

PLANNING COMMITTEE	DATE: 16/06/2025
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 2

Application Number: C19/0154/03/LL

Date Registered: 12/02/2019

Application Type: Full - Planning

Community: Ffestiniog

Ward: Bowydd and Rhiw

Proposal: Conversion of building into 14 flats

Location: Market Hall, Church Street, Blaenau Ffestiniog, LL41 3HP

Summary of the Recommendation: TO REFUSE

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1. Description:

- 1.1 This application was deferred in the Planning Committee on 01.07.2019 following the receipt of the Language Unit's observations that stated there was a lack of information, and to discuss with the applicant and to understand the linguistic situation in the context of what was being offered as part of the proposal. It is noted that a Language Impact Assessment, a Design and Access Statement and an amended Viability Assessment were submitted in 2020, and following this the building was listed as a Grade II building by CADW on 14.06.2021. Due to the period that had elapsed the Local Planning Authority had sought to receive an update and current information for the application, but no response has been received.
- 1.2 Full application for the change of use and conversion of a substantial building into 14 flats. The building is currently dormant. Following a discussion with the applicant regarding the type of flats that formed part of the original application (13 one-bedroom flats) an amended plan was received indicating the intention to convert the building into 14 flats to comprise eight one-bedroom flats and six two-bedroom flats. The flats would measure between 41 square metres and 96 square metres. The amended proposal will entail creating three new windows in the side elevation facing the railway, closing one opening in the side elevation facing the high street and creating six new openings in the elevation facing the nearby church. Amended documents were also received setting out the proposal's objectives.
- 1.3 It is also intended to provide a bicycle and bin store on the ground floor within the building. The applicant states that internally the building is nearly completely open and the conversion work would only mean erecting internal walls. The plan shows that the site's boundary is tight around the building with only a small section of amenity land between the building and the railway to the south. The building is constructed of stone with a slate roof.
- 1.4 The building is situated on a site in the western part of the town of Blaenau Ffestiniog. The site borders the railway to the south, a church to the east, a row of houses and the High Street to the north with a public car park to the west.
- 1.5 The site is served by an unclassified county road that links the site to the town's High Street, which is also part of the Gwynedd Trunk Roads network.
- 1.6 The site lies within the town's development boundary and an Area of Outstanding Historic Interest as well as a Slate Area - World Heritage Site. The building was listed as a Grade II listed building on 14.06.2021.
- 1.7 Further information was received from the applicant stating that if the application is approved then a Registered Social Landlord intends to take a long term lease of the property and use it as part of their housing portfolio that offers support to the homeless, and further information in the form of a letter was received from 'My Space Housing Solutions' to outline how the houses would be offered.
- 1.8 A Design and Access and Planning Statement, Language and Community Statement and a Financial Viability Appraisal were submitted as part of the application, and amended versions were submitted in 2020. A further statement was received under the heading 'Additional information regarding housing mix-unit size and tenure' dated 22.05.2019.

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2. Relevant Policies:

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

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

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

Policy PS1 - the Welsh language and culture.

Policy ISA1 – infrastructure provision.

Policy PS4 - sustainable transport, development and accessibility.

AMG5 - local biodiversity conservation

Policy TRA2 – parking standards.

Policy TRA4 – managing transport impacts.

Policy PS5 - sustainable development.

Policy PCYFF1 – development boundaries.

Policy PCYFF2 – development criteria.

Policy PCYFF3 – design and place shaping.

Policy PCYFF6 - water conservation

Policy PS16 - housing provision.

Policy PS17 - settlement strategy.

Policy TAI1 - housing in the sub-regional centre and the urban service centres

Policy TAI8 - housing mix.

Policy TAI9 - sub-dividing existing property to self-contained flats and Houses in Multiple Occupation

Policy PS18 - affordable housing

Policy PS19 - Conserving and Where Appropriate Enhancing the Natural Environment.

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Policy PS20 - preserving and where appropriate enhancing heritage assets

Policy AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

Policy TAI15 - threshold of affordable housing and their distribution.

Supplementary Planning Guidance (SPG): Housing Mix.

SPG: Affordable Housing.

SPG: Planning for sustainable building

SPG: Maintaining and Creating Distinctive and Sustainable Communities.

2.4 National Policies:

Planning Policy Wales – Edition 12 (2024)

Technical Advice Note (TAN) 12 Design (2016).

TAN 18 – Transport (2007).

TAN 22 - Planning for sustainable buildings (2010)

3. Relevant Planning History:

- 3.1 C08M/0077/03/R4 - Change of use of council depot for multi-purpose arts centre, education and community use to include demolishing sections of buildings and building new extensions - Approved on 04/09/2008
- 3.2 C02M/001/03/LL - Retrospective application for change of use of hall for a temporary period from 8 February 2002 to 31 December 2002 for D1 use (no residential establishment), D2 (assembly and leisure) including (A1) uses ancillary retail sales - Approved on 15/02/2002
- 3.3 C00M/0003/03/LL - Application for temporary use of building for a period of three months from June to August 2000 to hold an arts exhibition - Approved 17/04/2000.

4. Consultations:

Community/Town Council:

Original observations

The Town Council objects to the application as there are no parking spaces with the building except for a nearby public car park. The Town Council asks if the demand for one-bedroom flats in the area has been proven, according to the information the Town Council has there is no local demand for this type of development but there is a demand for family housing for local people. If there is no local demand for one-bedroom flats then this may be a threat to

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the area's language and community. There was a second consultation with the Town Council on the amended plans, however, no response was received.

Observations 03.03.2020

Ffestiniog Town Council does not support this application on the following conditions:

- No consideration of the Welsh language in the application.
- No consideration given to the parking needs of the nearby Church for events such as weddings, burials etc.
- No evidence that these types of housing are needed locally, and therefore is not a development for local needs.
- No ecological report or information about protected species to be seen in the application.
- The town Council has already raised concerns about the presence of bats on the site, and there is still no reference to this concern in the amended application.

Transportation Unit: There is no objection to the proposal. Although the proposal does not include a specific parking provision, on land within the ownership or under the management of applicant, the site adjoins a free, public car park. In addition, the site is within walking or cycling distance to several local facilities. The site is also within a reasonable distance to regular public transport services.

No further observations to make on the amended proposal.

Welsh Government -
Trunk Roads

No instructions.

Natural Resources
Wales:

No objection - have received a statement from the applicant saying that it is proposed to connect the proposal to the public sewer. The Council is reminded that no Biodiversity report was submitted with the application and the Council's Biodiversity Unit should be contacted to discuss the matter.

No further observations to make on the amended proposal.

Gwynedd
Archaeological
Planning Service
(GCAG)

State that the building is of historic interest. The building was constructed between 1861 and 1864 by Owen Roberts from Dolgareddu to a design by Owen Morris from Porthmadog. Although the building has no exceptional architectural value, it has historical importance due to its links to the period when the town was flourishing in the nineteenth century and that David Lloyd George gave a political speech in the building.

The work will comprise internal work that will change the building's internal appearance and character. It is therefore recommended that a condition is imposed on any

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permission to ensure that an internal photographic survey of the building is conducted prior to the commencement of any work.

Welsh Water: Offer usual observations and suggest that a condition is included on any permission to prevent surface water from flowing into a public sewer from any increase in roof area or impervious surface. No further observations to make on the amended proposal.

Biodiversity Unit It is not intended to undertake any work to the roof or to cut into the ceiling. There are no biodiversity concerns regarding this application.

Housing Strategic Unit: There is a demand in the area for one- and two-bedroom flats, that are affordable. Since no formal valuation has been submitted, the percentage of discount may change in the future.

According to the Council's Housing Options Team figures, it appears that there are 79 applicants on the general housing waiting list for one to four-bedroom flats, and 39% wish to have one bedroom and 36% wish to have two bedrooms. From this information, it appears that a need for these types of flats exists within the town, and it is expected that the plans include 10% affordable housing. Please also note that if the Housing Association was a partner for the development that the design of the proposed units would need to meet the Council's Design Quality Requirements (DQR), however, there is no reference to a housing association as part of the application. On average a flat in the town sells for around £88,196 and based on this information there would be a need to consider a discount of around 15% if they are not affordable in the first place. 57% of the population are priced out of the market in this area. Further comments were received from the Strategic Housing Unit on the amended plans, stating that the mixture of rooms is acceptable.

Feel that discussions should have taken place to identify that a need exists in the area at the level noted and for the type of provision.

Anticipate also that discussions will be required with Adults Services.

A little hesitant if it is proposed that all the units are to be used to this end. We need to be careful not to over-centralise in one location

It is likely that there is some demand in the area. Expect that there would be more of a cross-section in terms of general use rather than specialist.

Language Unit: Observations 01.07.2019

Possible negative impact

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It is considered that sufficient information has not been submitted by the developer to be able to form a full opinion on the impact of the development on the Welsh language. As a result of the lack of detail about the possible rental price and who would receive priority by the named social landlord (i.e. would local residents on the Council's waiting list receive priority) there is concern that the development may lead to a negative impact on the Welsh language and on people's ability to use Welsh as it does not offer an obvious opportunity to enable young people to remain within their communities and it may lead to more incomers.

The language statement does not offer enough information and analysis on the likely impact of the buyers/renters.

Clause 4.7 notes that the development would be unlikely to be attractive to incomers for the following reason: "Second homeowners are usually attracted to seaside villages close to beaches and more remote rural locations" ... but as this is a rental development and not on the open market, this statement is not considered to be valid.

Due to the lack of clarity in the documents submitted by the developer, we cannot support the view that there would be no likely language impact because of this development.

Observations 30.03.2020

We have now had an opportunity to look at the application and remind myself of what was raised with the original application during Summer 2019. I notice from the observations of the Policy Unit that are as follows:

As this proposed development does not involve a greater provision than the indicative housing provision set for the settlement in the Plan, in accordance with the content of Strategic Policy PS1 ('The Welsh Language and Culture'), a Welsh Language Statement will not be required in this case. It is noted however, that such a statement has been submitted with the application. Criterion 1c of the policy states that a statement needs to be submitted for developments of five or more residential units, unless it addresses evidence of need and demand for housing. It would therefore be suitable to consider the statement submitted alongside the type of units proposed.

If an amended Welsh Language Statement has been submitted with this application, can you please send this to me? Nothing can be seen on the public system.

Otherwise, we would suggest that there is a need to amend the statement submitted last year, as the nature of the development has changed considerably, and the target market is very different.

Looking briefly at the information provided, I assume that

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there is still a question whether what is proposed answers local demand. If I recall correctly, the big problem with the application last year was that there had been no consultation with the housing department.

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertising period has expired, and an objection was received on the following grounds:

1. That the site has history and should not be converted into flats.
2. Lack of parking for vehicles.
3. The proposal could place pressure on the community and the Welsh Language based on a danger that more people would move into the area.

There was a second consultation with nearby residents on the amended proposal and no response was received. The re-advertisement period expired on 7 June 2019.

5. Assessment of the relevant planning considerations:

The principle of the development

5.1 **Housing (self-contained flats)** - As referred to above, the site is located within the development boundary of the Urban Service Centre and the application conforms to the requirements of Policy PCYFF1 of the LDP. Policy TAI9 permits the sub-division of existing properties into self-contained flats provided they conform to the relevant criteria: -

- Criterion 1 - the property should be suitable to be sub-divided for the type and number of units proposed without having to make substantial alterations and extensions - there is no proposal to extend the current building and the only changes to the building will be made to its external elevations by installing new openings and changing the current openings.
- Criterion 3 - ensure that the proposal will not have a detrimental impact on the amenities of nearby residents - although residential dwellings and commercial uses are located around the application site. It is not believed that the proposal would have an unacceptable impact on residential amenities or general amenities (on the grounds of overlooking and noise nuisance).
- Criterion 4 - the proposal should not exacerbate existing parking problems in the local area - considering the central location of the site within the town and its proximity to local facilities such as car parks and public transport, it is not anticipated that the proposal would contribute towards parking problems within the local area.

5.2 The indicative supply level of housing for Blaenau Ffestiniog over the Plan period, as noted in Appendix 5 of the Joint Local Development Plan, is 298 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has considered potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc). During the period

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2011 to 2024, a total of 26 units have been completed in Blaenau Ffestiniog. The windfall land bank, i.e. sites with extant planning permission on sites not designated for housing, in April 2018, was 20 units. It is noted that the Plan states an indicative figure of 155 houses on two further sites that have now been designated for housing in Blaenau Ffestiniog but have not received planning permission.

- 5.3 In considering this information, it is believed that approving the development on this site would be supported against the indicative supply level for Blaenau Ffestiniog.
- 5.4 However, as this proposed development does not involve a greater provision than the indicative housing provision set for the settlement in the Plan, in accordance with the content of Strategic Policy PS1 ('The Welsh Language and Culture'), a Welsh Language Statement will not be required in this case. It is noted however, that such a statement has been submitted with the application. Criterion 1c of the policy states that a statement needs to be submitted for developments of five or more residential units, unless it addresses evidence of need and demand for housing. It would therefore be suitable to consider the statement submitted alongside the type of units proposed. A Community and Language Statement was submitted with the original application, and a Language Impact Assessment more recently. Due to the time that has elapsed as noted in paragraph 1.1 above, there is no current information to assess the proposal against the requirements of policy PS1 and therefore it cannot be confirmed whether the proposal does comply with the policy or the SPG.
- 5.5 Policy TAI15 states that every development will be required to achieve an appropriate mix in terms of tenure, types and sizes of local need affordable housing and this is supported by Policy TAI8 along with the SPG: Housing Mix. Please note that the observations from the Strategic Housing Unit were in 2019 and state that there is a recognised need for one and two-bedroom flats in the town. The applicant was notified that there were concerns regarding the mixture in size and type of flats in the original proposal and following discussions between the applicant and the Strategic Housing Unit amended plans were received indicating eight one-bedroom flats and six two-bedroom flats. It is considered that the amended mixture proposed by the developer meets the requirements identified by the Strategic Housing Unit. Observations were received by the Strategic Housing Unit on the amended details that confirm they are content with the amended proposal. To this end, it is believed that this amended application provides an appropriate mix of accommodation in an existing building that meets a recognised need for housing in the town. Chapter 5 in SPG Housing Mix refers to the demand for housing in Gwynedd. Table 7 shows projected figures for households of different sizes during the period 2014 and 2026 in Gwynedd. Choices in lifestyle and breakdown in relationships affect the composition of households, and the economy affects household formation patterns. From the figures the number of households are likely to increase by 3480 over the period 2014 to 2026 with the biggest increase in one person households and then two person households. This suggests that there will be a high demand for smaller-sized housing. Please note that chapter 6 sets out planning for a more balanced housing market. While there may be a demand for some 'executive' large houses, the evidence shows that there is a more basic need for a supply of affordable housing for households with smaller income. It is therefore considered that the proposal complies with the policy objectives.

Affordable housing matters

- 5.6 The Policy Unit state that the proposal to convert the building is 14 units over the threshold and two units for contributing to affordable housing. Policy TAI 15 ('Threshold of Affordable Housing and their Distribution') notes that it is expected that at least 10% of the units will be affordable, i.e. at least one unit in accordance with the

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information submitted. An acceptable Financial Viability Assessment (FVA) was received with the application originally, together with an amended version later on justifying the lack of affordable provision and consequently the applicant states it is not proposed to make provision for affordable units as part of the proposal. No further information has been submitted to be able to assess the viability situation of the proposal against the current situation, and no confirmation has been received that it is proposed to provide affordable units or a financial contribution towards affordable units, and due to the time that has elapsed since the previous assessments the Local Planning Authority cannot assess the proposal against the requirements of policy TAI 15.

Visual amenities

- 5.7 Policy PCYFF 3 states that proposals will be approved, including extensions and changes to existing buildings and structures, if they comply with a number of criteria, including: that the proposal adds to or enhances the character or appearance of the site, the building or the area in terms of setting, appearance, scale, height, mass, and elevation treatment; that it respects the context of the site and its place in the local landscape; that it uses materials that are appropriate to their surroundings and incorporates soft landscaping; that it improves a safe and integrated transport and communications network; that it limits the risk and danger of flood water run-off and prevents pollution; that it achieves an inclusive design that allows access for all and helps to create healthy and lively environments taking into account the health and well-being of future users.
- 5.8 The proposal involves the conversion of a substantial stone building into 14 flats. The plans indicate how the alterations will be limited to raising internal walls to divide the building into flats and create new external openings. The amended plan, as the previous plan, will entail creating new openings. Please note that the building is within an Area of Outstanding Historic Interest. Since the application was submitted to the planning committee in 2019, the building has been listed as a Grade II listed building and the area has been designated as a Slate Industry World Heritage Site. The building was listed due to its architectural and historic interest as a typical, large market hall that incorporated the commercial ambitions of Blaenau Ffestiniog as it became one of the most important industrial towns in nineteenth century Wales.
- 5.9 However, it is likely that the proposed alterations would not significantly affect its external appearance and therefore it is considered that the proposal will not affect the appearance and character of the listed building, the visual amenities of this part of the streetscape nor the wider landscape. Using the building will secure the building's long-term use and condition. However, it is considered that a condition should be imposed on any approval to ensure that any external work matches the design and materials of the existing external walls. Should the application be approved, the physical alterations would also require a listed building consent. It is considered that the proposal is acceptable on the grounds of the requirements of Policy PS 20, AT 1 and PCYFF3 of the LDP.

General and residential amenities

- 5.10 Policy PCYFF2 of the LDP states that proposals should be refused if they have a significant detrimental impact on the health, safety or amenities of the occupants of local property, land uses or other property due to increased activity, disturbance, noise etc. In terms of noise disturbance, it is likely that the proposal will not have a significantly greater detrimental effect on the amenities of nearby residents. In addition,

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it is considered that the use would be suitable and compatible with the other existing uses surrounding the property. It must also be considered that the site is in a partly residential and partly commercial area opposite busy road and rail networks.

- 5.11 The building lies in a prominent and public location where the existing vistas are over nearby property. Please note that the building is located within a few metres of nearby terraced housing and there are several windows on each of the building's elevations. However, the existing nearby houses stand in a prominent and public location and it is not considered that the proposal would exacerbate the current situation substantially in terms of overlooking and loss of privacy, particularly considering the location and circumstances of the adjacent property. It must also be considered that community and passive overlooking already exists between the various uses in the catchment area of the application site and that approving this proposal would not exacerbate this situation to such an extent so that the application would have to be refused on the grounds of its detrimental impact on residential amenities. Please note also that the response to the publicity given to the application did not raise concerns regarding the impact on the amenities of nearby property. The plan shows a proposal to provide bin and bicycle storage within the building and it is proposed to impose a condition on any approval to safeguard this provision. It is deemed that the proposal complies with the requirements of Policy PCYFF2 and TAI9 of the LDP.

Transport and access matters

- 5.12 The site / building is located centrally in the town and there are no parking facilities within the curtilage of the site itself. However, the plan shows that there is public parking provision on adjacent land west of the building with access to it past the building, the residential units will be close to local facilities that include parking spaces and public transport. Please note that the Town Council have drawn attention to the lack of parking on the site. The observations of the Transportation Unit were received confirming that they had no objection to the submitted and amended application. The proposal is acceptable on the grounds of the requirements of Policy ISA1, TRA2 and TRA4 of the LDP.

Educational matters

- 5.13 The relevant policy within the context of educational contributions for residential developments is Policy ISA1 of the LDP. In considering the information in the SPG 'Educational Development' (that remains relevant) and Policy ISA 1 (Infrastructure Provision), an education contribution would not be relevant in terms of this proposal. The SPG states that units with one-bed unit should not be considered. Information in the Guidance states that in terms of the one unit left, namely two-bed flat, that 0.11 primary school age pupil would derive from this. Please note that the proposal as amended indicates six two-bed flats and it is assumed that 0.66 pupil of school age would derive from this. (i.e. 1) primary age pupil that will derive from this. At the time of assessing this change to the application it is noted that there was sufficient space in the local primary school that serves the application area (Ysgol Tanygrisiau and Ysgol Maenofferen) to cope with one additional pupil. The current situation is not known, and the Local Planning Authority has not followed up on this matter as the recommendation is to refuse the application.

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Water Conservation

- 5.14 The proposal involves providing more than 10 residential units on the site. Please note that policy PCYFF 6 states amongst other matters that a Water Conservation Statement should be provided with proposals that are more than 1000 square metres or 10 residential units. However, the policy is aimed towards improving water resources by increasing effectiveness and managing demand that would include water saving devices, harvesting rainwater and recycling grey water. Please note also that using Sustainable Drainage Systems (SuDS) to manage water is a means to reduce flooding risk by increasing the size of surfaces in an area that water can permeate through and get into the ground and by so doing reducing the flooding risk. This proposal involves converting the existing building into residential units. The proposal would not involve an increase in roof surfaces or installing hard standing around the site. Therefore, it is considered that a statement is not required in this case.

Open Spaces

- 5.15 Paragraph 3.4.1 of the Supplementary Planning Guidance 'Open spaces in new housing developments' adopted in March 2019, states that a contribution towards children's play areas will not be sought from one-bedroom dwellings as the 2011 Census states that children do not live in such properties. It is noted that this is relevant for the eight units proposed here.
- 5.16 In terms of the provision of children's play areas for the remaining units together with provision for outdoor sports for the whole development, at the time of assessing the original application plenty of provision existed already to meet the needs of this proposed development and therefore such a provision nor contribution was relevant. The current situation is not known, and the Local Planning Authority has not followed up on this matter as the recommendation is to refuse the application.

Biodiversity Matters

- 5.17 The Biodiversity Unit has confirmed that there is no intention to undertake work to the roof or to cut into the ceiling and therefore there are no Biodiversity concerns regarding this application. Since the planning application was submitted there has been an update to Chapter 6 of Planning Policy Wales (PPW), which deals with green infrastructure, net worth to biodiversity, the protection afforded to Sites of Special Scientific Interest and trees and woodlands. To this end, every planning application now need to submit a Green Infrastructure Statement to meet with the requirements of PPW. No such statement has been submitted as part of the application, and because of the lack of response from the agent over the last few years as noted in paragraph 1.1 above the LPA have not requested this information specifically from the application's agent. Therefore, without this information it cannot be ensured that the proposal complies with the requirements of PPW nor policy PS19.

6. Conclusions:

- 6.1 Having considered this assessment and all the relevant matters, including the local and national policies and guidance, it is believed that the information submitted is insufficient to assess the proposal against the requirements of policy PS1, TAI 15 and PS19 and SPG Maintaining and Creating Distinctive and Sustainable Communities, and Chapter 6 Planning Policy Wales. Therefore, there is no option but to refuse the application.

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7. Recommendation:

7.1 To Refuse

1. No sufficient or current information have been submitted with this application to assess the proposal against the requirements of policies PS1, TAI 15 and PS19 Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities and Chapter 6 of Planning Policy Wales (PPW), which deals with the impact on the Welsh language, provision of affordable housing, green infrastructure and the net benefit to biodiversity.