
PLANNING COMMITTEE 27-02-23

Present:

Councillors: Edgar Owen (Chair)
Elwyn Edwards (Vice-chair)

Councillors: Delyth Lloyd Griffiths, Elwyn Jones, Gareth T Jones, Huw Wyn Jones, Anne Lloyd Jones, Cai Larsen, Gareth A Roberts, John Pughe Roberts, Huw Rowlands and Gruffydd Williams

Officers: Gareth Jones (Assistant Head of Planning and the Environment), Iwan Evans (Head of Legal Services), Keira Sweeney (Planning Manager), Idwal Williams (Development Control Team Leader) and Lowri Haf Evans (Democracy Services Officer)

Others invited:

Cllr Rhys Tudur and Cllr Stephen Churchman (Local Members)

1. APOLOGIES

Apologies were received from Cllr Elin Hywel and Cllr Gareth Coj Parry

2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

- Cllr Rhys Tudur (not a member of this Planning Committee), in item 5.1 (C21/1038/41/LL) on the agenda
- Councillor Gareth Roberts and Councillor Huw Wyn Jones (members of this Planning Committee) in item 5.2 (C22/1020/11/LL) on the agenda
- Councillor Stephen Churchman (not a member of this Planning Committee) in item 5.3 (C22/1102/36/AC) on the agenda

Cllr Gruffydd Williams stated that he had received a letter objecting to the application of C21/1038/41/LL Tŷ'n Lôn, Afonwen, Pwllheli, Gwynedd. He had forwarded the letter to the Planning Manager.

3. URGENT ITEMS

None to note

4. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 6 February 2023, 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 C21/1038/41/LL Ty'n Lôn, Afonwen, Pwllheli, Gwynedd, LL53 6TX

Establishing a touring caravan site (19 units) with a toilet block and associated works

Some members had visited the site and the area surrounding Afonwen on the morning of 27 February 2023

- a) The Planning Manager explained that this was an application to change the use of agricultural land, to establish a touring caravan site for 19 units, extend an existing building to create a toilet block and associated works on land at Ty'n Lôn, Afonwen. The application was deferred at the Planning Committee on 16 January 2023 for the Members to undertake a site visit. Since the application was submitted to the meeting of 16 January 2023, one letter of objection has been received.

The Manager noted that since the proposal entailed creating a site for touring caravans, the application had been considered under Policy TWR 5 of the Anglesey and Gwynedd Joint Local Development Plan (LDP) that sets out a series of criteria for approving such developments. It was explained that criterion 1 of the policy stated that any new touring caravan developments should be of a high quality in terms of design, layout and appearance, and well screened by existing landscape features and / or positioned where the touring units can be readily assimilated into the landscape in a way that does not significantly harm the visual quality of the landscape.

It was explained that the proposed development would be located on a level field with mature trees along the boundaries and would therefore be concealed from public places. It was reiterated that it was proposed to reinforce the screening of the site by planting a new hedge of native trees as the new western boundary to separate the caravan field from the wider field. This site was not within the Area of Outstanding Natural Beauty (AONB) nor within a Special Landscape Area and it was not believed that it would cause significant harm to the quality of the landscape. It was highlighted that the proposal had been designed to meet licensing requirements in terms of space and facilities – it was accepted that the development was up to standard.

At the committee meeting in January 2023, concerns had been expressed about the 'cumulative impact' because of the site's proximity to other static caravan sites such as Hafan y Môr and Ocean Heights, and the Afon Wen touring site opposite and Sŵn y Môr to the rear. Although there were several static and touring sites in the vicinity, the area in question was not considered to be an example of a location that was under extreme pressure from such tourism developments. Contrary to Policy TWR 3 that related to static caravan sites, the cumulative impact was not a consideration in the criteria of policy TWR 5, as touring use constituted a temporary use which had less of an impact than static structures. However, the criteria themselves responded to the cumulative impact in the

sense that sites in obtrusive places that were not close to the main roads network should not be permitted.

Paragraph 6.3.81 of the policy was referenced, which notes that caravans should not be permitted in open locations near the coast nor within an AONB – this site was situated away from an open coastal location and there were no landscape designations in its vicinity.

In the context of general and residential matters, it was noted based on the distance and the hidden nature of the field that the proposal was not considered to have a significantly harmful effect on or cause disruption to any nearby residents. It was considered that the proposal was acceptable in terms of Policy PCYFF 2 of the LDP that related to protecting the amenities of nearby land users.

With regard to biodiversity matters, the Biodiversity Unit had been consulted on the application because the field in question as well as land to the north and west of the site had been identified as a Local Wildlife site. In response to the observations, the developer had been asked to submit an Initial Ecological Assessment, and in light of the survey's results and a request for further assessments, a Botanical Survey, a Badger Survey and a Wildlife Mitigation Measures Plan were later submitted on the application. It was noted that the Biodiversity Unit had confirmed that the reports had been produced to a good standard, and they advised that the proposal should follow the mitigation measures and enhancements proposed.

The Planning Officers remained of the opinion that the proposal was acceptable and that it would not have a significantly harmful impact on the landscape, amenities of local residents or on road safety.

- b) Taking advantage of the right to speak, the Local Member made the following comments:
- Whether it was a static or touring caravan site – the opinion was the same – it created a high density throughout Gwynedd
 - The sites of Hafan y Môr and Abererch Sands were very large sites, let alone other nearby sites. What other circumstances would therefore be classed as an 'excess'?
 - He accepted that TWR3 referred to static sites and not touring sites, but this was the weakness of TWR 5 – there was not a clear definition of 'excess' – this was carelessness in the Development Plan of failing to set a criterion for touring caravans as existed for static caravans.
 - The aspects of policy interpretation must be considered appropriately – a clear definition must be set for excess in policies, to include touring sites.
 - He encourages the committee to refuse the application based on excess and to create a better policy definition in future
- c) It was proposed and seconded to approve the application in accordance with the recommendation.
- ch) During the ensuing discussion, the following observations were made by Members:
- The application met with current policy requirements
 - The site was tidy – the buildings and the toilets were of a high standard
 - One application had been permitted contrary to policy requirements in Dwyfor – need consistency

- The comments by the Local Member and Community Council must be considered, who objected to the application based on excess
 - Some touring caravan sites did not comply with the regulations which stated that caravans must be removed over the Winter – there were too few enforcement officers to monitor the situation
 - The 'cumulative effect' criterion should apply to both touring and static units
 - There were many caravan sites in the area – in future, the coastline between Cricieth and Pwllheli would be one large caravan park
 - Why was the policy so slack in defining 'excess'? There was a need to create a new policy
 - The cumulative impact was unacceptable
 - The numbers of caravans should be listed. There were too many caravans in this area
 - An excess / over-tourism affected the culture, language, support for services and caused disruption to neighbours
- d) In response to the observations, the Assistant Head of Planning and the Environment stated that the application corresponded with the current policy requirements of the JLDP – the report was clear and stated the relevant policies for touring caravans. The application satisfied the requirements. Reference was made to an application that had been approved contrary to the recommendation, for 32 touring caravans in an area within an AONB – there was a need to ensure that the Committee was consistent in how it applied policies. He highlighted the risks that the Council would face should the application be refused.
- In response to the comments, the Monitoring Officer noted that the application met the criteria and if the members suggested refusing based on the cumulate impact, they would require evidence to highlight the impact from the situation. He added that the Committee must demonstrate consistency in applying and interpreting policies and criteria.
- dd) Following a registered vote, the proposal to approve fell.
- e) It was proposed and seconded to refuse the application on grounds of excess and visual disturbance

RESOLVED: To REFUSE the application, contrary to the recommendation, based on visual disturbance

5.2 APPLICATION NUMBER C22/1020/11/LL Former Ysgol Glanadda, Llwybr Yr Ysgol, Bangor, Gwynedd, LL57 4SG

Construction of a new single-storey primary school with 150 places, 20 nursery places and 30 Cylch Meithrin places and associated external works, including boundary treatments, new car parking arrangements and improved access provisions for the relocation of Our Lady's School on the former Ysgol Glanadda site.

- a) The Development Control Team Leader highlighted that this application involved building a new school for 200 pupils, which would include a nursery and a cylch meithrin. The development would enable the relocation of Our Lady's School from its current site near the railway bridge on Caernarfon Road, Bangor, which currently operated within a restricted building and premises, which made daily teaching and learning challenging. It was added that the existing building was nearing the end of its serving life and there were continuous maintenance problems there.

It was reported that the proposal satisfied all the criteria of Policy ISA 2, which was a policy supportive of providing new community facilities, together with those of Policy ISA 4 which designated Open Spaces to be safeguarded from development (the playing field on the site was protected under this designation).

In the context of visual amenities, the design submitted was considered to offer a development on a scale and appearance that would be suitable for its urban site. The fact that features from the existing school's character, such as red Ruabon bricks, will be incorporated in the design emphasised the continuity from the current situation.

In the context of general and residential amenities, it was accepted that by increasing the size of the school and encouraging use of external spaces, there may be an increase in noise for the residents of nearby dwellings. Having said this, the school would only be open for limited hours and the children would be inside the building for most of that time. Overall, considering that there was no change of use to the site, it was not believed that the development would cause significant harm to the amenities of the local area or its residents in the long term, although inevitably there would be some noise and disturbance during the construction phase.

In discussing highways matters it was noted that a Transport Assessment had been submitted with the application – this stated that although the site had previously operated as a school with a historical access arrangement, additional improvements were proposed. Observations had been received from the Transportation Unit stating concern regarding the potential impacts of the development on traffic flow and parking in the area, and regarding the footpaths that would be available for children to attend the school. However, it was considered that those matters could be managed if the school committed to a Travel to School Plan.

Having considered all relevant planning matters, it was not believed that the proposal was likely to cause long-term unacceptable harmful impacts to nearby residents or the community in general, and that any short-term impacts can be managed by imposing appropriate conditions on the development.

- b) Taking advantage of the right to speak, the Local Member made the following points:
- They were supportive of the application
 - The old school was in an awkward and busy location
 - Moving to a location nearby made sense
 - The plan was a good one
 - No objections to the application – everyone seemed supportive
 - He requested that solar panels be installed on the building – had renewable energy been considered?
- c) During the ensuing discussion, the following observations were made by Members:

- The old building was a striking building and in a prominent location
- Pleased that some of the traditional features (red Ruabon bricks) would be protected
- A request to put slates on the roof, and not a flat roof
- Agreed with the suggestion to install solar panels on the roof
- A member commented that Bangor City Council had not offered observations on key matters
- Need to ensure sufficient parking spaces for staff and parents
- They welcomed the multi-purpose play area, it was adequate and modern

ch) In response to a question regarding the use of solar panels, it was noted that the matter could be discussed with the applicant, but such a scheme would usually have to meet with the requirements of sustainability and building control.

d) It was proposed and seconded to approve the application.

RESOLVED: To approve the application subject to conditions relating to the following:

- 1. Time (five years)**
- 2. In accordance with the plans**
- 3. Contaminated Land Condition**
- 4. Must adhere to the Ecological Survey recommendations**
- 5. A photographic survey must be completed**
- 6. Ensure Welsh / Bilingual name and signs**
- 7. A Travel to School Plan must be agreed with the Transportation Unit and implemented in accordance with the requirements of that plan.**

Notes

- 1. Welsh Water**
- 2. Natural Resources Wales**
- 3. Land Drainage Unit**

5.3 APPLICATION NUMBER C22/1102/36/AC Land to the south of the A487 and to the east of the B4411, Bryncir, LL51 9LQ

Vary condition 1 (work commencement period) on planning permission C17/0772/36/LL to extend the period for commencing the work for a further 5 years

a) The Development Control Team Leader highlighted that this was an application to vary condition 1 of planning permission reference C17/0772/36/LL for a new sub-station and associated infrastructure in order to extend the development commencement period for an additional 5 years. It was stated that the substation compound was required to provide space for the single electrical transformer that would 'reduce' the 400kv voltage of the Pentir-Trawsfynydd circuit to a voltage of 132kv. When application C17/0772/36/LL had been submitted, the work was associated with the proposed Wylfa Newydd. When the plans for Wylfa Newydd fell through, the work associated with the electricity substation was not undertaken. By now, the same work was needed to connect to offshore wind farms, so that they could connect to the wider electricity network.

The application was submitted to the Committee as it involved a site measuring over 0.5 hectares.

It was explained that the purpose of the application was to extend the development commencement period for a further five years, and that there was no proposed change to the plan. It was added that the principle of this proposal had already been accepted and established by the Local Planning Authority by means of planning permission C17/0772/36/LL. The Committee was therefore asked to consider whether the circumstances or the planning policy situation had changed since the application was originally approved.

It was noted that Policy ISA 1 was relevant to the provision of new infrastructure and stated that proposals for water, electricity, gas services etc. to improve the provision, were permitted subject to detailed planning considerations. It was added that Strategic Policy PS5 in the current LDP supported development proposals where it could be shown that they were consistent with sustainable development principles. In respect of this development, the obvious need for the proposed sub-station was demonstrated and although it was located outside any specific development boundaries; the sub-station had been through the design appraisal process, and the preferred option was located near the existing 400Kv Pentir - Trawsfynydd overhead line.

In the context of biodiversity, flooding and drainage matters, it was noted that no objections had been received from Natural Resources Wales, the Biodiversity Unit of the Water and Environment Unit of YGC.

It was not considered that the proposal to extend the period of time given under permission number C17/0772/36/LL for commencing the development was contrary to the relevant local and national policies or guidance, and the proposal was considered to still be acceptable subject to the inclusion of relevant conditions as had been imposed on the previous permissions.

- b) Taking advantage of the right to speak, the Local Member made the following comments:
- The plan was simple and clear
 - The need for the compound remained
 - No objections had been received
 - He had consulted with local residents during the original application
 - The only 'impact' would be by the main road during the construction work
 - The Community Council had no objection
- c) It was proposed and seconded to approve the application.

RESOLVED: To approve with conditions

1. **Five years**
2. **Ensure that the development is completed in accordance with the plans and documents submitted in application C17/0772/36/LL together with the revised plan for diverting the public footpath which was approved in application C18/0168/36/LL and the Ecological Evaluation Report and the Flood Consequence Assessment Report submitted with the current application.**
3. **Finish to be agreed (including the colour of the fence)**

4. **Agree on a scheme to dispose of foul and surface water**
5. **Agree on a construction environmental management plan**
6. **Agree on a construction traffic management plan and obtain the approval of the Welsh Government's Trunk Roads Unit on access matters (and any relevant additional conditions).**
7. **Complete the landscaping within the first planting season following proposal completion.**
8. **Ensure the diversion / safeguarding of the public footpath.**
9. **Archaeological conditions.**
10. **Working hours.**

Welsh Water Note and the Water and Environment Unit at YGC

The meeting commenced at 13:00 and concluded at 14:00

CHAIR