

<b>PLANNING COMMITTEE</b>	<b>DATE: 13/06/2022</b>
<b>REPORT OF THE SENIOR PLANNING AND PUBLIC PROTECTION SERVICE MANAGER</b>	

**Number: 8**

**Application Number: C22/0239/15/LL**

**Date Registered: 16/03/2022**

**Application Type: Full**

**Community: Llanberis**

**Ward: Llanberis**

**Proposal: Substantial demolition of the existing Electric Mountain Visitor Centre (bar the existing electricity sub-station), change of use of the site to form a car park, replacement lighting, provision of electric vehicle charging points and associated landscaping.**

**Location: Electric Mountain Visitor Centre, Oriel Eryri, Llanberis, Caernarfon, Gwynedd, LL55 4UR**

**Summary of the Recommendation: TO APPROVE WITH CONDITIONS**

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## 1. Description:

- 1.1 This is a full application to demolish the structure of the Electric Mountain Visitor Centre (separate to the electricity sub-station) to provide a new car park, install lighting, charging points for vehicles and associated landscaping on a site that is located between the village and Padarn Lake. The application can be split into several different elements, which include: -
- Demolish 2,932m<sup>2</sup> of the floor surface area of the existing building, apart from 22m<sup>2</sup> of the surface area of the electricity sub-station.
  - Provide a car park for the public that would add 110 additional parking spaces to the existing adjacent car park, including 5 disabled spaces.
  - Provide 12 AC fast charging points for vehicles and one DC fast charging point for vehicles.
  - Access to the extended car park by using the existing access from the adjacent class I county road (A.4086).
  - Install nine 6m high columns to light the car park, of a design that would reduce any light pollution on the land surrounding the application site.
  - Soft landscaping scheme to include planting trees, shrubs and meadow wildflowers.
- 1.2 The site and the existing structure lies on the northern outskirts of the village of Llanberis, with the structure partially screened by a timber security fence. There are trees and vegetation on the northern, eastern and western peripheries of the site and it is within 500m of a protection buffer for monuments; within Dinorwig Landscape of Outstanding Historic Interest; within 135m of the North West Wales Slate Landscape World Heritage Site; within the North West Fringes of Snowdonia Special Landscape Area and within a C2 Flood Zone in Technical Advice Note 15: Development and Flood Risk.
- 1.3 In order to support the application, the following documents were submitted - Planning, Design and Access Statement; Transport Statement; Drainage Strategy; Flood Risk Assessment; External Lighting Planning Statement; Ecological Report and an Arboriculture Statement.
- 1.4 The Design and Access Statement provides further details on some aspects of the proposal as summarised below: -
- (i) The centre was previously used for a café, visitor centre, meeting rooms, a shop and other incidental facilities. However, the centre was under-used and too large for the facilities accommodated inside. The building was too expensive to run and was unsustainable e.g. the ventilation/heating system had reached the end of its life.
  - (ii) In March 2018 (see below), permission was granted to First Hydro to renovate the existing building, to include extensive demolition work, and the provision of a temporary visitor centre. The use of the visitor centre ended in 2020 (due to the spread of Covid) and in addition, Dinorwig Power Station will be undergoing a large-scale upgrade in the near future and therefore the applicant (First Hydro) will no longer need the existing visitor centre.
  - (iii) A number of public consultations were held throughout 2021 regarding the intention to demolish the centre, and discussions are ongoing with, e.g. Gwynedd Council for developing and promoting social, environmental and structural improvements in future for local communities such as Llanberis.

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- (iv) The creation of additional parking spaces will help to address the parking difficulties within the village, especially during the summer season, and will also encourage and promote sustainable transport, working in parallel with the Snowdon Partnership.
- (v) Parts of the car park could be used occasionally for community use.
- (vi) Consideration is being given to the promotion of the Welsh language through - the provision of bilingual parking equipment and signage; areas of the car park will occasionally be made available solely for use by community and local groups, and First Hydro will generally promote the use of local contractors, including the demolition work and the creation of the new car park, which are the subject of this application.

## **2. Relevant Policies:**

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 The Well-being of Future Generations (Wales) Act 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

### **2.3 Anglesey and Gwynedd Joint Local Development Plan 2011-2026 (LDP) adopted 31 July 2017: -**

ISA 1 – Infrastructure.

ISA 2 – Community facilities.

TRA 2 – Parking standards.

TRA 4 – Managing transport impacts.

PS 5 – Sustainable development.

PS 6 – Mitigating the effects of climate change and adapting to them.

PCYFF 2 - Development criteria.

PCYFF 3 – Design and place shaping.

PCYFF 4 – Design and landscaping.

AMG 2 – Special Landscape Areas.

AMG 5 – Local biodiversity conservation.

PS 20 - Conserving and where appropriate enhancing cultural assets.

AT 1 - Conservation areas, World Heritage Sites and registered landscapes, parks and historic gardens.

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Supplementary Planning Guidance: Change of use of Community Facilities and Services, Employment Sites and Retail Units, 2021.

#### 2.4 **National Policies:**

Future Wales: The National Plan 2040.

Planning Policy Wales (Edition 11 - February 2021).

Technical Advice Note (TAN) 5: Nature Conservation and Planning.

TAN 15: Development and Flood Risk.

TAN 18: Transportation.

TAN 24: The Historic Environment.

#### 3. **Relevant Planning History:**

3.1 Application number C18/0241/15/LL - refurbishment work to include part demolition of the existing building, landscaping, create a temporary construction access and erection of a canopy, approved in March, 2018.

3.2 Application no.C18/0935/15/AC - variation /discharge of conditions and discharge of condition number 4 of planning permission C18/0241/15/LL regarding the external finishes of the development, approved in October 2018.

3.3 Application no. C18/1121/15/AC - Discharge of condition 5 of planning permission C18/0241/15/LL regarding landscaping, approved in December 2018.

#### 4. **Consultations:**

Town/Community Council: No response.

Transportation Unit: No response.

Natural Resources Wales: Need to include conditions regarding compliance with the details of the Flood Consequence Assessment and the Ecology Report that was submitted with the application, and a condition to avoid raising the land levels.

Welsh Water: Need to safeguard the Welsh Water assets that cross the site, that include the surface water sewerage and foul water system.

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Public Protection Unit: No response.

CADW: No objection regarding the impact of the proposal on the setting of nearby monuments or the setting of the World Heritage Site.

Gwynedd Archaeological Planning Service: The applicant needs to undertake a photographic survey of the existing structure by the inclusion of a relevant condition within any planning permission.

Biodiversity Unit: Compliance with the mitigation measures noted in the Ecological Report by the inclusion of a relevant condition within any permission.

Water and Environment Unit: No response.

Public Consultation: Notices were posted on the site and nearby residents were notified. The advertising period has already expired and correspondence was received objecting on the following grounds:

- It is believed that demolishing a large modern building and replacing it with a car park is a waste of scarce resources, the slate roof in particular.
- No need for an additional public car park in Llanberis, given that there is already a large park and share facility in Nant Peris. Therefore, it does not comply with the advice within the Well-being of Future Generations (Wales) Act 2015.
- The proposal as a car park makes poor use of a unique and valuable site in this location.
- Need to undertake a recent bats survey and incorporate biodiversity improvements.
- The community would not benefit from this development.
- This development does not have any historical or heritage links with the area.
- Glyn Rhonwy has been previously used successfully as a car park and, with further development, it could provide a significant number of electric charging points for vehicles.

## 5. Assessment of the material planning considerations:

### The principle of the development

5.1 The second part of Policy ISA 2 in the LDP (this policy supported by Supplementary Planning Guidance: Change of use of Community Facilities and Services, Employment Sites and Retail Units 2021) states that the Council will resist the loss or change of use of an existing community facility by complying with at least one of the criteria below: -

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- (i) A suitable replacement facility can be provided by the developer either on or off site, and within easy and convenient access by means other than the car - in this particular case, the proposal to replace a community facility in the form of a visitor centre with an alternative community facility in the form of a public car park, and the applicant has confirmed within the Design and Access Statement that parts of the car park would be available for occasional specific use by local community groups during the year. It is considered that the intended use (like the existing use) would be accessible and convenient for alternative methods of transport apart from cars, given its proximity to the local roads network, footpaths, cycle paths and public transport.
- (ii) It can be demonstrated that the facility is inappropriate or surplus to requirements, or,
- (iii) In the case of a commercially operated facility (as in this case), that there is evidence
- **That the current use has ceased to be financially viable** - as already mentioned in paragraph 1.4 above, the applicant has stated that the visitor centre is under-used and is too large for the facilities accommodated inside. The building is too expensive to run and is unsustainable e.g. the ventilation/heating system had reached the end of its life. In addition, it was confirmed that improvement work to Dinorwig Power Station would soon be undertaken, and would be likely to take some years to complete. Under the circumstances, the applicant would not be in a position to offer opportunities for the public to visit the power station itself, and therefore the applicant has no use for the centre in the foreseeable future. The condition of the structure is already an eyesore within the local area.
  - **It could not reasonably be expected to become financially viable** - based on the information submitted by the applicant regarding the viability of the visitor centre, it cannot be reasonably expected that the use(s) made previously of the building would become financially viable in the near future or the long-term and it would not make economic sense to continue to use the building as a community resource and visitor centre.
  - **No other suitable community use can be established** - given the deficiencies regarding the fact that the current condition of the structure is unsustainable, the size of the floor area/space within the structure itself, it is not believed that the building could be used for the benefit of the community in a way that is financially viable for the owner/applicant for the reasons already noted in this assessment.
  - **There is evidence of genuine attempts to market the facility, which have been unsuccessful** - the applicant does not intend to dispose of the site by selling it, but rather to safeguard it and develop it for a suitable use now and for the future. The applicant is of the opinion that the most suitable use for it in the short/medium term is as a car park, which in itself is an alternative community facility compared to the site's current community use. Within this context, the proposal would involve the loss of one type of community resource to be replaced with another alternative community resource that also addresses the local community's requirements and needs by providing additional parking spaces that would assist in alleviating the increasing parking pressures within the village throughout the year, and especially during holiday periods.

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5.2 Policy PS 5 of the LDP states that developments will be supported where it can be demonstrated that they are consistent with the principles of sustainable development and all proposals should (in relation to this specific proposal):-

- **Give priority to effective use of land and infrastructure, prioritizing wherever possible the re-use of previously developed land and buildings within the development boundaries or in the most appropriate locations outside the boundaries** - in this case, it is intended to use a previously used building, and although it is outside the development boundary, it is believed that the provision of a car park in its place will be a suitable use for the site, considering:- (i) it would create a reasonable extension for the existing car park that is also under the applicant's ownership; (ii) it is located on a site that is sustainable and accessible in relation to transport and travel and (iii) it means making productive use of a site that is currently dormant and that will probably continue to be dormant and not viable in future according to the information submitted by the applicant.
- **Promote greater self-containment of Centres and Villages by contributing to balanced communities that are supported by sufficient services; cultural, arts, sporting and entertainment activities.** - to this end, it is considered that extending the existing parking provision would assist in alleviating the parking problems that face the village during the busiest periods of the year such as the summer holidays, also given that Llanberis is an extremely important visitor centre within the County.
- **Protect and improve the quality of the natural environment, its landscape and biodiversity assets** - as noted in the assessment below, the proposal will include local biodiversity mitigation measures and will undertake biodiversity improvements.
- **Preserve and enhance the quality of the built and historic environment** - the assessment below notes that CADW has no objection to the proposal in relation to its impact on the setting of nearby heritage assets.
- **Promote a varied and responsive local economy, that encourages investment and that will support Centres, Villages and rural areas** - by providing a new extended car park that supplements the existing car park, it is considered that the proposal, if permitted, would assist in promoting the visitor economy further in Llanberis and alleviate the pressure within the village for parking opportunities for visitors during busy periods such as the summer holiday.
- **Reduce the need to travel by private transport and encourage opportunities for all users to travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport** - as noted above, it is considered that the intended use (in accordance with the existing use) would be accessible and convenient for alternative methods of transport apart from private cars, given its proximity to the local roads network, footpaths, cycle paths and public transport.

5.3 In addition to the above planning policies, it is noted here that it would be possible for the applicant under relevant planning regulations (Town and Country Planning Order, Permitted General Development 1995 as amended) to only submit a notice for the demolition work where the regulation of the Local Planning Authority over such a development would be limited, but as the applicant has decided to submit a planning application in this case (given that the proposal also involves the change of use of the site), the Local Planning Authority has far greater control over the development with the ability to set relevant planning conditions to ensure that the proposal will not have a significant detrimental impact on the visual amenities or the general and residential amenities of the users of nearby properties.

5.4 Given the above assessment, it is believed that the proposal as submitted is acceptable in principle and is in accordance with policies PS5 and ISA 2.

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### Visual amenities

- 5.5 The site is located in a visible location on the eastern periphery of the built area of the village, with views of it from four directions, and it can be described as a 13m high contemporary building of significant scale, constructed on a landmark site with an emphasis on the form and design of the slate roofs. Its appearance includes natural slate roofing and rough pebble-dash walls, with openings of timber and aluminium. It is intended to demolish a significant part of the existing building, leaving a 22m<sup>2</sup> electric sub-station on the eastern periphery of the existing building that would be covered by clean brickwork on the walls, and a natural slate pitched roof. It is also intended to fell low quality trees and shrubs that are located within the application site.
- 5.6 The new car park would be sited on the existing surface of the ground, made of *tarmac* to match the adjacent car park, and the proposal also includes installing 6m high lighting columns; installing equipment such as a pay machine and signage; indigenous trees and creating meadow wildflower planting areas and constructing a steel railing fence at the front of the site to reflect the fence on the boundary of the existing car park.
- 5.7 The view at eye-level when travelling along the nearby class I county road (A.4086) would be similar to the views from the existing car park adjacent to the application site, although it is acknowledged that the proposal will create an additional empty space in the landscape until the trees that are intended to be planted have become established. However, it is not considered that the proposal will create incongruous structures in this part of the village or within the wider landscape that has been designated as a special landscape area and that it is a natural and rational progression to the existing car park.
- 5.8 Although the site is located near scheduled monuments and a World Heritage Site, CADW has no objection to the application in relation to its impact on the setting of these heritage features. Considering the above assessment, therefore, it is believed that the proposal is acceptable based on the requirements of Policies PCYFF 2, PCYFF 3, AMG 2, PS 20 and AT 1 of the LDP.

### General and residential amenities

- 5.9 The nearest residential properties to the site are located approximately 63m to the south (Y Garnedd) with varied uses located nearby, including the community centre, parking spaces and a shop/café. In order to ensure that the demolition work will not have a detrimental impact on the health, safety or amenities of the occupiers of local properties, land uses or other properties or the features of the local area through increased activities, disturbance, vibration, noise, dust, fumes, or other forms of pollution or disturbance, a condition could be set on any permission by asking the applicant to submit a Demolition Method Statement to be agreed in writing with the Local Planning Authority. In addition, the demolition work must comply with the statutory requirements of Natural Resources Wales and the restrictions relating to regulated waste disposal. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy PCYFF 2 of the LDP.

### Transport and access matters

- 5.10 Although no response was received from the Transportation Unit to this current application, a Transport Statement was submitted with the application, which concludes that:- (i) use of the existing entrance (which is a priority controlled junction - *priority controlled junction*) to the nearby and adjacent car parks is acceptable for the new extended car park, based on meeting the statutory requirements for such entrances, and there is no reason to refuse it on the grounds of road



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safety and (i) it contributes towards the provision of a sustainable transport development. To this end, therefore, it is believed that the proposal is acceptable based on the Council's parking standards and ensuring road safety, and that it complies with Policies TRA 2 and TRA 4 of the LDP.

### **Biodiversity matters**

- 5.11 As part of the application, an Ecological Report and Arboriculture Statement were submitted. The Ecological Report confirms that the existing structure includes bat roosts and that a licence is required from Natural Resources Wales (*Protected Species Development Licence*) prior to commencing any demolition work, and undertaking the mitigation measures that are noted within the Report itself e.g. installing lighting of a design that minimises any light pollution and installing bat roosts within the existing woodland and within the electricity sub-station. In response to the statutory consultation process, the Biodiversity Unit states that the application can be approved subject to the inclusion of a condition to comply with the recommendations of the report and the recommendations contained in the Arboriculture Statement document. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy AMG 5 of the LDP.

### **Flooding matters**

- 5.12 The site lies within a C2 Flooding Zone (risk of flooding from rivers in this case) as defined in TAN 15: Development and Flood Risk. However, as the proposed use as a car park is described in the TAN as *less vulnerable*, and given that it is unlikely to be associated by increasing risks following the redevelopment of the site, Natural Resources Wales, in this case, considers that the pragmatic approach towards ensuring an entrance and exit noted in the Flood Consequence Assessment that was submitted with the application is acceptable. To this end, therefore, it is believed that the proposal is acceptable based on the requirements of Policy ISA 1, PS 5 and PS 6 of the LDP.

### **Linguistic matters**

- 5.13 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language, where it is relevant to that application. This is reiterated further in para 3.28 of Planning Policy Wales (Edition 11, 2021), and Technical Advice Note 20. The Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities' (adopted July 2019), provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development.
- 5.14 It is noted that there are some specific types of developments where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. The thresholds in terms of when it will be expected to submit a Statement/Report have been highlighted in Policy PS1 of the Joint LDP, along with Diagram 5 of the SPG. The proposal does not exceed the threshold that has been set in the Policy for needing a Welsh Language Statement. Excluding the developments that meet the thresholds for submitting a Welsh Language Impact Statement / Assessment noted in Policy PS1, guidance is provided in terms of the type of relevant applications where it is necessary to give consideration to the Welsh language in Appendix 5 (The Screening Procedure) of the SPG (sections Ch to Dd). The guidance included within Appendix 5 notes that every retail, commercial or industrial development where there is no need to submit a Welsh Language Impact Statement / Assessment should show how consideration has been given to the language.

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5.15 In this case, the applicant (First Hydro) has acknowledged the importance of promoting the Welsh Language and has noted the following points:-

- All the signs in the proposed car park, including the ticket machine and the vehicle charging points will be bilingual.
- Parts of the car park will be available solely to the community and local groups at times of the year.
- The applicant will promote the use of local contractors to demolish the existing structure and to construct the new car park and, therefore, will support local companies and businesses, thereby creating local employment opportunities.

5.16 Having considered the above observations together with the inclusion of a relevant condition to ensure that the signage is bilingual, it is believed that the proposal is acceptable in relation to its compliance with the requirements of Policy PS 1 of the LDP and the advice contained within the relevant SPG.

## **6. Conclusions:**

6.1 In assessing the application, full consideration was given to the observations received in response to the consultation period and to the response received from statutory consultees. Based on the above assessment, it is not considered that the proposal is contrary to local or national policies and there is no material planning matter that outweighs these policy considerations. To this end, therefore, it is believed that this proposal is acceptable subject to the inclusion of the following conditions.

## **7. Recommendation:**

7.1 To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions:

To approve – conditions

1. Five years.
2. In accordance with the details submitted with the application.
3. Compliance with the recommendations within the Ecological Report and Arboriculture Statement documents.
4. Compliance with the recommendations of the Flood Consequence Assessment.
5. A condition that none of the land will be raised higher than the current ground levels.
6. Submit a Demolition Method Statement to be agreed in writing by the LPA to include matters such as noise levels, working hours and relevant mitigating measures.
7. Submit the sub-stations external elevations to be agreed in writing by the LPA.
8. Details of the bilingual signs for the demolition work and the car park.