
PLANNING COMMITTEE 10-01-22

Present: Chair: Councillor Eric M Jones
Vice-chair: Councillor Gareth A Roberts

Councillors: Stephen Churchman, Elwyn Edwards, Simon Glyn, Anne Lloyd Jones, Berwyn Parry Jones, Gareth T Jones, Huw Wyn Jones, Louise Hughes, Dilwyn Lloyd, Edgar Owen, Eirwyn Williams and Owain Williams

Officers: Gareth Jones (Assistant Head of Planning and the Environment), Iwan Evans (Head of Legal Services), Keira Sweeney (Planning Manager), Gwawr Hughes (Development Control Team Leader), Glyn Gruffudd (Senior Development Control Officer), Iwan ap Trefor (Senior Engineer - Development Control) and Lowri Haf Evans (Democracy Services Officer)

Others invited:

Local Members: Councillors Selwyn Griffiths, Cemlyn Williams, Gareth Williams, John Brynmor Hughes

1. APOLOGIES

None to note

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

- a) Councillor Berwyn Parry Jones in items 5.3 (C21/0767/14/LL) on the agenda, as he was a member of the Adra Board.
- b) Councillor Owain Williams in item 5.8 (C21/0988/39/LL) on the agenda, as he was the owner of a caravan site.

The members were of the view that it was a prejudicial interest, and they withdrew from the meeting during the discussion on the applications.

- c) The following members declared that they were local members in relation to the items noted:
 - Councillor E. Selwyn Griffiths (not a member of this Planning Committee) in relation to item 5.1 (C20/0649/44/LL) on the agenda.
 - Councillor Berwyn P Jones (a member of this Planning Committee), in item 5.2 (C21/0934/15/AC) on the agenda.
 - Councillor Cemlyn Williams (not a member of this Planning Committee), in relation to item 5.3 (C21/0767/14/LL) on the agenda
 - Councillor Gareth Williams (not a member of this Planning Committee), in item 5.6 (C21/1010/32/LL) on the agenda
 - Councillor Gareth T M Jones (a member of this Planning Committee) in relation to item 5.7 (C21/0859/42/DT) on the agenda
 - Councillor John Brynmor Hughes (not a member of this Planning Committee), in relation to item 5.8 (C21/0988/39/LL) on the agenda.

3. URGENT ITEMS

None to note

4. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 13 December 2021, as a true record.

5. 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

5.1. APPLICATION NUMBER C20/0649/44/LL LAND NEAR GELERT, PENAMSER, PORTHMADOG

Application to site a ~5MWe gas fired standby power station with associated infrastructure

Attention was drawn to the late observations form.

- a) The Development Control Team Leader elaborated on the application's background and noted that it was a full application to site a 5MWe fast response flexible electricity generating facility and associated works to include CCTV cameras, amenity cabins, gas kiosk, tanks, fencing and various structures on land at the side of the Gelert site, Penamser Business Park on the outskirts of Porthmadog. It was added that the site was within a C1 flood zone and was an Employment Protection site as defined in the Local Development Plan (LDP)

If approved, the proposal would enable fast generation of electricity should it be required when the local network cannot generate this. It was explained that the facility would run (albeit occasionally) on gas, and therefore would be dependent on fossil fuel. It was recognised that similar applications had been approved by the Local Planning Authority in other locations on the grounds that they would form part of the support network that could be used when the renewable supply was insufficient within the local network. By now, similar proposals had been refused on appeal due to their dependency on fossil fuel in circumstances where councils had declared a climate emergency and also where there was a lack of evidence about the need to generate energy by burning fossil fuel. It was noted that Gwynedd Council had recognised and declared a climate emergency in March 2019, promoting the reduction in carbon use as part of their strategy.

In order to alleviate the effects of climate change, proposals will only be permitted where it can be demonstrated that they have fully taken account of and responded to the criteria that includes the energy hierarchy, which includes reducing energy demand, energy efficiency and using low or zero carbon energy technologies wherever practical and to take full advantage of the contribution of renewable energy or low carbon technology to satisfy the requirements of the proposal for electricity and heating. It was highlighted that statements had been submitted by the agent, however, there was no evidence submitted of the specific need for this provision, or that it would be possible to provide the supply via other low carbon or renewable means. The proposal before them did not offer employment use, beyond the period of installation, and although it was recognised that the proposed site was small and awkward, with vacant units within the business park, there was no specific justification for the proposal and it could not be confirmed that the loss of employment land was acceptable in terms of policies PS 13, CYF 1 or CYF 3 of the LDP.

It was added that the site was located within a C1 flooding zone and the proposal was to provide a gas power station to generate electricity, that according to the definitions included in Technical Advice Note 15: Development and Flooding Risk was a highly vulnerable development.

In brief, it was considered that this proposal was unacceptable on the grounds of a lack of justification for the proposal and its location, on land designated for employment use and within a flooding zone, and that it used fossil fuel when the Council has declared a climate emergency and promotes using less carbon.

- b) Taking advantage of the right to speak, the applicant's agent noted the following points:
- He referred to a letter circulated to members in response to the 3 reasons for refusal
 - 1. *Sufficient evidence had not been submitted regarding the need for the development or its use of fossil fuel that would undermine Gwynedd Council's climate emergency statement and the policies of the LDP.*
The applicant disagreed with this and noted that the Planning Statement and the Design and Access Statement provided clear evidence of the need for the development against Planning Policy Wales, the LDP and the Appeal Decisions of Welsh Ministers. The Local Planning Authority was aware that the Need for Development had been explained by Welsh Ministers in their decision in November 2020, to confirm an Appeal for a project in Bridgend. This had been determined after Bridgend and Gwynedd had declared a Climate Emergency. Welsh Ministers found that the use of Gas Peaking Plants was a key technology when delivering Net Zero targets, ensuring at the same time that there was a safe supply.
 - 2. *Loss of employment land*
The applicant disagreed with the comment that insufficient evidence had been provided regarding the use of employment land. The Planning Statement and the Design and Access Statement advised that short-term and long-term employment would be secured, that was also confirmed in the Planning Application Forms. Employment use of the land is described and the type of high value wages that will be secured and an estimate that this includes two long-term employment jobs (full-time equivalent) during the operational phase and this employment would be in addition to the employment of the existing site.
 - 3. *The proposal is within the definition of a very vulnerable development, and insufficient evidence had been presented to ensure that the proposal was in compliance with the Council's strategy, together with those of the LDP and TAN 15.*
That the sections of TAN 15 the Report refers to involve Power Stations. Often, it was considered that TAN 15 was misinterpreted in the context of small scale electricity supply projects that are different in size to a Power Station. It was explained that a power station operated to distribute electricity centrally to the National Grid and was therefore not a development that would occasionally generate electricity.
The applicant had depended on the Welsh Ministers' Appeal Decision regarding the gas peaking plant in Newport, that was approved on appeal. It was accepted that the development was for a solar farm with a BESS 200 unit facility, however, it was similar in every way to this limited gas peaking plant.
"A highly vulnerable development is defined as a development where the ability of residents to determine if they will accept the risks to life and property that are linked to flooding, or the ability to manage the consequences of such risks. Also included are those industrial processes where there would be a risk to the public and the water environment should the site be inundated."

These descriptions are not relevant to this development and it is difficult to understand how unmanned gas peaking work could be considered as a 'highly vulnerable development' in the context of the definition of TAN 15 - in October the LPA stated that they agreed with this interpretation.

- That the applicant depended on the Welsh Ministers Appeal Decision regarding the project in Newport (qA 1364896) "... Although TAN 15 notes that power stations are an example of 'an industrial development that is highly vulnerable', it is evident that the proposed development does not fall within this category and it is not a highly vulnerable development for the purposes of TAN 15." Therefore, TAN 15 should not be applied to this gas peaking project.
- The Committee is expected to make their own positive assessment of the application submitted and to approve the application in accordance with their LDP, National Planning Plans, their Climate Statement and the written confirmation of the LPA itself that the application is sustainable and low carbon.
- Should the application be refused the applicant would move to appeal.

c) Taking advantage of the right to speak, the Local Member made the following points:

- He supported the recommendation to refuse the application
- That the application was contrary to Gwynedd Council's principles in terms of fossil fuel
- The Town Council was seeking an additional appraisal of flooding in the area - scale had increased
- The public consultation noted that there was no need for the provision and the proposal did not comply with policies
- That the proposal did not offer work beyond the operational period
- The proposal offered occasional use only
- Noise from the station caused concern
- That the proposal was not of value to the area

ch) It was proposed and seconded to refuse the application

d) During the ensuing discussion, the following observations were made by members:

- Concern that the Town Council had not submitted any observations
- Wrong application in the wrong location

RESOLVED to refuse.

Reasons

- 1. Sufficient evidence has not been submitted regarding the need for the development or its use of fossil fuel that would undermine Gwynedd Council's climate emergency statement. To this end, it is considered that the proposal is contrary to the general aims of the Anglesey and Gwynedd Joint Local Development Plan 2017, together with policies PS7 and ADN3 specifically that promote the provision of renewable or low carbon energy, policies PS5, PS6 and PCYFF 5 in terms of alleviating the impact of climate change and carbon management, and Planning Policy Wales, Edition 11, 2021, paragraphs 5.7.2, 5.7.6 and 5.7.11.**
- 2. No specific justification has been submitted as part of the application for the proposal on this site and therefore it cannot be confirmed that the loss of employment land is acceptable and the proposal is therefore contrary to the requirements of policies PS5, PS13, CYF 1, CYF 3 and CYF 5 of the Anglesey and Gwynedd Joint Local Development Plan 2017 that controls developments on land designated for employment use.**

3. **The proposal falls within the classification of a development that is highly vulnerable, and insufficient evidence has been submitted to ensure that the proposal complies with the Council's strategy, therefore the proposal is unacceptable in terms of flooding and does not comply with the requirements of policy PS 6 of the Anglesey and Gwynedd Joint Local Development Plan 2017 together with criterion (i) of paragraph 6.2 of Technical Advice Note 15 Development and Flood Risk.**

5.2 APPLICATION NUMBER C21.0934/15/AC Glyn Rhonwy Pumped Storage, Glyn Rhonwy, Llanberis

Application to amend condition 1 of planning permission reference C16/0886/15/LL for the installation of underground 132KV grid connection cables between the Glyn Rhonwy pump storage Facility and Pentir Substation so as to extend the development commencement period for an additional 2 years.

Attention was drawn to the late observations form.

- a) The Development Control Team Leader highlighted that the length of the connection measured approximately 9km and was completely underground - running within the Glyn Rhonwy site towards the sub-station at Pentir. . It was explained that the cables themselves would be installed within a protected duct, at a depth of 1.7m within the ditch.

Members were reminded that this was an application to vary condition 1 of planning permission C16/0886/15/LL in order to extend the development commencement period for an additional 2 years, without any change to the original plan. Consequently, the principle of this proposal had already been accepted and established by the Local Planning Authority by means of planning permission C16/0886/15/LL. However, it was highlighted that there was a need to consider whether circumstances or the planning policy situation had changed since the application was originally approved. The importance of assessing and confirming whether or not the situation continued to be the same in terms of compliance with the Planning Policies was reiterated.

In light of local policies, the Local Planning Authority determined the original application based on the policies of the Gwynedd Unitary Development Plan which had by now been replaced by the Joint Local Development Plan, therefore it was necessary to consider any material amendments in the policies since determining the previous application. It was explained that the relevant policies involving the acceptability of the principle of this latest application were Policies ISA 1 'Infrastructure Provision' and PS 7 'Renewable Technology'.

It was noted that part of the proposal leads through the 'North Western Fringes of Snowdonia' Special Landscape Area, and was entirely within the 'Dinorwig' Landscape of Outstanding Historic Interest and directly adjacent to the 'Slate Landscape' World Heritage Site. Therefore, it was considered that the proposal to install an underground connection cable complied with guidance in policy PS 7 and continued to comply with relevant policies

- b) Taking advantage of the opportunity to speak, the Local Member for the Cwm y Glo ward, Councillor Berwyn P Jones, noted that he had no objection to the application.
- c) A proposal was made to approve the application and it was seconded.

RESOLVED to delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions

1. 5 years
2. The amendment(s) hereby permitted shall be carried out in strict conformity with the details shown on plans submitted to the Local Planning Authority on 22/10/2021, and contained in the application form and in any other documents accompanying the application, unless condition(s) to amend them are included in this planning decision notice. Notwithstanding the amendments hereby permitted, the remainder of the development must be completed in strict conformity with the details and conditions included in planning permission number C16/0886/15/LL.

5.3 APPLICATION NUMBER C21/0767/14/LL Former Cae'r Glyn Allotments, Bethel Road, Caernarfon

Construction of 17 affordable housing, access, parking spaces, landscaping and associated works

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that this was a full application for the construction of 17 affordable dwellings, including 6 x two-storey houses for four persons, 6 x two-storey houses for five persons, 2 x two-storey houses for seven persons, and 3 x bungalows for three persons, together with the construction of an entrance and access road, landscaping and swales in the south eastern corner of the site to contain surface water. The site was located amongst houses in the town of Caernarfon, opposite Syr Hugh Owen secondary school with the site approximately 0.55ha - 17 units resulted in a density of 30.9 houses per hectare, which complies with Policy PCYFF 2 in the Plan.

It was explained that the principle of erecting housing on this site was based on Policy PCYFF1, TAI 1, TAI 15 and PS 5 of the LDP which notes that proposals will be approved within development boundaries in accordance with the other policies and proposals in the Plan, national planning policies and other material planning considerations.

According to Policy ISA 5, new housing proposals for 10 or more dwellings, in areas where existing open spaces cannot meet the needs of the proposed housing development, should provide suitable provision of open spaces in accordance with the Fields in Trust (FIT) benchmark standards. The current information received from the Joint Planning Policy Unit shows that there is a lack of play areas with equipment for children locally and as part of the proposal and to this end, therefore, a financial contribution will need to be made in order to meet this lack of provision. Confirmation was received from the applicant, stating that they would be willing to make a contribution of £3346.16 and this can be secured via a legal 106 agreement. The proposal was not considered to be contrary to Policy ISA 5 of the LDP, as well as SPG: Open Spaces in New Housing Developments.

It was noted that the Council's Transportation Unit had submitted observations stating that the proposal would not disrupt road safety although the observations received objecting to the application on the grounds of road safety were acknowledged. With conditions and a financial contribution to ensure improvements to the road via a 106 agreement, the proposal was considered in accordance with the transportation policies.

It was reported that the Council had received correspondence from local residents stating that the lowest part of the site floods during periods of heavy rain and with concern that the development would exacerbate the situation, rather than resolve the flooding problems on the site. Nevertheless, information was received with the

application to show that an effective, sustainable drainage system can be designed for the site, that would improve the current situation.

- b) Taking advantage of the right to speak, the applicant noted the following observations:
- That the greenfield site had been empty since its use as allotments had ended, and it had no specific land designation or development restrictions
 - The land was not an accessible open area for the public and therefore no one currently used it.
 - As the site was empty and surrounded by developments, nearby housing had been impacted by water draining from the site. There was no drainage infrastructure currently on the site this had led to the flooding of Cae Berllan gardens following heavy rain.
 - That the development included comprehensive drainage infrastructure that would improve the current situation this included soakaways to ensure that any water remained on the site, protecting nearby residential dwellings.
 - Adra proposed an access point where the existing gate was situated.
 - Highway design guidelines recommend a minimum of 20m between a new entrance and crossings - the new access would be over 50m away from the controlled crossing and the entrance to Ysgol Syr Hugh, which is much more than the requirements. Existing crossings enable pupils to cross Ffordd Bethel safely to gain safe access to local schools. The development does not affect these crossings.
 - Highway experts have confirmed that the development would not affect local traffic. However, Adra acknowledge that residents have concerns and as a result they have agreed to a financial contribution that would enable Gwynedd Council to improve the existing situation. Caernarfon Town Council and local residents will be part of the discussion on how to use this financial contribution.
 - The application proposed building 17 affordable house for local people at social and intermediate rent levels. There were 440 applicants for 2, 3 or 4 bedroom houses on the waiting list for the Cadnant ward only with a figure of 1582 applicants in Caernarfon - these figures indicate the need for affordable housing that will enable families to stay locally.
 - The Cabinet Member for Housing recently stated that there was a housing crisis in Gwynedd that was evident in Caernarfon.
 - How affordable are houses? Prices in Gwynedd have increased by over 16% in the last 12 months ... with a higher increase for 2, 3 and 4 bedroom properties in Caernarfon. Local families have no chance to buy houses locally.
 - The development of mixed rental tenures will contribute hugely to starting to resolve the housing crisis.
 - Every expert consultee supported this development and there was no technical reason to refuse the application.
 - Should the application be approved, the houses would be ready in 15 months' time for local people. With the open spaces that were part of the application, this would allow nearby residents to use the site once more. These should be significant factors in favour of the proposal in terms of planning policy.
- c) Taking advantage of the right to speak, the Local Member made the following points:
- That he accepted the need for housing, but questioned that there was not more demand for single-storey buildings that would release housing for families.
 - That he objected to the application on the grounds of safety and flooding
 - The land had not been designated due to access problems - therefore it was not suitable for development. In the past, two outline applications had been submitted, however, they had not been developed due to access reasons
 - There was a lack of response to the Town Council's concerns

- It was surprising that the Transportation Department did not anticipate transport problems - only 6 houses had been built on the nearby Llwyn Ceirios estate due to access issues - why was the situation acceptable by now?
- Following an investigation into transportation problems in the area, yellow lines had been painted in Cae Berllan and y Glyn - this recognised the problems
- The photographs submitted did not reflect the situation
- The Transportation Unit had conducted a study in September - during lockdown and Ffordd Bethel was closed to traffic due to work on the bypass - this suggested less use and therefore was not a fair reflection of the situation.
- It was disappointing that no photographs of the flooding in November had been included in the submission - there were historical flooding issues here
- The children's safety was a priority - access to the estate opposite and access to the School were used by the majority of the children, rather than the vehicular access
- The School's Governors had highlighted their concern
- It was suggested that the Committee should visit the site to understand the situation

ch) It was proposed and seconded to defer the application so that further observations regarding road safety could be received following the suggestion of the Local Member and the Town Council and to visit the site.

d) In response to the suggestion to conduct a site visit, the Head of Legal Services noted that a specialist transportation assessment had been undertaken and this was more appropriate than holding one site visit. The Senior Engineer - Development Control added that the assessment had been undertaken by the applicant and the developer had offered to hold discussions with the community.

The Assistant Head noted that the application was 100% for affordable housing within the development boundary with specialist input from transportation specialists. He suggested that it would be possible to present a video giving a better context to the location. He added that the applicant had also offered additional measures in response to the traffic control concerns and was willing to discuss the matter with the community.

dd) During the ensuing discussion the following points were made by members:

- The area outside the School (900+ pupils) it was a very busy place - the photographs did not show this
- Had the allotments been relocated?
- Why was it necessary to use a greenfield site? Was there a brownfield area available?
- In favour of affordable housing - a suggestion to erect 20mph signs outside the School (as the Welsh Government suggested)
- Entrance was unsuitable - a further assessment was required of the situation at busy times
- More information was needed and a second transportation assessment
- The School's entrance had not been highlighted in the plans / photographs - need to consider pedestrian paths
- The application was a response to the need for affordable housing in Caernarfon

RESOLVED to defer the application in order to receive a further transportation assessment together with more photographs / video of the site and its relation to the nearby secondary school

5.4 APPLICATION NUMBER C21/0431/45/LL Y Llew Du, Abererch Road, Pwllheli, Gwynedd

Demolition of existing public house and erection of six dwellings

Attention was drawn to the late observations form.

- a) The Planning Manager highlighted that this was a full application to demolish an existing two-storey public house and build 6 two or three bedroom houses in a terrace.

It was explained that the site was located within the development boundary of the town of Pwllheli as noted in the Anglesey and Gwynedd Joint Local Development Plan and that the principle of the development was being considered against Policy PCYFF 1 ('Development Boundaries'), Policy PS 5 (Sustainable Development), Policy TAI 1 (Houses in the sub-regional centre and urban service centres), and Policy TAI 15 ('Affordable Housing Threshold and Distribution'). In the context of policy PCYFF 1, it was considered that the proposal was acceptable in principle due to the site's location within an existing development boundary and similarly, that policy PS 5 encouraged developments on previously developed sites.

Nevertheless, as the settlement had seen its expected level of growth, through units being completed in the period between 2011 and 2021, developing units in the existing land bank and developing the sites designated for housing, justification was needed for the application, outlining how the proposal would address the needs of the local community. Every applicant submitting a planning application for 5 or more housing units, must submit a Housing Statement to support their planning application in accordance with the methodology outlined in Appendix 2 of the SPG Housing Mix: It was not considered that the information submitted as a part of this application was sufficient to show clearly that the development in question met a specific need within the local community.

It was explained that Policy TAI 15 of the LDP stated that Councils will seek to ensure an appropriate level of affordable housing in the plan area, and it was noted that for Pwllheli, the threshold for the need for such a provision was two or more housing units. As the proposed development proposed an increase of 6 units, it corresponded with the threshold of policy TAI 15 for making an affordable housing contribution. As Pwllheli was located in the 'Larger Coastal Settlements' Housing Price Area in the LDP, it was noted that providing 30% of affordable housing would be viable - this equated to 1.8 units in this development. It was highlighted that one unit was proposed in the application as an affordable unit and so a commuted sum to the value of 0.8 of a house would be expected to meet the policy requirement. It was reiterated that if the applicant was of the opinion that it was not viable to provide the expected affordable element here, it would be their responsibility to clearly highlight on an assessment proforma, the viability of the circumstances that justify the lower affordable housing provision. Nevertheless, it was reported that the applicant had not submitted information in terms of considerations that related to the viability of the development and whether providing the expected affordable element would affect considerations in relation to this element.

In addition, in terms of assessing the principle of the proposal, consideration should be given to the current and established use of the building as a public house. It was explained that the information submitted with the application noted that the owners had found it difficult to secure tenants to operate the public house or new owners, and that the public house had been closed since the beginning of the Covid-19 pandemic in March 2020. It was reiterated that detailed information had not been submitted which justified losing the facility on the grounds of the required evidence under Policy ISA 2 - 'Change of use of community facilities and services, employment sites and retail units',

which noted that evidence would be required that efforts have been made to market the property suitably for a one-year period.

It was highlighted that no adaptations had been submitted in respect of the visual and residential matters refusal reasons of the previous application, but that the Biodiversity Unit confirmed that the content of the Protected Species Assessment was acceptable and that they agreed with the mitigation measures as proposed. It was reiterated that the Land Drainage Unit had noted in its response to the consultation that the site was situated within zone A in terms of flood risk and it was considered that it faced little or no risk of flooding. However, it was shown that the site was at risk of flooding on the latest surface flooding maps, which introduced an additional refusal reason.

In accordance with criteria (1c) of Policy PS 1, as this was an application for 6 units the need for a linguistic statement must be considered if the type of units did not address evidence of the need and demand for housing within a Market Housing Assessment and other relevant sources of evidence. It was noted that a Linguistic Statement had been submitted with the application; however, it appears that the statement did not follow the methodology to undertake such a statement as included in the adopted Supplementary Planning Guidelines and therefore it would be impossible to undertake a comprehensive assessment of the linguistic impact based on the information submitted.

Although additional information had been submitted as a part of this application to respond to two of the refusal reasons of the previous application, the concerns that were the basis of the four other refusal reasons continued and therefore it was not considered that the proposal was acceptable.

- b) Taking advantage of the right to speak, the applicant noted the following observations:
- That the development in question was considered unfavourably in part for the following reasons:
 1. Scale, design and number of proposed dwellings
 2. Housing Mix and Affordable Housing
 3. Impact on the Welsh language
 4. Loss of community facilities
 - In response to the concern about the scale, design and number of proposed dwellings:
 - The design for the six houses were for families that needed to upgrade to more favourable buildings
 - The design was not dissimilar to other developments in the town which had a tight space leading to a loss of parking area and garden. The proposed development was similar to other permitted projects. The aim was to provide houses that were genuinely needed.
 - The commercial viability of the development needed a minimum of five properties to be viable - considering the target market and the current increase in prices and availability of materials
 - It was not uncommon to have a small garden in a town centre
 - In response to the objection relating to Housing Mix and Affordable Housing:
 - Pwllhelli was not a popular option for purchasing second homes but again, there was demand for quality affordable housing for local people or for those who needed to upgrade. It was noted that the design was aimed towards this market and responded to the guidelines discussed in the 'Second Homes - Developing New Policies in Wales' report by Dr Simon Brooks (2021)
 - In response to the objection relating to the Welsh language:

- Much of the younger generation found it difficult to find a suitable settlement, with some moving out of the area, taking the language with them.
- Without houses for the younger generations and expanding families, there was a risk of losing substantial contributions to the local community
- A substantial number of local homes across Llŷn were second homes. Pwllheli was not a desirable location for purchasing second homes, and the proposal offered an excellent opportunity for local people who needed houses.
- The project was supported by the local Councillors
- Local people supported the proposal.
- The proposal would help reduce the problem caused by the lack of local houses.
- If we were to protect the Welsh language, more homes must be provided for local people.
- In response to the objection relating to losing a community facility:
 - The Llew Du was not viable as a Public House any more.
 - The Pub, although it had been refurbished on numerous occasions, had now reached the end of its practical use. The proposals reviewed for refurbishment were not financially viable.
 - The previous tenants and leaseholders had invested considerable time and financial resources trying to regenerate the Pub, but to no avail. This was now a common trend across the country - in cities and towns
 - Efforts had been made to sell and / or lease the property but nobody had shown an interest.
 - The 'drinking' culture had reduced substantially over the last decades and the pubs were not a hub for society any more.
- The application, should it be approved, would benefit the local community - would provide the local houses that were genuinely needed.
- The hope was that the Committee should agree that the proposed development responded to the need positively, and offered:
 1. Local accommodation for families in the town centre - this reduced the need for vehicles that would consequently reduce the carbon footprint.
 2. Help to achieve the needs noted in the second homes policy.
 3. Made better community use of the site, both visually and financially
 4. Neatened the area.

c) It was proposed and seconded to refuse the application.

d) During the ensuing discussion, the following observation by a member was noted:

- That the town of Pwllheli had already reached its goal

In response to a comment that the applicant, in resubmitting the application, had not met the refusal reasons of the previous application, it was noted that the case officer had re-explained the refusal reasons, but that the applicant had re-submitted the application without amendments - it was reiterated that the choice and decision of the agent was beyond the control of the Planning Department.

RESOLVED to refuse.

Reasons:

1. **In considering the scale, design and number of proposed dwellings, it is not considered that the development would be suitable for the site and that its appearance would be unacceptable in the local area. In addition, given the narrow nature of the site, the number of units included in the plan and the lack**

of amenity space associated with the individual houses, it is believed that it would be an over-development of the site and harmful to residential amenities. Therefore, it is considered that the proposal is contrary to the relevant requirements of policies PCYFF 2 and PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan.

2. On the grounds of the lack of suitable housing mix along with an insufficient provision of affordable housing it is believed that the proposal is unable to meet the requirements of policies TAI 8 and TAI 15 of the Anglesey and Gwynedd Joint Local Development Plan, along with the relevant advice given within the 'Affordable Housing' and 'Housing Mix' Supplementary Planning Guidance.
3. It is not believed that the applicant has submitted enough information to assess whether the proposal meets the requirements of criterion 1c of Policy PS1 of the Anglesey and Gwynedd Joint Local Development Plan that requires a Welsh Language statement to demonstrate how the proposed developments would protect, promote and strengthen the Welsh Language. On this basis, the Local Planning Authority has not been convinced that the proposal would not have a negative effect on the Welsh language in the plan area
4. It is not believed that sufficient information has been submitted to justify the loss of the public house facility on the grounds of the relevant requirements of policy ISA 2 C of the Anglesey and Gwynedd Joint Local Development Plan together with Supplementary Planning Guidance: "Change of use of community facilities and services, employment sites and retail units"; which notes the need to confirm, with evidence, that efforts have been made to market the site
5. The site lies within an area that is at risk of surface water flooding and there is insufficient information in the submitted Flood Consequence Assessment to demonstrate that the flood risk can be controlled acceptably over the development's lifetime and consequently, the application is contrary to criterion 8 of policy PS 5 and criterion 4 of policy PS 6 of the Anglesey and Gwynedd Joint Local Development Plan, as well as the guidance given in paragraph 11.1 of Technical Advice Note 15.'

5.5 APPLICATION NUMBER C21/0820/30/LL Cwrt, Uwchmynydd, Pwllheli, Gwynedd, LL53 8DA

Erection of extension to existing cattle shed and alterations to create a manure store and covered feeding yard.

- a) The Planning Manager highlighted that the application proposed to erect an extension to an existing cattle shed in order to create a manure store and covered feeding yard. It was explained that the extension would measure 36.3m in length, 10.9m in width and 4.7m in height to the ridge of the roof and would be formulated from grey coloured cladding panels on a low concrete wall and a roof of grey coloured profile material.

The application was submitted to the Planning Committee as the applicant was an Elected Member of the Council.

It was explained that it was not considered that the proposal was contrary to any relevant planning policy within the LDP and that the development proposed was appropriate for

the site and that it was unlikely to cause unacceptable detrimental impacts on local amenities, biodiversity or heritage assets.

b) A proposal was made to approve the application and it was seconded.

RESOLVED: To delegate powers to the Senior Planning Manager to approve the application, subject to receiving a favourable result from the Test of Likely Significant effect on the nearby designated sites.

Conditions

1. 5 years
2. Development to comply with the approved plans
3. No site clearance work during the bird nesting season without prior agreement.

Notes : Natural Resources Wales
Land Drainage Unit
Need to protect the public footpath

5.6 APPLICATION NUMBER C21/1010/32/LL Caerau, Llangwnadl, Pwllheli

Conversion of outbuilding to provide an affordable dwelling, together with alterations to existing vehicular access, installation of a package treatment plant and associated works.

a) The Development Control Team Leader highlighted that this was an application to convert an existing outbuilding (formerly a dwelling house) into an affordable house with two bedrooms, a living room and a kitchen diner and creating a garden near the building. It was explained that it was proposed to retain the main structure of the building but to demolish the walls of the associated outbuildings and erect single-storey extensions on the side and rear of the main structure. It was reported that the site was in a rural area (far from any development boundary defined by the LDP), within a Special Landscape Area and the Llŷn and Bardsey Island Landscape of Outstanding Historical Interest, and partly within the Caerau Regional Wildlife Site.

The application was submitted to the Committee at the local member's request.

The officer elaborated that the site was outside any development boundary as identified under policy PCYFF 1 of the LDP where it is noted, outside development boundaries, that the proposals will be refused unless they are in accordance with the specific policy in the Plan. In this case, although the proposal was to convert an existing outbuilding, there was doubt whether this structure could be considered as a "building" rather than the ruin of a former dwelling.

It was highlighted that a structural report had been submitted as part of the application, alleging that the existing walls were structurally sound and suitable to be retained without the need for significant rebuilding, and it is also noted that it would not be necessary to rebuild more than 10% of the area of the original walls. In assessing the report, it was reported that considerable doubt remained regarding the suitability of the building's structure for conversion or whether the work associated with the development would equate to erecting a new house in the countryside, contrary to the requirements of policy PCYFF 1 of the LDP.

On the grounds of the assessment, even should it be accepted that the traditional building in the countryside was suitable for conversion into a dwelling house, it was

not considered that the proposal complied with one of the specific criteria for such developments as listed in policy TAI 7 of the LDP. Although it was acknowledged that the applicant needed an affordable house and that the general design of the building was of good quality, due to the rural location, the derelict nature of the existing site and the number of changes intended to be done to the structure, there was no choice but to recommend refusing the application.

- b) Taking advantage of the right to speak, the applicant noted the following observations:
- That she wished to continue to live in Llangwnnadr but that house prices in the local area and vicinity were far beyond her reach.
 - That there was no affordable house in her home area and so the options were limited.
 - She was lucky that her parents owned land with an old house situated on it that would give her an opportunity to stay in the local area and bring up a family, continue working in her job and continue to help her parents on the farm and her grandmother with the caravan park.
 - The old house had been a home to a number of families in Llangwnnadr until the early 1960s.
 - There was no intention to make major changes to the site - only make it a suitable affordable house to live in and make it her first home.
 - The majority of houses in Llangwnnadr were holiday homes and second homes.
 - It was a real shame that it was so difficult for a local person to have a home on her family's land where a house had previously been located.
- c) Taking advantage of the right to speak, the Local Member made the following points:
- The member disagreed with the statement that this was an outbuilding - it was not a cattle shed or a garage, but rather a house that had been a home until it had become empty in the 60s.
 - Substantial work was needed and the roof had collapsed, but the walls and the chimneys highlighted the shape of the house.
 - 90% of the structure's walls were suitable.
 - An application (2 miles from the site) had been granted permission to demolish and completely rebuild - this was a matter of refurbishment and creating two bedrooms - an ideal home for an individual
 - Demolishing the structure would lose its character - this was not the intention here, despite that being the cheaper option! The aim was to retain character, restore the walls, build an extension in the back and to the side and provide basic interior space.
 - When converting, one had to work with what was available and the thickness of the walls here reduced the size of the space
 - Caerau was not visible from the road - it was surrounded by natural and mature *cloddiau*.
 - This was not a business venture - this was an application for an affordable house
 - It was a serious situation if evidence of it being marketed as a holiday unit was required - this would allow someone to have a second home
 - Houses for local people were needed.
 - Staying local would make a local's girl's dreams come true - would address the need for an affordable house and she would be prepared to accept a 106 condition.
 - Her father owned the land and was a builder.
 - In light of the housing crisis, the Council had a duty to support local people.

- d) A proposal was made to approve the application and it was seconded.
- e) During the ensuing discussion, the following observations were made by members:
- The building had served as a home until the 60s - not as a shed
 - This was an opportunity to refurbish a house in light of the crisis in respect of the lack of houses for local people.
 - 'Economic evidence' - the applicant had the right to live in her home area.
 - 90% of the walls were viable in order to restore the building.
 - There was a need to look for opportunities to regenerate an area and enrich the landscape of Pen Llŷn.
 - There was a desire to retain the character of the house - this was not a business venture but rather an affordable house for a young girl
 - The application protected its character, the language and kept young people local
 - The house was a part of the farm - this responded to the 'economic' element.
 - The application merited attention - were the policies fit for purpose?
 - The application encouraged a discussion.

In response to a question about a 106 agreement, the Planning Manager noted, although the application was for an affordable house, that no open market value in order to determine a discount, had been received. It was reiterated that the floor area was greater than what was permissible in the LDP and although the comment about the thick walls was accepted, it was the size of the interior that was measured.

In response to the comment about 'outbuilding', the Head of Legal Services noted that this was the legal status of the building which had lost its use rights as a house. With the house standing empty since the 60s, it had to be accepted that the use as a house had now ceased. In response, it was suggested that some flexibility could be exercised with the description and that every application should be discussed on its own merits.

In response to a comment that there was a lack of evidence on the proposal's viability as an affordable house and the need for this information before proceeding, the Assistant Head noted that the property's open market value had to be obtained to address the affordable housing principles. In response to a supplementary comment, in terms of requiring the open market value rather than the labour value (considering that the building was located on the family's land), it was confirmed that the open market value was needed. Should a decision be made to approve, a 106 agreement would have to be in place for the proposal, and although the applicant had agreed to that, the discount would have to be considered.

RESOLVED: To approve subject to receiving a further report on the affordability of the house

5.7 APPLICATION NUMBER C21/0859/42/DT Môn Arfon, Lôn Pen Rhos, Morfa Nefyn, Pwllheli

Demolish existing garage and construction of a new garage

- a) The Senior Development Control Officer highlighted that this was a full application to demolish an existing garage and construction of a new garage.

It was explained that the site was located within the existing development boundary of Morfa Nefyn and within a residential area that was mixed in terms of type and form. It was reiterated that the site and the surrounding area was located within the Llŷn and Bardsey Island Landscape of Outstanding Historical Interest.

The application was submitted to the Committee at the local member's request on the basis of over-development of the site.

It was acknowledged that concerns had been highlighted by a neighbour, the local member and the Community Council regarding the proposal and, specifically, concern about the future use of the building. It was explained that it was not possible to anticipate what could happen in the future, but that consideration must be given to the proposal as submitted, which was an application to demolish an existing garage and erect a new garage. It was noted that the roof space of the new building was to be used as an office, but there was no suggestion that there would be any alternative use to that noted. Nevertheless, it was believed that it would be reasonable to include a condition that the building would not be used for any reason other than for ancillary use to the house including as a holiday let.

- b) Taking advantage of the right to speak, the applicant's agent noted the following comments, and introduced a video explaining the logic behind the planning application to refurbish the outbuilding in their garden
- That they had lived in the house since 2016 and previously they owned Bodfan nearby
 - The family had been in the area since the 1960s - his grandparents and parents owned property in the area and therefore they were greatly committed to the area - they did not intend to sell any property, which was the hot topic these days.
 - The building was in a poor condition and there was a need to replace it with something that was safe, more modern and fit for purpose.
 - The intention was for it to be used for storing boats and tractors.
 - The roof was sagging, which suggested that the beams were giving way. It was considered that the beams were original [since the time when the building was constructed over 100 years ago]. The guttering had now fallen and there were cracks in all of the walls.
 - Grateful if the Committee could consider the application in a favourable light.
- c) Taking advantage of the opportunity to speak, the Local Member noted:-
- That the roof-space was being converted into an office.
 - Local Residents and the Town Council objected on the grounds of over-development - the proposal was substantially larger than the existing.
 - That 6 houses abutted the site
 - The house had also been extended recently
 - Plenty of parking space without needing a larger garage
 - That Morfa Nefyn was fast becoming a holiday home village - Môn Arfon was a holiday home - the garage would be used for business in the future.
 - The relevant condition was not clear enough to prevent alterations in the future - the condition needed to be strengthened so that it was less ambiguous.

In response to concerns about the proposed future use, the Planning Manager noted that this was not a planning consideration and that we could not refuse something hypothetical. Even so, it was noted that the wording of the condition referred to the whole building.

ch) It was proposed and seconded to refuse the application on the grounds of over-development and visual matters.

d) During the ensuing discussion, the following observations were made by members:

- The building seemed to be of an acceptable standard
- Evidence of the need? This was something desirable, not essential.
- There was empty space in the house for an office.

dd) In response to a comment that the applicant had permitted development rights, a Member noted that imposing a condition would ensure control, but that confirmation had to be received of the wording and meaning of the condition.

e) An amendment was proposed and seconded to approve with conditions.

RESOLVED to approve with conditions

- **Commence within five years.**
- **In accordance with the plans**
- **Materials and colours to be agreed**
- **Use of the garage to be ancillary to the house only, and no business use**
- **Demolition period to avoid the bird nesting season**

Note:

Protected Species

Welsh Water

Party wall agreement

5.8 APPLICATION NUMBER C21/0988/39/LL – Tŷ Newydd Caravan Park, Sarn Bach, Pwllheli, Gwynedd

To extend the holiday season from 8 to 10.5 months for holiday purposes

a) The Senior Development Control Officer highlighted that this was an application to extend the period the units can be used on the existing static caravan site from 8 months (between 1 March until 31 October) to 10.5 months (between 1 March until 15 January of the following year). The proposal would increase the occupancy period by 3.5 months in the year, however, there was no intention to add to the existing number of static caravans, namely 32. There would be no alterations or additions to the existing facilities on the site. As part of the application, a Design and Access Statement was submitted and the documents explain the background of the application and note that there has been a significant increase in the demand for holidays over Christmas and New Year. It was also noted that the site was a permanent and long-established site with high-quality units that were suitable for winter use.

This application was brought before the Committee in accordance with the delegation scheme as the surface area of the site was greater than 0.5ha.

It was considered that the proposal would not exacerbate the current situation regarding the impact of the static caravans on the environment, as they were already located on the site throughout the year and it was not intended to increase their number. Since no changes would be made to the visual amenities of the AONB, the proposal was considered acceptable on the grounds of the requirements of Policy AMG 1 of the LDP. It was also considered that amending the occupancy period under the Local Planning Authority's policies was acceptable, by imposing appropriate conditions to set the new

holiday period and to ensure the use of static caravans for holiday use only and that a comprehensive register was kept of all unit users.

- b) Taking advantage of the right to speak, the Local Member noted:
- That the application was being submitted because the caravan owners had made a request to the applicant to be able to go to their caravans outside the season
 - The application was fair
 - The caravans were good quality and suitable for all weathers
 - The site was in a good condition, was well-organised and clean
 - That policies supported the influx of visitors over the winter - creating work locally
 - He was supportive of the application.
- c) It was proposed and seconded to approve the application
- d) During the ensuing discussion, the following observations were made by members:
- A register needed to be kept
 - The owner had the right to be open for 12 months

RESOLVED: To approve with conditions

- 1. Restrict the use of the site to the period between 1 March in one year to 15 January the following year**
- 2. Holiday use only and a register must be maintained of all users.**
- 3. All internal and external signs to be in Welsh only or bilingual with a priority given to the Welsh language.**

Note - Licensing Officer

The meeting commenced at 10:00 and concluded at 13:40

CHAIR