
PLANNING COMMITTEE 16/10/17

Present: Councillor Elwyn Edwards - Vice-chair

Councillors: Louise 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: Councillor Elwyn Jones (Local Member).

Also in attendance: Gareth Jones (Senior Planning Service Manager), Cara Owen (Planning Manager), Idwal Williams (Senior Development Control Officer), Gareth Roberts (Senior Development Control Officer - Transport), Rhun ap Gareth (Senior Solicitor) and Glynda O'Brien (Member Support Officer).

Apologies: Councillors Stephen Churchman, Simon Glyn, Siân Wyn Hughes and Ann Lloyd Jones.

1. DECLARATION OF PERSONAL INTEREST

The following member declared that he was a local member in relation to the items noted:

- Councillor Elwyn Jones, (not a member of this Planning Committee) in relation to item 5.2 on the agenda, (planning application number C17/0440/18/LL).

2. MINUTES

The Chair signed the minutes of the previous meeting of this Committee, that took place on 25 September 2017, 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 number C17/0730/14/LL - 43 Llys Gwyn, Caernarfon

Two-storey extension at the property's northern gable end together with installing a dormer window at the front (amended plan to the one withdrawn under application No. C17/0436/14/LL)

- (a) The Senior Development Control Manager elaborated on the application's background and noted that the property was within a fairly substantial curtilage that also included a structure similar to a tower with parking and turning areas opposite the tower itself. The rear of the Cae Gwyn dwellings were behind the site and these included a number of extensions, balconies and various conservatories with the rear of the Llys Gwyn dwellings located below the site which also included extensions in the form of conservatories in addition to garden furniture and structures i.e. sheds and decking.

Reference was made to the relevant policies within the report.

A notice was posted on the site and nearby residents were notified. Correspondence was received from the occupants of those dwellings which were located adjacent to the application site objecting on the grounds of the loss of light; creating a mask; overlooking and loss of privacy; concern regarding the process of excavating the foundation; noise disturbance.

It was noted that the application was acceptable in principle and that its scale and location was suitable for the site along with its setting within a residential area. In terms of general and residential amenities, having considered all the relevant matters and the objections as noted above, it was considered that the development was acceptable subject to the inclusion of the conditions listed in the report.

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

- That the proposal would create a suitable home for a family of four that may grow in the future
- Bedrooms would be created on one floor for practicality and safety
- The previous application was withdrawn and this included a one-storey extension and adaptations to the roof
- Following the receipt of three objections to the plan, this was then discussed and advice was given by the planning officers, and the plan was amended to a two-storey extension in the hope that there would be no objections.
- A letter was sent to the neighbours with an explanation regarding the intention of the new plan and two objections were received based on the loss of light, rather than the three received for the original plan.
- It was trusted that there would be no loss of light to the residents of Cae Gwyn taking into account the distance of the houses from the original house, the sun's path in the sky, and that they were on a higher level than the house
- In terms of the objections from Llys Gwyn concerning privacy and overlooking, it was explained that it was possible to see into house 28 and the kitchen of 30 from every window in the front of the property and therefore there was more overlooking from the original house than from the proposed extension and therefore there was no further loss of privacy.
- That a precedent already existed in the area for two-storey extensions within a radius of half a mile that was close to other houses with an element of overlooking.
- That the house stood on a plot that was equivalent to three plots with enough room to develop the site without over-development.
- That the design was in keeping with the existing house and was in compliance with relevant planning policies.
- That the angle of the roof corresponded to the original angle, the roof pitch was lower than the original with no direct facing new windows and the windows below and the dormer window would be located on the inside wall in order to reduce overlooking.

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

RESOLVED: To approve the application in accordance with the following conditions:

1. **Five years.**
2. **In accordance with the plans.**
3. **Natural slate.**
4. **Withdrawal of permitted rights regarding the installation of windows as well as developments within the curtilage.**

2. Application Number C17/0440/18/AM - Land adjacent to Gorswen, Brynrefail

Outline application, with some reserved matters, to construct eight affordable houses (one set of semi-detached houses and two terraces of three) along with modifications to an existing access, parking spaces, road to the estate and gardens for the individual houses

- (a) The Planning Manager elaborated on the background of the application, and noted that the site abutted the development boundary of the Local Village of Brynrefail and entailed the construction of eight houses in a crescent form. Attention was drawn to the fact that this was an outline application and the details on the plans were indicative only. In the 1980s the site was used as a truck yard, however, this use ended in 1985 and because of its previous use, this site was considered to be brownfield.

Reference was made to the relevant planning policies within the report together with the further observations received from Llanddeiniolen Community Council as noted in the additional observations form that stated support to the application with no objection.

In terms of the principle of the development, the Council's Strategic Housing Unit noted that providing eight affordable houses addressed the area's needs. It was noted that the Planning and Affordable Homes Statement confirmed that the indicative internal layout and design of the houses met the requirements and therefore the houses could be transferred to a housing association. A copy of a letter from the Grŵp Cynefin was received, indicating their willingness in principle to develop housing on the site.

Attention was drawn to paragraphs 5.7 - 5.11 in the report that noted that amenity and transportation matters were acceptable. In terms of biodiversity, it was considered that the development was acceptable if appropriate conditions were imposed. It was noted that the site was not within a C1 Flood Zone and no objection had been received by Welsh Water, Natural Resources Wales or the Council's Drainage Unit.

Following full consideration of all planning matters and the objections received in response to public consultation it was recommended to delegate power to the Senior Planning Manager to approve the application subject to relevant legal obligations concerning ensuring that the eight houses were affordable for general local need and material planning conditions. However, a request was made to amend condition eight listed in the report to read "that the developer undertakes the development in accordance with the assessment submitted by the agent in order to ensure that the work is undertaken appropriately in terms of pollution".

- (b) Taking advantage of the right to speak, the applicant's Agent noted the following main points:
1. Japanese Knotweed - that the applicants were aware of the problem and consequently they had employed a qualified contractor to treat this invasive plant and the treatment had commenced last August and was restricted to sections of the site. The applicants were willing to discuss how to dispose of the rest in accordance with condition six in the report.
 2. Sufficient need for affordable housing - Welsh Government target for affordable housing was 20,000 by 2021. No new social housing house had been built in Brynrefail for at least 30 years and only nine general social housing dwellings remained out of the 190. There was a real need for a mixture of social housing that people could live in and Tai Teg had noted that 28 families had shown an interest in living in Brynrefail. That the proposal met with the local need and there was an

agreement with Grŵp Cynefin for them to buy some of the plots to develop affordable rented housing.

3. Surface water and flooding - the area was not within a C1 Flood Zone and the matter of controlling surface water was to be discussed in accordance with the Welsh Water condition.
4. Risk of contaminated land - an assurance was given that a desktop investigation had already been undertaken and noted that the site was favourable for development, however, the applicants were ready for a more detailed inspection to be undertaken to see if any ground pollution existed or otherwise
5. Access - although this was not a planning issue, the applicants had the appropriate rights to gain access to the site for the proposal in question that complied with the requirements of road management.
6. That the proposal was acceptable in terms of requirements and the applicants had worked hard to ensure that the proposal met with the need for affordable housing and was acceptable in terms of the amenities of neighbours, access, the environment and infrastructure.

- (c) The Local Member noted that although he had considered the application with an open mind, he felt that the application was ambitious bearing in mind that the Joint Local Development Plan recommended nine houses for Rhiwlas and eight houses for Penisarwaun and the application before them was for eight houses outside the Brynrefail boundary which was a much smaller village.

The original opinion of the Community Council was to object, as there was no representative from Brynrefail on the Community Council.

Following a discussion with the residents of Brynrefail they objected to the application as the development was too large for the village. In addition, concern had been expressed about parking in the village and the development would increase the traffic problem. Recently an excessive amount of cars had parked on the street and there were even cars parked outside the playground and because of a lack of a pavement the children had to walk near the white line in the centre of the road to go to and from the play area.

It was further noted that the issue of Japanese Knotweed continued, and although Brynrefail residents agreed that the site was an eyesore they were of the opinion that the development was too large.

- (ch) It was proposed and seconded to approve the application.
- (d) An amendment to visit the site was proposed, seconded and a vote was taken and the proposal carried.
- (dd) During the ensuing discussion the following points were highlighted: by individual members:
- That it was important to listen to the views of the Local Member and the importance of visiting the site bearing in mind the local objections.
 - It was asked if the applicants would contribute towards play equipment for the village children in accordance with the right of children to play safely.
 - A safe path should lead to the play area
 - It was asked if the plan included sufficient parking spaces for the development
- (e) In response to the above observations, the Planning Manager and the Senior Development Control Officer - Transport noted:

- That the size of the development did not reach the threshold of need to make a financial contribution for play equipment and the play area in question was close to the site and within walking distance
- That there were sufficient parking areas and a condition would be imposed to ensure the appropriate number to correspond to the number of houses that are part of the development.
- It was not believed that the development would exacerbate the current parking difficulties on the street.

Resolved: To ask the Senior Planning Service Manager to arrange for the Planning Committee to visit the site.

3. Application Number C17/0628/39/LL - Ynys For Bach, Abersoch, Pwllheli

Demolition of existing dwelling and construct a new house in its place.

- (a) The Senior Development Control Officer elaborated on the background of the application and noted that the proposed house comprised a garden store, entrance, three bedrooms and a bathroom on the ground floor, with living space and a kitchen/diner with a front and side terrace on the first floor. There was a parking space in a 'pull in' form to the front of the property. Following discussing the proposal with the applicant an amended plan was received showing the roof covered with natural slate together with a swept path analysis. The site was located within a residential area and was within the Abersoch development boundary, however, part of the garden/curtilage lies outside the boundary. The site was also located within an Area of Outstanding Natural Beauty (AONB).

Reference was made to the relevant policies and the responses to the public consultations within the report.

A notice was posted on site and nearby residents were notified and correspondence was received objecting to the proposal which had been noted in the report.

Attention was drawn to the main relevant planning considerations namely:

1. That the principle of the development complied with the criteria for demolishing and re-building a house.
2. Visual amenities - the design of the proposed house was modern with substantial windows and a terrace on the first floor and a pitched roof covered with natural slate that reduced concerns regarding the modern design of the house. However, although the site was situated within the AONB, it was also a site where a house currently stood near existing residential housing. Attention was drawn to the amended design, although modern, it was of a scale and of materials that would be in keeping with the site. It was intended to excavate the site to create a two-storey house of approximately the same height as the existing single-storey house. Although it did not follow the pattern of houses in the vicinity, it was believed that the amended design was in keeping and enhanced the local area compared to the existing building. The AONB Unit had submitted concerns regarding the design of the new house, however, it was deemed that amending the design of the new house was likely to reduce these concerns. It was therefore considered that the proposal as amended was suitable for its location and its context, and would not have a detrimental impact on the AONB.
3. General and residential amenities - Three letters of objection were received on the grounds of design, impact on the AONB, impact of the proposal on the site boundary, impact on the neighbour's foul water drain and road safety. Although the house was

larger than the existing it had been designed so that the windows and openings look over the county road and agricultural land. In terms of traffic and noise generated by the proposal, it was considered that the proposed house would not significantly add to the current situation or cause harm to the local neighbourhood. It was noted that the applicant acknowledged a need to safeguard the neighbour's foul water drain during construction work and to discuss the matter with Welsh Water should the application be approved. It was considered that the proposal would not cause significant harm to the amenities of the local community.

4. Transportation and access matters - Access to the site was gained directly from the county road where parking in a 'pull in' form was located. Following a request from the Transportation Unit for more information on parking and turning arrangements within the curtilage further information had been received that was acceptable and an improvement on the existing arrangement.

Having assessed all relevant planning considerations together with relevant local and national planning policies and guidelines as well as the observations received, it was considered that the proposal was acceptable and it was recommended to approve the application subject to relevant conditions.

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

(c) During the ensuing discussion the following points were highlighted by individual Members:

- That the Planning Committee had a duty to give consideration to the comments of the AONB Officer as such developments could have a cumulative impact on the appearance of the AONB and one Member felt that he could not support the application for this reason
- that the Community Council objected to the application
- would the proposed house be within reach of local people
- it appeared that a great deal of applications came before the Planning Committee to demolish houses and rebuild them in Abersoch, and it was asked if it was possible to consider supplementary guidance and/or to consider the policy when there was a review

(ch) In response to the above observations, the Senior Planning Service Manager explained

- that the application in question was an open market house that would be replaced by a new open market house and that affordable housing was not relevant in this context
- that the policies were current and legal and the policy could not be modified to restrict the use of the new house. Applications of this type could be monitored in the future in Gwynedd and Anglesey
- the proposed development was within the development boundary and the principle of demolishing and erecting a new house in its place was acceptable and conformed to the relevant policies
- in the same manner the Planning Committee had to give full consideration to the contents of the report before them by professional officers who had given full consideration to the comments regarding the AONB

In accordance with the Procedural Rules, the following vote to approve the application was a registered vote:

In favour of the proposal to approve the application (5): Councillors Louise Hughes, Eric Jones, Dilwyn Lloyd, Edgar Owen, Catrin Wager

Against the proposal to approve the application (5): Councillors Elwyn Edwards, Huw Gruffydd Wyn Jones, Eirwyn Williams, Gruffydd Williams, Owain Williams

Abstention (1): Councillor Berwyn Parry Jones

On the casting vote of the Chair, the application was refused on the grounds of the AONB setting and the cumulative impact that such a development would have on the appearance of the AONB.

In response to the above, the Planning Manager drew attention to the amended design in using a slate roof rather than a zinc roof and this was material for the Committee when considering the application. The Senior Planning Service Manager further emphasised that it could not be refused in terms of principle and that the main matter in question was the design of the proposed house. It was strongly suggested that the Committee should visit the site prior to determining its refusal and as a result the applicant could go to appeal and the Council may have to face costs.

An amendment was proposed and seconded that the Planning Committee should visit the site.

Resolved: To ask the Senior Planning Service Manager to arrange for the Planning Committee to visit the site.

4. Application Number C17/0680/45/LL – 4 Trem y Marian, North Quay, Pwllheli

Change of use from residential dwelling (C3) to a dental surgery (D1)

- (a) The Planning Manager elaborated on the background of the application and noted that it was an application to adapt a two-storey residential house into a dental surgery to comprise a toilet, treatment room and waiting room/reception on the ground floor; bathroom and treatment room / office on the first floor. It was noted that the house was semi-detached within a row of another four semi-detached houses. The site had not been afforded any particular land designation and the site was located within the town's development boundary as defined in the LDP.

Attention was drawn to the relevant policies and the responses to the consultation process noted in the report.

Correspondence objecting to the development for the reasons noted in the report had been received together with objections that were not material planning objections.

Reference was made to the main relevant planning considerations namely:

1. Principle of the development - that the relevant policy supported the adaptation of residential units for business use provided that the proposal satisfied the policy's criteria. It was felt that the location, scale and nature of the proposal complied with the criteria.
2. Visual amenities - the proposal would be unlikely to have a substantial harmful impact on the area's visual amenities as only minor internal changes were proposed.
3. General and residential amenities - six letters had been received objecting to the application based on concerns regarding the possible impact on their property and

there was a clause on the site's deeds that restricted the use of the units to houses only, however, this was deemed to be a private matter. Regarding concerns about the disturbance that would be caused to nearby residents from the use, it was noted that the site's planning history indicated that the units had originally been approved as living / working units and the site was situated between the railway and the county highway, within approximately 100 metres to a commercial garage and restaurant. Therefore, it was considered that approving the application would not have a substantial impact on nearby residents.

4. Transport and access matters - it was considered that the site / proposal was accessible to the public because of its location.

Having considered the proposal against the relevant planning policies, it was considered that the proposal was acceptable and it was recommended that it should be approved subject to relevant planning conditions.

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

Resolved: To approve the application in accordance with the following conditions:

1. **Five years**
2. **In accordance with plans**
3. **Opening hours between 9am and 6pm Monday to Saturday .**

5. Application number C17/0718/03/LL - The Old Station Yard, Llwyn Gell Industrial Estate, Blaenau Ffestiniog

Application to demolish the existing office building and erect a new office/workshop building.

- (a) The Planning Manager elaborated on the background of the application and noted that the proposal was an outline application to demolish the existing former office building and to erect a new building to comprise an office and workshop, on the existing business site. The new building would be 10.7m high to the top of the roof and the walls would have a profile metal sheeting roof in a blue slate colour. It was intended to use the new building to extend and improve the civil engineering business facilities located within an established industrial estate within the development boundary of the Blaenau Ffestiniog Urban Service Centre.

From the report it was seen that the application was submitted to the Committee as its scale meant that the officers could not deal with it through the delegated procedure. It was also seen that all material planning considerations were acceptable and the recommendation was to approve with relevant planning conditions.

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

- (c) In response to a comment made by a Member regarding cladding the wall with slate, the Planning Manager explained that this would be extreme in this case considering that the building was within an industrial estate.

Resolved: To approve with the following conditions:

1. **Five years.**
2. **Development to comply with the approved plans.**

3. **Materials**
4. **Only Grey/blue colours**

Notes

1. **Welsh Water**
2. **Network Rail**

6. Application C17/0772/36/LL – Land adjacent to Bryn Refail Uchaf, Garndolbenmaen

Application for a new sub-station, associated infrastructure and new access road.

- (a) The Planning Manager elaborated on the background of the application and noted that the site was located to the south-east of Bryncir on relatively flat ground that consisted of pastoral fields with an area of marshy grassland. It was noted that the 400kv Pentir - Trawsfynydd overhead electricity line ran along the western edge of the site, and the site was accessed from the north via an existing farm access. A Public Footpath went through the site and would need to be diverted to facilitate the sub-station. It would entail altering the existing access from the main trunk road (A487) to facilitate construction traffic to enter and leave the site.

Reference was made to the relevant policies along with the public consultations and attention was drawn to the late comments received from the Gwynedd Archaeological Planning Service that stated that a statutory planning condition should be imposed regarding the submission of a plan and report on archaeological work. In addition, during the meeting an e-mail was distributed to Members by the Local Member stating that he had no objection to the application in principle and accepting its strategic importance, however, he would welcome mitigating measures for working hours in order to reduce any impact on the neighbours. It was also noted that the Community Council had no objection.

The application site was identified as a favourable location for the new sub-station out of a short-list of local options. It was considered that the need had been proven and the proposal and choice of site was acceptable.

The planning officers considered that the proposal was acceptable in terms of general and residential visual amenities. In terms of transportation matters, the application could be approved subject to a planning condition requiring prior approval for the alterations of the access to the trunk road and the submission of a Construction Traffic Management Plan before the development could commence. The proposal was considered acceptable subject to a relevant condition.

Following all the planning considerations, it was considered that the proposal was not contrary to relevant policies and the proposal would not have any detrimental impact in the long-term and therefore it was recommended for approval in accordance with the conditions listed in the report as well as the following additional conditions:

- Condition to ensure the diversion /safeguarding of public footpath
- Archaeological condition
- Working hours condition

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

- (c) A member noted that he would not be supporting this application, bearing in mind the pylons, wind turbines, water treatment works that already existed and disfigured the area, and this application added to these industries.

Resolved: To approve with the following conditions:

- 1. Five years**
- 2. Ensure that the development is completed in accordance with the submitted plans.**
- 3. Finish to be agreed (including the colour of the fence)**
- 4. Agree on a scheme to dispose of foul and surface water**
- 5. Agree on a construction environmental management plan**
- 6. Agree on a construction traffic control plan and receive the approval of the Welsh Government's Trunk Roads Unit on access matters (and any relevant additional conditions).**
- 7. Complete the landscaping within the first planting season following proposal completion.**
- 8. Ensure the diversion /safeguarding of public footpath**
- 9. Archaeological condition**
- 10. Working hours**

Welsh Water Note

The meeting commenced at 1.00pm and concluded at 2.00pm.

CHAIR