
PLANNING COMMITTEE 4/6/18

Present: Councillor Elwyn Edwards - Chair

Councillors: Stephen Churchman, Simon Glyn, Louise Hughes, Siân Wyn Hughes, Anne Lloyd Jones, Berwyn Parry Jones, Huw G. Wyn Jones, Edgar Wyn Owen, Catrin Wager, Eirwyn Williams, Gruffydd Williams and Owain Williams.

Others invited: Councillors E. Selwyn Griffiths, Charles Wyn Jones and Dewi W. Roberts (Local Members).

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 - Transportation), Rhun ap Gareth (Senior Solicitor) and Bethan Adams (Member Support Officer).

Apologies: Councillors Eric M. Jones and Dilwyn Lloyd.

1. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- (a) No declarations of personal interest were received from any members present.
- (b) The following members declared that they were local members in relation to the items noted:
- Councillor Dewi W. Roberts, (not a member of this Planning Committee) in relation to item 5.1 on the agenda (planning application number C18/0127/39/LL);
 - Councillor E. Selwyn Griffiths, (not a member of this Planning Committee), in relation to item 5.4 on the agenda (planning application number C18/0078/44/LL);
 - Councillor Charles Wyn Jones (not a member of this Planning Committee) in relation to item 5.5 on the agenda, (planning application number C18/0132/23/LL).

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

- (c) Members noted that they had been lobbied by the local member in relation to item 5.5 (planning application number C18/0132/23/LL) on the agenda.

2. MINUTES

The Chair signed the minutes of the previous meeting of this Committee, that took place on 14 May 2018, 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 policy aspects.

RESOLVED

1. Application Number C18/0127/39/LL – Beach Hut, 27 Porth Mawr, Abersoch, Pwllheli

Construction of a Beach Hut to replace the existing.

- (a) The Planning Manager elaborated on the background of the application and noted that the application was to replace the existing beach hut with a new beach hut, rotating its setting and increasing its size. It was noted that the proposed beach hut and the rotated setting would be in keeping with the location as nearby huts had been set out in the same manner.

Attention was drawn to the additional observations received and it was noted that confirmation had been received from the applicant that the door would be yellow and the hut blue.

It was noted, bearing in mind that the application in question was for a hut to replace the original, it was not considered that there would be any significant change to the AONB landscape, on biodiversity or on the coastline. The proposal 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:-
- Concerns in terms of alterations to the beach huts and increasing use made of roller doors;
 - That the area was important in terms of tourism;
 - That the AONB Unit and the Community Council noted that the existing beach hut was in a fairly good condition;
 - That rotating its setting would be an improvement, however, there was insufficient reasoning regarding increasing its size;
 - That the AONB Unit noted that "... too wide and high a building should be avoided. Also, in order to retain the historic character of the original building it is suggested that corrugated sheets are used rather than box profile sheeting and wooden doors (not shutters).";
 - He was not totally opposed to the proposal, but was concerned that the hut would be too large.
 - That he was pleased to receive confirmation regarding the colours of the external finish.
- (c) It was proposed and seconded to approve the application.

A member noted that there was no point in objecting the proposal as a beach hut was already situated on the site.

In response to a question by a member regarding the possibility of imposing a condition regarding the external finish with corrugated sheeting, the Planning Manager explained that it was not necessary to submit a planning application to change the external material of a beach hut as it was considered to be maintenance and repair work.

RESOLVED to approve the application.

Conditions:

1. In accordance with the plans
2. Colour of the external finish
3. No occasional living or sleeping use.

2. Application Number C18/0244/25/LL – Goetre Uchaf, Penrhosgarnedd, Bangor

Construct six new houses, including four detached houses and two semi-detached houses with associated parking and gardens.

- (a) The Senior Development Control Officer elaborated on the background of the application, noting that the site was totally within land earmarked as a Protected Open Space on the Inset maps of the Joint Anglesey and Gwynedd Local Development Plan (JLDP). He noted that Policy ISA 4 of the JLDP encourages refusing proposals that would lead to the loss of existing

open spaces, including amenity green spaces, unless four specific criteria can be met, namely:

- There is an overall surplus of provision in the community - The Planning, Design and Access Statement submitted with the application claimed that there was 4.93ha of existing open space within Goetre Uchaf estate (10.55ha in total). There were no details in the report regarding what land was considered as open space. No evidence was submitted to demonstrate a decrease in the need for open spaces in the area.
- The long term requirement for the facility has ceased - Given that the existing housing development had not yet been completed, it was not deemed possible to argue that the long-term need for the facility had ceased as it has not yet reached its full use.
- Alternative provision of the same standard can be offered in an area equally accessible to the local community in question - Much of the vacant land assumed to be included in the applicant's calculation of existing Open Spaces, was steep wooded land near the A55, and it was not believed reasonable to consider this land as land of the same amenity quality.
- The redevelopment of only a small part of the site would allow the retention and enhancement of the facility as a recreational resource - No leisure benefits would derive from the proposed development.

It was recommended that the Committee refuse the application on the grounds that insufficient justification had been submitted to approve the loss of an existing open space and therefore the proposal did not meet the requirements of ISA 4 in the JLDP.

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

RESOLVED to refuse the application.

Reason:

No sufficient justification has been submitted to approve the loss of an existing open space and therefore the proposal does not meet the requirements of ISA 4 in the Anglesey and Gwynedd Joint Local Development Plan.

3. Application Number C18/0312/25/LL – 2 Maes Mawr, Penrhosgarnedd, Bangor

Erection of single storey one bedroom annexe.

- (a) The Senior Development Control Officer elaborated on the background of the application, noting that it was to erect a one-storey annexe in the property's back garden that was situated within the Bangor development boundary.

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

It was noted that the principle of locating new developments was based on Policy PCYFF1 of the JLDP that stated that proposals within development boundaries will be approved, it was deemed that this application to provide a fairly small annexe in size and scale, within the residential curtilage of 2 Maes Mawr was acceptable in principle.

Details of the objections received following the public consultation period were given and these were based on noise disturbance, over development, visual amenities and road safety and parking requirements.

Having considered all the material matters as well as the objections and observations received on the application, the development was acceptable in terms of relevant local and national policies for the reasons given in the report.

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

- That it was proposed to build the supplementary annexe mainly for his frail mother;
- They had considered a house extension, however, this would not satisfy their needs and would have more of an impact on the location;
- That the annexe's design was in keeping with the house and nearby buildings.
- There was plenty of parking area.

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

In response to a question from a member in the context of the applicant's need to receive a retrospective licence to create the access at the rear of the property, the Planning Manager confirmed that planning permission was not required for the access at the rear of the property, however, the applicant would need to have a licence for lawful use.

A member expressed her support for the proposal to provide a living unit for a vulnerable adult and noted that the size and design of the one-storey annexe was acceptable.

RESOLVED to approve the application.

Conditions:

1. Five years.
2. In accordance with the plans.
3. Natural slate.
4. Restrict the use of the annexe to be supplementary to the residential use of the main house.
5. Removal of permitted development rights with regard to the windows and new extensions.
6. Withdrawal of permitted development rights with regard to the erection of fences/walls.

4. Application Number C18/0078/44/LL – Trwyn Cae Iago, Borth-y-Gest, Porthmadog

Demolish and rebuild a house.

(a) The Planning Manager elaborated on the background of the application, and noted that the existing property was located within the Borth-y-Gest development boundary, however, the rest of the site towards the coast was situated outside the boundary. It was highlighted that the site was within a Special Landscape Area.

It was noted that the floor area of the existing dwelling was approximately 173m², and the proposed house would include three floors with a floor area of approximately 465m².

It was highlighted that it had been suggested to the applicant that the plan submitted in order to receive pre-application advice was not acceptable, due to its location outside the development boundary and its size and scale. The plans submitted as part of the application originally continued to site the majority of the proposed dwelling outside the development boundary, and despite further advice when dealing with the planning application, a proportion of the proposed dwelling continued to be outside the development boundary, and its size and scale was substantially larger than the existing property. It was noted that clear advice had also been given on how to overcome the oppressive impact and the impact on the amenities of nearby properties.

It was explained that it was considered that a house located within the development boundary and sensitively designed to respect its surrounding area would be acceptable; however, in this case, it was considered that the size, bulk and setting of the proposed house would be unacceptable and this meant that the design created a structure that was incongruous with the prominent sloped side, and which led to a substantially greater visual impact than the existing building.

It was noted that the proposed development would cause a substantially greater visual impact than the existing house, and would cause a detrimental impact on the amenities of nearby

residents, and to this end, it was considered that the proposal was unacceptable and contrary to the policies noted in the report.

- (b) Taking advantage of the right to speak, an objector noted the following main points:-
- That he was a neighbour and the proposal would have an adverse impact on his privacy, he had requested that the proposed house be moved back to be on the same line as his house;
 - That the proposed house was substantially outside the development boundary, especially on the southern side of the site;
 - Concern regarding the visual impact of the development;
 - His concern regarding the associated engineering work with the proposal and the impact on the foundations of his own house;
 - The submission of a geotechnical survey should be a requirement as the site was on a cliff edge;
 - Approving the application would set a precedent that would be harmful to the area and the whole of Gwynedd.
- (c) The local member (not a member of this Planning Committee) noted the following main points:-
- The planning officers were thanked for their work and discussions with the applicant;
 - He was not against modern developments and he would not object a proposal to demolish the existing house if it proposed a better house;
 - That it was an over-development of the site with a section of the house outside the development boundary;
 - Concern regarding the proposal to erect an 8 metre high wall at the side of the proposed house and its impact on the residents of Sŵn y Môr;
 - That the applicant had received advice from officers, however, this had been ignored;
 - To request that the Committee refuse the application in accordance with the recommendation.
- (ch) It was proposed and seconded to refuse the application.

A member noted his concern regarding the consistency of recommendations, bearing in mind that officers had recommended to approve a similar application in Abersoch. However, in this case it was considered that the house in question would impair on the Cob and Portmeirion although they were some distance from the site, with engineering work associated with the application situated in Abersoch as well, and it was also an over-development of that site.

In response to the above comment, a member noted that The Shanty, Abersoch application had been approved recently on appeal. A member noted that the application before them was different to that application, as a proportion of the proposed house was situated outside the development boundary.

Another member noted that she agreed with the recommendation and it was peculiar that the applicant had not listened to the advice given by officers.

RESOLVED to refuse the application.

Reasons:

1. A proportion of the proposed house is to be located outside the footprint of the existing house and the development boundary of the village, and as a result of the size and bulk of the proposal in this location, it is considered that the proposal is contrary to criteria 6 and 7 of policy TAI 13 of the Anglesey and Gwynedd Joint Local Development Plan which ensures that proposals to demolish and rebuild a house that extends beyond the footprint of the existing house and the development boundary will have a substantially greater visual impact than the existing house.

2. It is considered that the proposal is contrary to criterion 13 of policy PS5 and criteria 1 and 2 of policy PCYFF 3 and 1, 2, 3 and 4 of policy PCYFF 4 and policy AMG 2 of the Anglesey and Gwynedd Joint Local Development Plan in terms of size, scale, standard of design and impact on the landscape as the proposal does not add to or enhance the character and appearance of the site, the building or the area in terms of the setting, appearance and elevation treatments and it is not of a high quality of design that makes a positive contribution to the local area and accessible areas or adds to the conservation, enhancement or restoration of the recognised character of the Special Landscape Area.
3. It is also considered that the proposal is contrary to the requirements of criterion 7 of policy PS5, criterion 7 of policy PCYFF 2 and criterion 10 of policy PCYFF 3 as the development would have a substantial detrimental impact on the amenities of the occupiers of local property and the nearby area, including light pollution, and because it will not help to create a healthy and viable environment or considers the health and well-being of future users.

5. Application Number C18/0132/23/LL – Land at Cae'r Eglwys, Llanberis Road, Llanrug, Caernarfon

Erection of 9 two-storey dwellings (including an affordable dwelling), new access, parking spaces and turning area.

- (a) The Senior Development Control Officer elaborated on the background of the application, noting that the application site was within the Llanrug local service centre development boundary and had been specifically allocated for housing development. It was noted that the proposal was acceptable in principle.

It was explained that the site was level in nature and very visible from the nearby class I county highway (Llanberis Road). It was noted that the layout of the houses within the site meant that quite a substantial part of the site would be an amenity/green area and given the form, size, density, appearance and design of the proposed houses, it is considered that the proposal would not create an alien or oppressive development which would have a substantial or significant impact on the visual amenities of this part of the streetscape.

It was highlighted that the proposal involved creating a standard access off the nearby class I county highway along with extending the existing footpath into the site itself. The design and plan of the estate road, as well as parking spaces, was amended in order to comply with the requirements of the Transportation Unit. It was noted that siting a new access on this part of the highway was also acceptable based on the requirements of road safety on the grounds of visibility and the number of houses that would be served by the access.

It was noted that third parties had recommended that this current proposal should include a roundabout, connecting footpath/road and parking spaces in the same way as the previous application approved in December 2012. However, consideration must be given to the fact that these elements from the previous application had been included in the application itself at the applicant's wish at that time (Bangor Diocese), and they were not necessary or a statutory requirement in order to ensure road safety or to make the proposal acceptable in relation to planning matters.

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) objected to the application and made the following main points:-
- That the land in question had been transferred over a 100 years ago to the church to build a church, however, this was not undertaken and the land was retained for community use;

- The site was opposite the school and had double yellow lines to prevent parking, together with buses stopping opposite the school and another bus stop;
- The site was in the centre of the village of Llanrug and close to the village square, where there was a complex junction with five roads meeting there;
- Following discussions the Transportation and Street Care Service proposed a possible scheme to improve the situation in terms of road safety and a public meeting took place. The Diocese confirmed that they would operate in accordance with what was agreed including a connecting path between Station Road and Llanberis Road as well as a roundabout to link the site with the connecting road;
- That the Diocese had sold the land for a reasonable price as there was a need to include parking spaces, a connecting path and a roundabout;
- The proposed plan would not assist the current situation in terms of road safety and it did not include a footpath to the shops on Station Road;
- The member questioned why this application was for nine houses rather than ten, as approved under the previous planning permission;
- Having considered the Joint Planning Policy Unit's observations, did this use make the best use of the site as it had been earmarked for ten houses. It was asked why the observations of the Policy Unit had not been included in the report;
- An application for ten houses would entail a commitment to provide a green space on the site;
- There was no reference in the report to Policy TRA 1;
- There was space in the garden of plot 7A to build another house;
- The community would not have agreed to include the land in the JLDP without the roundabout;
- They should act in accordance with Ffordd Gwynedd by placing the people of Gwynedd at the centre of their actions.

(c) It was proposed and seconded to refuse the application as the proposal was contrary to criterion 3 Policy CYFF 2 and Policy TAI 8 in terms of an appropriate mix of housing.

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

- Concerns regarding the parking provision and road safety;
- That the garden of plot 7A was huge, would an application be submitted in future for another house;
- That the Community Council objected to the application;
- There was only one affordable house, there should be at least three affordable houses;
- The Transportation and Street Care Service had previously mentioned a scheme to improve the road safety situation and they now noted that the situation was acceptable. Was there a covenant attached to the land transfer in terms of providing the improvements? The application should be refused and discussions should take place with the developer regarding the land ownership transfer;
- Rather than refuse the application, discussions should take place with the applicant regarding the possibility of providing ten houses on the site and to note the Committee's concerns;
- Concern regarding the size of the houses that were for families and the lack of a mixture in terms of type/size of housing;
- The application before them was for nine houses, an application for an additional house would be a separate application;
- How much pressure had been placed on the developer to make the best use of the land?
- That the applicant proposed nine houses on the site as ten houses would mean that the applicant would be required to conduct a public consultation.

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

- The applicant of the previous application had agreed to the enhancements voluntarily and they were not essential to make the proposal acceptable;

- Regarding the concern of using the site with the application for nine houses rather than ten, the applicant could be asked to provide information to confirm the situation in terms of the intensity of the development;
- Consideration should be given to defer the application to receive further information rather than to refuse as there were possible risks to the Council in terms of appeal costs;
- In terms of housing mix, the Housing Unit and the applicant could be asked to confirm the need for housing in Llanrug;
- Consideration should be given to a site inspection visit for Committee members to see the location of the footpath requested by the Local Member. The applicant could be requested to voluntarily provide a footpath but he could not be forced to do so;
- That detailed work had been completed when preparing the JLDP in terms of land viability, the target in terms of affordable housing provision in a development in Gwynedd varied based on the assessment. The target for Llanrug was 10% and therefore a provision of one affordable house as part of the development was acceptable;
- That there were matters in the context of sewerage that restricted the site's layout;
- That the number of houses were less than the threshold, where it was expected that the applicant would consult the public on the proposal. A number of such cases were a general concern to councils, however, it was not possible to do anything to prevent them from happening.

- (d) An amendment was proposed and seconded to defer the application in order to receive further information and to conduct a site inspection visit.

A member noted that the Local Member should be part of the discussion with the applicant.

In response to a member's observation regarding imposing a condition in terms of the connecting path or a play area as part of the development, the Planning Manager noted that extensive discussions had taken place between the officers, the applicant and the Local Member and that providing a footpath or play area was a matter of goodwill on behalf of the applicant. She explained that it was not possible to enforce such conditions as they were not in accordance with the policies.

A member noted that bearing in mind that the previous application was for ten houses and the site had been designated for ten houses in the JLDP, the application before them should be for ten houses in order for local concerns to be noted as part of a public consultation. The member added that the plan before them was poor, did not provide a mix of housing and the Joint Planning Policy Unit had noted in its observations, that could be seen on the website under Track and Trace, that the plan was poor.

A member noted that she understood that the layout of the site was a problem due to sewerage issues, however, better use had been made of the site in the location plan of the previous application, the layout should be re-considered.

A member expressed concern in terms of road safety as the proposed entrance to the site was opposite the school.

RESOLVED to defer the application in order to receive further information and conduct an inspection site visit.

The meeting commenced at 1.00pm and concluded at 2.20pm.

CHAIR