative were not planning matters and the owner's promises to the tenants were not a planning consideration.
- The AONB Unit has no objection to the proposal;
- The new access track would facilitate privacy but unless it would be possible to create a new access track, the current access would be acceptable.

A vote was taken on the amendment, and it fell on the Chair's casting vote.

A vote was taken on the original proposal.

RESOLVED to approve the application.

Conditions:

1. Commencement within five years.
2. In accordance with the plans.
3. Slates of the roof to match.
4. Exterior walls to be of white coloured render.
5. Landscaping in particular on the eastern side of the track.

Note:

1. Safeguard the public footpath.
2. Copy of the observations of Natural Resources Wales.
3. To stop the work if bats are found in the property.

6. Application number C17/0237/30/LL – Bryn Llan, Rhoshirwaun, Pwllheli

Increase number of touring caravans from 10 to 17 on an existing site.

(a) The Senior Development Control Officer elaborated on the background of the application, noting that the application site was located between the villages of Pengroeslon and Rhydlios and within the Landscape Conservation Area.

It was noted that policy D20 of the GUDP approved proposals to increase the number of pitches on existing touring caravan sites by means of an extension provided the proposal formed part of a plan that will secure environmental and visual improvements in terms of the location, layout, design and appearance of the site, and its position in the surrounding landscape.

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

It was noted that planning permission for 10 touring caravans that existed on the site was a material planning consideration when considering the current application. It was not considered that the proposal would have a substantial impact on the visual amenities of the area, road safety or the amenities of nearby residents.

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

- (b) The local member (not a member of this Planning Committee) noted the following main points:-
- The local community was not happy with the proposal;
 - That the caravan site was very visible from the road and that there was not much screening;
 - That the landscaping proposed would not have an impact, indigenous trees should be planted;
 - There was a need to landscape along the edge of the site with the access track and not the field on the other side of the track, strengthen the *clawdd* on the side of Hell's Mouth and landscaping along the boundary with the public road.
- (c) In response to the local member's observations, the Senior Planning Service Manager noted that the applicant could be asked to move the landscaping line so that it also goes around the site. He added that the density of the landscaping and the use of trees indigenous to the area could be considered.
- (ch) It was proposed and seconded to approve the application.

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

- The applicant should carry out the landscaping before extending the site;
 - That the current site was entirely visible in the landscape and the applicant should be asked to plant trees before submitting an application to extend the site;
 - Was there a condition on the original planning permission in relation to landscaping?
 - No objection had been received following the public consultation.
- (d) In response to the above, the officers noted:
- That consideration should be given to the impact of the increase in the number of caravans on the landscape. It was recommended, should the application be approved, that a landscaping condition was imposed and it would be ensured that the landscaping plan was in keeping with the layout of the site;
 - The original application had been approved in 1986 and it was not necessarily that a landscaping condition had been imposed.

RESOLVED to approve the application.

Conditions:

1. Five years
2. In accordance with submitted plans.
3. The number of units on the site at any one time to be restricted to 17.
4. Conditions on the timeframe for letting caravans/holiday period/moving the caravans when not in use.
5. No storing on the land.
6. Records list
7. Landscaping

7. Application number C17/0437/22/LL – Land near Penygroes Telephone Exchange, County Road, Penygroes, Caernarfon

Erect a 21m high telecommunications mast, including a radio station, three antennae, two equipment cabinets, associated equipment, along with a 1.8m high security fence.

- (a) The Planning Manager elaborated on the background of the application and noted that the site was on the outskirts of Penygroes at the rear of the telephone exchange site which contained one permanent single-storey building. It was explained that residential houses were located on the far side of the public road to the direction of the north, west and east with the following nearby: Ysgol Gynradd Bro Lleu, Ysgol Uwchradd Dyffryn Nantlle and Plas Silyn Leisure Centre.

It was noted that policy CH20 of the GUDP approved proposals for new infrastructure and telecommunications equipment subject to full consideration of specific criteria. It was reported that the applicant had noted within the documents of the planning application the reasons why this location had been chosen for the development, noting that it was part of the Government's objective of extending 4G phone signal to areas where it did not currently exist, in particular to rural areas.

An objection had been received based on concern about the impact of the development on health, and specifically on the health of the children at the nearby Primary School. It was noted that criterion number 3 of policy CH20 ensured that proposed developments satisfied the International Commission on Non-Ionizing Protection (ICNIRP) Public Exposure Guidelines. Information had been received indicating compliance with these standards. Although it was acknowledged that concern had been raised regarding the potential impact, it was not considered that the proposal was contrary to national policies or the Unitary Plan and there was no need for further information to assess the possible impact of the development.

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

It was noted that it was inevitable for the main proposed structure to be partly visible from public spaces due to the need for it to be in a relatively open location to ensure that it would work to its full capacity. The nearest residential houses were located approximately 50m and 90m away from the application site in different directions, it was acknowledged that this type of development would inevitably have an element of visual impact on these nearest houses, however, it was not considered that the impact would be substantial in this case.

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

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That he was the Headteacher of Ysgol Bro Lleu and that there was concern regarding the proximity of the mast to the school and the impact it could have on the children;
 - That the industrial estate would be able to better conceal the proposal;
 - Unaware of the actual impact of such a development; were similar developments found near other schools?
 - That parents were concerned and some were threatening to move their children from the schools;
 - That Cartrefi Cymunedol Gwynedd were about to submit a planning application on land nearby and were threatening to pull-out if this development was approved;
 - Concern about the development's negative impact on the children and the village.

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

- That the proposal was to achieve the Government's aim of providing a 3G/4G signal supply where it did not currently exist in rural areas;
- That access to 3G/4G provision was essential in terms of economic prosperity and that the North Wales Economic Ambition Board supported telecommunications developments as they saw that this was necessary in order to achieve their ambitious economic growth plan;
- That the location of the telecommunications mast had been moved to the rear of the telephone exchange in order to reduce the visual impact;
- That the mast had to be 21 metres high or it would not work effectively;
- That other locations had been disregarded due to various reasons, this site was the most suitable;
- Acknowledged that there were concerns in relation to health; however, this was not a planning consideration as the ICNIRP statement had been submitted which confirmed that the development was in line with the guidelines and was safe;
- That the location was sensible and it would fill in the gaps in terms of the provision with significant economic and social benefits deriving from the proposal.

(ch) The following main points were made by a member who was acting as a local member (not a member of this Planning Committee):

- That the local community was concerned about the negative impact of the development on health, in particular on the children's health;
- Referred to international studies which showed that such developments did have an impact on health;
- That there was a need to be precautionary. Was there another more acceptable site than near the school?
- That there was a need to consider the implications very seriously.

(d) In response to the above observations, the officers noted:

- That the applicant had considered other sites and had noted the sites considered as part of the application;
- That it was a technical field, it was understood that the mast needed to be located relatively close to users;
- That there was a substantial campaign afoot to deliver 4G signal to places where it did not currently exist;
- A telecommunications mast up to 15 metres high could be installed under permitted development rights without submitting a planning application. Telecommunications masts had been approved by the Committee recently on sites in Groeslon and Tanygrisiau;
- That there was no doubt that there was an economic and social need for the provision;
- Appreciated the concerns. In terms of health, the applicant had confirmed that the developments complies with the national requirements.
- Consideration should be given to carrying out a site visit as a result of the concerns expressed in terms of the location of the mast and the visual impact.

(dd) A proposal to undertake a site visit was made and seconded.

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

- That the location was unsuitable and that there were more suitable sites in Dyffryn Nantlle;
- That the applicant should assess other sites;
- That information needed to be received about the other disregarded sites;
- Unaware of the health impacts, therefore precaution was needed;
- That the Headteacher's word was sufficient and therefore there was no need to carry out a site visit;
- The site was unsuitable and the industrial estate would not be suitable either.

In response to the above observations, the Senior Solicitor noted that he understood the strong feelings and local concerns but that there was a need to exercise caution in terms of refusing the application based on health matters. He noted that the proposal complied with national legislation and that the full details of the international studies had not been submitted before the Committee. He emphasised that it would be difficult to defend refusing the application based on health matters at an appeal. He noted that a number of planning applications for similar developments would be submitted in the future, therefore there was a need to be very careful in terms of binding applications submitted in the future if the application was refused on the grounds noted.

A member noted that she did not object to the proposal to improve the provision, but that approximately 90% of telecommunications masts had been located in open countryside where the signal was stronger. She also referred to her concern in terms of the mast's proximity to the schools, nursery and leisure centre. She noted that information should be received on the 10 locations considered and the reasons why they were unsuitable.

RESOLVED to undertake a site visit.

8. Application number C17/0438/18/LL – Land near Victoria Terrace, Deiniolen, Caernarfon

Change condition 2 of planning permission number C09A/0396/18/AM for a residential development in order to extend the period from three years to enable the submission of a reserved matters application.

- (a) The Senior Development Control Officer elaborated on the background of the application, noting that the proposal continued to involve developing the site for 27 houses (including five affordable houses for general local need) along with the creation of a new access. The original application was subject to a legal agreement under Section 106 in order to provide an element of affordable housing. It was noted that the 106 agreement would need updating as its contents continued to be valid despite the submission of this latest application.

Attention was drawn to the additional observations that had been received. Reference was made to the objections received following the public consultation.

It was noted that the principle of developing the site for a residential development had already been approved under outline application ref C09A/0396/18/AM and there had been no change in terms of the nature and details of the proposal or in the context of the local planning policies and guidelines and, although the Local Development Plan was likely to be adopted soon, the site would continue to be within the development boundary of Deiniolen in addition to being designated for a residential development within the plan.

It was explained that this latest application did not involve any change to the plans that had already been approved.

It was noted that the objections to this current application to extend the time in order to submit reserved matters had been considered in full and based on the assessment in the report, it was believed that the proposal continued to be acceptable, subject to including relevant conditions as included within the previous outline permission.

- (b) Taking advantage of the right to speak, the applicant's agent noted the following main points:-
- It was not the principle of developing the site for housing that was under consideration, the principle of extending the time to submit a reserved matters application was relevant;
 - That improvements had been made to the path already;
 - That the land had been designated in the GUDP and LDP for residential development. Under the LDP, the proportion of affordable housing included as part of the development could be less.

- (c) The local member (not a member of this Planning Committee) objected to the application and he made the following main points:
- The application did not respond to the demand for housing, and another three sites that had been granted planning permission for residential development had not been developed;
 - That the report gave much attention to the policies of the GUDP but as the LDP was about to be adopted, there was a risk that the report did not give sufficient consideration to the LDP's policies. That the application should be deferred until the situation with the new plan became clearer;
 - That Ysgol Gwaun Gynfi was almost at full capacity, did the Council have plans to extend the school if houses would be built on each site that had been granted planning permission already?

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

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

- That the application should be refused on the grounds of over-development and no evidence of local need;
- That the circumstances relating to lack of local need had changed since the outline application had been approved;
- Would the applicant be able to submit a further application to extend the time allowed to submit a reserved matters application for approval?
- That the applicant's agent had noted that a reduced proportion of affordable houses could be provided under the LDP. What was the situation?
- Would the number of affordable housing remain the same?

- (d) In response to the above observations, the officers noted:

- That there was no change in the planning situation with the site designated for a residential development in the GUDP and LDP. It would be difficult to justify refusing the application. An intention to refer the application to a cooling-off period, should the application be refused, was noted;
- A change would have had to occur in the planning situation to refuse the application, there had been no change in local or national policy. It was not possible to evidence a refusal, therefore, there would certainly be costs against the Council at an appeal. If refused, the members would have to defend the decision at an appeal;
- It would only be possible to justify refusing a further application to extend the period to submit a reserved matters application for approval, if a change had occurred in the policy position;
- The LDP noted a lower starting point in terms of negotiating an affordable housing proportion in a residential development;
- That the provision of the same number of affordable housing for general local need would be bound by means of a legal agreement under Section 106.

RESOLVED to approve the application.

Conditions:

1. 2/5 years to begin the work
2. Submitting reserved matters.
3. Materials and finishes (including natural slate for the roofs).
4. Access and parking.
5. Landscaping.
6. Removal of permitted development rights for the affordable houses.
7. Welsh Water conditions relating to safeguarding the sewers.
8. Conditions of Natural Resources Wales regarding land and surface water draining.
9. Update the conditions regarding mitigation measures of the ecological assessment.

9. Application number C17/0448/39/LL – Fron Hyfryd Caravan Park, Sarn Bach, Abersoch, Pwllheli

New service building, various engineering works together with increasing the number of touring caravan pitches from 18 to 24

- (a) The Planning Manager elaborated on the background of the application and noted that the site was located in the countryside between Sarn Bach and Bwlchtocyn and within the Llŷn AONB as well as a Landscape of Outstanding Historic Interest.

It was noted that the site was not considered to be prominent or intrusive in the landscape as the boundaries of the fields had been surrounded by hedges and trees that acted as a screen. In addition, it was noted that the location of the site and its setting in the landscape also meant that the location did not stand out very prominently. It was noted that the AONB Unit agreed and noted that due to the nature of the site, the natural landscaping and the low density, that the increase in the number of units could be incorporated without disrupting the AONB.

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

Due to the scale and location of the application together with existing natural features, the site was not considered to be obtrusive in the landscape, or likely to have a significantly harmful impact on the visual amenities of the AONB.

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

In response to an observation by a member regarding connecting to the public sewerage system, the Planning Manager explained that the existing site was connected to the public sewerage system.

A member enquired about the layout of the site in relation to the flood zone. In response, the Planning Manager noted an amended plan had been submitted moving the plot to the most north-eastern corner of the site in order to ensure that the site was entirely outside the flood zone. She confirmed that Natural Resources Wales was satisfied with the amendment.

A member noted that the new servicing building was to be welcomed.

RESOLVED to approve the application.

Conditions:

1. Commencement within five years.
2. In accordance with submitted plans.
3. The number of touring units on the site at any one time to be restricted to 24.
4. Restrict the season to between 1 March and 31 October.
5. Holiday use only.
6. A register to be maintained.
7. No storing of touring caravans on the site.
8. The timber boards on the external walls of the service building to be left to weather naturally.
9. The colour of the service building roof to be dark grey colour BS 18 B25.
10. Submit and agree upon a Habitats Management Plan.
11. Submit and agree upon a lighting plan for the site.
12. Submit and agree an Environmental Buildings Management Plan.

The meeting commenced at 1.00pm and concluded at 3.35pm.

CHAIR