
PLANNING COMMITTEE 19 May 2025

Councillors: Elwyn Edwards, Delyth Lloyd Griffiths, Elin Hywel, Gareth T Jones, Anne Lloyd Jones, Louise Hughes, Cai Larsen, Edgar Owen, Gareth Coj Parry, John Pughe Roberts, Gareth Roberts, Huw Rowlands and Gruffydd Williams

Others invited - Local Member: Councillor Beca Roberts

Officers: Gareth Jones (Head of Planning and Environment), Gwawr Hughes (Development Control Team Leader), Glyn Llywelyn (Senior Planning Officer), Rhys Cadwaladr (Senior Minerals and Waste Planning Officer) and Lowri Haf Evans (Democracy Services Officer).

Item 7: Iwan ap Trefor (Traffic and Projects Service Manager), Catrin Davies (Rights of Way Officer) and Dafydd Jones (Solicitor)

1. ELECTION OF CHAIR

RESOLVED: TO ELECT COUNCILLOR ELWYN EDWARDS AS CHAIR OF THIS COMMITTEE FOR 2025/26

2. ELECTION OF VICE-CHAIR

RESOLVED: TO ELECT COUNCILLOR HUW ROWLANDS AS VICE-CHAIR OF THIS COMMITTEE FOR 2025/26

3. APOLOGIES

None to note

4. DECLARATION OF PERSONAL INTEREST AND PROTOCOL MATTERS

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

Councillor Menna Baines (not a Member of this Planning Committee), in relation to item 7 Wildlife and Countryside Act 1981, on the agenda, as she had been promoting the application.

After receiving advice from the Monitoring Officer, the Members believed it was a prejudicial interest, therefore she was not present at the meeting.

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

- Councillor Beca Roberts (who was not a member of this Planning Committee), in item 8.1 (C18/0767/16/LL) on the agenda
- Councillor John Pughe Roberts (a member of this Planning Committee), in item 8.2 (C24/0072/02/LL) on the agenda

- Councillor Gruffydd Williams (a member of this Planning Committee) in relation to item 8.3 (C24/1119/42/LL) on the agenda
- Councillor Edgar Owen (a member of this Planning Committee), in item 8.4 (C20/1079/12/AC) on the agenda
- Councillor Gareth Coj Parry (a member of this Planning Committee) in relation to item 8.5 (C25/0245/14/LL) on the agenda

5. URGENT ITEMS

As a matter of order, it was reported, as the Chair and Legal Officer were joining the meeting virtually, that the Assistant Head of Planning and Environment would be announcing the results of the voting on the applications.

6. MINUTES

The Chair accepted the minutes of the previous meeting of this committee, held on 28 April 2025, as a true record.

7. WILDLIFE AND COUNTRYSIDE ACT 1981: APPLICATION TO REGISTER A PUBLIC FOOTPATH ON THE DEFINITIVE MAP AND STATEMENT IN THE COMMUNITY OF PENTIR

- a) It was reported, in August 2021, that the Council had received an application with supporting evidence from Pentir Community Council under section 53 of the Wildlife and Countryside Act 1981 to register a public footpath on the Definitive Map and Statement in the Treborth area. The application was made on the grounds that the public had walked along this path, as if they had the right, freely and regularly (i.e., without the landowner's permission, without concealment and without powers), over a continuous period of twenty years. It was noted that the application had been supported by 197 evidence statements by people alleging that they had been using the path. It was explained that the evidence showed public use between 1940 and 2021, the date when the application was made. It was reiterated that four letters of support and supporting photographs had also been submitted with the application.

The path's direction was discussed in detail (from its starting point on Public Footpath Number 12 in the Community of Pentir, along the junction with Public Footpath Number 22 in the Community of Pentir.

In the context of land ownership, it was noted that the path crossed the land of Neuadd Treborth (the former school), which was owned by Mr and Mrs Margeston since July 2014. It was also noted that the path crossed Council land, i.e., the railway bridge, through Treborth Botanical Gardens (which is Bangor University land), then through the Treborth Business Park, where the path runs along unregistered land. It was reiterated that many nearby landowners were also affected by the path. It was highlighted that Cyngor Gwynedd had owned the former school and the land between 1950 and 2014.

A consultation had been held with all landowners being affected by the path.

Attention was drawn to the observations of the landowners, Mr and Mrs Margeston, who stated that after they had bought Neuadd Treborth back in July 2014, people walking along the path had been challenged, and they had erected a few signs noting that it was private land and signs stating No Public Right of Way. It was highlighted that the family objected to

the application and had evidence noting that people who used the path had been using it with the permission of the former Ysgol Treborth and Penrhosgarnedd Football Club. It was reiterated that the Council was aware that users with authority to use a section of the path claimed did so with the agreement of the Council and Penrhosgarnedd Football Club (these users could not be deemed as long-standing use).

It was highlighted, when investigating the application, that the evidence suggested that users had also been walking along the section between the botanical gardens, Treborth Business Park and towards Menai Suspension Bridge. Although no public right of way existed between these two sites, it appeared that users had been using it as a continuation of the path in the application, to reach places such as the Antelope Inn, Menai Suspension Bridge or as a part of their circular route from home which commenced from Treborth, Penrhosgarnedd or Upper Bangor. Following this and legal advice, the plan was amended.

In the context of the date of Bringing into Question, in accordance with the procedure of submitting a case under Section 31 of the 1980 Highways Act, it was noted that there was a need to establish a date when the public's right to use the path was brought into question. Many dates were considered but it appears that the challenges had reached a specific level by the start of 2015, with residents contacting the Community Council to raise their concerns. (Reference was made to an e-mail received from the Acting Clerk of Pentir Community Council (dated 22/03/2015, referring to the residents of the Treborth area being prevented from walking along a path that they had been using for years). It was considered that the evidence showed, on the balance of probability, that the public had used the path continuously and as a right between the relevant period of 20 years - between March 1995 and March 2015.

The officers recommended that the Council made an Order under Section 53(3)(c)(i), Wildlife and Countryside Act 1981, to register the path, as a public footpath on the Definitive Map and Statement.

- b) In response to a question regarding the process, and should the Committee authorise the Order and objections were received regarding the order, it was noted that the matter would be referred to the Welsh Government for a decision. Under the circumstances, the Order would be determined through written representation, a hearing or Public Enquiry. If so, it was considered that the Council should take a neutral viewpoint. Furthermore, it was considered that the applicant and the objector should be responsible for submitting the case in favour and against any order.
- c) It was proposed and seconded to authorise the Order
- ch) During the ensuing discussion, the following observations were made by members:
 - That the path was a perfect link from one place to the other
 - That public use was made of the path
 - That the details of the application had been presented well

DECISION: To authorise the Council to make an order under Section 53 (3)(c)(i), Wildlife and Countryside Act 1981, to register paths A-B-C-D-E-F, as a public footpath on the map and Official Statement.

Note: As the Council itself was the landowner for the vast majority of the relevant period (1995-2015), it would not be appropriate for the Council to support and promote

such an Order should there be an objection to the Order. The matter will therefore be referred to the Welsh Government for a decision with the Order being determined through written representation, a hearing or Public Enquiry.

8. 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.

8.1 APPLICATION NUMBER C18/0767/16/LL LAND AT COED WERN, GLASINFRYN, BANGOR LL57 4BE

Attention was drawn to the late observations form.

Some Members had visited the site on 12-05-25.

Holiday accommodation development (revised plan) which entails:-

- Laying the foundations for lodges with associated decking.
- Laying the foundations for glamping pods.
- Associated infrastructure to include internal tracks, parking areas, sustainable drainage systems together with foul water drainage.
- Soft and hard landscaping including felling some trees, retaining trees and undertaking improvements to the existing woodland.
- Construct a reception/sales building together with re-covering the existing building and use as an e-cycle hub with electric charging points.

- a) The Development Control Team Leader highlighted that this was a full application to provide holiday accommodation and associated works within an existing woodland to the south-east of the village of Glasinfryn. It was expressed that since the application was originally submitted in 2018, the development had been revised and reduced several times and the number of units had now been reduced to 25 holiday lodges and 4 glamping pods.

It was noted that the woodland, which forms the boundary with the Class III road towards Glasinfryn, was subject to a Tree Protection Order with the remainder of the site being a candidate Wildlife Site.

Reference was made to policy TWR 3 which allows proposals to develop new static caravan or new chalet sites, or permanent alternative camping accommodation outside Areas of Outstanding Natural Beauty and Special Landscape Areas, subject to relevant criteria.

It was reported that the first criterion specifically referred to an excess of new development, and a 'Landscape Capacity and Sensitivity Study in Anglesey, Gwynedd and the Eryri National Park' to define excess for this site. It was reiterated that the Study identified some capacity for minor to very small developments outside the sites contributing to the Eryri National Park setting within this particular Landscape Character Area, with the Study defining 'very small' developments as those up to 10 units and 'small' developments as between 10 - 25 units. Although the number of units subject to this application was 29 and recognising that this figure was higher than what is defined

as a minor development in the Study, consideration was given to the average capacity of areas rather than individual locations, and consideration of the site as being hidden. To this end, it was considered that there was sufficient capacity for the site in this particular area, and as it was an already well-screened non-invasive site it also complied with the second criterion.

In the context of the criterion which refers to the provision of adequate access without significant impairment on the attributes and character of the landscape, together with ensuring that the site is close to the main road network, it was noted that an entrance to the site currently exists with an intention to improve it and provide a visibility splay to the satisfaction of the Transportation Unit as well as protecting the hedge which is subject to the Tree Protection Order.

Reference was made to the contents of the detailed impact assessment on the amenities of nearby residents, but ultimately and based on the distance and hidden nature of the site, it was not considered that the proposal would have a significant adverse effect on nearby residents. It was also confirmed that there had been significant discussion about concerns and impacts on trees and biodiversity, and that several assessments and surveys had been submitted together with a commitment to provide a plan to manage the site which would include improvements. The surveys submitted were considered to reflect the current situation of the site and highlight the need to manage the woodland to secure the future of the habitat and the biodiversity within it. It was reported that the site had not been designated as a site of National importance. It was acknowledged that this was a wildlife site, but it was considered that the applicant had addressed the needs of the site and as a result the development would be managed and enhanced subject to planning conditions. Therefore, the proposal was considered acceptable in the context of impact on amenities subject to appropriate conditions which would ensure appropriate control, mitigation and improvement measures.

Sustainability, flooding, infrastructure and linguistic issues were referred to stating that they had received appropriate attention, and the proposal was acceptable in relation to those issues.

The officers recommended to approve the application with conditions.

- b) Taking advantage of the right to speak, the Local Member made the following observations:
- That she encouraged the Committee to refuse the application on the grounds of it being an over-development.
 - That there was reference to the site as a 'small and suitable' one, but this was for 29 units, which was far from 'small'.
 - That the application reflected good accessibility and had a good network of roads and public transport - this was wrong - a bus only ran past the site three times a week.
 - That the site was close to a busy and dangerous road - an increase in vehicles would worsen the situation and increase noise levels. These conditions were unsuitable for holiday accommodation.
 - That the report stated 'no static caravans in the area' - this was incorrect: within 3km of the site there were several caravan / holiday accommodation sites.
 - Despite reference being made to two jobs being created, there were no guarantees that these would be permanent or high-salary jobs.

- While noting a local benefit, the welcome pack which would be left for visitors encouraged them to shop on-line which would reduce the need for them to travel off-site; Large companies would benefit from this and not local shops.
- The main objective was to secure a high-salary economy by creating a net benefit for the County's communities. It was difficult to see what the net benefit would be here.

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

Reasons: Contrary to Policy TWR 3.1 - excess of provision in the area which will lead to disturbance and an amenity and visual impact on local residents.

'Small' and 'very small' capacity study - no reference to average size - these were large, luxurious units.

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

- That the site visit had been very valuable.
- That the units were large - big enough for two families. Bungalow-sized!
- That the Community Council was concerned about the privacy and amenities of the Maes Infryn residents.
- Concern about the number of trees that will need to be felled.
- That many objections had been received via e-mail.
- There was a need to listen to the voice of the community.
- That the company was a large company - the development would bring benefits to the local economy.
- That the company had a site in Ceredigion.
- That conditions were being imposed for roads and access.
- The site was not visible, it was a wonderful site.

In response to the observations, the Assistant Head of Department noted that the proposal complied with the relevant policies, and should the Committee decide to refuse the application, the proposer and seconder would have to defend the decision should an appeal be lodged.

RESOLVED: To refuse, contrary to the recommendation.

Reasons:

To refuse on the grounds of Policy TWR 3 Part 1 criterion i, that the site would lead to an excess of static caravan sites or chalet sites or permanent alternative camping sites in the local area, which would cause a detrimental visual impact and a detrimental impact on the amenities of the area and local residents due to the disturbance caused.

8.2 APPLICATION NUMBER C24/0072/02/LL LAND NEAR PANDY, CORRIS, SY20 9RJ

Farm diversification plan for the siting of 5 holiday accommodation units on the land

Some Members had visited the site on 12-05-25.

a) The Development Control Team Manager highlighted that this was an application to change the use of the land and develop new holiday accommodation in the form of 5 permanent

glamping pods, associated parking, adaptations to the access, drainage and landscaping. It was reiterated that the site was in the countryside and within a Special Landscape Area. To the south of the site was afon Dulas, and the topography of the site slanted down from the road towards the river, and the units would be located on the slope above the river. It was reported that residential property abutted the site as well as one exterior building not in the ownership of the applicant, near the existing access.

It was explained that the pods were the type which meant that policy TWR 3 applied. Attention was drawn to point 1 policy TWR 3, which confirms that proposals for the development of new static caravan sites, holiday chalet sites or permanent alternative camping accommodation will be refused within the Anglesey Area of Outstanding Natural Beauty, Llŷn Area of Outstanding Natural Beauty and the Special Landscape Areas. In light of this, the proposal was fundamentally contrary to point 1 of policy TWR 3 and policy PCYFF 1 as it would establish a new permanent alternative camping site within a Special Landscape Area.

It was highlighted that the nearest dwelling house to the site was located at the bottom of the track, which would be used by the users of the proposed holiday units. Currently, agricultural fields and a river surrounded this dwelling house, which was in a relatively private, still and tranquil location where there was not much activity and disturbance caused to the property's occupants. Introducing an alternative camping site at this location would have the potential to cause unacceptable detrimental impact on nearby property due to increased activity, noise and disturbance by visitors. The nature of holiday use involved different movements to permanent residential units, and the applicant did not live on the site to be able to supervise and manage the site and respond to any issues or problems that may arise at the time. It was considered that the proposal was contrary to the requirements of criterion 7 of policy PCYFF 2 on the grounds of impact on the amenities of the neighbours.

In the context of highways, biodiversity, archaeological, sustainability, flooding, drainage and linguistic matters, it was noted that they had received appropriate attention, and the proposal was considered acceptable in this regard, but it was noted that this did not overcome the fundamental objection to the proposal on the grounds of the principle that it was located within a Special Landscape Area.

The officers recommended that the application be refused.

- b) Taking advantage of the right to speak, an objector to the application made the following observations:
- That their home, Pandy, near the site, was an old mill, which was full of character.
 - The property had been purchased with the assurance that it was protected from development.
 - That the property was in a secluded site as they both enjoyed wildlife and dark skies.
 - That the applicant had bought the field in 2023 and that concerning comments had been made at that time.
 - It would not be possible to control the users of the pods as the applicant did not live on the site.
 - The area outside their house would be used as a vehicle turning area - this, at night, would fill the house with light.
 - Walkers along the railway path would look down into their property.
 - Noise was likely.
 - If there were problems, people staying in the pods would go to Pandy.

- There would be strangers in the area, causing disturbance.
 - Asked the Committee to keep to the policy and refuse the application.
- c) Taking advantage of the right to speak, the Local Member made the following observations:
- That there was a public footpath above and below Pandy.
 - Trees would be planted to mitigate against the visual impact.
 - A full consultation had not been held when establishing the SLA - this raised concern about future developments.
 - Supported the application - the family were a local Welsh family.
 - The applicant lived near the site.
- ch) It was proposed and seconded to approve the application, contrary to the recommendation.
- d) During the ensuing discussion, the following observations were made by members:
- There were five pods here and therefore there would be no large crowds.
 - That farming was a part of the countryside and farmers had to diversify a little.
 - The paths nearby were public footpaths.
 - That tourism was essential to the local economy.
 - That sustainable tourism gave farmers a future.
 - That there would not be a substantial detrimental impact on the privacy of Pandy.
 - If approved, conditions would be required to manage the impacts of noise and lighting.
 - Only one policy was not being met here; the development met many other policies.
 - The site was not visible - it could not be seen from the highway.
 - It was not an over-development.
 - That the Community Council had met four times to discuss the proposal, and it supported the development.
 - A risk that approving could set a precedent.
 - That Policy TWR 3 was critical to the principles of protecting special landscapes.
- dd) In response to a question about the pods being mobile ones, and whether this would be acceptable in terms of the land designation, it was noted that this was not requested in the application submitted, but with the flexibility of Policy TWR 2, this could be considered.

In response to the above comments and planning considerations, the Assistant Head of Department noted that every application was being considered on its own merits and within local and national policies. It was stressed that while the ability to be flexible in weighing-up some planning decisions, the establishment of a new permanent alternative camping site within the SLA would be completely contrary to policy TWR 3. In terms of the status of the SLA in Corris, the quality of the landscape had been identified as a Special Landscape Area and that this area, like AONB areas, had an excess of permanent caravans and accommodation, therefore the policy had been drawn up to protect the sensitivity of those areas. He reiterated that the Committee had to be consistent when making its decisions and if the application was approved, it would have to be referred to a cooling-off period.

- e) The members voted on the proposal to approve the application. The proposal fell.
- f) It was proposed and seconded to refuse the application.

RESOLVED: To refuse in line with the recommendation.

Reasons:

- The proposal would create new permanent alternative camping accommodation within a Special Landscape Area and is therefore contrary to point 1 of policy TWR 3 as well as PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan (2011-2026) which protects the Special Landscape Area from this type of development.
- The proposal is contrary to criterion 7 of policy PCYFF 2 of the Anglesey and Gwynedd Joint Local Development Plan as it would be likely to have a significant adverse impact on the amenities of local property owners in terms of more activities, disturbance and noise.

8.3 APPLICATION NUMBER C24/1119/42/LL

Land near Helyg, Tai Lôn, Nefyn, Pwllheli, LL53 6LG

Full application to construct 14 affordable houses (use class C3) with associated developments, including extending an existing vehicular road and new estate road, amenity space, landscaping and biodiversity enhancements.

Attention was drawn to the late observations form.

- a) The Senior Planning Officer highlighted that this was a full application to erect 14 new living units as well as associated works on a site within the current development boundary of Nefyn town, which had been designated specifically for housing in the LDP. The development would offer 4 one-bedroom flats, 5 two-bedroom houses, 4 three-bedroom houses and 1 four-bedroom house. It was noted that the applicant confirmed that the development had been submitted in the form of a neutral plan in terms of occupancy, i.e., a plan that would provide 100% affordable housing with a mix in terms of occupancy being provided (e.g., social rent housing, intermediate affordable rented housing, part-ownership), to meet the need and to allow for change in the circumstances of households once the plan would be built.

It was explained that the site was currently open agricultural land, with *cloddiau* and hedges surrounding it, and the B4437 main road adjacent to the northern boundary of the site; the site and broader area was within the Llŷn and Enlli Landscape of Outstanding Historic Interest.

It was reported, in line with the arrangements of the Gwynedd Planning Service delegation scheme, the application was submitted to the committee as the number of houses being provided was 5 or more in total. In line with the appropriate procedure, a Pre-application Consultation Report was received as a part of the application and the developer had advertised the proposal to the public and the statutory consultees before submitting a

formal planning application. A full assessment of all relevant matters was completed, including compliance with adopted policies and guidance, as well as a full consideration of all comments and objections received. Consequently, the proposal as submitted was considered acceptable on the following grounds:

- That the Authority's adopted policies stated that Councils would seek appropriate levels of affordable housing in the plan area. The proposal provides a development including 100% of affordable units with the Housing Strategic Unit confirming that there is evidence of the need to justify the provision as proposed, to address the needs of the local community.
- That the site had been designated specifically for the construction of houses, with the site estimate noting that 19 units could be provided on the site.

As the proposal as submitted was acceptable and met the requirements of the relevant policies, the officers recommended approving the application.

b) Taking advantage of the right to speak, the applicant's representatives made the following observations:

- That the development for 14 affordable living units had been prepared to meet the local need for housing.
- Although the site had been allocated for 19 units with the need for 10% of them to be affordable, the intention here was to offer 14 units that would provide 100% affordable housing to meet local need.
- That the development was being led by Grŵp Cynefin, with housing grant support from the Welsh Government, under the control of Cyngor Gwynedd via the Development Department.
- That the plan met the Cyngor Gwynedd Housing Strategy by responding to the County's housing crisis, ensuring that affordable housing was available to local people.
- That consultation had taken place with the public and statutory consultees, and the plans had been discussed with Nefyn Town Council.
- That the proposal complied with relevant policies.
- That the Welsh language statement, despite not being required as the site had already been designated, noted a positive impact on the language.
- That the statistics of Cynefin tenants highlighted a higher percentage of Welsh speakers than the percentage of the wards. Confident therefore that the allocations policy would allocate the houses to local people and people who spoke Welsh.
- That a high number of people who wished to live in the area were on the waiting list of Tai Teg housing options.
- The development was one which attempted to prioritise people with a local connection to the community and respond to the demand.

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

- That Nefyn Town Council strongly objected to the application as they were not needed.
- The houses would be let under the Gwynedd common housing allocation policy and therefore the development was likely to have a harmful impact on the Welsh language - this was contrary to the strategic aim of Nefyn Town Council to protect and increase the use made of the Welsh language.

- Cynefin had received an offer from the Local Member to work with the community and Town Council to establish a local allocations policy that would protect the Welsh language and the residents of Nefyn - they did not take up the opportunity and chose to disregard the genuine concerns of the residents of Nefyn and the Town Council and submitted the application against the wishes of the community.
- The existing allocations policy brought more and more strangers from non-Welsh areas outside the County, and even from England, to live in Nefyn, and therefore led to less Welsh being heard on the street.
- With regards to the developer's language statement, Owain Wyn stated that within the social rent sector, almost 4 in every 5 moved in from other areas, and those who moved to the Nefyn area (whether from the social rent sector or moving to the area), 18 units, it was seen that 77.8% had moved from other parts of Gwynedd, and 22.2% from outside the County. This meant that 22.2% had no connection with the area, which was a high percentage, and with 4 in every 5 having come to social housing from outside the area, it gave the impression that this development would not have a positive impact on the Welsh language.
- The Committee, with a similar application for affordable housing in Botwnnog, had refused Adra's application for the exact same reason, and therefore asked the Committee to support the objection.
- The Community Councils of Botwnnog, Aberdaron and Tudweiliog were working together to secure the continuation of the Welsh language, and now 18 other community/town Councils in Gwynedd had joined them - joining forces to support each other and call for more control and resources to protect the Welsh language and establish local allocation policies that will ensure the prosperity of the Welsh language in our communities.
- That the Local Allocations Policy was a common policy with links to the 106 agreement (which came under the Planning procedure to provide assurances that there would be no harmful impact to the language - a local allocations policy or 106 agreement as part of the application would not provide this assurance.
- Tudweiliog Community Council expressed support to Nefyn Town Council to object to the application and to inform that the Welsh Language Commissioner's policy officer was submitting comments on a draft document of local allocations policies that would be submitted to Cyngor Gwynedd, before consulting with the community. The document would be grounds to establishing a local allocations policy considering the legal advice of the Welsh Language Commissioner.
- That Cyngor Gwynedd was also awaiting legal advice which would provide further guidance on how the Council could support Town and Community Councils to reach an agreement with housing associations to properly consider linguistic skills in local allocations policies.
- That the Welsh Government would be publishing a response to the Welsh Communities Commission before the end of the month, which would provide definitive guidance on including Welsh as a consideration in local allocations policy and 106 agreements - approving the application before obtaining guidance would be the wrong step.
- A request for the Committee to support the objection of the residents of Nefyn and the Town Council.
- That there was a need to protect the language. There was no local allocations policy or 106 agreement in place here.
- The development would be likely to cause significant harm to the Welsh language and would be contrary to policy PS1.

- ch) It was proposed and seconded to approve the application.
- d) During the ensuing discussion, the following observations were made by members:
- That the application was contrary to policy PS1 - it would create a negative impact on the Welsh language. There was no evidence or sufficient consideration in the language statement to protect the Welsh language.
 - That the native Welsh speakers needed houses!
 - That the site was included in the LDP and therefore a language statement had already been evidenced.
 - That the application was a major one - creating a potential impact on the amenities of nearby houses.
 - That the application was attractive and strong, but there were too many houses there - Nefyn was a small town.
 - No data about the Welsh speakers on the waiting list, therefore it was difficult to weigh up until data was available.
 - There were no mitigation measures here to protect the Welsh language.
 - The policy met the housing needs of the people of Gwynedd. Nefyn was a town with a relevant role within the area.
 - Accepted that the policy conveyed the 'local to Gwynedd' aspect, but priority for the people of Nefyn, in line with an allocations policy which met the needs of the area.
 - That the *Hawl i Fyw Adra* campaign had started in Nefyn, which reflected the fact that houses were needed in Nefyn!

In response to a question as to whether it would be possible to impose a condition that the Welsh-speakers of Nefyn were given priority, the Assistant Head highlighted that it was not possible to control the language of house occupiers or change policies to correspond to a specific application.

RESOLVED: To delegate the right to the Head of Environment to approve the application with the following conditions:

1. Time
2. Development to comply with the approved plans
3. Must submit and agree 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
9. Building Control Plan
10. The housing estate and individual houses must be given Welsh names
11. Restrict the use to C3 use class only
12. Landscaping to be completed
13. Agree on the details of any play equipment

8.4 APPLICATION NUMBER C20/1079/12/AC

Hafod Y Wern, Waunfawr, Caernarfon, Gwynedd, LL54 7AQ

Application under Section 73 of the Town and Country Planning Act to Vary Condition 2 of Planning Permission C04A/0771/12/MW (Move Material from Mineral Working Deposits), to Approve a Two-Year Extension to Complete the Minerals Work up to 31/12/2022, with Final Restoration to be Completed by 31/12/2023.

- a) The Senior Minerals and Waste Officer highlighted that the current permission was for the removal of slate waste from mineral works deposits at Hafod y Wern quarry, Betws Garmon, near the village of Waunfawr.

In the context of the principle of the proposal, it was noted that Policy MWYN 3 supported mineral developments, subject to compliance with a series of criteria, with criterion 10 requiring that "The proposal includes a scheme for the after-use of the site and details of the restoration and after-care required to achieve it in accordance with Policy MWYN 9". Policy MWYN 9 states that applications for mineral works will be refused unless a restoration, after-care and after-use plan is submitted. It was reiterated, in addition to the requirements of this policy, that the current planning permission was the subject of a condition which asked for the introduction of a restoration and after-care strategy within a year of the permission. Despite the authority making many requests for the information, the applicant has not provided a restoration and after-care plan and therefore the application is contrary to criterion 10 of policy MWYN 3 and policy MWYN 9.

When considering the visual amenities and the landscape, reference was made to policies PCYFF 3, AMG 2, MWYN 3 and MWYN 9 of the LDP, which were relevant policies in relation to the visual impact and the landscape. It was noted, in the absence of adequate restoration and after-care proposals for the site after the disposal of mineral waste ceased, the Minerals Planning Authority could not be certain that the appearance of the site would not have a detrimental impact on visual amenities and the Special Landscape Area and, subsequently, it did not comply with policies PCYFF 3, AMG 2, MWYN 3 and MWYN 9 of the LDP.

In the context of residential amenities, the proposal did not include any changes to the working arrangements permitted for the site, and it was not considered that extending the duration of the development would have a detrimental impact on the area's amenities, therefore it complied with the requirements of policy PCYFF 2. However, this did not overcome the refusal reasons relating to the principle of the development.

In the context of highways, the proposal would not change the arrangements of the vehicular access or traffic deriving from the development and the local highways authority had confirmed that they did not have an objection to extending the development; therefore, it was considered to comply with policy TRA 4, but it was emphasised that this did not overcome the refusal reasons based on the principle of the proposal.

When considering Ecology matters, it was reported that the Local Authority ecologist had confirmed that there was no complete objection to extending the development, but concerns were highlighted about the lack of restoration and monitoring plan for non-native intrusive species. It was reiterated that the monitoring plan deficit for non-native invasive

species could be ensured via condition should the application be approved, but this is not yet sufficient to overcome the matters of principle.

In the context of the Welsh language, it was noted that the applicant had not provided a Welsh Language Statement despite the Authority's numerous requests and therefore, it did not comply with policy PS 1 of the LDP.

The officers recommended refusing the application due to a lack of adequate restoration and after-care proposals needed under policies MWYN 3 and MWYN 9 for any minerals development.

- b) Taking advantage of the right to speak, the Local Member made the following observations:
 - That he agreed with the content of the report
 - That he agreed with the recommendation
- c) It was proposed and seconded to approve the application.
- ch) During the ensuing discussion, a comment was made by a member, questioning why the recommendation was to refuse considering that the quarry industry had maintained the workforce, and that pride should be felt that some sites continued. In response, another Member noted that more information was needed before the principle was progressed.

RESOLVED: To delegate powers to the Head of the Environment Department to refuse the application.

Reasons:

1. **The application has not provided a sufficient restoration and after-care plan as requested in criterion 10 of policy MWYN 3 and policy MWYN 9 and therefore, it is not possible to disregard the detrimental impact of the development on visual amenities and the Special Landscape Area, contrary to policies PCYFF 3 and AMG 2 of the JLDP.**
2. **No Welsh Language Statement has been submitted in accordance with policy PS 1 of the JLDP.**

8.5 APPLICATION NUMBER C25/0245/14/LL Caernarfon Town FC, Yr Oval, Stryd Marcws, Caernarfon, Gwynedd, LL55 2HT

Upgrading and reconstruction of existing football stadium

Attention was drawn to the late observations form.

- a) The Development Control Team Leader highlighted that this was a full application that would involve levelling and re-creating the original pitch, installing layers of different materials, including sand and gravel, to ensure adequate drainage. The drainage work would include drainage pipes and a retaining wall, with a fence of soft railings being set around the new pitch. It was explained that the site was located within the site of the existing Caernarfon Town football pitch which was within a residential area and the town's development boundary.

Fundamentally, the proposal was one to refurbish and upgrade the existing facilities on the site, with local leisure and community facilities which matters to the health, social, educational, linguistic and cultural needs of Gwynedd, as well as its economic well-being. It was considered that the proposal and its scale at this location was suitable and acceptable in terms of policies PCYFF 1 and ISA 2.

It was acknowledged that the location of the proposal was within a residential area, but it was also an existing football pitch. It was not considered that the proposal, including the fence and the retaining wall, created an alien feature, considering the existing buildings and structures. It was reiterated that the field was partially visible from public areas, but the development did not offer completely new elements to those that already existed on the site. The use of the site will not change, therefore, the impact on neighbours in terms of busyness and disturbance will continue in the same way. It was reiterated that a condition would be set following the Public Protection comments to control the construction hours on the site in order to reduce the noise levels and potential impacts on nearby neighbours. Therefore, to this end, it was considered that the proposal was acceptable in terms of the impact on the area and local neighbourhood, as well as appropriate planning conditions to ensure biodiversity improvements because of the proposal.

Attention was drawn to the fact that Heneb's comments confirmed that there was a need to undertake a geophysical survey of the application site to be able to assess the potential for archaeology and how to address what is found on the site before a decision is released. After completing this work, it would be possible to impose specific conditions for further archaeological requirements, and therefore, it was considered that the proposal was acceptable in terms of policy AT 4.

Similarly, Welsh Water had confirmed an objection which stood based on the location of the public sewer compared to the proposed work. It was noted that the agent was working with Welsh Water to find a solution. It was reiterated that the response of Welsh Water also referred to the possibility of coming to an agreement for moving the sewer and therefore, ultimately, it was considered that the proposal was acceptable once a solution was agreed between the applicant and Welsh Water.

It was considered that the proposal was acceptable, subject to dealing with the archaeology matters and Welsh Water and the officers recommended delegating powers to approve the application once those matters were resolved and in accordance with the appropriate conditions.

- b) Taking advantage of the right to speak, the Local Member made the following observations:
 - That he supported the application
 - That the development was a good one for the Town
 - The team deserved support
- c) It was proposed and seconded to approve the application.
- d) During the ensuing discussion, the following observations were made by members:
 - Supported the application
 - That the proposal was within the boundary of the existing site
 - No substantial impact on the amenities of nearby residents
 - Welcomed a condition on managing working hours

- No objections had emerged
- The team deserved support
- Important to raise the standards of sports clubs
- That a good quality pitch was required

RESOLVED: To delegate powers to the Senior Planning Manager to approve the application, subject to the following conditions, and receiving additional information to come regarding the comments of Heneb and Welsh Water.

Conditions:

1. To commence the work within five years
2. In accordance with the plans
3. To restrict working hours to 08:00 to 18:00 from Monday to Friday and 08:00 to 13:00 on Saturday
4. To introduce biodiversity enhancements.
5. Conditions that are relevant to Welsh Water observations
6. Conditions that are relevant to Heneb's observations

The meeting commenced at 13:00 and concluded at 13:50

CHAIR