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## PLANNING COMMITTEE 18 March 2024

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**Present:** Councillor Edgar Owen (Chair)  
Councillor Elwyn Edwards (Vice-chair)

**Councillors:** Delyth Lloyd Griffiths, Louise Hughes, Elin Hywel, Gareth T Jones, Huw Wyn Jones, Cai Larsen, Anne Lloyd Jones, John Pughe Roberts, Huw Rowlands and Gruffydd Williams

**Others invited - Local Members:** Councillor Anwen Davies

**Officers:** Gareth Jones (Assistant Head of Planning and the Environment), Miriam Williams (Legal Services), Keira Sweeney (Planning Manager - Development Control and Enforcement), Gwawr Hughes (Development Control Team Leader) and Lowri Haf Evans (Democracy Services Officer).

Swyn Hughes (Professional Trainee in Environment Planning) - observing

### 1. APOLOGIES

Apologies were received from Councillor Gareth A Roberts

### 2. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

a) The following member declared that he had an interest in relation to the item noted:

Councillor Cai Larsen (a member of this Planning Committee), in item 5.2 (C23/0772/20/LL) on the agenda as he was a Member of the ADRA Board

The Member was of the opinion that it was a prejudicial interest, and he withdrew from the meeting during the discussion on the application and he did not vote on the application.

b) The following member declared that she was a local member in relation to the item noted:

- Councillor Anwen Davies (not a member of this Planning Committee), in item 5.3 (C23/0793/40/DT) on the agenda

### 3. URGENT ITEMS

None to note

### 4. MINUTES

The Chair signed the minutes of the previous meeting of this committee, held on 26 February 2024, 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.

**5.1 Application Number C23/0995/15/LL  
Glyn Rhonwy Store, Siemens Healthcare Diagnostics Product Ltd, Glyn Rhonwy  
Estate, Llanberis.**

**Erect a building to provide an office space and canteen (Class B1) including refuse storage area, service access, landscaping and associated works.**

Attention was drawn to the late observations form by Natural Resources Wales (NRW) that responded to the Construction Environmental Management Plan and Pollution Prevention Plan submitted.

- The Development Control Team Leader highlighted that it was an application to erect a new building to provide office space and a canteen (B1 Use Class) to serve a Siemens business site in Llanberis together with associated developments; the development would include erecting a three-storey building on sloping green land north of the company's existing buildings. It was reiterated that the need for a new facility had arisen as a result of renovation work in one of the other buildings on the site regarding the need for more manufacturing space. The renovation would mean a loss of serviced space such as offices and a canteen that have now been put in temporary buildings. It was noted that the proposal would not lead to an increase in the density of the use of the site but is rather an effort to provide appropriate ancillary facilities to serve the existing business.

It was reported, in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended), that the development was defined as a "major development" due to the floor area proposed to be provided. In line with the appropriate procedure, a Pre-application Consultation Report was received as a part of the application. The report indicates that the developer has informed the public and statutory consultees of the proposal prior to submitting a formal planning application.

In the context of the principle of the development, it was noted that the application site was located outside the development boundary of the Local Service Centre of Llanberis as defined in the LDP, however it was part of a major site that is already in use by industry. Reference was made to Policy PCYFF 1 of the LDP which encouraged refusal of developments outside the development boundaries, unless they are in accordance with local or other national planning policies, or that the offer showed that a location in the countryside was essential. In this case, when considering that the proposal was to extend an existing business already on the site, it was totally expected that the facility was provided on the site and therefore there was appropriate justification for allowing such a development at this location.

In the context of Infrastructure and Sustainability matters, it was highlighted that Welsh Water had confirmed that there would be adequate capacity in the local sewerage system to meet the requirements of the developments by the end of March 2025 and that a connection to the water supply could be ensured. It was also noted that sustainable draining systems (SuDS) are required to control surface water for every new development of more than 100m<sup>2</sup> in floor area and an application will need to be submitted to the SuDS Approval Body for approval before the construction work commences. Considering biodiversity matters, it was noted that a Trees Survey and an Arboriculture Impact Assessment, as well as an Ecological Impact Assessment had been submitted with the application and the content of the assessments were acceptable by

the Biodiversity Unit. It was considered that the mitigation measures and enhancements proposed gave an opportunity to develop the site in a way that was sensitive to biodiversity needs and by imposing appropriate conditions, the development would be acceptable under policies AMG 5 and PS 19 of the LDP.

It was highlighted that the Transportation Unit had no objection to the application as there would be no change in the density of use of the site that would call for change in the parking arrangements. A Welsh Language Statement was submitted to support the application, in accordance with the requirements of the Supplementary Planning Guidance - Creating Distinctive and Sustainable Communities (SPG), as well as policy PS1 of the LDP, due to the size of the development's floor area. The statement noted, because there would be no expectation for the proposal to lead to additional people in the area and there was no expectation that the proposal would lead to outward migration from the area, there was no expectation for any changes to population mobility as a result of the development; Therefore a neutral impact would be expected on population mobility. The Language Unit had no further observations on the proposal.

It was considered that the use, design and proposed materials were acceptable and that they would not disrupt the amenities, character or appearance of the site, nor the surrounding area.

- Taking advantage of the right to speak, the applicant made the following observations:
  - The company produced technology to help with diagnosing medical conditions at its site in Llanberis.
  - That over 400 people worked for the company
  - The application was one to provide space for a new facility as a result of renovation work in one of the other buildings as part of the company's extension to provide 100 higher skills jobs
  - The new building would be sustainable and of flexible use - carefully designed so that it would be possible to change the layout
  - It would include a workers' hub, a practical work location as well as a new reception
  - The company had worked closely with the officers before submitting the application
  - The design was in keeping with its surrounding environment - no visual impact
  - Should the application be approved, the work would start in April 2024 with the intention of opening early in 2025
  
- It was proposed and seconded to approve the application.

**RESOLVED: To approve the application subject to complete discussions regarding highways and archaeology matters as well as relevant planning conditions relating to:**

1. **Time**
2. **Compliance with the plans**
3. **The development shall be implemented in accordance with the ecological/tree reports**
4. **The operational methods must be followed as highlighted in the CEMP / pollution prevention plan.**
5. **You must act in accordance with the recommendations of the Flood Risk Assessment**

6. **Permitted use of building for any purposes within Use Class B1 only**
7. **Welsh Water conditions**
8. **Ensure Welsh / Bilingual signs**
9. **NRW Conditions**
10. **If, during the development, it is found that there is contamination that was not previously noted present on the site, then no further development (unless this is agreed in writing with the Local Planning Authority) will be undertaken until the remedial strategy details how this unspecified contamination will be presented to the Local Planning Authority and approved in writing by the Local Planning Authority.**

Notes:

1. Welsh Water
2. Land Drainage Unit
3. NRW

## **5.2 Application Number C23/0772/20/LL Land near Y Wern, Y Felinheli, LL56 4TZ**

### **Residential development and associated infrastructure works**

Attention was drawn to the late observations form regarding educational contribution, further observations from the Community Council noting concerns regarding flooding, drainage and parking, biodiversity matters as well as the applicant's agent's response to those observations / concerns.

- a) The Planning Manager highlighted that this was a full application for a residential development with associated infrastructure work on a plot of land outside, but immediately adjacent to, the development boundary of the Coastal / Rural Village of Felinheli as defined by the LDP. Proposal includes:
- 23 affordable dwellings
  - Landscaping work including planting new trees and hedges
  - 0.14ha of public open land as well as a specific play area
  - New vehicular access to the south of Y Wern estate through an existing informal parking place (the existing parking areas will be relocated)
  - Creation of a new estate road to meet the servicing vehicular access requirements
  - Drainage measures that will involve creating two surface water attenuation pools and diverting the existing public sewer.

It was explained that the application site was partly on brownfield land near the existing housing estate, partly on an overgrown wooded site and the rest on agricultural land. It stood partly within the Gwersyll Dinas Listed Monument (CN 047) buffer zone and a small part of the site within Flood Zone B as defined by the maps that accompany Technical Advice Note 15 "Development and Flood Risk".

In the context of the principle of the development, reference was made to Policy TAI16 which enabled housing developments on sites that were outside, but abut the development boundary but it had to be ensured that the proposal complied effectively with Policy requirements. As an exception to the usual housing policies, proposals for

developments of 100% affordable housing may be suitable on a site of this type which directly abuts the development boundary. The policy noted that the site must form a logical extension to the settlement; it was noted here that the application site filled space within the development pattern of the village with the existing development surrounding three sides. It was reiterated that Policy TAI16 also showed that the acknowledged need could not be addressed within a reasonable timetable on a market site within the development boundary which included a requirement for affordable housing. It was reported that no housing sites had been earmarked within the development boundary of Felinheli and when considering the physical restrictions of the land within the development boundary of the village in terms of matters such as gradient and flood risk, it was not believed that it was likely that a suitable site for a development of this size to be available within the village in a reasonable time.

It was also noted that proposals on such a site must be for a small-scale development, which was proportionate to the size of the settlement, unless it could be clearly demonstrated that there was a demonstrable requirement for a larger site. It was noted that 1,177 residential properties ("built up area" information from the 2011 Census) are located within Y Felinheli. This proposed development would therefore mean an increase of 1.95% in the current housing stock. It was therefore reasonable to consider that the scale of this proposal was small and proportionate to the size of the settlement. It was therefore considered that the application was in accordance with the requirements of Policy TAI 16.

In the context of affordable matters, the Housing Strategic Unit confirmed that this plan would address the need identified in the area and that this plan would make a direct contribution to the aim of Cyngor Gwynedd's Housing Action Plan to provide more houses to meet the current high demand that existed locally.

In the context of Location, Design and Visual Impact, it was considered that the proposal formed a reasonable extension to the village, and that the layout and materials of the proposed development was in keeping with the location in an appropriate way - the houses had been designed to a standard quality that would be in keeping with the feel of the village.

Reference was made to the concerns received by the Community Council and others, relating to transport and access matters and the potential impact of the development on parking and road safety adjacent to the nearby school at busy times of the day. In response, the applicant noted that the level of on-the-road parking associated with the schools was obviously a matter of existing concern, but it would not be worsened by the proposed development. The plan would provide parking spaces instead of the ones in the vicinity of the access and parking spaces which complied with the Council's standards / requirements. Although a few on-street parking spaces would be lost as a result of retaining the proposed access, there would be substantial areas where on-the-road parking could be done around the school. Subject to appropriate conditions, the parking arrangements and vehicular access were acceptable by the Transportation Unit and it was not considered that the traffic caused by the new development would increase the risk for nearby road users in a significant manner.

In the context of open spaces, it was noted that the development included an open space with equipment and, when discussing educational matters, it was noted from the late observations form that the Education Department's response noted that there was

sufficient space within the schools to cope with the expected increase in pupils that would arise from the development.

In response to the observations of the Community Council regarding flood concerns, reference was made to the TAN 15 Development Advice Maps and the Flood Maps and, looking at the topography of the area of the stream, it was considered that the design of the site levels meant that the paths of the water-courses were not at risk if there was a barrier in the existing water-course and therefore, if there was flooding, the development would not worsen the situation and there would be no impact on the proposed houses. It was reiterated that there was no objection to the proposed development based on flood risks by the Water Environment Unit or NRW, nor any objection to the surface water drainage proposal by any of the other relevant statutory bodies consulted.

Reference was made to observations received by the Biodiversity Unit that were eager to ensure changes to the plan to protect existing habitats along the stream which ran along the southern side of the site. It was suggested that a 15m wide zone should be retained between the development site and the stream to protect the stream from the impacts of the development, suggesting that the estate road should be moved, that one of the drainage pools should be removed and possibly erecting fewer houses. The applicant responded to the observations noting that leaving a 15m wide zone between the site and the stream would mean that developing the site would be impractical. However, the plan was re-designed to bring the development as far as possible away from the stream, noting that the plan needed to comply with the other requirements regarding matters such as land drainage, parking, access and public open land and that there is no flexibility within the land under their control to realise all of the Biodiversity Unit's requirements.

It was noted that a Green Infrastructure Statement had now been received and despite acknowledging the concerns of the Biodiversity Unit that it would be possible to set appropriate conditions to ensure that mitigation and enhancement measures were implemented to ensure that the site was developed in a way that was sensitive to biodiversity needs and meet environmental needs.

It was considered that the proposal for developing affordable housing was designed to meet the local housing market needs and despite noting the concerns regarding the possible impact on biodiversity and flooding, it was considered that the plan was acceptable and complied with relevant local and national planning policies.

- b) Taking advantage of the right to speak, the applicant's agent noted the following points:
- That the application provided 23 affordable houses - social / intermediate rent
  - That evidence had proved that the need for houses had been identified in the area
  - The plan offered a mixture of houses, bungalows and flats in a green area and had been designed in accordance with the local need
  - The land abutted the development boundary and was a reasonable extension to the village
  - That Felinheli was identified as a sustainable location for housing growth and that there was no other suitable site in the village
  - That there was an intention to provide quality homes - which were energy efficient
  - No objections had been received by specialist consultees during the process

- In terms of flooding concerns, the finished floors of the houses would be approximately 600mm above the top bank of the water course - the development would not worsen the flood risk
  - That there was an intention to install a sustainable drainage system across the site that would include water storage features - discussions have been held with the Local Flood Authority and the SuDS approval body
  - That the existing roads network could cope with the new development - safe roads for pedestrians to have access to local services, education and public transport
  - That the parking provision was sufficient and that the Transportation Unit had no objection
  - The package in terms of economic, social and environmental benefits was compelling and unquestionable - the development contributed to the lack of affordable houses in the area
- c) It was proposed and seconded to approve the application

**RESOLVED: To delegate powers to the Head of Planning to approve the application, subject to a further assessment of the need for an educational contribution and to an appropriate 106 Agreement if required. The permission will be subject to the following conditions:**

1. **Commence within five years**
2. **Development to comply with the approved plans**
3. **Must submit and agree on a programme for providing affordable housing**
4. **Must agree on external materials including the roofing slates**
5. **Removal of permitted development rights**
6. **Welsh Water Condition**
7. **Highways Conditions**
8. **Biodiversity conditions**
  - pre-occupancy condition to submit details of bird and bat boxes and for these to be approved
  - pre-occupancy condition to submit and approve a 5 Year Set-up and Maintenance Plan as documented in the Green Infrastructure Statement
9. **Trees conditions**
10. **An Arboriculture Method Statement must be prepared**
11. **The operational methods highlighted in the CEMP must be followed**
12. **There must be a Welsh name for the housing estate and individual houses**
13. **A condition to ensure that fences are erected to protect the habitat near the stream**
14. **A condition to ensure that a play area with equipment is provided**
15. **Restrict the use to C3 use class only**
16. **Land drainage condition - in accordance with the details received or in line with a plan to be submitted and agreed in writing with the LPA.**

Note - Welsh Water, Land Drainage Unit, Transportation Unit, Fire Service and Natural Resources Wales

### **5.3 Application Number C23/0793/40/DT Tŷ'n Llwyn, Llannor, Pwllheli, Gwynedd, LL53 5UG**

**External changes to a plan previously approved under plan number C08D/0205/40/LL including a first-floor extension, elevations and external materials**

- a) The Development Control Team Leader highlighted that this was a full application to erect extensions to a two-storey house. It was explained that the Council gave permission for single-storey and part two-storey extensions under reference C08D/0205/40/LL in 2008 with part of the extensions on a single-storey level partially erected, and that this application meant a change in the plan agreed in 2008. It was reiterated that the extensions had been located on the front, side and back elevation of the house and was a modern design and substantially bigger than the existing building.

It was noted that the site was located in open countryside and outside any development boundary as defined in the LDP. The existing property was a traditional two-storey house, finished with pebbledash, with the nearest residential property approximately 120m away.

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

Reference was made to Policy PCYFF3 which stated that proposals would be approved, including extensions and changes to existing buildings and structures, if they complied with a number of criteria. The Local Planning Authority considered that the proposal, because of its size, bulk, design and finish, would create an alien feature in the open countryside and have a substantial negative impact on the area's visual amenities as it would not be in keeping with the character and appearance of existing house and houses in this area of countryside. As a result, the intention would not meet criteria 1, 2 and 3 of policy PCYFF3 in the LDP which ensured that proposals added to and improved the character and appearance of the site and the building in terms of setting, appearance, scale, height, mass and elevations treatment; that they respected the context of the site and its place in the local landscape; and used materials that were appropriate to its surroundings, nor the requirements of Technical Advice Note 12: Design that supports proposals of high-quality designs.

There were no objections in the context of highways, access and language, and the Biodiversity Unit had confirmed that the bat survey received along with plans that offered biodiversity enhancements were acceptable.

Having considered every relevant planning matter, it was not considered that the application could be supported based on its size, bulk, design and finish as it would create an alien feature in the countryside and have a substantial negative impact on the area's visual amenities. It was considered that the proposal was unacceptable and it was recommended that it should be refused.

- b) Taking advantage of the right to speak, the agent noted the following observations:
- That the application was for extensions and changing materials of an application approved in 2008 under ref:C08D/0205/40/LL
  - That the original application was to create a floor extension with an area of 242m<sup>2</sup>, and a first-floor extension of 60m<sup>2</sup> to the existing house in Tŷ'n Llwyn.
  - Building work had started some years ago and had been stopped for a few years by now, but the applicant wanted to make changes to what had already been approved before restarting.
  - The Officer noted in the report that there were no problems with the application in terms of General Amenities, Highways and Biodiversity and the only concerns and rationale behind refusing the application was the size and the materials that had been chosen.
  - The intention of the application was to add a ground floor extension of 39m<sup>2</sup> to what had already been approved in 2008; 24m<sup>2</sup> was part of the 'semi enclosed' area to the door,



therefore an increase in the ground floor area of approximately 16% more than what had been originally approved

- That there was also an intention to add approximately 86m<sup>2</sup> to the first floor on top of what had been approved in 2008.
- That the materials chosen for the extensions this time was different to those approved in 2008, but the three main materials that were being proposed had been used in the local area several times. The three materials are corten, natural local stonework and charred natural trees.
  - Corten (like cladding) was a rather new material, but because of its appearance (steel that naturally rusts to an orange / brown colour), it gives a more traditional and historical appearance and echoed back to the old agricultural days. It was noted that corten had been used several times in the county with an example in Borth-y-Gest under applications C20/0471/44/LL and C21/0320/44/AC - a house located in a much more visible place than Tŷ'n Llwyn and adjacent to Ysgol Gynradd Borth-y-Gest. This example also used corten with natural stonework in the same way as the Tŷ'n Llwyn proposal.
  - Local Natural Masonry - local natural masonry was a material that had been used for hundreds, if not thousands of years in the area.
  - Charring Trees - the process of charring trees protected them from rotting. The appearance echoed back to the olden days where agricultural buildings were being clad in trees painted black - creating historical connections.
- Bringing these three main materials together would create a striking building, by using materials that were seen locally, and therefore was a nod to its habitat.
- The Officer noted in the report that the proposal did not meet criteria 1, 2 and 3 of Policy PCYFF3, but the applicant noted that the proposal; a) complied and improved the appearance of the site and the building and created a striking building; b) it sat in its habitat naturally - the proposal was not squeezed into the site and there was plenty of space surrounding it; c) used materials that were completely appropriate to the site and the environment.

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

- The family was a local family, ran a business and employed locally
- The family was a family of eight and therefore needed more space
- The proposal was reasonable for a family
- The proposal would not impact others - located approximately 120m away from other houses
- The extension was behind the original house and therefore did not look much bigger
- Discussions had been held between the agent and applicant regarding the design and suitable materials to ensure the best standard
- That the design was in keeping with the site
- The extension would keep the young people of the family local, to support the business, the language and the community
- Supportive of the application

ch) It was proposed and seconded to refuse the application - the extension was on top of an existing extension and was out of character

d) In response to a comment regarding a suggestion to discuss further with the applicant about a more suitable application, the Assistant Head noted that if the plan was adapted, there would be a need to submit a brand-new application. He reiterated that a request for pre-application advice had been made but the guidance had not been accepted. He also noted

that it was possible to have a different extension of a design that would respect the site and the existing property.

**RESOLVED: Refuse.**

- 1. The proposed development's size, bulk, design and finish would not reflect or respect the site as it would create an unacceptable and incongruous feature on the form and character of the landscape and the local area and, therefore, on the local area's visual amenities. The proposal is therefore contrary to criteria 1, 2 and 3 of Policy PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan, 2017, as well as the advice contained in the Technical Advice Note 12 document: Design.**

**5.4 Application Number C23/0806/00/LL  
Viaduct Gardens, Stryd Yr Eglwys, Barmouth, LL42 1EL**

Proposed works in the area of Barmouth Viaduct Gardens

- a) The Planning Manager highlighted, that it was an application to improve the flood defence mechanisms. The work would include:-
  - Repairing, strengthening and raising the height of approximately 60m in length of sea wall;
  - Erection of secondary walls with new floodgates in the area behind the main sea wall;
  - Installation of new drainage network in order to manage surface water and flooding in the area behind the secondary walls and flood gates;
  - Installation of new surface water outlet pipe which obtrudes from the sea wall to the harbour;
  - Installation of flood resilience equipment in properties in the quay area.

It was reported that a sea wall would be re-built and surfaced with stone from the existing wall with a parapet wall section approximately 1.2 metres above the nearby floor level. The existing rock armour would be redistributed on the highest part of the beach across the front of the sea wall and reinforced with additional rocks as required. A new setback wall would be erected along the northern boundary of Viaduct Gardens, which would include glass on the highest section. The work would also include a plan to manage surface water with floodgates, gutters, drains and a variety of adaptations to the existing system as well as a new surface water outfall on the beach. At the end of the work, the public place in Viaduct Gardens would be restored through landscaping work and the installation of new street furniture.

In the context of the principle of the development, it was noted that the site was partially located within the development boundary of Barmouth. As a result, and without any other options in terms of an alternative location to provide the work, it was considered that the proposal was acceptable in terms of Policy PCYFF 1 of the LDP. Reference was made to policy AMG 4, which referred to Coastal Protection and asked for proposals to show that a preponderant economic and social benefit would derive from the development. It was also noted that proposals must ensure that there was no unacceptable harm to water quality, public access, the built environment, the character of the landscape or seascape and biodiversity impacts.

Several technical reports were submitted with the application which included significant evidence that justified the work in question.

In the Shoreline Management Plan, the policy for this part of Barmouth, which includes the harbour section and the access road, as well as seaside defences notes Hold the Line. The Shoreline Management Plan states "There would be a need to maintain and raise defences around the harbour and to maintain the road and railway defences and probably to further reinforce the defence at Ynys y Brawd. This is considered as sustainable and maintains the important use of the harbour and access to the town." As a result, it was considered that the principle of maintaining and increasing the height of defences around the harbour, the road and the railway was acceptable in principle based on policy ARNA 1 (however, the plan would have to comply with several other policies which considered the impact on the environment).

In the context of design and amenities, it was considered, as seen with many developments, the most detrimental impacts would be seen during the construction phase and this would be acknowledged in the Landscape and Visual Statement. It was considered that the proposal, in terms of its form and finish, was acceptable and offered a quality development in terms of the visual amenities by displaying a design and features which presented and created a development that would be suitable and appropriate to the site and within the wider area. As a result, it was considered that the proposal was acceptable based on the relevant requirements of Policy PCYFF 3, PCYFF 4, AMG 2 and AMG 4 of the LDP.

In the context of heritage and archaeological matters, it was reported that observations had been received by the Archaeological Planning Service, referring to the fact that the site had a potential for archaeological features. They therefore recommended imposing conditions on any planning permission to ensure a programme of archaeological work for the development; by imposing an appropriate condition to maintain a programme of archaeological work, the proposal was acceptable in terms of Policy AT 4 of the LDP.

In the context of flooding matters, observations were received by NRW noting that the FCA had shown that the plan would be an improvement in terms of flooding risks in the area around Viaduct Gardens in accordance with the Welsh Government guidelines, Adapting to Climate Change: Guidelines for Authorities on Managing Flood Risks and Coastal Erosion in Wales, dated August 2022.

When discussing biodiversity and ecological matters, as part of the application, a Habitats Regulations Assessment, Habitats Management Assessment - Preliminary Screening Report, Ecological Impact assessment and Preliminary Ecological Appraisal were submitted. It was noted that these assessments considered physical and coastal processes, water quality and deposits, marine ecology and nature conservation, geological ecology and nature conservation; and coastal protection and flood protection. The Council's Habitats Regulations Assessment had concluded that the proposal would be likely of having a substantial impact on the Pen Llŷn a'r Sarnau Special Area of Conservation and that NRW had drawn attention to concerns regarding the loss of a small intertidal habitat within the footprint and the possible change to a coastal process because of the proposed high pipe.

It was reiterated that Cyngor Gwynedd and NRW were competent authorities under the Habitats and Species Protection Regulations 2017 (as amended), and they must, before deciding to give permission to a project that was likely to have a substantial impact on a SAC, either alone or collectively with other plans or projects, making appropriate assessments of the project's implications for that site, considering its conservation

objectives. The proposal submitted falls within the marine environment and on the land and therefore the responsibilities of the Council and NRW overlap in terms of appropriate assessment matters. With the impact on the SAC falling within the marine environment, NRW would take the reins as the lead competent authority. An application for a Marine Licence was submitted to NRW and an appropriate assessment has been carried out as a result.

Having considered all the relevant planning matters, including local and national policies and guidelines, it was considered that the proposal complied with the requirements of the relevant policies.

b) It was proposed and seconded to approve the application

**RESOLVED: To approve with conditions**

- 1. Commencement within five years.**
- 2. In accordance with the plans and documents submitted.**
- 3. Public Protection conditions - timings**
- 4. Submit and reach agreement on a CEMP**
- 5. Submit and reach agreement on soft and hard landscaping details.**
- 6. Implement the landscaping details.**
- 7. Plan to protect the structural condition and permanent access of the main public water supply crossing the site.**
- 8. Plan to protect the structural condition and permanent access to the public waste water assets crossing the site.**
- 9. Work hours of construction period.**
- 10. Sheet piling hours.**
- 11. Implementation of noise level mitigation measures.**
- 12. Installation of noise barriers.**
- 13. Submission and agreement on a Noise Management Plan for the construction period.**
- 14. Archaeological conditions.**

Note:-

SuDS, NRW, Network Rail, Public Protection and Welsh Water advice to the developer

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

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**CHAIR**