

RHYBUDD O GYFARFOD / NOTICE OF MEETING



Awdurdod Parc Cenedlaethol Eryri

Emyr Williams
Prif Weithredwr
Awdurdod Parc Cenedlaethol Eryri
Penrhyndeudraeth
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Snowdonia National Park Authority

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Cyfarfod : *Pwyllgor Cynllunio a Mynediad*

Dyddiad: *Dydd Mercher 3 Mawrth 2021*

Amser *10.00 y.b.*

Anfonir cyfarwyddiadau ymuno at yr Aelodau ar wahân

Meeting: *Planning and Access Committee*

Date: *Wednesday 3 March 2021*

Time: *10.00 a.m.*

Joining instructions will be sent to Members separately

Aelodau wedi'u penodi gan Gyngor Gwynedd

Members appointed by Gwynedd Council

Y Cyngorydd / Councillor:

*Freya Hannah Bentham, Elwyn Edwards, Alwyn Gruffydd,
Annwen Hughes, Judith Mary Humphreys, Edgar Wyn Owen,
Elfed Powell Roberts, John Pughe Roberts, Gethin Glyn Williams;*

Aelodau wedi'u penodi gan Gyngor Bwrdeistref Sirol Conwy

Members appointed by Conwy County Borough Council

Y Cyngorydd / Councillor:

Philip Capper, Wyn Ellis-Jones, Ifor Glyn Lloyd;

Aelodau wedi'u penodi gan Llywodraeth Cymru

Members appointed by The Welsh Government

*Mr. Brian Angell, Ms. Tracey Evans, Mrs. Sarah Hattle,
Mr. Tim Jones, Mr Owain Wyn.*

A G E N D A

1. **Apologies for absence and Chairman's Announcements**
To receive any apologies for absence and Chairman's announcements.
2. **Declaration of Interest**
To receive any declaration of interest by any members or officers in respect of any item of business.
3. **Minutes**
The Chairman shall propose that the minutes of the meeting of this Committee held on 20th January 2021 be signed as a true record (copy herewith) and to receive matters arising, for information.
4. **Reports by the Director of Planning and Land Management**
To submit the reports by the Director of Planning and Land Management on applications received. (Copies herewith)
5. **Update Reports**
To submit update reports, for information. (Copies herewith)
6. **Report by the Director of Planning and Land Management**
To submit reports by the Director of Planning and Land Management on policy matters. (Copy herewith)
 - (1) SPG5 – Planning Obligations
 - (2) SPG15 – Telecommunications and Masts
7. **Delegated Decisions**
To submit the list of applications which have been determined in accordance with delegated authority, for information. (Copy herewith)

**SNOWDONIA NATIONAL PARK PLANNING AND ACCESS COMMITTEE
WEDNESDAY 20th JANUARY 2021**

Councillor Elwyn Edwards (Gwynedd) (Chairman)

PRESENT:

Members appointed by Gwynedd Council

Councillors Alwyn Gruffydd, Annwen Hughes, Judith Humphreys, Edgar Wyn Owen, Elfed Powell Roberts, John Pughe Roberts, Gethin Glyn Williams;

Members appointed by Conwy County Borough Council

Councillor Philip Capper, Wyn Ellis Jones, Ifor Glyn Lloyd;

Members appointed by the Welsh Government

Mr. Brian Angell, Ms. Tracey Evans, Mr. Owain Wyn;

Officers

Mr. G. Iwan Jones, Mr. Jonathan Cawley, Mr. Richard Thomas, Mrs. Sara Thomas, Mr. Sion Roberts, Mr. Geraint Evans, Mr. Rhydian Roberts, Mrs. Anwen Gaffey.

Apologies

Councillor Freya Bentham; Mrs. Sarah Hattle, Mr. Neil Martinson, Mr. Tim Jones. Jane Jones, Interim Planning Manager.

1. Chairman's Announcements

The Chairman advised, that today's meeting was subject to the new Covid-19 Regulations on how the Authority conducts its business, and that:-

- a Notice of the Meeting had been published, and the Agenda and reports were available on the Authority's website.
- the meeting was not open to the general public.
- the meeting was being recorded and will be available on the Authority's website.

2. Declarations of Interest

Councillor Gethin Glyn Williams declared both a personal and prejudicial interest in item 5.1 and 5.2 on the Agenda, under paragraphs 10 (2) (c) (i) and 12 (1) of the Code of Conduct for Members, and left the meeting whilst the matters were being discussed.

Mr. Owain Wyn declared a personal interest in Item 7.1 on the Agenda, under paragraphs 10 (2) (a) (i) and 10 (2) (c) (iv) of the Code of Conduct for Members.

3. Minutes

The minutes of the Planning and Access Committee meeting held on 2nd December 2020 were accepted and the Chairman signed them as a true record.

4. Inspection Panel Report

Submitted – The report of the Northern Area Inspection Panel held on 16th December 2020.

NP3/10/121

Erection of a pair of semi-detached two storey dwellings with associated access and car parking, land at Cae'r Felin, Abergwyngregyn.

Reported – Case Officer presented the report and confirmed that the landscaping scheme, referred to in condition 5, was now included on the sectional plan. Case Officer also agreed to encourage better design by asking for the external soil pipes to be internally located.

Mr. John Wyn Williams, addressed the Planning and Access Committee and asked Members to consider the following:-

- Mr. Williams was a friend of the family and was addressing the meeting on behalf of the applicant.
- the family, who were born in the area, have had a connection to the village for over 200 years.
- as local farmers they attend the chapel, support the Sunday school and as a family were mindful of their heritage.
- with reference to the affordability assessment, the methodology will always come up with the same answer, regardless of who undertakes the appraisal.
- Abergwyngregyn needs new homes for its young people.
- former council homes have all been sold privately and one was being rented as an AirBnb property.
- this was an application for two dwelling houses and both the properties would provide suitable family homes.
- Members were asked to come to a decision today as it had taken two years to reach this stage and the costs were already more than they needed to be.

RESOLVED subject to a Section 106 affordable local occupancy agreement on one of the dwellings and the removal of condition 5, to **grant** permission in accordance with the recommendation as set out in the Planning and Access Committee report dated 2nd December 2020.

5. **Reports by the Director of Planning and Land Management**

Submitted – Reports by the Director of Planning and Land Management on planning applications and compliance matters.

Please see the Schedule of Planning Decisions attached.

6. **Update Reports**

Submitted – Update reports by the Director of Planning and Land Management on planning applications and compliance matters.

Please see the Schedule of Planning Decisions attached.

7. **Reports by the Director of Planning and Land Management**

Submitted – Reports by the Director of Planning and Land Management on policy matters.

7.1 Supplementary Planning Guidance (3): Planning and the Welsh Language

Submitted – A report by the Planning (Policy) Officer requesting approval to release the draft Supplementary Planning Guidance, with any necessary changes, for public consultation.

Reported – The Planning (Policy) Officer presented the report and background and confirmed that the Supplementary Planning Guidance (SPG) had now been updated to reflect the amendments as recommended by the Members' Working Group. In response to a question, the Director of Planning and Land Management assured Members that all available options would be considered for carrying out the public consultation during the pandemic.

Members welcomed the report and thanked the Planning (Policy) Officer for his work.

RESOLVED to approve the draft updated Supplementary Planning Guidance (3): Planning and the Welsh Language for public consultation.

7.2 Eryri Local Development Plan – Annual Monitoring Report for 2019-20

Submitted – A report by the Principal Planning Policy Officer to discuss and approve the Interim Annual Monitoring Report for 2019-20.

Reported – The Director of Planning and Land Management presented the monitoring report and provided Members with further details on the main findings.

Members considered the Monitoring report and discussed the following matters:-

- the challenge for creating sustainable employment opportunities.
- a Member asked whether the Annual Monitoring Report could, in future, include the actual number of jobs created in support of sustainable employment and that the information may be captured when planning permission was granted.
- the number of housing completions - which was below target.
- Members raised concerns on the effect of the pandemic on town centres and rural villages. The Director of Planning and Land Management advised that the 'retail survey' now known as the 'town centres survey' will form part of the policy team's work over the summer months. He confirmed that, to date, no employment surveys had been carried out in the National Park, and a Member suggested that officers should progress the matter by contacting both Conwy County Borough Council, who had commissioned 'Lichfield's Planning Consultants', and Gwynedd Council, to learn from their experiences.
- the policy team were looking at the implications of exiting from the European Union and the Coronavirus pandemic as part of the Eryri LDP monitoring work.
- Table 1 – Sustainability Appraisal Monitoring Framework
7.4 (12) Conserve, promote and enhance Snowdonia's cultural heritage and the Welsh language – to remove the word "significant" from the following sentence "Any development which causes *significant* harm to the Welsh Language will be refused".
- the Director of Planning and Land Management advised that the policy team's work programme will be presented to Members in April 2021 and would provide a further opportunity to discuss the policies.

- Members thanked officers for their work in preparing the report.

RESOLVED to note the Annual Monitoring Report 2019-20, for information.

8. **Tree Preservation Order (No. 77) 2020 – Pen y Cefn, Dolgellau**

Submitted – A report by the Tree and Woodland Officer to seek Members' approval for Confirmation of TPO No. 77.

Reported – The Tree and Woodland Officer presented the report and background in detail. Members were advised that responsibility for the Health and Safety of the trees remains with the landowner who would need the Authority's consent to fell endangered trees and carry out maintenance work.

Public Speaking

Mr. Robin Lewis addressed the Planning and Access Committee and asked Members to consider the following objections:-

- Mr. Lewis expressed his dismay at the difficulties he had experienced in getting information to Members.
- a summary of the main points were presented:-
 - o the TPO was contrary to guidelines
 - o there was no lack of trees and amenities on this site
 - o it was unorthodox to state, as a defence for serving the TPO, that the Water Board had powers to carry out any work and cut the trees without the consent of the Authority, in order to repair a leak in the water supply.
 - o it was difficult to understand why this risk was being taken at such a location.
 - o the saplings had already been felled before any TPO was served and Mr. Lewis asked whether it was legal to serve a TPO on trees that did not exist.
 - o the TPO has been served three times.
 - o there was never any intention to fell any of the large trees, two of which had already come down by themselves.
- Members were asked to consider a site visit before coming to a decision.

RESOLVED to approve Tree Preservation Order No. 77 for confirmation.

9. **Delegated Decisions**

Submitted and Received – List of applications determined in accordance with delegated authority.

RESOLVED to note the report.

The meeting ended at 12.05

SCHEDULE OF PLANNING DECISIONS – 20th JANUARY 2021

Item No.

5. Report by the Director of Planning and Land Management

- (1) NP5/65/29E – Extension to existing agricultural building, Bryn Melyn Farm, Llanelltyd.

Reported – Case Officer presented the report and background.

RESOLVED to grant permission in accordance with recommendation.

- (2) NP5/65/352B – Siting of 3 camping pods for short-term holiday use and associated works, Dwynant, Bontddu.

Reported – Case Officer presented the report and background. Members and officers discussed parking provision, which is shown on the drawings for up to 5 cars on an existing area of hardstanding to the rear of the associated dwelling.

RESOLVED to grant permission in accordance with recommendation.

- (3) NP5/78/LB66M – Installation of a 4600L LPG tank underground to the South and between the Ty-bach and the existing attached purpose built plant housing heating system, all underground and associated connections on the East elevation, excavation for a level platform to support 2 x 100kw LPG purpose made Boiler Cube with 2 x protruding flues. A stone wall to be constructed to screen off the visual impact. Yr Ysgwrn, Trawsfynydd.

Reported – Case Officer presented the report and background in detail. He advised that the application description should be amended to 2 x 2,200L LPG tanks, rather than the one 4,600L tank currently stated. In response to questions from Members, the Case Officer confirmed that this was the only application and that it would provide a back up for the existing heating system. The Director of Planning and Land Management confirmed that various heating systems had been assessed, and this was considered the best environmental option for this site.

RESOLVED to authorise the Director of Planning and Land Management to grant permission in accordance with recommendation.

- (4) NP5/78/LB66N – Listed Building Consent for the installation of a 4600L LPG tank underground within the curtilage of Yr Ysgwrn, located to the South of the farmhouse between Ty-bach and the existing attached purpose built plant housing the present heating system, all underground and associated connections to the management system on the East elevation to the rear and excavation to form a level platform to support 2 x 100kw LPG purpose made Boiler Cube with 2 x protruding flues above eaves level into open air. A stone wall to be constructed to screen off the visual impact. Yr Ysgwrn, Trawsfynydd.

RESOLVED to authorise the Director of Planning and Land Management to grant permission in accordance with recommendation and to refer the application to the Welsh Government (CADW).

6. Update Reports

- (1) Enforcement Notices, Listed Building Enforcement Notices served under delegated powers and List of Compliance Cases – **For Information**
Arising thereon, Members discussed:-

- (i) NP5/77/ENF115G – Lizzie’s Barn, Llandecwyn, Talsarnau.
Members noted concerns that the file was being closed due to the length of time taken to address the issue, which did not reflect well on the Authority. The Director of Planning and Land Management assured Members that this was a historic case and a unique situation that was unlikely to be repeated.

- (ii) NP5/54/ENFLB33M – Nannau Hall, Llanfachreth.
Members asked for further details on the steps being taken to address the deteriorating condition of Nannau Hall. The Director of Planning and Land Management advised that officers had written to the applicant seeking authority to undertake a condition assessment on site and that funding had been allocated for this work. Officers were aware of the urgency and hoped to start on this work in the next few weeks.

RESOLVED to note the report.

- (2) Section 106 Agreements – **For Information**
RESOLVED to note the report.

- (3) Outstanding Applications where more than 13 weeks have elapsed – **For Information**
RESOLVED to note the report.

<u>Rhif Eitem / Item No.</u>	<u>Cyfeirnod / Reference No.</u>	<u>Disgrifiad / Description.</u>	<u>Swyddog Achos / Case Officer</u>
1	NP2/11/T457C	Estyniad unllawr ar yr ochr a teras dyrchafedig ar y blaen, Gelli'r Ynn, Nantmor / Single storey side extension and raised terrace to front, Gelli'r Ynn, Nantmor.	Mr. Richard Thomas
2	NP5/77/265B	Newid defnydd rhan o adeilad amaethyddol i ail-leoli busnes gwerthu gynnu a bwledi wedi ei ganiatau o dan gyfeirnod NP5/77/265A, Bryn Derw, Cilfor, Talsarnau / Change of use of part of agricultural building to re-locate guns and ammunition sales business granted under reference NP5/77/265A, Bryn Derw, Cilfor, Talsarnau.	Mr. Aled Lloyd

Snowdonia National Park Authority Date: 03/03/21
– Planning & Access Committee

Application Number: NP2/11/T457C

Date Application Registered: 19/11/20

Community: Beddgelert

Grid Reference: 259796 346149

Case Officer: Mr Richard Thomas

Location:
Gelli'r Ynn, Nantmor.

Applicant:
Mark Gardner
Gellir Ynn
Nantmor
Beddgelert
LL55 4YG

Description:
Single storey side extension and raised terrace to front.

Summary of the Recommendation:

To APPROVE subject to the following summarised conditions:

- Start work within 5 years
- Develop in accordance with approved plans
- Appropriate slate roof
- Permeable surface to terrace
-

Reason Application Reported to Committee:
Scheme of Delegation

Objection by Community Council

Land Designations / Constraints:

- Within housing development boundary
- Within Conservation Area
- Traditional Building

Site Description:

Gelli'r Ynn is a traditional two storey stone built dwelling in a prominent elevated location within the Nantmor Conservation Area. The stone front elevation of this dwelling has been rendered and painted and has been extended to two storeys to the rear. The roof is covered with natural mineral slate.

The property has a small generally sloping garden to the front, with a stone and hedging boundary with the adjacent village road and rising ground to the rear characterised by rock outcrop and vegetation.

Set within the Nantmor Conservation Area it is prominent from the A4085 through road.

Proposed Development:

This application proposes the erection of single storey side extension and the formalising of the terrace to the front of the dwelling. This proposed extension will allow for additional living accommodation and access to the formalised terrace to the front of the dwelling.

Relevant Planning Policies:

Eryri Local Development Plan 2016-2031

- SPFf: Historic Environment
- DP1: General Development Principles
- DP6: Sustainable Design and Materials
- DP7: Listed and Traditional Buildings
- DP15: Extensions

Consultations:

Community Council: Objection

Response to Publicity:

The application has been publicised by way of a site notice and neighbour notification letters with no responses received.

The Community Council have commented raising concerns over:

- Overdevelopment
- Out of Character

Assessment:

1. Background

1.1 Planning permission was approved for the extension of this dwelling in 2008 for a two storey rear extension and a single storey side extension. Whilst the two storey rear extension was completed the single storey side extension was not erected. By virtue of the rear extension having been commenced and completed the applicant have every right to erect the single storey side extension as approved in 2008.

- 1.2 However, the applicants do not now wish to erect the side extension as approved which shows a footprint of 40sq.m. This application now shows an extension in the same location as that benefiting from the earlier planning approval but is of a reduced area footprint of 30sq.m. In addition, the applicants could if they wish erect a single storey side extension of similar design, under permitted development rights, albeit on a smaller footprint (20sq.m).
- 1.3 This application also shows a formalised terracing to the front of the dwelling which in essence replaced an area of the existing grassed area with level hardstanding extending to approximately 50sq.m.

2. Principle of Development

- 2.1 Initial consideration of this application will be ELDP policy 15: Extensions. Policy 15 contains three criteria which ensures that any extension, in combination with other extensions, has a footprint smaller and is lower than the original dwelling and that the design conforms to design guidance and it does not detract from the character of the dwelling or its surroundings.
- 2.2 ELDP Policy 7: Listed and Traditional Buildings provides the criteria in the consideration of alteration or extension to traditional dwellings of this nature. In terms of an extension this policy states that support will only be given to applications that can show no significant harm to the special historic or architectural character and setting of the building. Whilst not being statutorily 'Listed' this dwelling has been included on this Authority's list of traditional buildings displaying local architectural quality to be protected from inappropriate alteration or extension.
- 2.3 The applicants have the right under permitted development rights to erect a single story extension to this dwelling, albeit smaller than that now being applied for. In addition, they also have a fallback position to erect a single storey side extension of different design but larger footprint.
- 2.4 In regard to the terracing to the front of this dwelling it is considered that this would only be formalising what could be done under permitted development rights and would not detract from the character of the dwelling or its surroundings. If approved a condition should be imposed to ensure that the surface is permeable.

3. Planning Assessment

- 3.1 In combination with the rear extension previously erected this extension conforms with ELDP policy 15 criterion i as it does not exceed the footprint of and is lower than the original.

- 3.2 It is considered that the extension now applied for is an improvement on that previously approved which the applicants have the right to erect. The scale and use of materials is commensurate with that expected on dwellings of this nature situated in a Conservation Area and is considered to be in conformity with policy 7 and design guidance as it would not significantly harm the character of the dwelling or its surroundings.
- 3.3 It is difficult to concur with the sentiments of the Community Councils objection on the basis of over development and that the extension is out of character given the fallback position that the applicants have for a larger and what is considered to be a less desirable design and form of extension.

4. **Conclusions**

- 4.1 Given the above it is considered that this application can be approved and that it does conform to ELDP policies 15 and 7.

Background Papers in Document Bundle No.1: No

RECOMMENDATION: To **APPROVE** the application subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of FIVE years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
LP1.01: Location Plan
P1.01: Proposed Drawing
P2.01: Proposed Plans
P3.01: Proposed Site Sections
3. The roof of the extension shall be covered in natural Welsh mineral slate or slates of the equivalent colour, texture and weathering characteristics as the slates on the main roof of the dwelling house and maintained thereafter.
4. The surface to the terrace hereby approved shall be finished in a permeable material and retained as such.

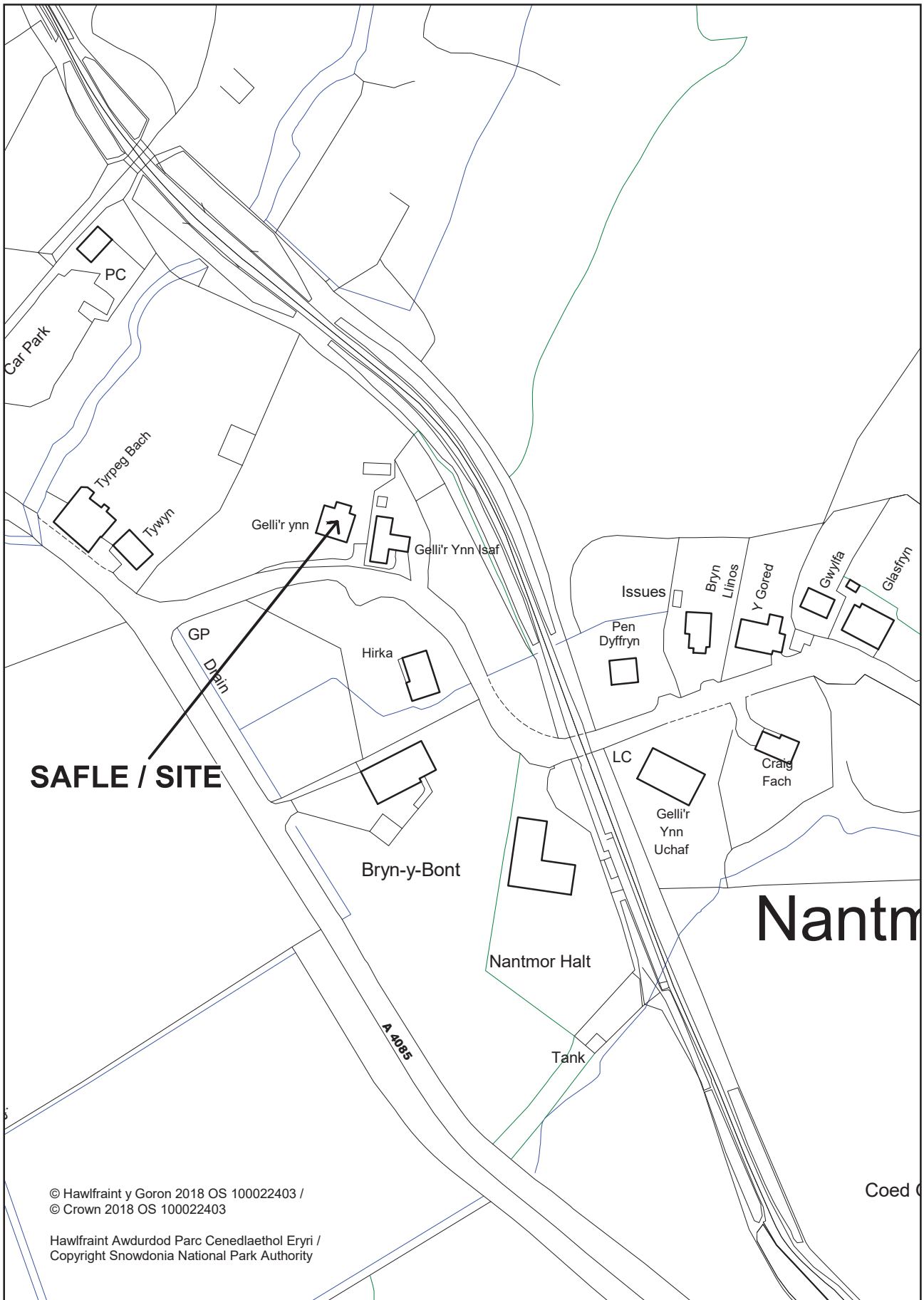
Reason(s):

1. To Comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. To define the permission and for the avoidance of doubt.
3. To ensure a satisfactory standard of appearance of the development and the use of appropriate local building materials, in accordance with Eryri Local Development Plan Policies 2016-2031 and in particular policies 1, 6 and A.

4. To ensure adequate surface water drainage to ground soakaways, in accordance with Eryri Local Development Plan Policies and in particular policies 1, 6 and A.

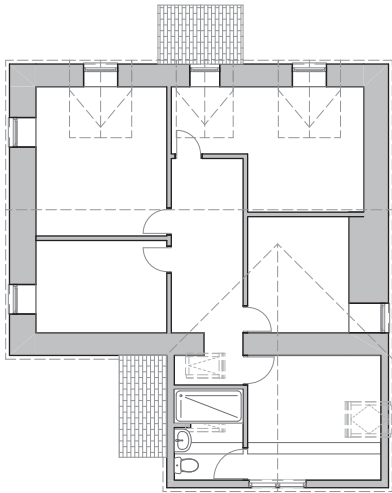


Cais Rhif / Application No. NP2/11/T457C

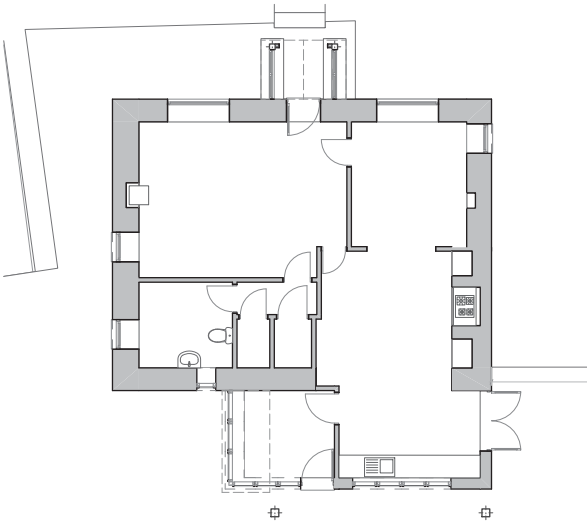


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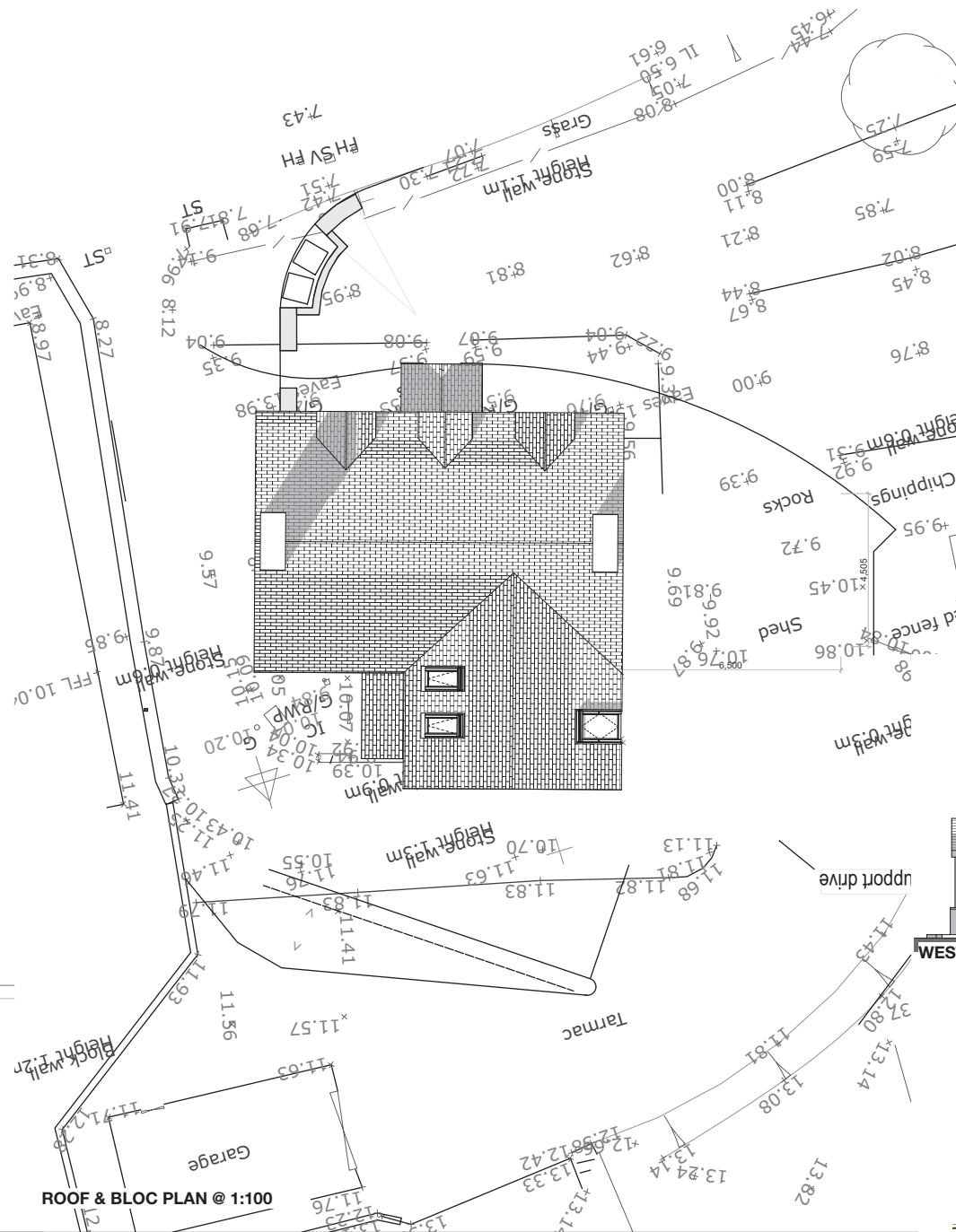
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FIRST FLOOR PLAN @ 1:100



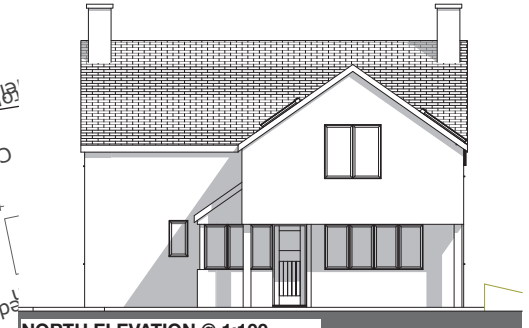
GROUND FLOOR PLAN @ 1:100



ROOF & BLOC PLAN @ 1:100



SOUTH ELEVATION @ 1:100



NORTH ELEVATION @ 1:100



WEST ELEVATION @ 1:100



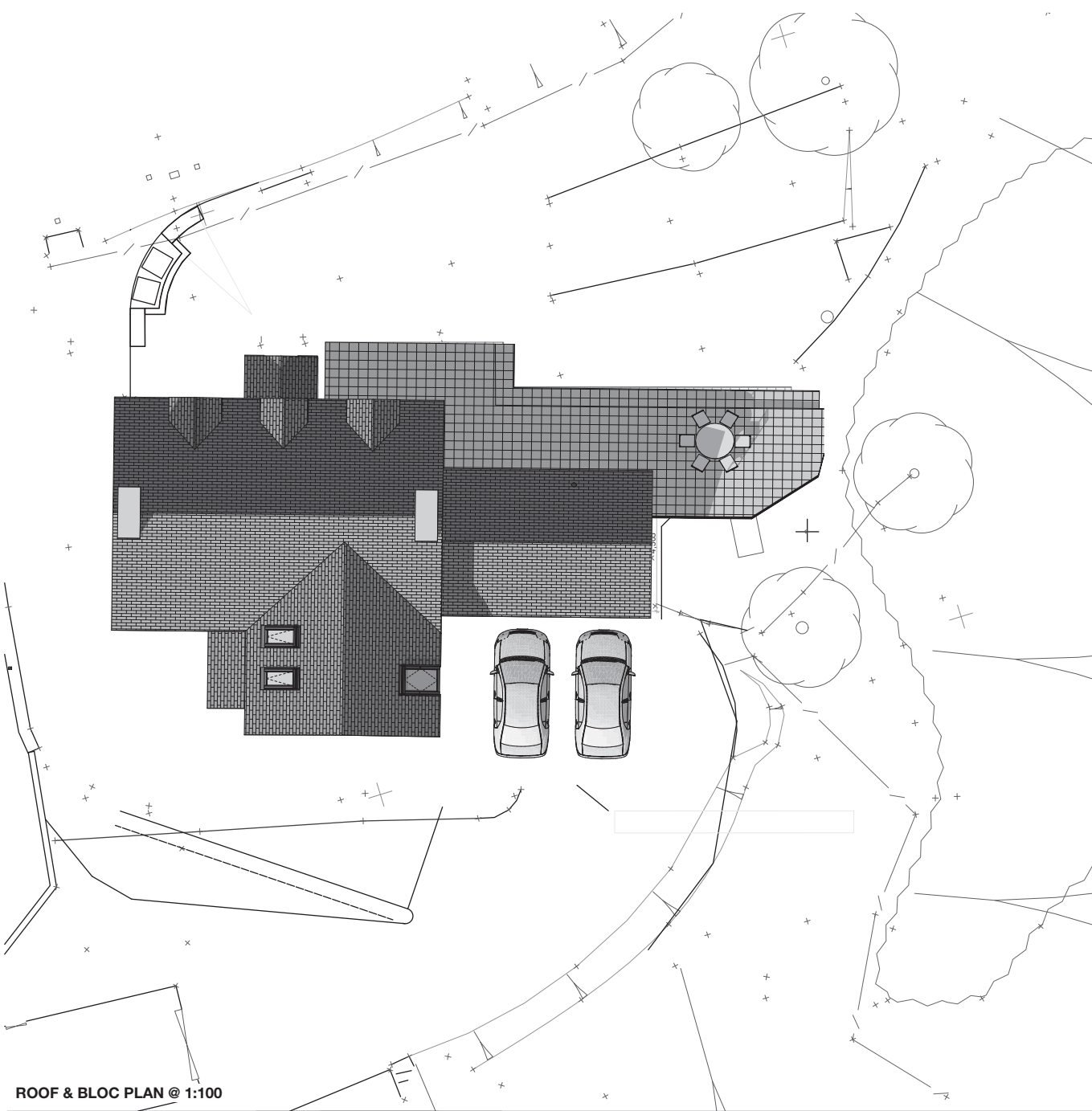
EAST ELEVATION @ 1:100

dobson:owen
PENSEIRT ARCHITECTS
3 Thomas Buildings,
Pwllheli LL53 5HH
T: 01758 614191
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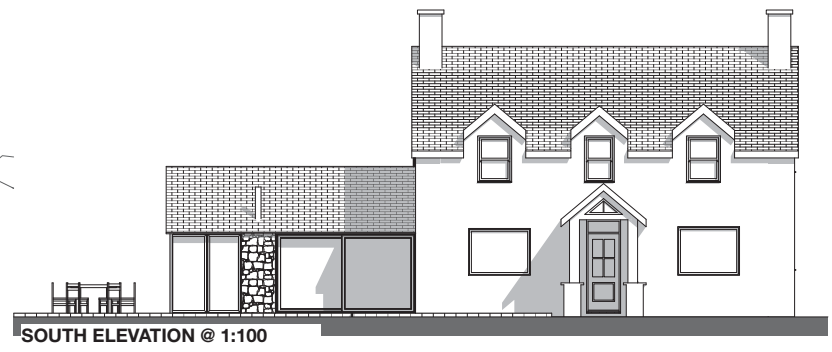
TEITL PROSECTI / PROJECT TITLE	GELLIR YNN, NANTMOR
CLIENT	Mr Mark Gardener
SCALE	1:100
DATE	18/11/2020
DOSBARTH/YDY / ISSUED FOR:	Initial Issue

NOODUR / NOTES	
YDDEIAD / DISGRIFIAD	

Papur / SHEET	RG
Disenwydd gan / Drawn by	RG
Disenwydd gan / Checked by	**
TEITLU / TITLE	Existing Drawings
PRIF OYNYLLON / DRAWING NO.	E1.01



ROOF & BLOC PLAN @ 1:100



SOUTH ELEVATION @ 1:100



NORTH ELEVATION @ 1:100



WEST ELEVATION @ 1:100



EAST ELEVATION @ 1:100

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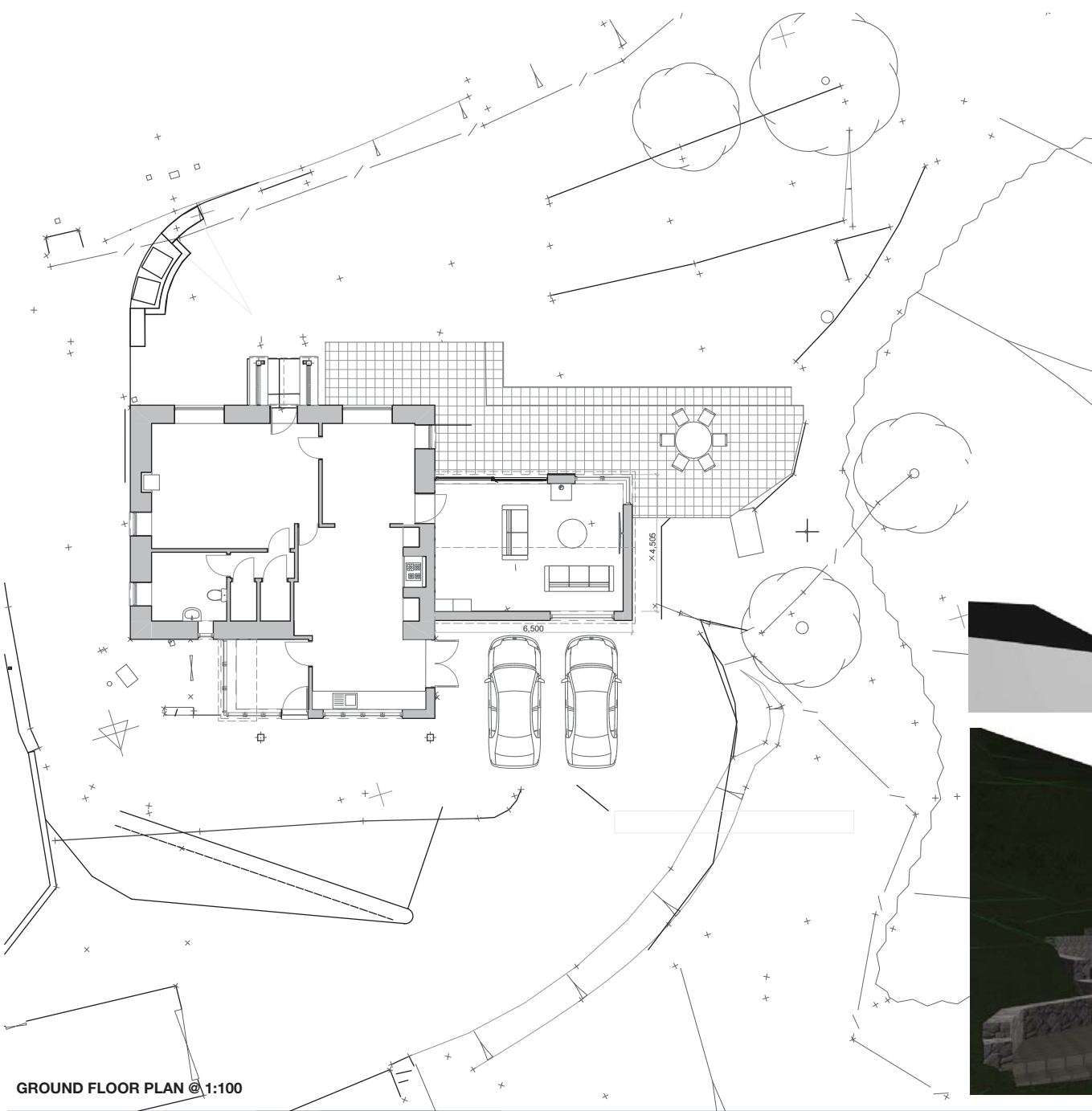
TITL PROSECTI / PROJECT TITLE
GELLIR YNN, NANTMOR
2020-17

CLIENT: **Mr Mark Gardener**

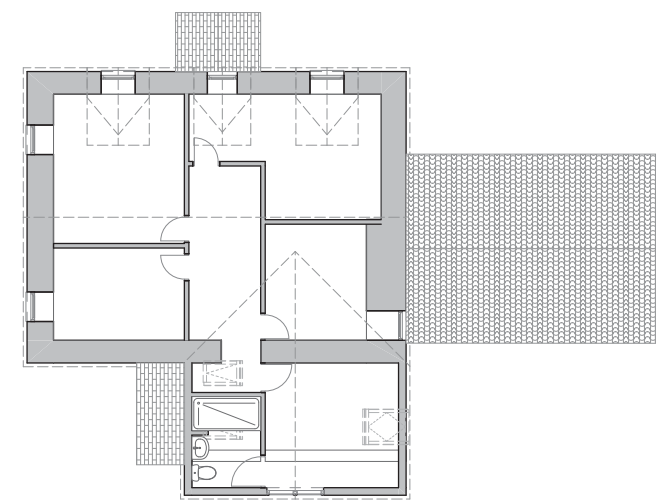
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DOSBARTH/YDY / ISSUED FOR:

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			Disgrifiad ym / Checked by	**
			TITL / TITLE	Proposed Drawings
			PRIF OYNYLLON / DRAWING NO.	P1.01



GROUND FLOOR PLAN @ 1:100



FIRST FLOOR PLAN @ 1:100

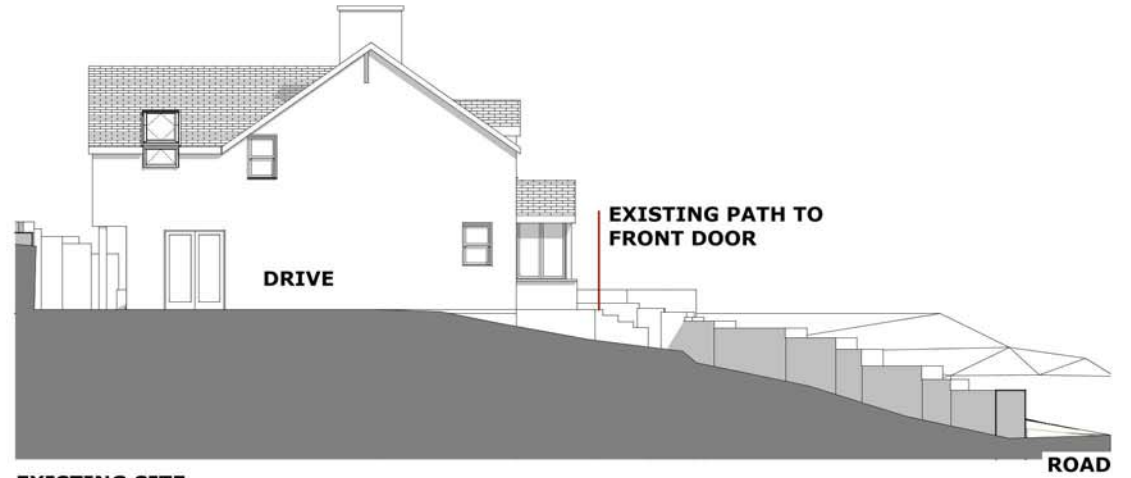


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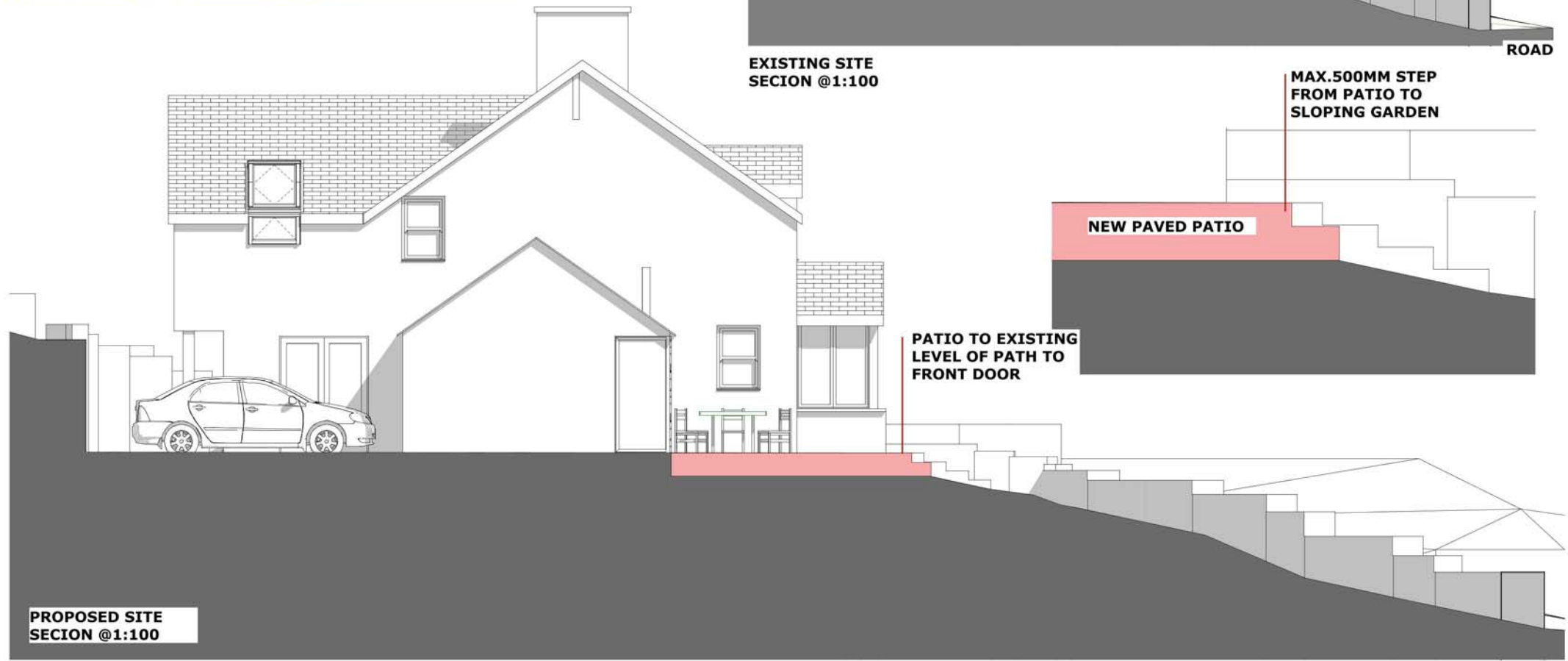
TITL / PROSECTI / PROJECT TITLE
**GELLIR YNN, NANTMOR
2020-17**
CLIENT: **Mr Mark Gardener**
1:100, 1:176.37
18/11/2020
DOSBARTH / YDYL / ISSUED FOR:

MEDI / REVISION		MEDI / REVISION	
DYDDIAD / DATE	DISGRIFIAD / DESCRIPTION		

MEDI / REVISION		MEDI / REVISION	
TITL / TITLE		Proposed Plans	
PRIF OYLLUN / DRAWING NO.		P2.01	



EXISTING SITE SECTION @1:100



PROPOSED SITE SECTION @1:100

Snowdonia National Park Authority Date: 03/03/21
– Planning & Access Committee

Application Number: NP5/77/265B

Date Application Registered: 23/11/20

Community: Talsarnau

Grid Reference: 262183.2 337228.1

Case Officer: Mr Aled Lloyd

Location:

Bryn Derw, Cilfor, Talsarnau.

Applicant:

Mr. & Mrs. Robert and Linda Ingram
 Bryn Derw Guns Limited
 Bryn Derw
 Talsarnau
 Gwynedd
 LL47 6YG

Description:

Change of use of part of agricultural building to re-locate guns and ammunition sales business granted under reference NP5/77/265A.

Summary of the Recommendation

To REFUSE permission for the following reasons:

- Contrary to Development Policy 24 (Retail)
- Contrary to Strategic Policy C

**Reason(s) Application Reported to Committee:
 Scheme of Delegation**

Officer recommendation of refusal, support from Community Council.

Environmental Impact Assessment (EIA):

The development has been subject to a screening opinion, which concluded that the development is not EIA development.

Land Designations / Constraints:

Open Countryside
 Dark Sky Reserve

Site Description:

The site is located within close proximity of the village of Cilfor and is accessed off the A496 with a private drive leading to the site.

The existing agricultural building subject to this application incorporates a pitched roof and slate blue metal profile cladding and sits in an elevated position above the detached dwelling of Bryn Derw. There is also a second agricultural building situated next to the subject building which appears to be utilised in connection with a timber processing use. The surrounding external yard area affords an amount of timber storage and processing. There appears to be no planning permission for this and it is unclear how long this use has been operating. Therefore it may be in the breach of planning control.

During a recent site visit to assess this application, it was noted works on the development had commenced by the installation of an internal ceiling, partition and insulation to the internal walls, together with alterations to the front elevation for the installation of a door.

The applicant has been advised that these works are unauthorised and undertaken entirely at their own risk.

At this visit, an opportunity to view the existing gun/ammunition unit was undertaken whereby it was noted a small selection of outdoor clothing was available to purchase; the latter element being in breach of the existing permission.

Proposed Development:

The proposed development is to re-locate and expand the gun and ammunition business that was granted planning permission in September 2019 (NP5/77/256A) within a part of a stable/hay store at Bryn Derw.

The proposal involves the expansion of the business through the change of use of part of an existing agricultural building to Class A1 retail shop, for the continued sale of guns and ammunition and to also introduce the sale of countryside equipment/clothing by increasing the floor area from the current retail floor area of 15m² to 74m².

The applicant wishes to retain the existing shop and use this as a secure store for guns and ammunition. However this element has not been included within this application.

Minor external alterations will be carried out by the installation of a steel door on the front elevation and, the building monitored by CCTV and PIR lighting.

Consultations:

Talsarnau Community Council	Support - enables a young person from the area to carry on their business in their native home area.
Gwynedd - Highways	No objection - as the development is not considered to have an adverse effect on any highway.

Gwynedd – Public Protection	No objection
North Wales Police	Views awaited
Ecology	No ecological concerns – biodiversity enhancement measures recommended such as artificial nest cups for swallows inside the agricultural building

Responses to Publicity:

The application has been publicised by way of a site notice and 4 neighbour notification letters. No adverse observations have been received.

No adverse observations have been received from statutory consultees.

Talsarnau community council support the proposal.

Gwynedd Highways and Gwynedd Public Protection have no objection.

Relevant Planning Policies – Eryri Local Development Plan (2016 – 2031)

<i>Policy No</i>	<i>Policy</i>
Strategic Policy C	Spatial Development Strategy
Development Policy 1	General Development Principles
Development Policy 9	Conversion and Change of Use of rural buildings
Strategic Policy H	A Sustainable Rural Economy
Development Policy 24	Retail

Supplementary Planning Guidance

- SPG 2: General Development Considerations

National Policy

Planning Policy Wales (Edition 10) 2018

Technical Advice Note 4 (Retail and Commercial Development).

1.0 Background

- 1.1 Permission for the building subject to this application was submitted through the Town and Country Planning (General Permitted Development) Order 1995, by way of a prior approval application to the Authority's agricultural officer in April 2011. The proposal was for the erection of an agricultural machinery and fodder store measuring 9.14m x 18.28m x 5.15m (to ridge). Details within the application stated that the holding extended to 12ha and that the enterprise undertaken on the holding was pig farming.

- 1.2 At that time, there was no objection to the erection of the agricultural building by the Authority's Agricultural Officer.
- 1.3 However, it would appear the building, subject to this application has not been used for agricultural purposes and it is questionable whether the construction of it was reasonably necessary for the purposes of agriculture.
- 1.4 In September 2019, planning permission was granted subject to conditions (NP5/77/265A) for the change of use of part of a stable/hay barn to Class A1 retail shop, at Bryn Derw for the sale of guns and ammunition only.
- 1.5 In consideration of this application (NP5/77/259A) it was considered that given the fairly bespoke level of service that the applicant was to provide customers, with an element of training /demonstration on the use of guns, this justified the use for a small scale retail unit with a floor area of 15m². Given the nature of the equipment being sold along with the service expected by customers (testing out guns etc), this was considered acceptable despite it being contrary to Development Policy 24, provided the use was of the small scale nature proposed and tightly restricted for the sale of guns / ammunition only. A planning condition is attached to the existing permission controlling the retail use to the sale of guns and ammunition only.
- 1.6 What is now being proposed is to utilise approximately 50% of the floor area of an agricultural building for the sale of guns, ammunition and outdoor clothing and equipment. This will involve an increase of 59m² in the floor area.
- 1.7 The application was not subject to a pre-application enquiry.

2.0 Principle of Development

- 2.1 It is appropriate to consider the proposal specifically against Strategic Policy C and Development Policy 24 - Retail.
- 2.2 This proposal is contrary to LDP Development Policy 24, which primarily aims to confine retail development to the main retail areas (Y Bala, Dolgellau, Aberdyfi, Betws-y-Coed and Harlech). Policy 24 does allow retail development in other towns and villages in Snowdonia provided it is on a small scale and located within the main built up area. This policy is intended to support town and village centres, whilst also providing shops in the most sustainable locations, which are not completely dependent upon the private car. The LDP does not support retail policy within open countryside location such as this.

This would also be contrary to National Planning Policy. Technical Advice Note 24 sets out the Welsh Government's 3 main policy objectives with regard to retail, which are to:

- Promote viable urban and rural retail and commercial centres, as the most sustainable locations to live, work, shop, socialise and conduct business.
- Sustain and enhance retail and commercial centres vibrancy, viability and attractiveness.
- Improving access to, and within, retail and commercial centres by all modes of transport, especially walking, cycling and public transport.

2.3 An assessment of the main policies will be undertaken later in this report.

3.0 Planning Assessment

Development Policy 24

- 3.1 The proposal seeks to incorporate a retail use (A1 use) within part of an existing agricultural building.
- 3.2 The site is not located within any defined retail centre and located within the countryside.
- 3.3 Development Policy 24: Retail is the critical policy in relation to this proposal, and Criterion iii of the policy is most relevant as it aims to locate development within the main built up areas of service settlements and secondary settlements at an appropriate scale to its setting. This criterion also requires any proposal to be primarily for and of benefit to the local community. Furthermore, the justification to the policy states that in villages "retail development will be permitted on a small scale provided it is located within the main built up areas."
- 3.4 This proposal falls within an open countryside setting – and therefore conflicts with the requirements of Development Policy 24. The nearest 'secondary settlement' (defined in the LDP's settlement hierarchy) is Llandecwyn, and the proposal lies approximately 160m outside the built up area of the village of Cilfor and clearly does not fall within the description taken from the LDP (above) of being located "within the main built up area".
- 3.5 The open countryside location of the site would mean it would be highly likely that the majority of customers would travel to the site by a private car due to the limited public transport provision. Local and national policies encourages retail and commercial use to be located within retail centres which are regarded as more sustainable locations for this type of use.

- 3.6 The application now under consideration proposes to expand the retail unit by the sale of clothing and other items. Such items can be purchased within a retail outlet and are not specialist items that need to be sold at the site. A retail proposal of the type proposed could make a significant contribution to the attractiveness and viability of nearby centres of nearby retail centres e.g. Penrhyndeudraeth, Porthmadog, Harlech etc. It is not therefore considered to be a suitable or a sustainable location. There would also be significant concerns that should this be granted it could provide a precedent for similar proposals to be submitted within the National Park.
- 3.7 Both local and National Planning Policy is very clear that new retail and commercial developments should be located within existing centres and should be accessible by a choice of public and private modes of travel. National Policy is aimed at ensuring the future vitality of existing retail centres and that new retail development does not harm the attractiveness and viability of those centres.

Strategic Policy C

- 3.8 Strategic Policy C sets out the spatial strategy for the LDP – identifying the scale of development permitted in different locations within the National Park. This type of proposal would not be permitted in an open countryside location.

Traffic, parking and residential amenity

- 3.9 Although parking for up to 6 vehicles is accommodated on site for the existing use, no specific vehicle parking or access details have been submitted as part of this application. Therefore it is presumed the existing access and parking will be utilised and no additional vehicle parking will be created directly next to the building.
- 3.10 The open countryside location of the site would mean that it would be highly likely that the majority of customers would travel to the site by a private car due to the limited public transport provision. Local and national policies encourages retail and commercial use to be located within retail centres where public transport links are more available for potential customers.
- 3.11 The applicant states that the maximum number of customers visiting the existing gun and ammunition shop in any one day would not exceed 10. However, since the proposal is now to expand to the sale of other items this is likely to increase.
- 3.12 The nearest residential property from the building is approximately 90m away. Due to the location, the proposed use is unlikely to have any effect on residential amenity.

Exterior alterations

- 3.13 The exterior of the building would not be altered to accommodate the proposed use apart from the insertion of a steel door painted to match the existing building and the installation of CCTV camera and external lighting on the front elevation. It is considered that there would be no impact upon the surrounding countryside.
- 3.14 The fact that there may be little wider visual impacts as a result of the proposal, would not in any way override the clear policy objections to the creation of a new A1 use in a remote unsustainable location in the open countryside.

4.0 Conclusion

- 4.1 The proposal under consideration is completely contrary to local and national planning policies. Granting permission for the proposal could set a dangerous precedent for similar development in the countryside.
- 4.2 During consideration of the previous application (NP5/77/265A) officers considered there were material considerations at the time to warrant an approval. At that time, the proposed retail element was specialist in nature and the proprietor proposed to provide an element of training/demonstration on the use of guns to ensure novices were equipped with the correct gun and to ensure its safe use. To safeguard any expansion, a condition was imposed limiting the use to the sale of guns and ammunition only. This restriction was imposed to limit the number of people visiting the site to make a purchase. However, it has recently become apparent the existing shop is already selling clothes, in breach of the condition.
- 4.3 The intended use of the building subject to the application is for agricultural purposes. There appears to be little or no agricultural activity on the holding at present. There was no agricultural machinery on site and there appears to be little agricultural activity. Although the application stipulates the remainder of the agricultural building will continue to be used for agricultural storage for the holding, this appears to be inaccurate. This section of building currently appears to be used as a workshop and for general storage and does not lend itself to be used specifically for agriculture.
- 4.4 Having considered the above assessment of planning matters including the local, national policies, and guidance, it is considered that the significant increase in the retail area and the expansion in the range of goods being offered for sale is a clear departure from Development Policy 24 (Retail) and Strategic Policy C.

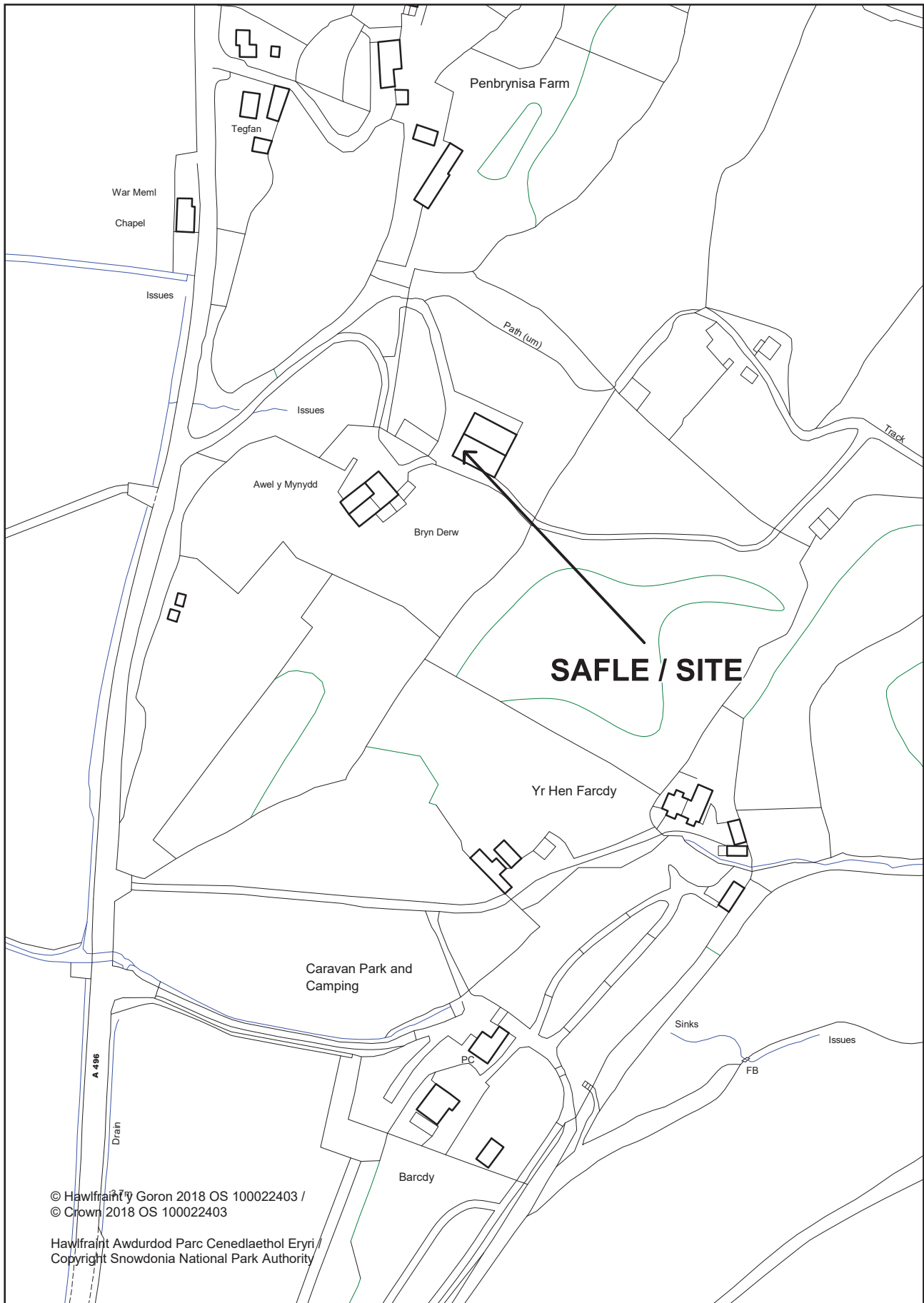
Background Papers in Document Bundle No.1: Yes

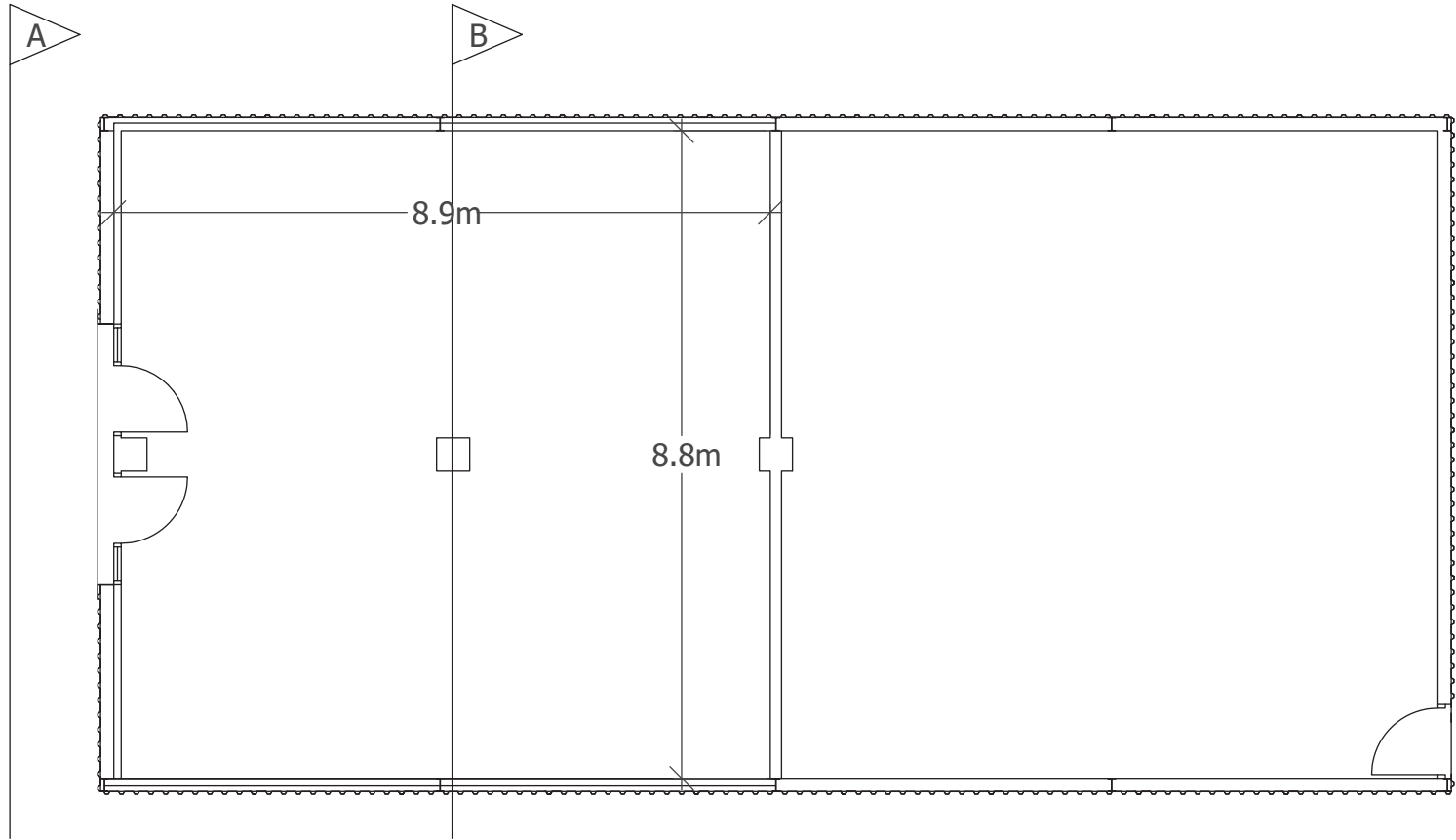
RECOMMENDATION: To REFUSE planning permission for the following reasons:

1. The application is contrary to both National and Local Policy and in particular Development Policy 24 of the Adopted Eryri Local Development Plan 2016-2031, Technical Advice Note 4 (Retail and Commercial Development) and Planning Policy Wales (Edition 10) 2018 which all resist retail development in an open countryside location.
2. The proposal is contrary to Strategic Policy C of the Adopted Eryri Local Development Plan, which does not support such development in the open countryside.



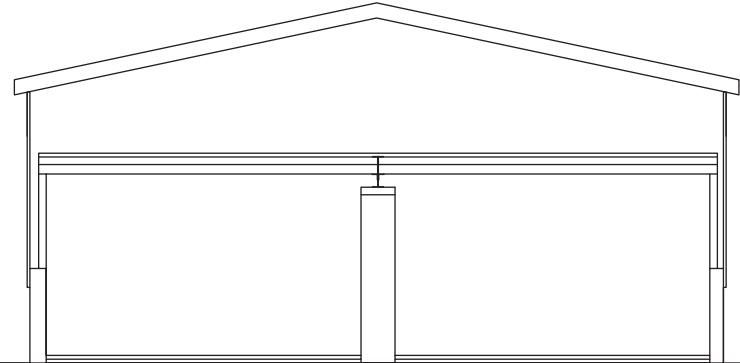
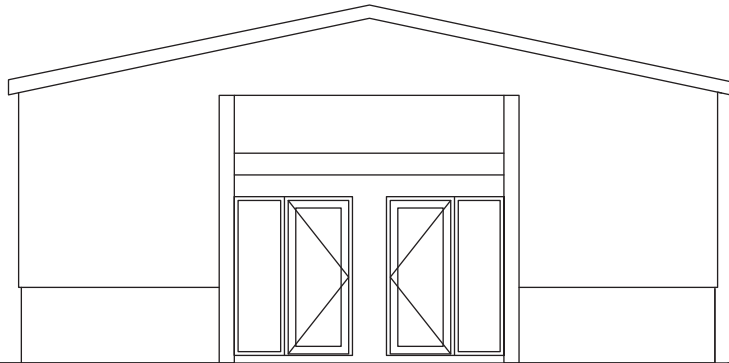
Cais Rhif / Application No. NP5/77/265B





Section A

Section B



EXISTING AGRICULTURAL SHED TO BE PARTLY CONVERTED TO RETAIL



PHOTO 1: WEST ELEVATION



PHOTO 2: WEST AND SOUTH ELEVATION



PHOTO 3: SOUTH AND PART OF EAST ELEVATION



PLANNING AND ACCESS COMMITTEE

3 MARCH 2021

ENFORCEMENT NOTICES, LISTED BUILDING ENFORCEMENT NOTICES SERVED UNDER DELEGATED POWERS AND LIST OF COMPLIANCE CASES

SNOWDONIA NATIONAL PARK AUTHORITY
PLANNING AND ACCESS COMMITTEE, 3 MARCH 2021
LIST OF COMPLIANCE CASES

New cases

	Reference	Date of initial complaint or Date observed by Compliance Officer	Location of Site	Details of Planning Breach	Current Position
1	NP4/11/ENF76T	February 2021	Glanaber Hotel, Holyhead Road, Betws y Coed	Unauthorised works and use of outbuilding	Contact made with the owner who has been informed that planning permission is required. Awaiting application.
2	NP4/13/ENF53A	January 2021	Bron Heulog, Capel Curig	Eathworks being carried out	Letter sent to the owner/occupier. No response received.
3	NP4/26/ENF97J	December 2020	Maes Madog, Capel Garmon	Erection of hot tub structure, outbuilding and alterations to drive entrance.	Contact made with the owner who has been informed that planning permission is required. Awaiting application.
4	NP4/29/ENF10F	January 2021	Machno Inn, Penmachno	Untidy condition of land	No breach found, close file.
5	NP5/55/ENF228A	November 2020	Canolfan Brynchrug, Brynchrug	Use of field to the rear as dog training facility and two structures without permissions	Contact made with the owner who have been advised that planning permission is required. Awaiting submission of application.

6	NP5/58/ENF592B	January 2021	Ael y Bryn Hotel, Dyffryn Ardudwy	Unauthorised works to building	Contact made with the owner who has been informed that planning permission is required. Awaiting application.
7	NP5/60/ENF5E	December 2020	Beudy Goetre, Ganllwyd	Stationing of two caravans	No breach found, close file.
8	NP5/69/ENF338A	December 2020	Llwyn Du, Llwyngwrl	Stationing of caravan in rear garden	Contact made with the owner and works are being discussed.

Awaiting Retrospective Application/Listed Building Consent Application/CLEUD Application

	Reference	Date of initial complaint or Date observed by Compliance Officers	Location of Site	Details of Planning Breach	Position at time of last committee meeting	Updates since last committee meeting
9	NP4/16/ENF227C	July 2020	Gwalia Stores, Dolwyddelan	Change of use from retail to dwelling	Contact made with the owner who has advised that an application will be submitted in January 2021.	Application not received. Contact made with the owner to seek an update but no response received yet.
10	NP4/26/ENF266W	January 2020	Zip World Fforest, Betws y Coed	Erection of building & creation of footpaths	Contact made with the owner and a site meeting has been arranged. Site meeting carried out. Application to be submitted. Awaiting application.	Awaiting application.

11	NP5/51/ENF446E	April 2019	Cae Gwian Forestry, Bontddu	Works to Forestry Tracks	Site meeting has been held with the forestry manager. To submit a retrospective planning application to try and regularise the unauthorised works. Further contact made and an application is due to be submitted in January 2021.	No application received. Awaiting update.
12	NP5/69/ENF16C	August 2020	Land near Castell Mawr, Llanegryn	Development not built in accordance with the approved plans	Contact made with the owner and a site meeting held. Further discussions with agent. Awaiting application. The agent has advised that they hope to be able to submit an application by the end of January.	Update received from the agent. Application due to be submitted mid February.
13	NP5/77/ENF130C	August 2020	Tanforhesgan, Ynys, Talsarnau LL476TR	Replacement outbuilding	Contact made with the owner who has been advised that planning permission is required for the works. No application received.	No application received. Not considered expedient to take formal action. Close file.

Retrospective Application Received

	Reference	Date of initial complaint or Date observed by Compliance Officers	Location of Site	Details of Planning Breach	Position at time of last committee meeting	Updates since last committee meeting
14	NP5/53/ENF28M	March 2020	4 Rhesdai'r Berllan, Arenig Street, Y Bala	Erection of Building for Hot Tub	Contact made with the owner and a site meeting carried out. Owner has intimated they will submit a retrospective planning application. Application received but invalid. Invalid notice sent.	Application approved. Close file.
15	NP5/58/ENF44E	October 2020	12 Glan Ysgethin, Talybont LL43 2BB	LPG tank to front of dwelling	Contact made with the owner who has advised that an application will be submitted to retain the tank. Application received, invalid. Awaiting plan.	Application still invalid.
16	NP5/61/ENF638	June 2020	Railway Station House, Hwylfa'r Nant, Harlech	Extension to existing raised platform	Contact made with the owner. Owner has intimated they will submit a retrospective planning application. Awaiting application. Update received from the owner that an application is being drafted.	Pending decision.

17	NP5/69/ENF41D	October 2020	Land opposite Quaker's burial ground, Llwyngwriil	Stationing of touring caravan	Owner has confirmed that an application will be submitted for the retention of the caravan.	Application received. Invalid.
18	NP5/69/ENF354C	October 2020	Maes Y Crynwyr, Llwyngwriil LL37 2JQ	Cladding on flank elevaiton	Contact made with the owner who have confirmed that an application will be submitted. Application received. Awaiting decision.	Application approved. Close file.

Awaiting further information or awaiting replies to a Planning Contravention Notice or a Section 330 Notice

	Reference	Date of initial complaint or Date observed by Compliance Officers	Location of Site	Details of Planning Breach	Position at time of last committee meeting	Updates since last committee meeting
19	NP2/16/ENF457	June 2020	Land near Ynys y Pandy Slate Mill, Cwm Ystradllyn	Re-building of derelict building	Contact made with the owner and site meeting held. Corresponding with landowner.	
20	NP3/21/ENF46D	January 2020	2 Tai'r Cae, Carneddi, Bethesda	Dumping of Silt & Soil	Contact made with the owner of the land. Site meeting was arranged but did not take place due to lockdown. Meeting to be re-arranged.	Letter sent to the owner/occupier to re-arrange site visit. No response received.

21	NP4/11/ENF112B	May 2019	Ty'n y Merddyn, Ffordd Gethin, Betws y Coed	Erection of a Building within the Garden	Site visit undertaken and owner advised planning permission is required for the building. The owner has intimated a retrospective planning application will be submitted in due course. Contacted the owner for an update December 2020.	The owner has contacted to advise they have instructed a planning agent to submit an application. Awaiting contact/application from the agent.
22	NP4/11/ENF337	May 2020	Hendre Rhys Gethin, Pentre Du, Betws y Coed	Permanent Residential Use of Touring Caravan	A valid Enforcement Notice is currently in place for this alleged breach, whereby it requires cessation of the residential use of the caravan and for the caravan to be removed. It appears that the landowner has not complied with the requirements of the Enforcement Notice. Legal action being initiated. Further communication with landowner	No response from landowner, matter referred to legal.
23	NP4/13/ENF247	February 2020	Land Near Deunant, Capel Curig	Engineering Works, Retaining Walls and Possible Encampment	Land registry search undertaken. Letter sent to the owner and currently await a response. No response has been provided. Site visit carried out. No further works taken place.	

24	NP4/16/ENF405	March 2018	Land Opposite Tan y Castell, Dolwyddelan	Dumping of Building Material and Waste	<p>Owner advised to clear the land of building materials and restoring the land back to its original state. Also advised to remove the touring caravan. Site visit undertaken in January 2019 where it was noted the building material and waste was still on the land. Enforcement Notice served on the 26th September 2019 and took effect on the 1st November. The Notice is due to be complied with by the 1st May 2020. A visit is due to take place during August/September.</p> <p>A site visit has been undertaken where it was noted only part of the Enforcement Notice had been complied with. Currently corresponding with the owner to ensure full compliance with the requirements of the Notice.</p>	
25	NP4/26/ENF261B	January 2020	Y Felin, Plas yn Rhos, Rhydlanfair	New Structure	<p>Contact made with the owner and a site meeting is currently being arranged. Site meeting to be arranged.</p>	

26	NP4/29/LBENF217	June 2020	5 Rhiwbach Terrace, Cwm Penmachno	Untidy condition of Property	Letter sent to the owner. No response received to date. Site visit carried out. Expediency to take formal action to be considered.	
27	NP5/50/ENF562P	July 2020	62 Plas Panteidal, Aberdyfi	Extension to decking Area	Letter sent to the owner. No response received to date. Contact made with the owner. Site meeting to be carried out.	Site visit to be arranged following lockdown.
28	NP5/50/ENF607A	August 2019	Garth, Aberdyfi	Extended Decking	Site meeting held with the owner of the property. Appears planning permission is required for what is currently being erected. The owner has been advised of this and the Authority continue to liaise with them. Requested an update January 2021. Awaiting a response.	Owner has contacted to advise they are currently considering their options, including the submission of a retrospective application. The pandemic has delayed progress in taking this forward. Discussions still ongoing.

29	NP5/55/ENFL142A	June 2017	3 Glandwr, Bryncrug	Untidy Condition of Property	<p>Section 215 Notice served on the 18th February 2019. No appeal has been forthcoming, therefore the Notice has taken effect. The Notice must be fully complied with by the 22nd January 2020. A recent site visit has taken place where it was noted the Notice had not been complied with. A letter has been written to the owner advising that to avoid further proceedings they must comply with the requirements of the Notice imminently. No remedial works have taken place and prosecution proceedings are now being considered.</p> <p>A further site visit has taken place where it was noted the requirements of the Section 215 Notice have not been complied with. Prosecution proceedings to be initiated and instructions sent to the Authority's Solicitor.</p>	Instructions sent to the Authority's Solicitor to commence prosecution proceedings.
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30	NP5/56/ENF130A	November 2020	Y Stabl, Plas Esgair, Pantperthog, Machynlleth, SY20 9AY	Outbuilding and decking under construction in rear garden.	Contact made with the owner who was advised that planning permission is required. Owner has confirmed that the structure will be removed within a period of 2 months.	Structure removed. Close file.
31	NP5/56/ENF165	October 2020	Land to the West of A487, Pantperthog, SY20 9AT	Engineering works	Contact made with the owner who has been advised that planning permission is required and to cease works. Further site visit to be carried out to ensure works have ceased. Site visit carried out.	
32	NP5/58/ENF58G	November 2019	Bryn y Bwyd, Talybont	Engineering Works and Possible Siting of Caravan/Chalet	Contact made with the owner and a site meeting has taken place. Currently assessing the works that have taken place and whether any of these benefit from permitted development rights. The owner has been contacted to advise planning permission is required for the creation of a bund and also the shower/toilet facility.	
33	NP5/58/ENF144K	December 2018	Land at Tan y Coed, Talybont	Siting of Static Caravan used for Residential Purposes	Contact made with the owner of the land. Site meeting taken place where the siting and use of the caravan was discussed.	

					Owner currently considering their options to regularise the situation. A Planning Contravention Notice has been served to ascertain further details about the use of the caravan. Replies have been received and currently being assessed.	
34	NP5/58/ENF616	December 2018	Land adjacent Coed y Bachau, Dyffryn Ardudwy	Siting of Static Caravan used for Residential Purposes	Contact made with the owner and a site meeting has taken place. Planning Contravention Notice served and replies received. Advised to re-locate the caravan within the garden curtilage of the property. To progress this matter, a further site meeting is currently being arranged.	
35	NP5/62/ENF107B	October 2020	Bron Meini, Llanbedr LL45 2HL	Decking in rear garden	Contact made with the owners who have been advised that planning permission is required. Owner has suggested that he will amend the proposal and will apply for pre-application advice. Further discussions had with the owner.	

36	NP5/65/ENF115A	October 2019	Land at Hengwrt, Llanelltyd	Dumping/Storage of Mattresses and Carpets	Requested an update from NRW on the current situation of this case. It is understood the waste material is currently being removed but only at one lorry load a week. Anticipated the waste will be removed Sept/October time. NRW have instigated prosecution proceedings.	.
37	NP5/67/ENF335	September 2020	Tarren Y Gesail, Pantperthog	New mountain bike tracks	Contact made with the owner who has confirmed that the track is being removed and the land re instated.	Awaiting further information. Site visit to be arranged following lockdown.
38	NP5/69/ENF20B	November 2020	Bryn y Mor, Llwyngwrl, LL37 2JQ	Removal of chimney and installation of flue	Contact has been made with the owner who has been requested to re instate the chimney.	Chimney rebuilt on a like for like basis. Flue located within the chimney. Breach remedied. Close file.
39	NP5/71/ENF473	June 2017	Bronant Stores, 1 Pen y Banc, Llanuwchllyn	Untidy Condition of the Building	According to land registry, there has been a recent change in ownership. To make contact with the new owner in respect to the poor condition of the building. A planning application has been received for the conversion and change of use of the former shop to form an extension to the adjoining dwelling.	A further planning application has been submitted in relation to this property but it is currently invalid.

					Planning permission refused on design grounds and inappropriate materials. Appears the property is currently for sale on the open market.	
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Cases where formal action is being considered/has been taken.

	Reference	Date of initial complaint or Date observed by Compliance Officers	Location of Site	Details of Planning Breach	Position at time of last committee meeting	Updates since last committee meeting
40	NP2/14/18D	February 2019	Nant Cwmbrian Isaf, Nasareth, Caernarfon	Without planning permission, operational development to construct a two-storey extension on the eastern gable end of the dwelling.	<p>Enforcement Notice served on the 22nd September 2020 and due to take effect on the 27th October 2020.</p> <p>Requirements to comply with the Notice:</p> <p>Remove the two-storey extension on the eastern gable end of the dwelling. Remove from the land all building materials and rubble arising from compliance with requirement (i) above, and restore the land to its condition before the breach took place by levelling the ground and reinstating with grass and/or gravel.</p>	Enforcement Appeal ongoing.

					<p>Enforcement Notice Appeal submitted. Currently awaiting a formal start date for the appeal from the Planning Inspectorate.</p> <p>Enforcement Notice Appeal has now commenced. The ministerial target for the decision for this appeal is the 18th June 2021.</p>	
41	NP2/16/ENF448	May 2017	Hendre Ddu Quarry, Cwm Pennant	Unauthorised Quarrying and Track Creation	<p>Site visit undertaken on the 12th April. Unauthorised works carried out, enforcement proceedings commenced and a Temporary Stop Notice has been served in respect to the extraction of mineral waste from slate tips and the construction of new tracks. The Notice ceases to have effect on the 3rd July 2019. An Enforcement Notice is currently being drafted.</p> <p>No further works have been carried out. Expediency report being undertaken in relation to the works carried out.</p>	

Listed Building Cases

	Reference	Date of initial complaint or Date observed by Compliance Officers	Location of Site	Details of Planning Breach	Position at time of last committee meeting	Updates since last committee meeting
42	NP5/53/ENFLB197	December 2019	Neuadd y Cyfnod, High Street, Bala	Structure being Erected to the Rear of the Building	Site meeting has taken place with the owner. They are currently in discussions with the Authority with the intention of submitting a planning application. Listed Building Consent and a full planning application have now been received. Applications currently being processed.	Both applications have been conditionally approved. File closed.
43	NP5/54/ENFLB33M	January 2020	Nannau Hall, Llanfachreth	Poor Condition of Building	<p>It has been brought to the Authority's attention that the lead from the roof of the building has been removed and that the overall condition of the building is deteriorating rapidly. A site visit has confirmed this.</p> <p>Contact has been made with the owner who is aware of the condition of the building. They propose to undertake a temporary repair to the roof until at such time they can visit the property and ascertain the damage for themselves.</p>	A meeting has taken place with CADW and arrangements are being made to undertake a condition survey of the building. It was anticipated this survey would take place at the beginning of February but this has been delayed.

					To date no temporary repairs have been undertaken. The owner has been contacted again to emphasise the urgency of the situation. They propose to undertake temporary repair work until they are able to visit and assess the extent of the work required to the building. A meeting has been arranged with CADW to discuss possible options to safeguard Nannau Hall.	
44	NP5/66/ENFLB32D	November 2020	Ty Mawr, Llanfair	Internal works being undertaken.	Letter sent to the property, no response received to date.	Response received and works discussed with the owner. Site visit to be carried out.
45	NP5/69/ENFLB326A	September 2018	Ty Gwyn, Llwyngwrlil	External and internal Alterations to a Listed Building	A site meeting has taken place. Advised to submit a listed building consent application in respect to the unauthorised works that have taken place.	



PLANNING AND ACCESS COMMITTEE
3 MARCH 2021

SECTION 106 AGREEMENTS

**SNOWDONIA NATIONAL PARK AUTHORITY
PLANNING AND ACCESS COMMITTEE, 03 MARCH 2021**

SECTION 106 AGREEMENTS

	Application No.	Date application was received	Location	Development	Present Position
1.	NP3/10/121	30/01/20	Land at Cae'r Felin, Abergwyngregyn.	Erection of a pair of semi-detached two storey dwellings with associated access and car parking	Awaiting details from applicant
2.	NP5/58/363F	26/04/19	Nant Eos, Dyffryn Ardudwy.	Conversion to open market dwelling unit and installation of sewage treatment plant.	Awaiting reply from applicants solicitor
3.	NP5/72/134K	08/10/19	Plot 2 Maes Gwyn, Rhyd Uchaf.	Erection of one bungalow (Affordable local needs)	Agreement signed, awaiting final copy to be sealed.
4.	NP5/72/134L	08/10/19	Plot 4 Maes Gwyn, Rhyduchaf.	Erection of one bungalow (Affordable local needs)	Agreement signed, awaiting final copy to be sealed.

Number of applications on committee list 20 January 2021 = 3

**APPLICATIONS SUBJECT TO A SECTION 106 AGREEMENT AND WHICH HAVE BEEN COMPLETED SINCE
PLANNING & ACCESS COMMITTEE
20 JANUARY 2021**

Application No.	Location	Development
NP5/74/L319	Capel Bethania, Aberangell. SY20 9NF	Change of use from chapel and vestry to workshop and 1 bedroom dwelling together with minor external alterations
NP5/77/T286C	Beudy Bach, Moel y Geifr, Talsarnau	Conversion of and extension of outbuilding to form a one bedroom open market dwelling.

**APPLICATIONS SUBJECT TO A SECTION 106 AGREEMENT WHICH HAVE BEEN REFUSED, WITHDRAWN, OR
DISPOSED, OR WHERE AN AGREEMENT IS NO LONGER NECESSARY SINCE PLANNING & ACCESS
COMMITTEE 20 JANUARY 2021**

Application No.	Location	Development



PLANNING AND ACCESS COMMITTEE

3 MARCH 2021

OUTSTANDING APPLICATIONS WHERE MORE THAN 13 WEEKS HAVE ELAPSED

SNOWDONIA NATIONAL PARK AUTHORITY

**PLANNING AND ACCESS COMMITTEE 03 MARCH 2021
OUTSTANDING APPLICATIONS WHERE MORE THAN 13 WEEKS HAVE ELAPSED**

Awaiting Welsh Government Highways

NP5/73/26B	24/05/19	Utica Buildings, Trawsfynydd.	Change of use of land to external Storage yard.
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Awaiting submission of a Construction Environmental Management Plan

NP5/74/478A	22/10/20	Land at Coed Cae Farm, Llanymawddwy. SY20 9AQ	Installation of 12.5m high telecommunications mast together with associated equipment and compound.
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Awaiting Further Ecology Report

NP5/52/384D	23/06/20	Land at Cefn-yr-Owen, Penmaenpool. LL40 1TP	Installation of permanent track to access to Emergency Service mast site (Re-submission).
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Awaiting Ecology

NP4/16/12X	21/08/20	Plas Penaeldroch, Pont y Pant, Dolwyddelan. LL25 0PJ	Proposed 4 self-contained short term visitor accommodation units with first floor extension. Conversion of top floor hotel rooms to owner's accommodation. Demolition of existing chalet accommodation unit, erection of shower/wc block with dry and cycle store
NP5/75/73D	21/10/19	Ynys, Cwrt, Pennal.	Conversion and alterations to existing BCF Hut to form holiday let accommodation and installation of septic tank (Re-submission),

Awaiting Amended Plans

NP5/66/273		Garth, Llanbedr. LL45 2HS	Erection of two storey side extension, basement garage and parking area.
NP5/73/424A		Cilderi, Tan y Bwlch. Maentwrog. LL41 3YU	Erection of double garage, retrospective application for extension to curtilage, retention of stone terracing and engineering works.

In Discussion With Agent

NP5/58/81Y	23/04/20	Dyffryn Seaside Estate, Dyffryn Ardudwy. LL44 2HD	Extension to touring caravan site to accommodate additional 15 units, re-site 3 static caravans, erection of new toilet block and landscaping,
NP5/58/629	29/01/20	Plas Meini & Swyn y Mor, Dyffryn Ardudwy. LL42 2BH	Outline permission for the erection of 2 open market and 2 affordable dwellings. integral garages and formation of new vehicular access on to the A496.

Awaiting Details form Agent / Applicant

NP5/58/569A		Bwlch Cae, Dyffryn Ardudwy. LL44 2HX	Erection of single storey rear extension.
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Awaiting Additional Information in Relation to the Farm Appraisal

NP5/69/407	25/08/20	Land at Brynllwyn, Rhoslefain. LL36 9NH	Construction of rural enterprise dwelling
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Total applications on list = 11

Total applications on list Committee 20 January 2021 = 10

DEDDF LLYWODRAETH LEOL (HAWL I WYBODAETH) 1985**RHESTR O BAPURAU CEFNDIR**

Ystyrir y dogfennau canlynol fel papurau cefndir ar gyfer adroddiadau ar geisiadau ac eitemau gorfodaeth a wnaed dan Ddeddfau Cynllunio 1990.

Ffurflen gais, gan gynnwys unrhyw Dystysgrif.

Cynlluniau a dogfennau eraill i gefnogi'r cynigiad.

Sylwadau cyrff cyhoeddus a hysbyswyd neu yr ymgynghorwyd a hwy, gan gynnwys swyddogion eraill yr Awdurdod, Cynghorau Cymuned, Cynghorau Unedol, Ymgwymerwyr Statudol, Adrannau neu asiantau'r Llywodraeth (ac eithrio cyngor cyfreithiol, a llythyrau yn gofyn am gyngor cyfreithiol).

Llythyrau a dderbyniwyd o ffynonellau eraill, yn cynnwys aelodau o'r cyhoedd. (Ac eithrio gohebiaeth gydag hysbyswydd gwarchoddedig).

Lluniau o'r safle ac o ddatblygiadau tebyg mewn mannau eraill.

Deddfau Cynllunio 1990 ac unrhyw deddfwriaeth ychwanegol.

Deddf Cynllunio ac Iawndal, 1991.

Deddf yr Amgylchedd, 1995.

Deddf Cynllunio a Phrynu Gorfodol, 2004.

Deddf Iawnderau Dynol, 1998.

Cyngor cyhoeddedig y Llywodraeth (lle cyfeirir ato mewn adroddiadau ac eitemu unigol).

Y Cynllun Fframwaith ynghyd ac unrhyw gynigion i'w ddiwygio a gyhoeddwyd.

Cynlluniau Lleol, ynghyd ac unrhyw gynigion i'w diwygio a gyhoeddwyd (lle cyfeirir atynt mewn adroddiadau ar eitemau unigol).

Ffeiliau ar geisiadau cynllunio blaenorol ar safleoedd y cynigion presennol.

Unrhyw ddogfen arall y cyfeirir ati mewn adroddiadau ar eitemau unigol.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**LIST OF BACKGROUND PAPERS**

The following documents are considered background papers for reports on applications and enforcement items made under the Planning Acts 1990.

Application form, including any Certificates.

Plans and other documents in support of the proposal.

Comments of public bodies notified or consulted, including other Officers of the Authority, Community Councils, Unitary Councils, Statutory Undertakers, Government Departments or agencies, (excluding legal advice and requests for legal advice).

Letters received from other sources, including members of the public. (Excluding correspondence with a protected informant).

Photographs of the site or of similar developments elsewhere.

The Planning Acts 1990 and subsidiary legislation.

The Planning and Compensation Act, 1991.

The Environment Act, 1995.

The Planning and Compulsory Purchase Act, 2004.

The Human Rights Act, 1998.

Published Government advice (where referred to in reports on individual items).

The Structure Plan together with any published proposals for amendments.

Local Plans, together with any published proposals for amendments (where referred to in reports on individual items).

Files for previous planning applications on sites of current proposals.

Any other document which may be referred to in reports on individual items.

ITEM NO. 6.1

MEETING	Planning and Access Committee
DATE	March 3, 2021
TITLE	SUPPLEMENTARY PLANNING GUIDANCE; PLANNING OBLIGATIONS
REPORT BY	Elen Hughes (Trainee Policy Officer)
PURPOSE	To formally adopt the following Supplementary Planning Guidance: Planning Obligations

1. Background

1.1. The Authority adopted the Eryri Local Development Plan (ELDP) 2016-2031 on the 6th February 2019. As Members are aware, the Eryri LDP contains strategic policies and development policies as a basis for deciding planning applications. Supplementary Planning Guidance documents (SPGs) provide further detailed information, in support of the ELDP policies. To give further guidance regarding the new policies formed through the short form revision a series of new and updated SPGs are being prepared to provide further information and guidance on the implementation of policies contained in the ELDP. SPGs should expand and interpret planning policies and not in themselves, form new areas of policy.

2. Purpose

2.1. As part of the rolling programme of SPG preparation and revision, the Authority's Planning Obligations and Housing SPG has been updated. Very few amendments were made from the original SPG as the document is largely based on government guidance contained in circular 13/97 Planning Obligations. It explains that a planning obligation usually relates to an aspect of development that cannot be secured by imposing a planning condition or by other statutory controls. The obligation, or more commonly termed a section 106 agreement, is intended to secure measures or contributions to address the likely impact of a proposed development on the physical or social infrastructure of the area. Planning obligations can both improve a development and help it go ahead and in addressing its impacts on an area and can be viewed as being locally beneficial to the well-being of others. In the case of the National Park, planning obligations are more widely used to ensure affordable housing is retained for those in need and to secure commuted sums associated with affordable housing.

2.2. The SPG explains that an obligation agreement must be necessary, relevant to planning, related to the development under consideration and be fair and reasonable. Although widely used to secure affordable housing, obligations can be applied to any development where a planning condition may not be applicable. The table in paragraph 6.4 gives examples of the kind of obligation that may be appropriate and the aim (which must be linked to planning issues) behind securing a financial contribution or additional works related to the development. As most financial contributions are secured from affordable housing projects Appendix 3 – “Affordable Housing Commuted Sum Guidelines” identifies specific initiatives that could be financed using these funds.

3. Current Position

3.1. Following amendments agreed by the Planning and Access Committee on 2nd September 2020, the Planning Obligations SPG was subject to an 8 week consultation public consultation 18th September 2020, and the 13th November 2020. Details of the public consultation and responses are within Appendix 1 of this report. The proposed necessary changes are formatted as tracked changes within Appendix 2.

Appendix 1 of this report contains the Consultation Report.

Appendix 2 contains the SPG document with the proposed changes.

4. RECOMMENDATION

4.1. For Members to;

1. Note the contents of the Consultation Report and Comments made during the Public Consultation,
2. To formally adopt the Planning Obligations SPG as a material planning consideration.

SNOWDONIA NATIONAL PARK AUTHORITY



CONSULTATION REPORT: SUPPLEMENTARY PLANNING GUIDANCE: 5) Planning Obligations

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[APPENDIX A: Summary of Comments received and the responses](#)

1 BACKGROUND

The Policy Context

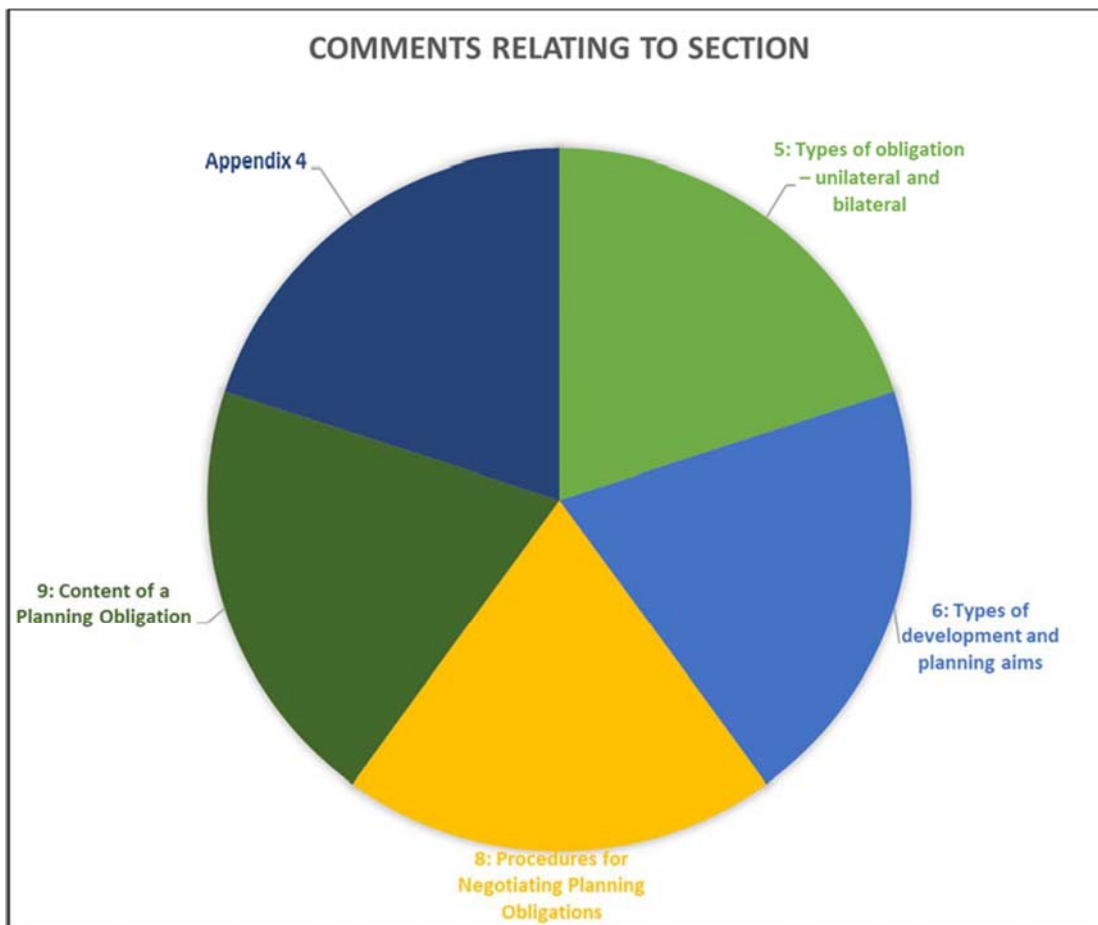
- 1.1 The Authority adopted the Eryri Local Development Plan (ELDP) 2016-2031 on the 6th February 2019. The ELDP 2016-2031 contains Strategic Policies and Development Policies as a basis for deciding planning applications. Supplementary Planning Guidance documents (SPGs) provide further detailed information, in support of the ELDP policies.
- 1.2 SPGs will be material planning considerations during the process of assessing and determining planning applications. Welsh Government and the Planning Inspectorate will place considerable weight on supplementary planning guidance that stem from, and are consistent with the ELDP. SPGs should expand and interpret planning policies and not in themselves, form new areas of policy.

The need for a Supplement Planning Guidance

- 1.3 As part of the rolling programme of SPG preparation and revision, and following the adoption of SPG 4: Affordable Housing, it was considered that SPG 5: Planning Obligations needed to be updated to reflect contemporary National and Local guidance.
- 1.4 Very few amendments have been made from the original SPG as the document is largely based on government guidance contained in circular 13/97 Planning Obligations. It explains that a planning obligation usually relates to an aspect of development that cannot be secured by imposing a planning condition or by other statutory controls. The obligation, or more commonly termed a section 106 agreement, is intended to secure measures or contributions to address the likely impact of a proposed development on the physical or social infrastructure of the area. Planning obligations can both improve a development and help it go ahead and in addressing its impacts on an area and can be viewed as being locally beneficial to the well-being of others. In the case of the National Park, planning obligations are more widely used to ensure affordable housing is retained for those in need and to secure commuted sums associated with affordable housing.
- 1.5 The SPG explains that an obligation agreement must be necessary, relevant to planning, related to the development under consideration and be fair and reasonable. Although widely used to secure affordable housing, obligations can be applied to any development where a planning condition may not be applicable. The table in paragraph 6.4 gives examples of the kind of obligation that may be appropriate and the aim (which must be linked to planning issues) behind securing a financial contribution or additional works related to the development. As most financial contributions are secured from affordable housing projects Appendix 3 – “Affordable Housing Commuted Sum Guidelines” identifies specific initiatives that could be financed using these funds.

2 PUBLIC CONSULTATION

- 2.1 A draft version of this SPG was approved for public consultation by the Authority's Planning and Access Committee on September 2nd 2020. The draft was prepared in consultation with officers from the Authority's Development Management Section, and a couple of minor changes were made as suggested by Members.
- 2.2 The approved draft of this SPG was the subject of a 8 week public consultation between the 18th September 2020, and the 13th November 2020.
- 2.3 Details of the public consultation were available on the Authority's website, and emails/letters were sent to all Councillors, Community Councils, and those on the Authority's Contact Database. Due to COVID-19 circumstances and regulations, hard copies of the SPG were not sent to public libraries or the Authority's Information Centres, however hard copies were sent to those who requested a copy.
- 2.4 Interested parties were informed to respond to the consultation through submitting comments by emailing polisi.cynllunio@eryri.llyw.cymru or by post to the Authority's Park Office address in Penrhyndeudraeth.
- 2.5 A total of 5 comments were received, 5 were in objection.



- 2.6 Appendix A of this report, summarises the comments received, the Authority's response to the comments and, where appropriate, recommends any changes required to the SPG in lieu of the comment.

Appendix A: Summary of comments received and officer's recommendations

Resp ID	Rep ID	Organisation	Chapter	Paragraph number	Type of Rep	Officer Summary	Officer Response	Changes Proposed
001	001	Home Builders Federation	Procedures for Negotiating Planning Obligations	8.4	Object	Considers that it would be helpful to set out a likely cost regarding S106 agreements.	The Authority usually charges a fee of £300 + VAT for each contract; however, this figure is subject to change, particularly when dealing with more complex contracts. It is therefore not considered appropriate to include a likely cost regarding S106 agreements within the SPG.	No changes proposed
002	001	Natural Resources Wales	Types of obligation – unilateral and bilateral	5.2	Object	Propose additional bullet points to be included regarding the circumstances the SNPA will seek to negotiate obligations on individual planning applications. These bullet points include; <ul style="list-style-type: none"> Establishing a system for collating and disseminating financial resources for managing green infrastructure/species mitigation sites. Requiring contingency bonds Restrict ownership 	In reflecting current systems that are in place in relation to the circumstances in which the SNPA will seek to negotiate obligations on individual planning obligations, paragraph 5.2 is considered fit for purpose in relation to the proposed additional bullet points.	No changes proposed
002	002	Natural Resources Wales	Types of development and planning aims	Tables in Section 6	Object	Propose amendments and to include additional planning obligations, for instance; <ul style="list-style-type: none"> Habitat creation Non-designated sites and/or supporting habitats and species listed under Section 7 of the Environment (Wales) Act 2016 Provision of appropriate foul drainage Sustainable use of water resources Provision for Place Making Flood compensation or mitigation measures 	Noted. Amendments are therefore proposed within the requirements and formatting of the table.	Proposed changes within Figure 1.
002	003	Natural Resources Wales	Content of a Planning Obligation	9.2	Object	Propose to include further requirements in the context of ecology planning obligations such as;	In reflecting current systems that are in place in relation to the requirements in the context of ecology planning obligations, paragraph	No changes proposed

					<ul style="list-style-type: none"> • Wardening • Proposed tenure changes • Funding arrangements e.g. commuted sum and/or imposition of index linked ground rent service charges • Link to other agreements e.g. Section 16 or 39 Management agreements (Section 16 of the Environment (Wales) Act 2016, and Section 39 of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) • Bonds • Long-term management agreements (e.g. Section 39 of the Wildlife and Countryside Act 1981 (as amended)) 	9.2 is considered fit for purpose, where these matters are attended to, and will not exclude future policy and guidance.	
003	001	Grŵp Cynefin	Appendix 4	Object	Proposes to change the areas as stated within the copy of the draft standard section 106 agreement on affordable housing to meet local needs to Community Council areas, Neighbouring Community Councils areas and the County, along with seeking approval from the SNPA to move from one area to another to provide better clarification.	As the standard section 106 complies with policy, any amendments would have to be considered as part of the next review.	No changes proposed

Figure 1:

Retain and enhance areas of open space, natural habitats and trees, <u>including habitat creation</u>	To ensure the protection and creation of wildlife habitats
Protect or reduce harm to designated sites <u>and non-designated sites of nature conservation, or sites supporting habitats and species listed under Section 7 of the Environment (Wales) Act 2016</u>	To maintain biodiversity
<u>Provision of appropriate foul drainage</u>	<u>To protect the environment by ensuring sewage flows are not beyond the capacity of sewerage infrastructure</u>
<u>Sustainable use of water resources</u>	<u>To ensure access to clean water is maintained and protected</u>
<u>Provision for Place Making</u>	<u>To conserve and enhance the built, natural and cultural features, character and qualities of SNP that make its communities, settlements and landscapes distinctive and special.</u>
Provision of flood attenuation, <u>compensation or mitigation</u> measures	To <u>safeguard</u> enable new development <u>and adjacent land</u> in areas prone to flooding.

SNOWDONIA NATIONAL PARK AUTHORITY



**SUPPLEMENTARY PLANNING GUIDANCE 5:
PLANNING OBLIGATIONS**

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1. Introduction

1.1. This guidance is one of a series of Supplementary Planning Guidance documents which provide detailed information on how policies contained in the Eryri Local Development Plan (ELDP) (2016-2031) will be applied in practice by the National Park Authority. The guidance is for the use of planning officers and all other users of the planning system. This particular guidance refers to the use of planning obligations when determining planning applications.

1.2. The purpose of the guidance is to:

- Set out the circumstances when a planning obligation is appropriate
- Outline the process and procedures to agree an obligation in a fair and transparent manner
- Relate the guidance to local and national planning policies

2. Status

2.1. This Supplementary Planning Guidance (SPG) will be a material consideration when decisions are made on planning applications and appeals. It has been prepared in accordance with the Welsh Government's guidance contained in 'Planning Policy Wales' and the Welsh Office Circular, 13/97 "Planning Obligations".

3. Context

3.1. One of the principal objectives of planning is to deliver sustainable development, through implementing key social, environmental, cultural and economic initiatives. Facilitating such development, may place additional burdens on the infrastructure and services in an area. Planning obligations are agreements negotiated, usually in the context of planning applications, between the local planning authority and an applicant/ developer and others who may have an interest in the land. They can assist in making an intended proposal acceptable in planning terms. The power to enter into a planning obligation (or section 106 agreements) is contained in section 106 of the Town and Country Planning Act 1990 as substituted by the Planning and Compensation Act 1991. Circular 13/97 "Planning Obligations" gives guidance on the proper use of planning obligations which is followed in this guidance. Entering an obligation can overcome obstacles which may otherwise prevent planning permission from being granted. Contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable.

- 3.2. A planning obligation usually relates to an aspect of development that cannot be secured by imposing a planning condition or by other statutory controls. The obligation should secure measures or contributions to address the likely impact of the proposed development on the physical or social infrastructure of the area. Planning obligations can both improve a development and help it go ahead and in addressing its impacts on an area, can be viewed as being locally beneficial to the well-being of others.
- 3.3. The most relevant policy in the ELDP is Policy Ch – “Social and Physical Infrastructure in new Developments”. This policy states that a financial contribution, via a 106 planning agreement, may be sought where new development has a wider community and services impact and where it would be practical and viable to make a contribution.
- 3.4. The Community Infrastructure Levy (CIL) Regulations came into force on 6th April 2010. The CIL is a voluntary charge that Local Planning Authorities can levy on most types of development. The proceeds of the levy go towards new local and sub-regional infrastructure. There are currently no plans to introduce CIL to Eryri due to the relatively small scale of new development in the National Park.

4. Use of Planning Obligations

4.1. An effective planning obligation system should be transparent to all users of the planning system including the local community. It should provide greater certainty to those contemplating development and enable agreements to be concluded quickly and be monitored and accountable to public scrutiny. Obligations should only be sought in the first place where they are;-

- necessary
- relevant to planning
- directly related to the proposed development
- fairly and reasonably related in scale and kind to the proposed development
- reasonable in all other respects

5. Types of obligation – unilateral and bilateral

5.1. A planning obligation can be entered into unilaterally by a developer where only the developer needs to be bound by the agreement and it is possible to ascertain the likely requirements in advance in compliance with local and national planning policies and guidance. With such agreements there is no specific obligation on the Authority and therefore they will not be party to signing the agreement. Bilateral agreements place an obligation on both the authority and the developer to implement. These agreements will be drawn up before the granting of planning permission and the Authority will encourage early negotiations to speed up the planning process.

5.2. In such circumstances the SNPA will seek to negotiate obligations on individual planning applications that:-

- restrict development or use of land
- require operations or activities to be carried out
- require land to be used in a specific way
- require payments to be made to the authority either in a single sum or by staged payments

5.3. The SNPA will assess each application individually to determine if a planning obligation is needed and what matters it should address. Where it is decided that a planning obligation is necessary, the Authority will fully justify their reasons for seeking an obligation. It will not be legitimate for unacceptable development to be permitted because of benefits or inducements offered by a developer which are not necessary to make the development acceptable in planning terms. An agreement will only be entered into where planning conditions cannot be used to control the nature of the development, compensate for the loss or damage created by a development, or to mitigate a development's physical or social impact.

6. Types of development and planning aims

- 6.1. There are no hard and fast rules about the size of development that should attract obligations. New development proposals in the National Park are usually small scale and therefore, in themselves, may have a minimal impact on wider community services. In such circumstances a planning obligation may not be required, or if one is considered, it may make the proposal unviable in economic terms. Each application should therefore be judged on its own merits and will be based, in most cases, on Strategic Policy Ch: Social and Physical, Infrastructure in New Developments of the Eryri Local Development Plan and Development Policy 30: Affordable Housing. Other policies may also be relevant depending on the nature of the development. The Authority will assume that any costs associated with developing a particular site have been taken into account when land has been purchased. Any allowance will usually only be made where applicants can demonstrate genuine post-purchase abnormal costs. Applicants/developers will be expected to show evidence that they have taken known development costs into account in agreeing realistic land values, and only costs that were unforeseeable at the time of acquisition will be considered abnormal for the purpose of any financial appraisals. Appendix 2 sets out what will not be considered as abnormal development costs.
- 6.2. It is important to share an understanding of the financial facts and assumptions that provide the context for each individual proposal at the statutory pre-application stage so as not to unduly delay the planning approval process. This assessment will include a thorough appraisal of the site economics and will require co-operation and an open book approach between the applicant, developer or landowner and the Authority. Any confidential financial figures supplied will not be made public but held on a separate file to the actual planning application file.
- 6.3. Where an obligation is required the table below gives an example of the types of obligation and the planning aims behind them and taking into account the policies within the ELDP, supporting planning advice, national planning policy and any other material consideration.
- 6.4. The Authority, in the spirit of such agreements, will strive to deliver sustainable community benefits for social, environmental, economic or cultural benefits. The provision of affordable housing and making sure this remains available in perpetuity for local people, in need of cheaper housing, will be regarded as a priority. Mitigation measures are likely to be unique and site specific and, in most instances, developers will be prepared to seek agreements with the local planning authority, if planning constraints are overcome and community benefits achieved. The following list of possible obligations is not exhaustive but gives an applicant/ developer and other interested parties a preliminary indication of what kind of obligation may be sought, depending on the scale, viability and impact of a development proposal.

Type of obligation	Planning aim
Welsh language training	To ensure communities retain their Welsh speaking identity and vibrancy
Road infrastructure	Road improvements to improve access and free flow of traffic usually outside the application site and with larger traffic generating proposals
Improvements to cycling and walking routes	Sustainable access improvements linked to existing networks or new car parking to reduce car borne traffic, minimise visual intrusion and encourage healthy living
Public transport improvement	To support new or existing bus services and the provision of improved bus terminals/stops with the aim of providing more choice for walkers and the reduction of car traffic and resulting carbon emissions
Parking measures such as offsite parking	Overall aim is to manage parking more effectively for traffic, safety or environmental reasons
Employment training schemes	To improve existing skills base to allow greater employment access opportunities for the local workforce.
Education provision in areas where a shortage of school places exists or where development will create a shortage	To ensure sufficient school places. Usually associated with larger developments
Provision of affordable housing	To ensure adequate housing to meet the needs of existing and future eligible households who cannot afford to buy or rent houses on the open market
Restricting the occupation of affordable housing	To ensure housing remains affordable for future eligible local people in need
Provision of community facilities	To ensure community facilities are safeguarded or are provided with new development in order to help sustain smaller rural communities

Improvements to the environment near to the development	To enhance the environment for the overall benefit of the National Park
Provision of new areas of open space or improvements to the access to existing open space	To ensure adequate access to open space for the health and enjoyment of young people.
Retain and enhance areas of open space, natural habitats and trees, <u>including habitat creation</u>	To ensure the protection and creation of wildlife habitats
Protect or reduce harm to designated sites <u>and non-designated sites of nature conservation, or sites supporting habitats and species listed under Section 7 of the Environment (Wales) Act 2016</u>	To maintain biodiversity
<u>Provision of appropriate foul drainage</u>	<u>To protect the environment by ensuring sewage flows are not beyond the capacity of sewerage infrastructure</u>
<u>Sustainable use of water resources</u>	<u>To ensure access to clean water is maintained and protected</u>
<u>Provision for Place Making</u>	<u>To conserve and enhance the built, natural and cultural features, character and qualities of SNP that make its communities, settlements and landscapes distinctive and special.</u>
Provision of flood attenuation, <u>compensation or mitigation</u> measures	To <u>safeguard</u> enable new development <u>and adjacent land</u> in areas prone to flooding.
Provision of sustainable drainage systems	To enhance biodiversity and to create natural habitats.
Provision of recycling facilities	To ensure facilities are available which may compliment or add to existing facilities
Carrying out of archaeological investigations or excavations	To protect and record sites of archaeological importance
Improvements to signage and interpretative material	To improve access for all and an appreciation of the environment and cultural heritage
Provision of public conveniences	To enhance public facilities for the benefit of shoppers and tourists
Provision of public art	To enhance the creative and aesthetic environment

6.5. Circumstances will vary according to the exact nature of the development and its location. Where the need arises, it may be necessary to seek contributions not listed above.

7. Affordable Housing

- 7.1. Many planning obligations will involve the provision of affordable housing and securing affordable housing in perpetuity for local people in need is regarded as a priority. The Authority has produced Supplementary Planning Guidance on Affordable Housing which outlines when and how the Authority will seek the provision of affordable housing. Normally provision will be made on site in accordance with Strategic Policy G: Housing and Development Policy 30: Affordable Housing of the ELDP. Where proposals are being considered, individuals will be required to enter into a planning obligation to ensure a property is occupied in the first instance by an eligible household in need, and a restriction to ensure the price can remain within affordable limits in the future.
- 7.2. Exceptionally the Authority will accept commuted payments or the provision of affordable housing on an alternative site where it proves unfeasible or unsuitable to have on-site provision. The financial contribution for an agreement will be based on the level of social housing grant available per unit from the Welsh Government for similar types of housing based on acceptable cost guidance. More information is supplied in the Supplementary Guidance on Affordable Housing. The Authority will work, with appropriate organisations, to ensure that it makes the best use of any affordable housing commuted sums received to assist in the delivery of affordable housing to meet local need within the National Park area. It will seek to adhere to the general guidelines outlined in Appendix 3 in the transference of funds to appropriate schemes.
- 7.3. The Authority has a standard 106 agreement for affordable housing for local persons in need. The definition of “local” and “need” is included in the ELDP and the SPG on Affordable Housing. Before submitting a planning application for affordable housing a developer or an individual should be confident that persons likely to occupy the units can comply with these criteria. A copy of the standard section 106 agreement on affordable housing (which can be subject to change) is included as Appendix 4.

8. Procedures for Negotiating Planning Obligations

- 8.1. If a planning obligation is considered necessary to allow a particular development proposal to go ahead then the planning case officer will raise this with the applicant during pre-application discussions which are strongly encouraged by the planning authority. Where these do not occur negotiations will take place as soon as possible after the planning application has been submitted. Before anyone enters into a planning obligation it is advisable they take legal advice.
- 8.2. The planning case officer will be the main point of contact for negotiations. It will be the officer's responsibility to discuss with other National Park services if required and with any outside agencies such as the Local Housing Authority. The planning case officer will normally conduct all negotiations unless a legal representative is needed to discuss a point of law. It should normally be the case that an understanding in principle on the substantive financial contribution and heads of agreement should be made before the application is reported to committee. The Authority's legal service will normally only be instructed to draw up the planning obligation once a resolution to grant planning permission has been made by the planning committee. The Authority's legal service will require from the applicant's agent/solicitor details of the Title to the land to include information as to everyone with an interest in the land. Everyone with such an interest will be required to enter into the agreement.
- 8.3. When the planning obligation is finalised, all relevant parties must sign the document. The decision notice granting planning permission will only be released when the agreement has been agreed and sealed. A copy of the agreement will be placed on the Authority's public planning register.
- 8.4. It should be noted that depending on the nature and complexity of the case it can take a considerable time to conclude final agreement on the detailed terms, and developers are asked to ensure that sufficient time and resources are made available in their programme. The Authority will however seek to deal with agreements as expeditiously as possible. A legal fee will be charged for the preparation of the agreement. In the case of affordable housing, the Authority has already prepared a standard obligation agreement which will speed up the process.

9. Content of a Planning Obligation

9.1A A valid planning obligation must include:

- identification of the land involved
- identification of the person entering the agreement and their interest in the land
- identification of the authority who will enforce the obligation

9.2. The planning obligation will also include:

- description of the development
- the type and amount of obligations the developer has agreed to, this may be in the form of actual works or financial contributions
- a trigger for when the benefits should be provided
- if financial requirements are provided the agreement may state a time limit within which the money should be spent
- definitions of terms used within the agreement
- provision for the legal costs (if any) of drafting the agreement to be met
- long term management arrangements for land or buildings
- provision for any significant monitoring costs (if any) to be met.

10. Implementing, monitoring and enforcement

10.1. Most agreements provide that financial contributions should be paid to the Authority or that any physical works that relate to the agreement should commence at this point, i.e. start of development. However, in some cases the obligation may state that some payments should be phased. Such cases will need closer monitoring to ensure that all payments have been made over the agreed period. It is important that planning obligations are logged, monitored and accounted for in order to provide information for interested parties on the outcome of any agreement. This will help to ensure that the process is open and fair.

10.2. When a planning obligation has been signed and a planning decision notice issued, copies will be sent to the monitoring officer appointed by the Director of Planning and Land Management. The monitoring officer will enter information relating to the planning obligation into a database for the purposes of monitoring. The system will record information such as:

- A reference number
- Address
- Description of development
- Planning obligation heads of term
- Amount of financial contribution
- Date development started
- Date money received
- Date money spent
- Works completed

10.3. The monitoring officer will conduct site visits as appropriate to ensure that the developer carries out any physical works required by the planning obligation or that an affordable house is occupied by qualifying persons. Where financial contributions are made the monitoring officer will ensure that monies have been received and paid into a planning obligations account. It is likely that some payments will be transferred to third parties such as Registered Social Landlords to assist in the provision of affordable housing elsewhere within the National Park.

11. Enforcement

- 11.1. If it is evident that planning obligations are not being complied with, the Monitoring officer will instigate enforcement action. Planning obligations can be enforced through the use of an injunction, which can stop the development proceeding. The authority has the power to enter the land and carry out any works that were required and recover costs (must give 21 days' notice of intention to do this). Anyone who obstructs the Authority from doing this is liable to a fine of up to £1000.

12. Modify or discharge a planning obligation

- 11.2. Planning obligations can only be modified or discharged by agreement between the applicant and the planning authority or following an application to the planning authority five years after the obligation has been entered into. There is no statutory right of appeal to the Welsh Government if the planning authority refuses to agree to such modifications or discharge during the said initial five year period.
- 11.3. Following the expiration of the initial five year period, an application may be made to the planning authority to modify or discharge the obligation. There is a right of appeal to the Planning Inspectorate if the planning authority refuses to discharge or modify the obligation.

Appendix 1: Most relevant policies in the Eryri Local Development Plan

Strategic Policy Ch: Social and Physical Infrastructure in new developments (CH)

New development of a scale which has wider community and services impact will be assessed on a case by case basis and should, where practical and viable make a contribution to social and physical infrastructure within the National Park.

Contributions will always be sought, via a 106 agreement, for affordable housing and also possibly, as an example for the following which is not an exhaustive list: Mitigation and enhancement for landscape conservation and biodiversity, sustainable transport initiatives, maintenance or improvements to footpaths, bridleways, cycle ways and car parks; flood alleviation schemes and energy projects.

Strategic Policy G: Housing (G)

The Eryri Local Development Plan has a plan requirement of 770 dwellings and makes provision for approximately 885 new dwellings up to 2031.

New housing within the National Park will be required to meet the need of local communities. Proposals must take appropriate account of local housing needs in terms of size, type and tenure of dwellings. The house types should reflect the results of the Local Housing Market Assessment or appropriate local needs surveys.

Residential developments should make the best use of land. The Authority will seek a density of 30 dwellings per hectare for residential developments (unless there are local circumstances such as the character of the locality that suggests a lower density may be more appropriate).

Housing allocations are listed below and are shown on the Proposals and Inset Maps.

Hierarchy	Allocations	Estimated Units
Local Service Centre	Land behind the Red Lion, Y Bala (80% open market, 20% affordable housing to meet local need). Release of 30 units up to 2021 and, if built, the remaining 25 units from 2026 to 2031	55
Local Service Centre	Land at Cysgod y Coleg, Y Bala (100% affordable housing to meet local need)	10
Local Service Centre	Land behind Wenallt, Dolgellau (100% affordable housing to meet local need)	15
Service Settlement	Former Primary School, Aberdyfi (100% affordable housing for local need)	6
Service Settlement	Land adjacent Penyrhwylfa, Harlech (67% open market 33% affordable housing for local need)	24
Service Settlement	Land adjacent Bro Prysor, Trawsfynydd (100% affordable housing for local need)	10
Secondary Settlement	Land adjacent to Pentre Uchaf, Dyffryn Ardudwy (100% affordable housing to meet local need)	10
Secondary Settlement	Land adjacent to Capel Horeb, Dyffryn Ardudwy (50% open market, 50% affordable housing to meet local need)	5
Secondary Settlement	Land adjacent to Garreg Frech, Llanfrothen (100% affordable housing to meet local need)	6
Secondary Settlement	Land adjacent to Maes y Pandy, Llanuwchllyn (100% affordable housing to meet local need)	7
Secondary Settlement	Land adjacent to Lawnt y Plas, Dinas Mawddwy (100% affordable housing for local need)	6
Secondary Settlement	Land at Former Woolen Mill, Trefriw (50% open market, 50% affordable housing to meet local need)	5
Secondary Settlement	Land adjacent to Rathbone Terrace, Dolwyddelan (100% affordable housing to meet local need)	6
Secondary Settlement	Land at Y Rhos, Llanegryn (50% open market, 50% affordable housing to meet local need)	8
Secondary Settlement	Land adjacent to Bryn Delliog, Llanbedr (100% affordable housing for local need)	6
Secondary Settlement	Land adjacent Maesteg, Pennal (100% affordable housing for local need)	5
	Total	184

Development Policy 30: Affordable Housing (30)

Development opportunities have been identified within the Plan to provide a target of 375 new affordable homes to meet local needs.

On all sites the following affordable housing contributions will be sought:

- i) Within Local Service Centres 20% on sites of 5 dwellings or more.
- ii) Within Service Settlements 33% on sites of 3 dwellings or more.
- iii) Within Secondary Settlements 50% on sites of 2 dwellings or more.
- iv) Within smaller settlements immediately adjacent to a highlighted property as shown on the inset maps up to two new single dwellings for 100% affordable housing. Exceptionally more than two dwellings will be allowed where need is proven and the character and setting of the settlement is not impaired.
- v) On sites being developed by Housing Associations, Trusts or similar subsidised bodies 100%.
- vi) On conversions anywhere, 50% or a commuted sum contribution for one dwelling. Alternatively the conversion can be a 100% affordable with local occupancy conditions.

Where adjacent and related residential proposals result in combined numbers or site size areas exceeding the above thresholds, the Authority will seek affordable housing based on the affordable housing target percentages set out above.

If it can clearly be demonstrated that the above indicative affordable housing targets cannot be met due to site viability, or could be exceeded in some cases, the Authority will negotiate an appropriate affordable housing contribution on individual sites, which could include an appropriate commuted payment. This however will not apply to exception sites or sites in smaller settlements where a 100% affordable housing contribution will always be sought.

Planning permission for a new affordable dwelling will be subject to a legal agreement to ensure that it remains affordable in perpetuity for a local person in housing need as defined in paragraph 5.26 and 5.27.

New affordable housing units should be fully integrated and be as good, if not better than market housing units in terms of external design quality and materials.

The size of affordable housing units will be commensurate with the needs of the intended household.

Permitted development rights will be removed on all the affordable housing units in order to regulate the manner in which they can be extended in the future.

Development Policy 11: Affordable Housing on Exception Sites (11)

To maintain the sustainability of local communities proposals for small scale affordable housing units immediately adjoining a housing development boundary will be supported provided that:

- i. A need for affordable housing has been demonstrated through an approved local housing needs survey or on the written advice of the local housing authority.
- ii. The need cannot be satisfied within a reasonable period of time by:
 - a) The use of a suitable site within the housing development boundary of the settlement.
 - b) The use of existing housing which is available for sale or rent in the locality.
 - c) The conversion or rehabilitation or redevelopment of existing buildings in the locality.
 - d) The use of a site allocated for affordable housing.
- iii. The site is a redevelopment of existing buildings or represents a logical and sympathetic extension of the settlement in a way which does not prejudice the character of that settlement or the appearance of the surrounding countryside.
- iv. The size of the development is commensurate with the size of the settlement.
- v. There would be no adverse effects on the integrity of European designated sites.
- vi. The site is not located within a green wedge designation.

Planning permission will be subject to legal agreement to ensure that it remains affordable in perpetuity for a local person in need as defined in paragraph 5.26 and 5.27.

The size of affordable housing units will be restricted to be commensurate with the needs of the intended household.

Permitted development rights will be removed on all the affordable housing units in order to regulate the manner in which they can be extended in the future.

All new units should be of good quality sustainable design in accordance with Development Policy 6: Sustainable Design & Materials, and achieve the Welsh Government's development quality requirements which include the lifetime homes standard.

Appendix 2: Guidance note on what is not considered to be “abnormal development costs”

The following guidance is based upon the assumption that a developer has carried out “due diligence” in the acquisition of the proposed development site and has satisfied himself of matters associated with the site history and previous uses. This is usually done by means of an “environmental audit” and limited site investigation to identify any liabilities and development constraints before purchase of the site.

The following development costs will not normally be considered as “abnormal”:-

- Demolition of existing buildings and clearance of the site.
- Removal or treatment of underground obstructions, cellars, basements and storage tanks.
- Diversion of existing services, sewers, culverted watercourses and overhead power lines.
- Extinguishment of highway rights and grubbing out of any existing highway infrastructure that may affect the development.
- Re-profiling of a sloping site.
- Provision of retaining walls and retaining structures on a sloping site.
- Additional foundation costs associated with rock excavation.
- The provision of land drainage unless associated with leachate control measures from a former landfill or encapsulation location.
- Additional foundation and drain protection measures to safeguard buildings from the presence of trees.
- The eradication /treatment of Japanese knotweed or other invasive plant species.
- Any anticipated costs for area improvements by “planning gain”, Section 106 agreements
- Any anticipated minor decontamination costs

It should be noted that the above is not meant to be an exhaustive list and the applicant/ developer should recognise and accept that each site will have its own constraints and the Local Planning Authority will have to look at the merits of each site carefully. In the event that a developer considers that abnormal development costs will be incurred, it will be the responsibility of the applicant to demonstrate how the costs have been derived.

Appendix 3: Affordable Housing Commuted Sum Guidelines.

The Authority will work to ensure that it makes the best use of any affordable housing commuted sums received to assist in the delivery of affordable housing to meet local need within the National Park area.

Initially, the Authority will seek to assist initiatives to deliver affordable housing to meet local need within the Community Council in which the development is proposed or in a Community Council area which is immediately adjoining. If an opportunity to assist the delivery of affordable housing does not exist within the Community Council in which the development is proposed or in an immediate Community Council the commuted sum will be used to assist in the delivery of affordable housing within the National Park area as a whole.

The Authority will work with the Local Housing Authorities and Registered Social Landlords working within the National Park to identify initiatives which would assist the delivery of affordable housing to meet local needs.

Examples of the type of initiatives that are to be financed through the use of commuted sums include:

- Homebuy scheme. Provide the commuted sum directly to a Registered Social Landlord to assist the provision of a Homebuy/Equity Loan Scheme for qualifying households.
- Provide a Registered Social Landlord with a subsidy to help facilitate the development of an affordable housing scheme in discussion with the local housing authority.
- Provide a Registered Social Landlord with a subsidy to help facilitate the development of rented and low cost home ownership in discussion with the local housing authority.
- Provide a Registered Social Landlord with a subsidy to assist with the purchase of dwellings that have repossession cases against them, in order to provide them as affordable housing units.
- Give the commuted sum directly to a Registered Social Landlord to assist an Equity Loan for eligible households.
- Give the commuted sum directly to a Registered Social Landlord in order to bring an empty property or house in poor condition back into use as an affordable dwelling.
- Give the commuted sum directly to the Local Authority Empty Homes Team to bring empty, vacant properties back into use. Applicants must agree to certain conditions as to who will live in the property in the future. For example a sum of £20,000 could be provided to help with up to 75% of the refurbishment costs.

- House renovation grant - first time buyers. The grant is intended to reduce the number of empty homes, by providing support to first time buyers to be able to meet refurbishment costs. The grant helps to bring empty properties back into residential use, or to convert properties into residential dwellings. There will be a condition imposed to live in the house for a period of 5 years.
- Assist in the purchase of suitable land for affordable housing to meet local needs.
- Provide a formal community group with a subsidy to help facilitate the development of an affordable housing scheme in discussion with the housing authority.
- Provide a Registered Social Landlord with a subsidy to purchase a property and let it as an intermediate rented house. The property would have to meet the Government's Development Quality Requirements' (DQR) standards.
- Help fund the infrastructure required to support self-build schemes through the Local Authority Self Build Scheme.
- Assist the use of commuted sums as a lever to generate additional resources / funding from external sources in the provision of affordable housing.
- Give a contribution towards the work of the Rural Housing Enablers – fund officers.
- Give a contribution towards further research / feasibility work for a site suitable for affordable housing to meet local needs.

The Authority can also retain the right to contribute to any other innovative schemes that clearly demonstrate value for money and the ability to provide affordable housing within the National Park area.

Appendix 4: A copy of the draft standard section 106 agreement on affordable housing to meet local needs (may be subject to changes)

THIS DEED is made the day of 2020

BETWEEN

- (1) SNOWDONIA NATIONAL PARK AUTHORITY of National Park Offices,
Penrhyndeudraeth LL48 6LF (“the Authority”)
- (2) xxxxxx of xxxxxxxxxxxxxxx (“the Owner”)
- (3) xxxxxxxxxxxxxxx (“the Mortgagee”)

WHEREAS:

- (1) The Authority is the local planning authority for the purposes of the Act for the area within which the Land is situate and by whom the obligations contained in this Deed are enforceable.
- (2) The Owner is the freehold owner of the Land (free from encumbrances)
- (3) The Mortgagee is the mortgagee in whose favour there is a registered charge dated xxxxx on the Land
- (3) The Owner has submitted the Planning Application to the Authority and the parties have agreed to enter into this Deed and to be bound by the obligations contained in this Deed
- (4) The Authority has resolved to grant Planning Permission for the Development in accordance with the Planning Application subject to the making of this Agreement without which Planning Permission for the Development would not be granted

NOW THIS DEED WITNESSES as follows: -

1. Definitions

Act	means the Town and Country Planning Act 1990
Afford	means to rent or purchase within the relevant Community Council Area as the context may require
Affordable Dwelling	means that dwelling (plot number x) edged in red on Plan 2 being part of the Development and which at the date of this Deed is to be constructed upon the Land for use only as a Dwellinghouse
Affordable Dwelling Disposal Procedure	means either: <ul style="list-style-type: none"> (i) where the Disposal relates to a sale or transfer the Sales Procedure set out in the Second Schedule; or (ii) where the Disposal relates to a lease or rental the Letting Procedure set out in the Second Schedule.
Affordable Rent	means the amount of rent inclusive of all service charges which does not exceed the level of rent including all service charges paid by tenants of Registered Social Landlords for equivalent properties in the Community Council Area where the Affordable Dwelling is situate

Affordable Sale Price

means the sale price of the Affordable Dwelling at the time of Disposal being at a percentage discount below Open Market Value in the amount of xx% as determined by the Authority having regard to the provisions of the eryri local development plan and relevant supplementary planning guidance at the date of this Deed

Area 1

means within the area of the xxxxxx community council or area of any community council immediately adjoining that area. Where any relevant community council straddles the snowdonia national park boundary then that part of the community council outside the snowdonia national park falls within Area 1

Area 2

means within the boundaries of the snowdonia national park or area of any community council immediately adjoining that area.

Area 3

means within boundaries of the snowdonia national park together with the remaining area of the counties of conwy and gwynedd and the area of any community council immediately adjoining the boundaries of the Snowdonia national

	park falling within the counties of Powys Ceredigion or Denbigh.
Commencement of Development	means the date at which a material operation as defined in Section 56(4) of the Act is carried out by the Owner or any persons so instructed by the Owner
Community Council Area	means the area in which the Qualifying Person is domiciled being either Area 1 Area 2 or Area 3
Development	means the development of the Land more particularly described in the Planning Application
Disposal	means a sale, lease or grant of a tenancy of the Affordable Dwelling as the context may require
Dwellinghouse	means use of the dwelling as a dwellinghouse as defined under C3 of the Town and Country Planning (Use Classes) Order 1987
Family Member	means either: <ul style="list-style-type: none"> (i) the spouse or civil partner of the Qualifying Person or a person who in the Authority's opinion has such a relationship with the Qualifying person; or (ii) the Qualifying Person's parent, grandparent, child, grandchild, brother, sister or such other persons

Initial Qualifying Person	<p>who in the Authority's reasonable opinion forms part of the ordinary household of the Qualifying Person</p> <p>means a person who has lived or worked in full time employment for a minimum and continuous period of five years within Area 1 and has demonstrated to the Authority's reasonable satisfaction that he is unable to Afford housing on the open market and who also satisfies in the Authority's reasonable opinion one or more of the Need Criteria</p>
Key Work or Service	<p>means teacher in a school or further education establishment or a tertiary college, nurse or member of staff of the national health service, police officer, probationary services officer, social worker, educational psychologist, occupational therapist employed by a local authority, emergency services officer or any other employment which in the Authority's opinion is vital to the economy of the snowdonia national park</p>
Land	<p>means the area of land set out in the First Schedule</p>
Mortgagee	<p>means a mortgagee in whose favour there is a registered charge on the Land</p>

Need Criteria	means the criteria set out in the Fourth Schedule
Open Market Value	means the value of the Affordable Dwelling at the date of Disposals determined by the average values obtained by at least two separate valuations by two independent chartered surveyors to be agreed between the Authority and the Owner such valuation being made upon the basis that the Affordable Dwelling is free from any restrictions created by this Deed
Plan 1	means the plan annexed to this agreement and marked Plan 1
Plan 2	means the plan annexed to this agreement and marked Plan 2
Planning Application	means the planning application to the Authority dated xxxxxx bearing Code Reference xxxxx for permission to develop the Land in the manner and for the uses set out in the said application
Planning Permission	means the planning permission granted by the Authority pursuant to the Planning Application
Qualifying Person	means Initial Qualifying Person Second Qualifying Person or Third Qualifying Person

Registered Social Landlord	means a person registered as such in accordance with the provisions of the Housing Act 1996
Restrictions on Disposal	means the restrictions on the Disposal of the Affordable Dwelling as set out in the Second Schedule
Second Qualifying Person	means a person who has lived or worked in full time employment for a minimum and continuous period of five years within Area 2 and is able to demonstrate to the Authority's reasonable satisfaction that he is unable to Afford housing on the open market and who also satisfies in the Authority's reasonable opinion one or more of the Need Criteria
Third Qualifying Person	means a person who has lived or worked in full time employment for a minimum and continuous period of five years within Area 3 and is able to demonstrate to the Authority's reasonable satisfaction that he is unable to Afford housing on the open market and who also satisfies in the Authority's reasonable opinion one or more of the Need Criteria

2. Construction of this Deed

- 2.1 This agreement is made pursuant to Section 106 of the Act as a planning obligation and all other powers and the covenants contained in this Deed on the part of the Owner are entered into with the intent that the same shall be enforceable without limit of time against the Owner
- 2.2 References to the Owner shall include his successors in title and to any persons deriving title through or under that party
- 2.3 References to the Authority shall include the successors to its statutory functions
- 2.4 Unless the context otherwise requires, words in the singular include the plural and in the plural include the singular.
- 2.5 Unless the context otherwise requires, references to the masculine gender includes the other genders
- 2.6 Unless the context otherwise requires, references to any clause, paragraph or schedule is a reference to a clause paragraph or schedule in this Deed
- 2.7 References to persons includes companies corporate and unincorporated bodies whether or not having a separate legal personality
- 2.8 References to any statute or statutory instrument shall except where otherwise specifically provided include references to any statutory modifications or re-enactment thereof for the time being in force
- 2.9 Wherever any party to this deed comprises more than one person any obligations expressly or impliedly made by or with such a person is deemed to be made jointly and severally against each individual

3 Conditions

- 3.1 This Deed shall take effect upon the earliest of either:
- (a) the grant of Planning Permission; or
 - (b) the Commencement of Development.
- 3.2 This Deed is subject to the provisions of clause 10 which shall come into effect immediately upon completion of this Deed

4. The Owner's Covenants

- 4.1 The Owner covenants with the Authority to observe the covenants set out in the Second Schedule

5. The Authority's Covenants

- 5.1 The Authority covenants with the Owner to observe the covenants set out in the Third Schedule

6. Miscellaneous Provisions

- 6.1 This Deed is a local land charge and shall be registered as such by the Authority
- 6.2 No provisions of this Deed shall be enforceable under the Contracts (Rights of Third Parties) Act 1999.
- 6.3 In the event of the Planning Permission being quashed or revoked by the Authority or any other competent authority having the relevant powers in relation to planning matters this Deed shall determine and cease to have effect from that time
- 6.4 Where the consent or the approval of the Authority is required in respect of any aspect of this Deed then such consent or approval shall not be unreasonably withheld or delayed by the Authority.

6.5 All notices requests or demands pursuant to this Deed shall be in writing and deemed to have been properly served if delivered or sent:

(a) in the case of a notice request or demand to be served on the Owner to the Owner's address as stated in this Deed ; and

(b) in the case of a notice request or demand to be served on the Authority by recorded delivery addressed to the Director of Planning and Land Management to the Authority's address as stated in this Deed

6.6 If any provision in this Deed is for whatever reason held to be invalid illegal or unenforceable by a relevant competent authority the validity legality or enforceability of the remaining provisions of this Deed shall not be in any way affected or impaired

7. Mortgagee's Consent

The Mortgagee consents to the completion of this Deed and acknowledges that the Land shall be bound by the obligations and restrictions contained in this Deed and that the security of the registered charge in favour of the Mortgagee in respect of the Land shall take effect subject to this Deed

8. Waiver

No waiver whether expressed or implied by the Authority of any breach or default in performance or observation of the provisions in this Deed shall constitute a continuing waiver and no such waiver shall prevent the Authority from enforcing any of the relevant provisions in this Deed or for acting upon any subsequent breach or default.

9. Jurisdiction

This Deed is governed by and interpreted in accordance with the law of England and Wales

10. Delivery

The provisions of this Deed other than this clause which shall be of immediate effect shall be of no effect until this Deed has been dated.

IN WITNESS whereof the parties hereto have executed this Deed on the day and year first written above.

FIRST SCHEDULE

the Land

SECOND SCHEDULE

The Owner's Covenants

Construction of the Affordable Dwelling

1. To construct and complete the Affordable Dwelling on the Land in accordance with the Planning Application.
2. To construct and complete the Affordable Dwelling to a standard fit for human habitation in a good and workmanlike manner in accordance with the relevant building regulations applying at the time of construction.

Occupation of the Affordable Dwelling

3. Not to occupy or permit (or cause to permit) the Affordable Dwelling to be occupied other than as a Dwellinghouse for the sole residence of a Qualifying Person and when applicable a Family Member. If no person satisfying the requirement of Initial Qualifying Person has been identified for such Occupation by the Owner and the Affordable Dwelling has in the Authority's reasonable opinion been adequately and properly offered for such Occupation for two consecutive months, it may be offered for Occupation to a Second Qualifying Person. If no person satisfying the requirement of Second Qualifying Person has been identified by the Owner and the Affordable Dwelling has in the Authority's reasonable opinion been subsequently adequately and properly offered for Occupation for a further two months, it may be offered for Occupation to a Third Qualifying Person. No Affordable Dwelling shall be occupied at any time other than by a Qualifying Person except in accordance with the provisions of Paragraph 9 and Paragraph 13 of this Schedule.

Restrictions on Disposal

- 4 There shall not be a Disposal of the Affordable Dwelling other than:
- (a) to a Qualifying Person in accordance with the Affordable Dwelling Disposal Procedure (SAVE THAT a Disposal to a person who is not a Qualifying Person shall be permitted PROVIDED THAT occupation of the Affordable Dwelling shall be by a Qualifying Person in accordance with paragraph 3 of this Schedule) ; and
 - (b) at the Affordable Sale Price or for the Affordable Rent (as the context requires); and
 - (c) with the Authority's written consent (not to be unreasonably withheld); and
 - (d) there being contained within the document giving effect to the Disposal a covenant in favour of the Authority for the purchaser or lessee or tenant of the Affordable Dwelling to comply with the provisions within this Deed
- 5 In relation to the Authority's consent mentioned in paragraph 4(c) above:
- (a) the Owner shall give the Authority at least 14 days written notice prior to any proposed change in ownership or change in the Owner's interest in the Land and shall provide to the Authority upon request and at his own expense any documentation that the Authority reasonably requires to determine whether the proposed owner or occupier is a Qualifying Person. Upon receipt of such documentation the Authority will determine within 14 days whether it agrees to the proposed change in ownership.
 - (b) The Authority will not give its consent in the event that the proposed purchaser lessee or tenant is not a Qualifying Person or that the provisions of this Deed have not been complied with in respect of the Affordable Dwelling.

Sales Procedure

- 6 The Affordable Dwelling must not be sold or transferred other than to an Initial Qualifying Person (subject to the provisions contained within paragraph 4 of this Schedule).
- 7 In the event that the Affordable Dwelling has in the Authority's reasonable opinion been adequately and properly marketed for sale in Area 1 and an offer to purchase at the Affordable Sale Price by an Initial Qualifying Person has not been made within a period of two consecutive months from the date at which it was first marketed it may be offered for sale to a Second Qualifying Person.
- 8 If an offer to purchase at the Affordable Sale Price by a Second Qualifying Person has not been made within a further period of two consecutive months it may be offered for sale to a Third Qualifying Person.
- 9 If an offer to purchase at the Affordable Sale Price by (or for occupation by) a Third Qualifying Person has not been made within a further period of two consecutive months from the date at which it was first offered for sale pursuant to paragraph 8 above the Owner may sell the Affordable Dwelling at the Affordable Sale Price to a person other than a Qualifying Person subject to any subsequent sale being in accordance and in compliance with the restrictions and Sales Procedure set out in this Second Schedule.

Letting Procedure

- 10 The Affordable Dwelling must not be leased or offered for rent other than to an Initial Qualifying Person (subject to the provisions contained within paragraph 4 of this Schedule).
- 11 In the event that the Affordable Dwelling has in the Authority's reasonable opinion been adequately and properly marketed for lease or rent in Area 1 and an offer to lease or rent at the Affordable Rent by an Initial Qualifying Person has not been made within a period of two consecutive months from the date at which it was first marketed it may be offered for lease or rent to a Second Qualifying Person.

12 If an offer for lease or rent at the Affordable Rent by a Second Qualifying Person has not been made within a further period of two consecutive months it may be offered for lease or rent to a Third Qualifying Person.

13 If an offer for lease or rent at the Affordable Rent by a Third Qualifying Person has not been made within a further period of two consecutive months from the date at which it was offered for rent or lease pursuant to paragraph 12 above the Owner may offer the Affordable Dwelling for lease or rent to a person other than a Qualifying Person (but at the Affordable Rent) subject to any subsequent lease or rent being in accordance and in compliance with the restrictions and Letting Procedure set out in this Schedule.

Provisions regarding the sale of an Affordable Dwelling by a Mortgagee in possession

14 If the Owner defaults on his mortgage and the Mortgagee takes possession or assumes control of the property (directly or through an agent) that Mortgagee must inform the Authority in writing within 90 days of taking possession that it has taken possession or assumed control of the Affordable Dwelling and may thereafter sell the Affordable Dwelling free from any restrictions. The provisions of this Deed shall thereafter be extinguished and the Authority shall within a period of 28 days of receiving notification that the Mortgagee is in possession apply for the removal of the local land charge.

THIRD SCHEDULE

The Authority's Covenants

The Authority covenants with the Owner to release the Planning Permission relating to the Development as soon as reasonably practicable following the execution of this Deed by the parties hereto

FOURTH SCHEDULE

(Need Criteria)

The Qualifying Person must either be or have been (as the case may be):

- currently homeless
- establishing a new household for the first time
- living in rented accommodation for a period of at least three years
- in the Authority's reasonable opinion living in such sub-standard condition and it can be demonstrated to the Authority's reasonable satisfaction that the same cannot be converted or upgraded to a satisfactory standard
- living in accommodation that is too small for that person's family and it can be demonstrated to the Authority's reasonable satisfaction that the present home cannot be converted or upgraded to a satisfactory standard
- in the Authority's reasonable opinion in need of living close to another person who has a minimum of 5 years permanent and continuous residence in the Community Council Area such essential need arising from demonstrable age or medical reasons
- in special need relating to age or disability that cannot be met by the existing accommodation
- providing Key Work or Service and has a full time permanent job offer in the Community Council Area
- leaving tied housing on retirement
- wishing to stay within the local community for economic or cultural reasons and in the Authority's reasonable opinion there being no other suitable accommodation available in the locality

EXECUTED AS A DEED by affixing **THE
COMMON SEAL** of **SNOWDONIA NATIONAL
PARK AUTHORITY** in the presence of:

Authorised Sealing Officer

SIGNED AS A DEED by the said

XXXXXXXXXXXXXXXXXX

In the presence of:-

ITEM NO. 6.2

MEETING	Planning and Access Committee
DATE	March 3 2021
TITLE	Supplementary Planning Guidance: Telecommunications and Masts
REPORT BY	Sion Roberts (Planning (Policy) Officer)
PURPOSE	To approve the draft Supplementary Planning Guidance: Telecommunications and Masts, with any necessary changes, for a 6 week public consultation

1. BACKGROUND

The Authority adopted the Eryri Local Development Plan (ELDP) 2016-2031 on the 6th February 2019. As Members are aware, the Eryri LDP contains strategic policies and development policies as a basis for deciding planning applications. Supplementary Planning Guidance documents (SPGs) provide further detailed information, in support of the ELDP policies. To give further guidance regarding the new policies formed through the short form revision a series of new and updated SPGs are being prepared to provide further information and guidance on the implementation of policies contained in the ELDP. SPGs should expand and interpret planning policies and not in themselves, form new areas of policy.

2. PURPOSE

The purpose of the Telecommunications and Masts SPG is to;

- provide detailed guidance about the manner in which the Planning Authority will deal with telecommunication and mast developments which may have an effect on the landscape and character of Eryri.
- provide guidance to assist developers submitting planning and prior approval applications, and to planning officers and Park Authority members in determining planning applications.

3. CURRENT POSITION

This guidance note is one of a series of Supplementary Planning Guidance (SPG) documents which provides further detailed information on how policies contained in the Eryri Local Development Plan (ELDP) (2016-2031) will be applied in practice by the National Park Authority. The SPG is intended to give more detail on specific issues than is possible or appropriate in the ELDP and will be a material planning consideration when decisions are made on planning applications related to telecommunications and masts.

The draft SPG was taken to the November 11 2020 working group. Following those discussions, the following amendments have been made to the draft SPG:

- A map of all telecommunication/mast applications granted planning permission since 2011 has been included as an appendix (Appendix 1). This also includes retrospective and renewal applications which will hopefully capture all sites. As the title suggests this does not necessarily mean that these have been built, but that they have had permission
- Par 1.15 – New paragraph to highlight a website where mobile coverage can be viewed to a local level (and for numerous providers). Useful to give an indication of ‘not spots’ – link was put in rather than a fixed map as it is likely to change fairly often.
- Par 4.2 – Addition of a new bullet point to suggest that proposals should demonstrate that an acceptable level of service cannot be provided by the use of a relay mast/antenna.
- Par 4.20 – Addition of new paragraph to make it clear that applicants/developers will need to demonstrate that they are using the best design and best practice possible when submitting applications.
- Par 4.26 – Updating the paragraph to reflect the new updated 2020 ICNIRP, and a link to their website highlighting differences between the previous and new guidelines.

4. NEXT STEPS

Following any amendments agreed by the Planning and Access Committee on the updated Telecommunications and Masts SPG, it will be subject to a 6 week public consultation. All responses received following this consultation will be reported to the Planning and Access Committee. Any necessary changes will be made to the SPG before formally adopting the updated guidance as a material planning consideration.

5. RECOMMENDATION

For Members to approve the draft Telecommunications and Masts SPG for public consultation, subject to any modifications considered appropriate.

SNOWDONIA NATIONAL PARK AUTHORITY



SUPPLEMENTARY PLANNING GUIDANCE: TELECOMMUNICATIONS AND MASTS

National Park Purposes and Responsibilities

Environment Act 1995

61. Purposes of National Parks.

The provisions of this Part of this Act shall have effect for the purpose -

(a) of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas specified in the next following subsection; and

(b) of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public.

Planning Policy Wales: Edition 10 – December 2018

6.3.6 In National Parks, planning authorities should give great weight to the statutory purposes of National Parks, which are to conserve and enhance their natural beauty, wildlife and cultural heritage, and to promote opportunities for public understanding and enjoyment of their special qualities. Planning authorities should also seek to foster the social, economic and cultural well-being of their local communities.

6.3.9 The special qualities of designated areas should be given weight in the development planning and the development management process. Proposals in National Parks and AONBs must be carefully assessed to ensure that their effects on those features which the designation is intended to protect are acceptable. The contribution that development makes to the sustainable management of the designated area must be considered.

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act is about improving the social, economic, environmental and cultural Well-being of Wales. It establishes a 'sustainable development principle' which means that a defined public body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. The Act puts in place seven well-being goals:

- *A globally responsible Wales*
- *A prosperous Wales*
- *A resilient Wales*
- *A healthier Wales*
- *A more equal Wales*
- *A Wales of cohesive communities*
- *A Wales of vibrant culture and thriving Welsh Language*

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1. Introduction

- 1.1 This guidance note is one of a series of Supplementary Planning Guidance (SPG) documents which provides further detailed information on how policies contained in the Eryri Local Development Plan (ELDP) (2016-2031) will be applied in practice by the National Park Authority. The Supplementary Planning Guidance is intended to give more detail on specific issues than is possible or appropriate in the ELDP

Purpose

- 1.2 The purpose of this Supplementary Planning Guidance is:
- To provide detailed guidance about the manner in which the Planning Authority will deal with telecommunication and mast developments which may have an effect on the landscape and character of Eryri.
 - To provide guidance to assist developers submitting planning and prior approval applications, and to planning officers and Park Authority members in determining planning applications.

Status

- 1.3 This Supplementary Planning Guidance (SPG) will be a material planning consideration when decisions are made on planning applications.
- 1.4 This SPG has been produced to support the policies within the ELDP.
- 1.5 In accordance with good practice, applicants are encouraged to discuss applications with officers, beforehand, in order to decide what kind of assessments need to be prepared. More detail on this is included on the following page.
- 1.6 The most relevant policies in the ELDP are:

- **Development Policy 26: Telecommunication (26)**
- **Development Policy 1: General Development Principles (1)**
- **Development Policy 2: Development and the Landscape (2)**
- **Strategic Policy A: National Park Purposes and Sustainable Development (A)**
- **Strategic Policy D: Natural Environment (D)**

- 1.7 Additional documents relevant to this SPG are:

- **SPG 7: Landscapes and Seascapes of Eryri**
- **SPG 13: Landscape Sensitivity and Capacity Assessment**

Pre application advice

- 1.8 Prior to submitting a full application, applicants and developers may wish to contact the Planning Service at the National Park Authority, and to work with officers at the pre-application stage, where planning advice is given prior to the submission of a formal planning and/or prior approval application.
- 1.9 Pre application advice has many advantages with telecommunications developments, and micro-siting issues are easily addressed prior to the formal submission of an application.
- 1.10 To access the service applicants will need to complete and submit a pre-application enquiry form (found on the Authority's website) and provide information such as:
- A description of the proposal and what kind of planning permission is being sought
 - A location plan and any other drawings/plans or sketch details you have available
 - The current use of the site or building
 - Photographs of the site or building and of the surrounding area
 - Assessment of potential alternative sites – which will give officers opportunities to assess the landscape and visual impact on different sites
 - Preliminary landscape and visual impacts assessments taking into account the relevant SPG's
 - Any other relevant information (e.g. ecological surveys)
- 1.11 A charge is payable for the pre-application service. The fee varies depending on the type and scale of the proposed development. The following is a link to the relevant page on the Snowdonia National Park website which details this service - <https://www.snowdonia.gov.wales/planning/planning-permission/pre-application-enquiry>
- 1.12 Following the submission of this form the applicant will receive a written response from the Authority (normally within 21 days).

General Context

- 1.13 There are pressures relating to telecommunications infrastructure within Snowdonia National Park for new and replacement mobile telephone masts, due to the lack of mobile telephone coverage and the topography of the National Park. This results in the need for more masts to provide coverage. Included within SPG 13: Landscape Sensitivity and Capacity Assessment,

“In more remote areas, telecommunications infrastructure is one of the few developments which by necessity has to be prominently sited. Such developments inevitably affect the perceived wildness of the landscape, by introducing an overt man-made structure into an area perceived as relatively natural and remote from human influence. There can also be an impact on landscapes when there is an increase of structures along established infrastructure corridors. This results in increased visual clutter and development often in highly visible locations. In addition, the visual effects of masts can increase through cumulative visual impact, as prominent sites often contain several, disparately designed developments”

- 1.14 Planning Policy Wales Edition 10 notes that planning authorities should not question the need for telecommunication systems, and the Authority is fully aware of the need for modern communications in order to fully exploit the social and economic development potential of the area. However the Authority will not support the provision of telecommunications infrastructure if the landscape character and visual amenity of the park are seriously compromised through the inappropriate design or location of installations, or where there is significant detrimental effect upon the amenity of those living nearby. In assessing any planning applications, the Authority will carefully consider the landscape evidence and conclusions contained in SPG7 (Landscapes and Seascapes of Eryri) and SPG 13 (Landscape Sensitivity and Capacity Assessment). This SPG seeks to guide applicants and developers about what is acceptable in terms of siting telecommunications infrastructure in the National Park.
- 1.15 A map displaying the current coverage of mobile networks (EE, O2, Three and Vodafone UK) can be viewed by following this [link](#).

Eryri Local Development Plan (2016-2031) Telecommunications Policy

1.16 The following policy, from the Eryri LDP, seeks to ensure that the social and economic benefits of better communication infrastructure are met without negatively impacting the surrounding area.

Development Policy 26: Telecommunication (26)

Telecommunications developments will be permitted provided that they do not significantly harm the visual amenity and landscape character of the area or adversely affect the amenity of people living close to the site.

Proposals should therefore satisfy all the following criteria:

- i. It can be demonstrated that an acceptable level of service cannot be provided by:
 - a) the use of a more environmentally acceptable site either within or outside the Park,
 - b) sharing an existing site, mast, tower or other structures.
 - c) sharing an existing or planned underground channel with another utility.
- ii. The cumulative effect of the development in conjunction with similar installations, does not significantly harm the visual character or the landscape character of the National Park.
- iii. The mast, antennae and any ancillary structures are expected to be well designed and represent the best practicable environmental option.
- iv. The radio frequency emissions from mobile base stations and apparatus conform to nationally agreed precautionary principles.
- v. Where there is a risk of significant radio interference, it can be demonstrated that this can be overcome by appropriate measures.

It will be a requirement that redundant or obsolete equipment and buildings are removed and the site is restored within six months of the facility ceasing to operate.

2. National & Local Policies and Context

Planning Policy Wales Edition 10

- 2.1 Planning Policy Wales (PPW) Edition 10 sets out Welsh Government's land use policies and establishes their objectives for conserving and improving natural heritage, landscapes with statutory designations, native habitats, trees and woodlands. PPW 10 notes that planning authorities should provide for the conservation and, where appropriate, enhancement of local landscapes. This may include policies for landscape features, characteristics and qualities of local significance and the designation of Special Landscape Areas (SLA's). In light of this, the SNPA's adopted supplementary planning guidance of 'Landscape Sensitivity and Capacity Assessment' and 'Landscapes and Seascapes of Eryri' are discussed and highlighted within this document.
- 2.2 PPW 10 also states that planning authorities should state which features, characteristics or qualities require extra protection, and explain how the policy or designation will achieve this protection. This is noted within SPG 7 the 'Landscapes and Seascapes of Eryri'.
- 2.3 LANDMAP¹ and any associated landscape character assessments (including the register of historic landscapes in Wales) should be used to inform local landscape policies, planning applications and SPG's. LANDMAP can be accessed via the Natural Resources Wales website.
- 2.4 Regarding Mobile Telecommunications (*which incorporates both mobile phone and mobile broadband technology and services*), PPW 10 notes that the planning system should help support telecommunications infrastructure where it is required, whilst taking in to account the status of protected land and buildings as well as amenity considerations to protect what is valued most in communities and environment. PPW 10 notes that the impact from new mobile telecommunications infrastructure will be the greatest in sensitive landscapes and other designated areas and should be carefully planned. However it is these areas, which are mostly rural in nature which are affected economically and socially by limited coverage. Proactive but considered planning is therefore essential to ensure greatest coverage whilst maintaining the character of these special areas.

¹ LANDMAP is an all-Wales landscape resource where landscape characteristics, qualities and influences on the landscape are recorded and evaluated. It is a tool to help sustainable decision-making and natural resource planning at a range of levels, from local to national. It can be found on the NRW website.

- 2.5 PPW 10 states, the sharing of masts and sites is strongly encouraged where that represents the optimum environmental solution in a particular case, for example in designated or sensitive landscape areas. The design of masts will be an important consideration where sharing is likely to be the preferred approach and efforts to disguise apparatus should be pursued where necessary. Wherever possible, use should be made of existing buildings and other structures to site new equipment and developers should engage with planning authorities and the community to identify possible locations that could bring additional benefits. Siting should allow for the greatest possible coverage while, so far as is practicable, minimising the impact on amenity and the external appearance of a building. Conditions should also be used to ensure that equipment that is no longer required or in use is removed promptly.

Technical Advice Note (TAN) 19: Telecommunications (2002)

- 2.6 This Technical Advice Note should be taken into account by local planning authorities in the preparation of development plans. It may also be material to decisions on individual planning applications and would be taken into account in any called-in planning applications and appeals. Further details from TAN 19 are presented in section 4 of this SPG from page 19.

Other National Publications

- 2.7 Other national documents relative to telecommunications developments are documents such as the 'Emergency services mobile communication programme' and 'Mobile phone network development: code of practice'. These documents, and others, can be found on the Welsh Government's website by following this link; <https://gov.wales/planning-policy-and-guidance-telecommunications> .

Well-being of Future Generations (Wales) Act (2015)

- 2.8 Welsh Government note that the Well-being of Future Generations Act gives the ambition, permission and legal obligation to improve social, cultural, environmental and economic well-being.

- 2.9 The careful planning and development of telecommunications masts can potentially make a significant contribution to the 7 Well-being goals identified in the Act. It is considered that if the '5 ways of working' identified in Act are implemented in the development of masts (from siting, design, consultation through to the submission of a planning application), then this should lead to a more considered and well-designed development.

SPG 7: Landscapes and Seascapes of Eryri (2014)

- 2.10 This SNPA adopted SPG identifies the key characteristics of individual Landscape Character Areas (LCAs) and Seascape Character Areas (SCA's) and sets out information on how to manage change within them. Although almost all of the landscapes and seascapes in Snowdonia are of outstanding quality, reflected in its designation as a National Park, it is necessary to define landscape and seascape character areas and to appreciate individual characteristic qualities as well as influences which may lead to changes in character. The main purpose of the guidance is to;

- Define the boundaries and name individual Landscape Character Areas (LCAs) and Seascape Character Areas (SCAs) in Snowdonia National Park
- Identify their key characteristics and valued attributes
- Identify forces for change which are likely to influence changes in the landscape – both for the individual LCAs and SCAs and the National Park more generally – mobile/telecommunication masts are not identified as a force for change generally within this document
- Identify landscape strategies for each LCA, setting out how they should be managed and protected in the future
- Identify the sensitive factors for each SCA

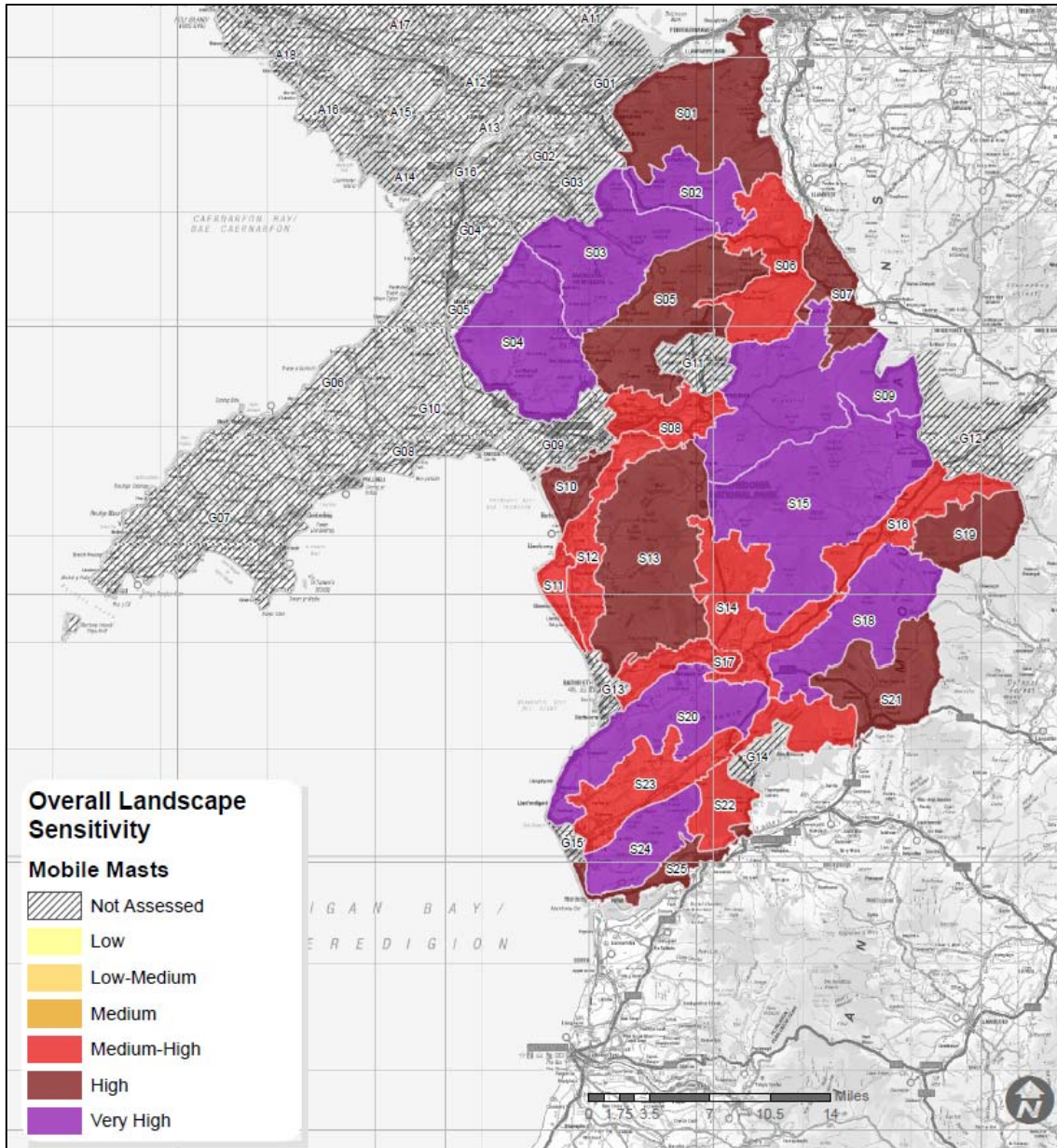
- 2.11 As the document identifies the key features of Landscape Character Areas within the National Park and how they may be adversely affected by certain developments (for example mobile masts developments), it is a crucial document to consider alongside others, when assessing telecommunication planning proposals.

- 2.12 As with the Landscape Sensitivity and Capacity Assessment SPG, the Landscapes and Seascapes of Eryri SPG is a material planning consideration when decisions are made on planning applications.

SPG 13: Landscape Sensitivity and Capacity Assessment

- 2.13 This assessment of landscape sensitivity and capacity aims to provide a robust evidence base for determining planning applications, helping to protect sensitive and distinctive landscapes from inappropriate development and encouraging a positive approach to development in the right location and at an appropriate scale. The study, as it relates to Snowdonia, specifically considers the following three development types; renewable energy developments, mobile masts (telecommunications transmission infrastructure) and static caravan/chalet parks and extensions, within the landscape character areas identified in SPG 7.
- 2.14 The acceptability of any development in the rural landscape can be difficult to assess in a rational manner. Whilst it is generally acknowledged that the most valued landscapes should be protected, there are some areas where development can be accommodated, albeit in a controlled way to minimise adverse effects. However, this SPG provides broad strategic guidance on location and impact issues and siting guidance notes to minimise adverse effects for each character areas. Developers should familiarise themselves with each character area and critically analyse, in a more rational manner, the impact of their proposal against identified sensitivity criteria.
- 2.15 As telecommunication/mobile masts by necessity have to be prominently sited, it is important that they are carefully sited and assessed as to avoid the most sensitive areas. The image below shows the general sensitivity of Eryri's Landscape Character Areas to mobile masts developments. (*This study was done on a general LCA level and areas within an LCA may have higher or lower sensitivities compared to the LCA as a whole*).

Figure 1



3. Planning Process

Masts – Prior Approval (20 metres and under)

- 3.1 Larger telecommunication developments requires developers to apply to the local planning authority either for prior approval or to submit a full planning application.
- 3.2 The prior approval process is legislated under the Part 24 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2019 (GPDO) and can be viewed by following this [link](#).
- 3.3 Most forms of telecommunications development which are permitted under Part 24 of the GPDO are subject to a 56 day prior approval procedure. This is due to the fact the development is situated within a National Park.
- 3.4 This process requires the developer to apply to the local planning authority for its determination as to whether prior approval will be required to the siting and appearance of the proposed development.
- 3.5 The local planning authority have 56 days, beginning with the date on which it receives the application, in which to make and notify its determination on whether prior approval is required for the siting and appearance and to notify the applicant of its decision to give or refuse such approval. There is no power to extend the 56 day period.
- 3.6 If no decision is made, or the local planning authority fails to notify the developer of its decision within the 56 days, permission is deemed to have been granted.
- 3.7 Part 24 of the GPDO requires that an application to the local planning authority must be accompanied by:
 - The developer's contact address, and the developer's email address if the developer has one
 - A written description of the proposed development
 - A plan indicating its proposed location
 - Evidence that the owner or agricultural tenant of the land to which the application relates has been notified of the proposed development

- Where the proposed development consists of the installation of a mast within 3 kilometres of the perimeter of an aerodrome (see page 22 & 23), evidence that the CAA, the Secretary of State for Defence or the aerodrome operator (as appropriate) has been notified of the proposal
- The appropriate fee
- For development involving the construction or installation of one or more antennas (unless they are all small cell antenna), the application must also be accompanied by a declaration that the equipment and installation, when constructed or installed, will operate in full compliance with the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines.

3.8 It is considered good practice that the following is also submitted:

- Evidence that the possible use of an existing mast, building or structure has been considered before submitting an application to erect a new mast
- Information about the purpose and need for the particular development
- Where the proposed development consists of the installation, alteration or replacement of a mobile phone base station on or near a school or college, evidence that the relevant body of the school or college has been consulted about the proposal
- A statement indicating the height of the proposed antenna, the frequency and modulation characteristics and details of power output.

3.9 The National Park Authority should begin the consultations and notification as set out in the regulations as early as possible on receipt of the application in order to allow sufficient time in which to consider the application in light of any representations received.

3.10 The National Park Authority should take into account representations received in determining whether to give or refuse approval for a proposed development. The Authority may wish to discuss with the developers possible modifications to the proposed development to mitigate the concerns raised by particular consultees.

3.11 Factors to be considered concerning the appearance of the mast and ancillary apparatus include materials, colour and design. The use of appropriate materials and coloration may allow a mast to blend more easily into its surroundings. Features of design which may be considered include dimensions; overall shape; and whether construction is solid or forms an open framework. The Authority should also consider with the developer the availability of alternative designs which might be more suited to the local environment.

3.12 Factors concerning siting may involve:

- The height of the site in relation to surrounding land
- The existence of topographical features and natural vegetation
- The effect on the skyline or horizon
- The site when observed from any side, including from outside the authority's own area
- The site in relation to areas designated for their scenic or conservation value
- The site in relation to existing masts, structures or buildings, including buildings of a historical or traditional character
- The site in relation to residential property
- Any other relevant considerations

3.13 In considering the siting and appearance of a mast together with its associated development, the scope of landscaping and screening to reduce the impact of the development on its surroundings will be an important consideration.

Determination not to require Prior Approval

3.14 If the Park Authority determines that prior approval is not required, the development may proceed (a) when the operator receives written notice of such a determination or (b) after the 56-day period expired. The authority should give notice of any determination as soon as possible, rather than allowing the 56-day period to expire without notifying the applicant. The development must be carried out in accordance with the details submitted with the application for the determination or as otherwise agreed in writing by the authority.

Determining to require Prior Approval

3.15 If the authority decides that prior approval is required for the siting and/or appearance of the development, it should give the operator/developer prompt written notice of that determination.

Minor Telecommunications Development

3.16 Some small scale telecommunication developments and operations do not require planning permission, for example television aerials, small satellite dishes on residential properties. In terms of satellite dishes in some cases planning permission and listed building consent may be required. For further information see;

- Planning and guide for householders ([link](#))
- Planning Portal Wales – Interactive Household ([link](#))

Fixed Line Broadband

3.17 In respect to the provision of fixed-line broadband, such developments can rely on permitted development rights provided relevant conditions are adhered to. Within the National Park these are as follows;

- One month's notice in writing must be given to Natural Resources Wales (NRW) and the Local Planning Authority
- The notice must state the developers' intention to install electronic communications apparatus, describe the apparatus and identify the location where they propose to install it
- Cabinet colour must be; green, black (except matt black), or a colour which has the written approval of the local planning authority prior to the commencement of the development
- Any telegraph pole must have the same appearance and be made of the same material as the nearest existing telegraph pole to it which has planning permission, unless an alternative appearance or material has been approved in writing by the local planning authority prior to the commencement of the development.

4. Material Planning Considerations

- 4.1 Snowdonia National Park Authority will consider any development proposal in accordance with the ELDP (2016-2031) as well as its Supplementary Planning Guidance documents which have been discussed above.
- 4.2 Development Policy 26: Telecommunications is shown on page 9, and notes that any proposal put forward should demonstrate that an acceptable level of service cannot be provided by;
- The use of a more environmentally acceptable site (evidence must be presented that other sites have been considered and why they aren't suitable for development e.g. that the alternative sites would have a larger impact, that there would be technical issues etc)
 - Sharing an existing site, mast, tower or other structures
 - Sharing an existing or planned underground channel with another utility
 - The use of a relay mast/antenna
- 4.3 The policy also states that the proposed development should not have a cumulative effect in conjunction with similar installations and that it does not harm the visual character or landscape character of the National Park.
- 4.4 Strategic Policy D: Natural Environment notes that the natural resources, biodiversity, geodiversity and 'Special Qualities' of Snowdonia National Park will be protected from inappropriate development. Proposals should not adversely affect the National Park's biodiversity resources including designated sites from an international through to a local level, as well as wider biodiversity resources e.g. habitats and species outside designated sites. The National Park will advise developers that they must comply with any statutory species protection requirement as referred to in Planning Policy Wales (PPW) and the Technical Advice Note (TAN) 5: Nature Conservation and Planning.
- 4.5 The initial stages in planning any development involve the identification of an appropriate type/scale of development and the consideration and selection of a suitable site in order to minimise landscape and visual effects. For example, choosing an appropriate site may help mitigate the visual impact of a development even before the detailed design stage. As a starting point, the sensitivity assessment of the relevant LCA should be consulted for each potential development to gain an understanding of the baseline landscape character and key sensitivities to that particular type of development.

- 4.6 Developments located within or near to the following will be critically assessed and mitigation measures will need to be provided as well as assessments of potential alternative sites, in line with the policy. These include;
- Areas of high landscape value and sensitive to change (*Guidance will be taken from SPG 7, SPG 13 and LANDMAP*)
 - Areas of high visual sensitivity (*Guidance will be taken from the Landscape Sensitivity and Capacity Assessment – note that this is a strategic study and not prescriptive at an individual site level*)
 - Protected natural designations where there would be an identifiable impact
 - Historic Landscapes, Scheduled Ancient Monuments, World Heritage Sites, Candidate World Heritage Sites and Listed buildings
 - Eryri Dark Sky Reserve core areas – depending on lighting proposals
- 4.7 SPG 7 and SPG 13 are material planning considerations when decisions are made on planning applications. Developers are advised to assess the landscape and visual impact of any proposal on the character of LCAs and consider mitigation measures if there are adverse impacts. A record of this analysis should be included within supplementary information accompanying planning applications.
- 4.8 The specific siting and design guidelines produced for each LCA may also assist in the selection of a suitable site and type/scale of development.
- 4.9 It is important to note that there are often local variations in the character and sensitivity of each LCA, therefore a site specific analysis should be undertaken to identify any potential landscape and/or visual issues at any given location. As part of this it will be important to consider potential impact on the following;
- Landscape character (particularly key characteristics)
 - Key views
 - Special qualities (of landscape designations/remoteness/tranquillity etc)
- 4.10 Impacts on landscape character are likely to be related to the following;
- Landform – whether landform is complex or simple and how the nature of the proposed development relates to this or conflicts with it. Development can dominate small scale or intricate landforms if not carefully sited

- Landcover – how the proposed development fits in or conflicts with the pattern of the land cover and what sensitive features may be at risk
- Man-made influences – does the proposed development introduce an uncharacteristic man-made influence into a landscape

4.11 Proposals will also need to take into account any impact that the development may have on neighbouring LCA's.

Mast and site sharing

4.12 TAN 19 notes that local planning authorities may reasonably expect applications for new masts to show evidence that they have explored the possibility of erecting antennas on an existing building, mast or other structure such as an electricity pylon. Conditions in code operators' licences require applications to explore the possibility of sharing an existing radio site. This evidence should accompany any application made to the local planning authority, whether for prior approval or planning permission.

4.13 If the evidence regarding the consideration of such alternative sites is not considered satisfactory, the planning authority may be justified in refusing planning permission for the development. In such circumstances, the authority should give clear reasons why it considers the evidence before it to be unsatisfactory. It is for the local planning authority in the first instance to satisfy itself as to whether the information which has been provided in this respect is satisfactory and to bear in mind the technical constraints upon network development in reaching any decision.

4.14 In considering alternative sites, the authority will be mindful of the potential impact on the local environment of development on those sites. This will be particularly important where an alternative site would involve the redevelopment of an existing mast for shared use. In certain circumstances the shared use of an existing mast might necessitate an increase in the height or structural capacity, and therefore the visibility, of that mast. Depending upon the characteristics of the location, site sharing as opposed to mast sharing may be more appropriate. A second installation located alongside or behind the principle installation may, for example, provide a more beneficial solution in environmental and planning terms.

4.15 The SNPA will take account of all the advice contained in TAN 19 including the cumulative impact upon the environment of additional antennas sharing a mast or masts sharing a site or a possible more favourable option of locating a new site.

Design

- 4.16 Masts, antennae and any ancillary structures are expected to be well designed and represent the best practical environmental option. The Authority will consider the suitability of the proposed design, including ancillary development and landscaping. Design options will be affected by site conditions, technical constraints, landscape features and capacity requirements. Its height, ancillary development and the scope for landscaping and screening will also be important considerations.
- 4.17 The applicant/developers should use sympathetic design and camouflage to minimise any impact that the development might have on the surrounding environment. The telecommunication industry is encouraged to continue its development of innovative design solutions. This is not only in terms of the masts and antennas themselves, but of the materials and colouring as well. This also includes masts designed to look like street furniture, and the redevelopment or restoration of existing properties to incorporate telecommunications apparatus. Authorities may wish to discuss with operators, different design options in connection with a particular development proposal. It should be borne in mind that some designs may not be suitable for future sharing. Where it is agreed that a site is suitable for future mast sharing, it may be appropriate to install a mast specifically designed to facilitate its redevelopment for sharing.
- 4.18 Applicants are encouraged to provide the National Park Authority with different examples of design solutions and are also encouraged to explore possible alternative approaches, for example site and mast sharing (as mentioned previously), location and alternative designs for the apparatus. When considering the design of an individual development, in particular mast developments, careful consideration should be given to screening and plantings. The boundaries of the site should be drawn large enough to accommodate the necessary landscaping.
- 4.19 The Authority should ensure that they understand the constraints the operator faces, whether due to the nature of the technology or the legal requirement to provide a service. Operators should be prepared to explain technology and legal limitations, and to discuss the feasibility of alternative sites. Pre-application discussions should help to identify and resolve issues at an early stage, and to facilitate the formal application process.
- 4.20 Furthermore, applicants/developers will be asked to demonstrate and justify that they are using the best design possible based on recognised design guide lines.

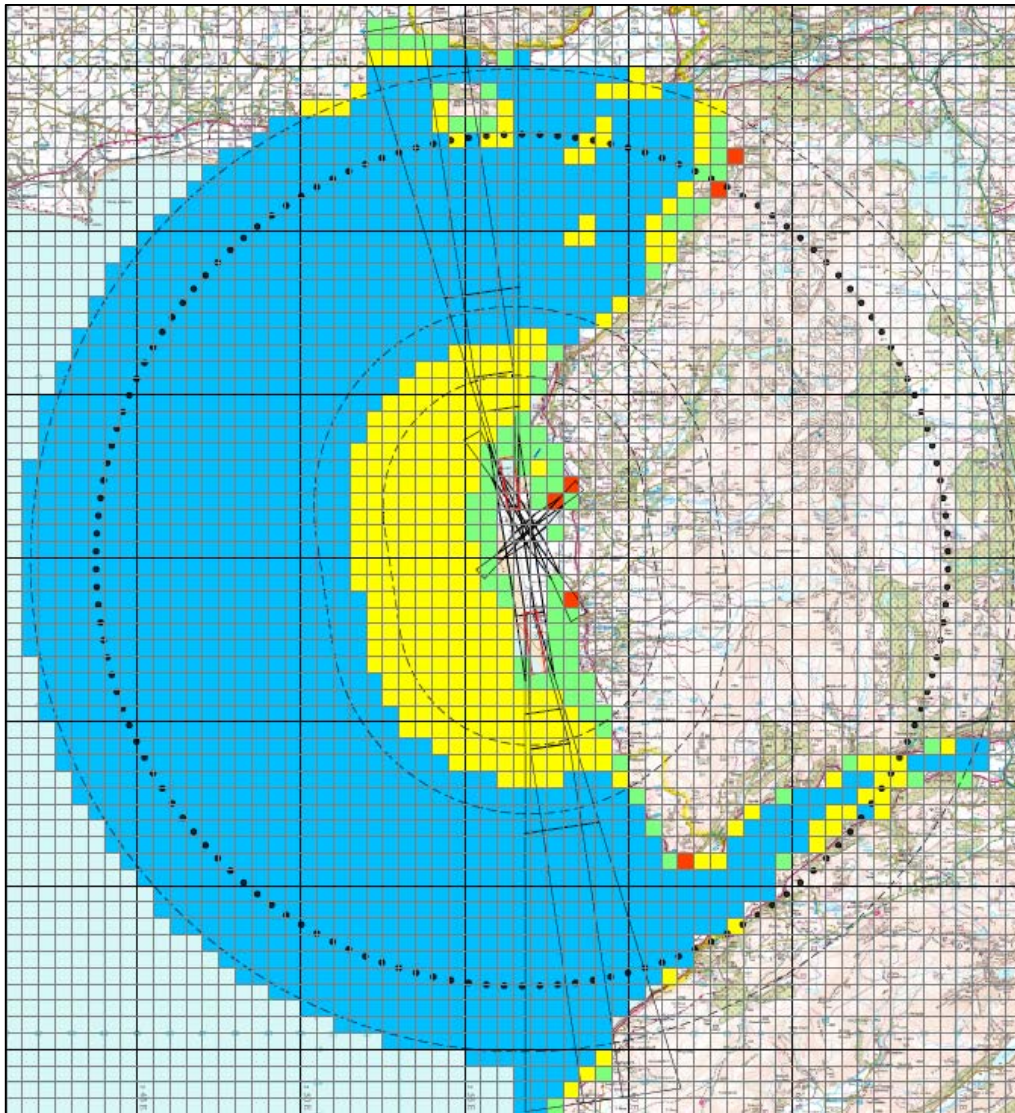
Radio Interference

- 4.21 TAN 19 notes that there are two types of interference. The first type is electrical interference, caused by a radio transmitter or by unwanted signals emitted by other electrical equipment. Only if there is clear evidence that significant electrical interference will arise, and that no practicable remedy is available, will there generally be any justification for taking it into account in determining a planning application. The second type is physical interference. Large prominent structures such as tower blocks, cranes, warehouses or windfarms can cause widespread disruption to television and other telecommunications services due to the physical obstruction or reflection of the wanted signals. Although unlikely to be an issue within the National Park the Authority will need to be satisfied that the potential for interference has been fully taken into account in the siting and design of such developments.
- 4.22 Where the potential for electrical interference to telecommunication or broadcast signals are expected, co-ordination with Ofcom (*formerly would have been contact with the Radiocommunication Agency*) would be required to ascertain whether an engineering solution to the problem is feasible. In such instances, they should be contacted at the earliest stage in the planning process and their advice taken into account. Where such problems are likely, local planning authorities may grant planning permission subject to a condition that, before development commences, the developer will ensure that the quality of any reception affected by the development will be restored.
- 4.23 Where there is a risk of significant radio interference, it should be demonstrated by the applicant that this can be overcome by appropriate measures.

Airspace

- 4.24 Llanbedr Enterprise Zone has been designated within the Eryri LDP, and any proposal for telecommunication development in this area would need to consider any potential radio interference as well as the safeguarded airspace within the area.

Figure 2



**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (AERODROMES AND TECHNICAL SITES) DIRECTION 1992**

1. For the purposes of the above named Direction, this chart, prepared by SLC Associates, is certified as being the safeguarding chart for the aerodrome known as:

LLANBEDR AIRFIELD

- All development within the outer safeguarding area.
- All buildings, structures, erections and works exceeding 10 metres in height (32.8 feet).
- All buildings, structures, erections and works exceeding 15 metres in height (49.2 feet).
- All buildings, structures, erections and works exceeding 45 metres in height (147.6 feet).
- All buildings, structures, erections and works exceeding 90 metres in height (295.3 feet).
- All applications involving major tree planting schemes, mineral extraction or quarrying, a refuse tip, a reservoir, a sewage disposal works, a nature reserve or a bird sanctuary and all applications connected with an aviation use.

3. The appropriate office for the purpose of consultation is the Airport Manager, Llanbedr Airfield Estates LLP, Llanbedr Airfield, Gwynedd, LL45 2PX, to the extent specified in the key above of any land within.

4.25 With regards to safeguarded airspaces, the map shown previously in figure 2 shows the areas where developments of specific heights are prohibited. The legend attached to the image details the height restrictions for each relevant area, for example areas displayed in red note that no buildings or works exceeding 10m (32.8 feet) should be built there.

Health impact considerations

4.26 Providing that the development meets the new International Commission on Non-Ionising Radiation Protection (ICNIRP 2020 – [link here to website highlighting the differences between the 2020 guidelines and previous versions](#)) guidelines, planning authorities should not consider the health aspects of mobile telecommunication equipment. All new base stations are expected to meet the ICNIRP guidelines.

Need

4.27 As advised in Planning Policy Wales Edition 10, Local Planning Authorities should not question the need for proposed developments. The need for masts is affected by customer usage, their size and the terrain.

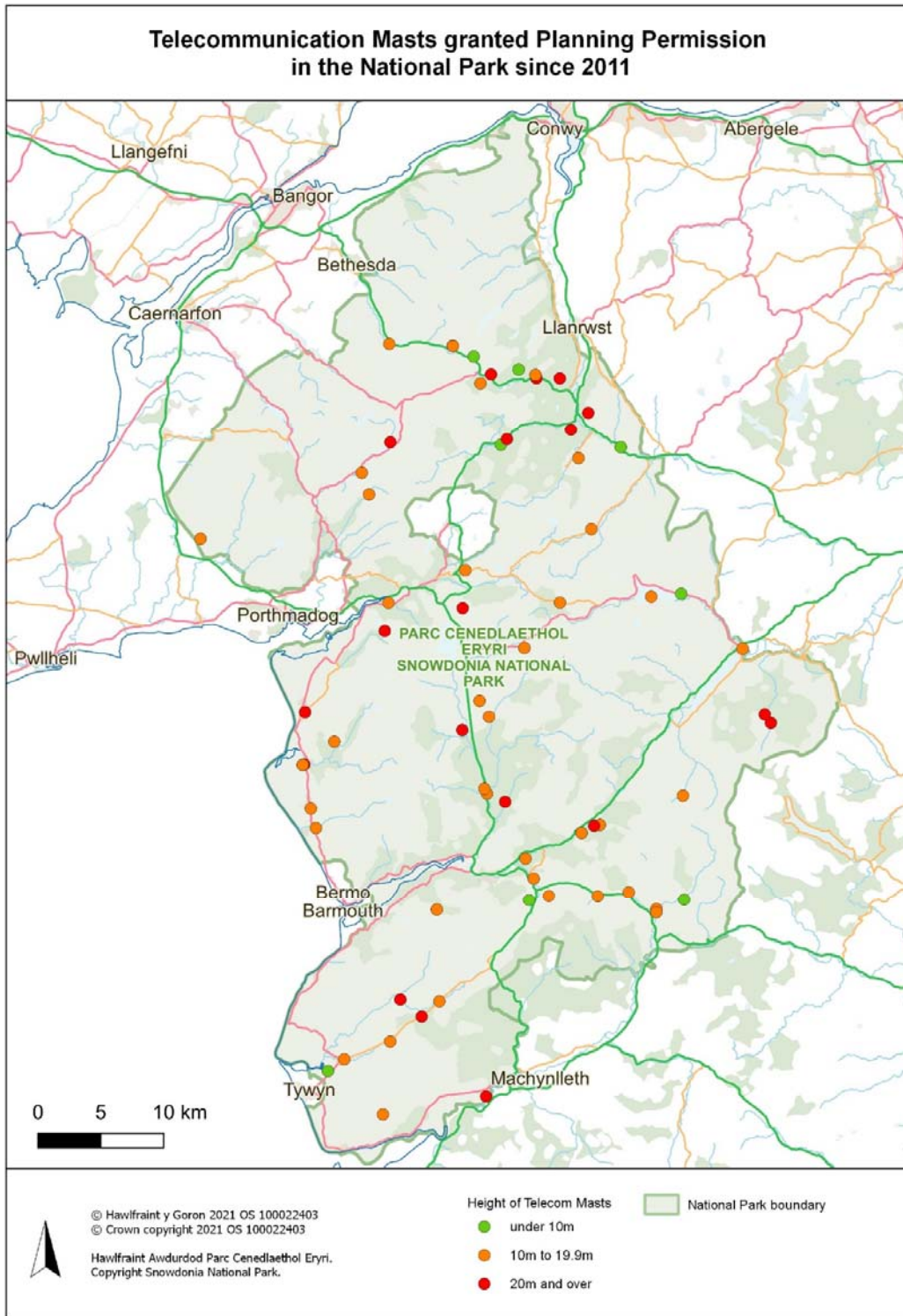
Devaluation of property

4.28 Potential devaluation of property arising from telecommunication development is not a planning consideration.

Loss of view

4.29 As mentioned throughout this SPG, telecommunication developments can be very prominent. Loss of view for individual householders is not a material consideration, however if a proposed development is likely to have an adverse effect on visual amenity, then this would be a planning concern. The Authority may seek to mitigate the impact through screening or landscaping, but if it cannot be made acceptable then the application may be refused.

Appendix 1





PLANNING AND ACCESS COMMITTEE
3 MARCH 2021

DELEGATED DECISIONS

SNOWDONIA NATIONAL PARK AUTHORITY

PLANNING AND ACCESS COMMITTEE 03 MARCH 2021

DELEGATED DECISIONS

Applications Approved

	Application No.	Proposed	Location	Decision Date	Case Officer
1.	NP2/11/66D	Single storey extension	Aber Cottage, Aberglaslyn, Beddgelert. LL55 4YF	11/01/21	Mr Richard Thomas
2.	NP4/11/315C	Non-Material amendment to that approved under NP4/11/315A dated 27/07/2018 to include kitchenette for self-contained visitor accommodation	Glenwood, Betws y Coed. LL24 0BN	13/01/21	Mr Richard Thomas
3.	NP4/11/396	Two storey rear extension	Oakdale, Betws y Coed. LL24 0AR	17/01/21	Mr Richard Thomas
4.	NP4/26/AD305A	Erection of information board	Conwy Falls Cafe Car Park, Betws y Coed.	11/01/21	Mr Richard Thomas
5.	NP4/26/AD306A	Erection of information board	Land near layby, Rhydlanfair, Betws y Coed.	11/01/21	Mr Richard Thomas
6.	NP4/29/AD438A	Proposed erection of Information Board	Land near Conwy Falls Fish Pass, Betws y Coed.	11/01/21	Mr Richard Thomas
7.	NP4/31/AD109A	Proposed erection of Information Board	Ysbyty Ifan Car Park, Ysbyty Ifan.	11/01/21	Mr Richard Thomas
8.	NP4/32/88J	Renewal of temporary permission for a further three years for the erection of temporary building for temporary period to provide staff facilities, erection of pre-fabricated smoking shelter, and erection of timber screen fencing	Trefriw Wells Spa, Trefriw. LL27 0JS	26/01/21	Mr Richard Thomas
9.	NP4/32/89C	Erection of two storey side extension	Plas Tirion, Jubilee Road, Trefriw, LL27 0SQ	28/01/21	Mr Richard Thomas
10.	NP4/32/L222D	Discharge Condition 5 (Bat Conservation Plan) attached to NP4/32/L222C dated 20/11/2020	Hafod Gras, Crafnant Road, Trefriw. LL27 0JZ	03/02/21	Mr Richard Thomas

11.	NP5/50/144C	3 ground screened holiday accommodation units	Crychnant, Aberdyfi. LL35 0SG	02/02/21	Mrs. Iona Roberts
12.	NP5/50/363E	Construction of single storey administration and welfare facility building including car parking area and retaining walls	Aberdyfi Lodge Park, Aberdyfi. LL35 0RG	13/01/21	Mrs. Iona Roberts
13.	NP5/50/55A	Alterations to bay windows including slate roof over and installation of new external steps and platform to create new access to garden at the side	Brynderfel, Aberdyfi. LL35 0NR	05/01/21	Mrs. Iona Roberts
14.	NP5/50/L220C	Removal of two chimneys and installation of gas vents/flue	32 Terrace Road, Aberdyfi. LL35 0LU	09/02/21	Mrs. Iona Roberts
15.	NP5/50/L443A	Construction of a secondary gable on the western elevation to include additional window	Balkan Hill House, Balkan Hill, Aberdyfi. LL35 0LB	09/02/21	Mrs. Iona Roberts
16.	NP5/50/L443B	Discharge Condition no. 6 of Planning Consent NP5/50/L443 dated 22/09/2020	Balkan Hill House, Balkan Hill, Aberdyfi. LL35 0LB	09/02/21	Mrs. Iona Roberts
17.	NP5/53/363D	Construction of garage	Bryn Myfanwy, Bala.	11/01/21	Mrs. Sara Thomas
18.	NP5/53/LB197B	Listed Building Consent for alterations to the courtyard at the rear of the property to provide sheltered access, external seating area, improve the existing parking area and replacement doors and windows to the outbuilding. New enclosure to gas meter.	Neuadd y Cyfnod, High Street, Bala. LL23 7PG	15/01/21	Mrs. Sara Thomas
19.	NP5/57/1065G	Demolish existing agricultural building and erect new agricultural building to include toilet and shower facilities for campsite	Bryn y Gwin Farm, Dolgellau. LL40 1TF	05/01/21	Mrs. Iona Roberts
20.	NP5/57/182B	Demolition of existing inlet works and the installation of a replacement inlet works	Wastewater Treatment Works, Dolgellau. LL40 1YA	03/02/21	Mrs. Sara Thomas
21.	NP5/57/979A	Rebuild conservatory/sun room	Bryn Goleu, Pencefn, Dolgellau. LL40 2YP	21/01/21	Mrs. Iona Roberts
22.	NP5/60/157A	Conversion and rebuilding of outbuilding to form short term holiday letting unit (Re-submission)	Gelligemlyn, Ganllwyd. LL40 2HH	14/01/21	Mrs. Sara Thomas

23.	NP5/60/159A	Non-material amendment to Planning Consent NP5/60/159 dated 04/03/2020 to alter the mast and compound	Land at Moel Friog, Ganllwyd.	20/01/21	Mrs. Sara Thomas
24.	NP5/62/126L	Erection of single storey rear extension and decking area	41 Bryn Deiliog, Llanbedr. LL45 6LF	22/01/21	Mr Aled Lloyd
25.	NP5/62/418	Erection of side extension over existing garage, rear extension, alterations to front porch and installation of dormer window	Clydfan, Llanbedr. LL45 2LG	22/01/21	Mr Aled Lloyd
26.	NP5/62/420	Erection of 18m x 9m steel framed agricultural building for the storage of agricultural machinery and equipment	Caeau Talwrn Bach, Llanbedr.	26/01/21	Mr Aled Lloyd
27.	NP5/62/72D	Erection of 18.3m x 9.14m agricultural building	Cefn Uchaf, Cwm Nantcol, Llanbedr. LL45 2PL	06/01/21	Mr Aled Lloyd
28.	NP5/65/355B	Erection of agricultural building	Tyddyn Du, Bontddu. LL40 2UA	08/01/21	Mrs. Sara Thomas
29.	NP5/66/266B	Demolition of flat roof building and erection of pitched roofed extension, (Amended application)	Rhiw Goch Bach, Harlech. LL46 2TN	09/02/21	Mr Aled Lloyd
30.	NP5/66/82A	Erection of detached double garage	Maes Anedd, Llandanwg.	22/01/21	Mr Aled Lloyd
31.	NP5/68/227	Conversion and extension of redundant outbuilding to accommodate biomass boiler for community heating, together with associated trenches	Outbuilding at Cae'r Ffynnon, Croesor. LL48 6SS	12/01/21	Mr Aled Lloyd
32.	NP5/69/354C	Retrospective application for the installation of grey cladding on the southern (side) elevation of the dwelling and the southern (front) elevation of garage.	Maes-y-Crynwyr, Llwyngwrl. LL37 2JQ	13/01/21	Mrs. Alys Tatum
33.	NP5/70/114G	Rural enterprise dwelling (including package treatment plant)	Llechwedd Ystrad, Llanuwchllyn. LL23 7DB	21/01/21	Mrs. Sara Thomas
34.	NP5/73/434	Structural refurbishment including installation of external cladding	3, 4, 7 & 8 Coed y Llwyn, Gellilydan. LL41 4EN	11/01/21	Mr Aled Lloyd
35.	NP5/74/L319	Change of use from chapel and vestry to workshop and 1 bedroom dwelling together with minor external alterations	Capel Bethania, Aberangell. SY20 9NF	15/01/21	Mrs. Iona Roberts

36.	NP5/74/LB287	Listed Building Consent for re-building of two chimneys, re-roofing and installation rooflights on existing dwelling. Removal of existing lean-to structure on West elevation of existing dwelling and re-instatement of stone wall including insertion of new window opening. Alteration to internal arrangement of existing dwelling and works to install underfloor heating. Conversion and re-roofing of with slate of two adjoining outbuildings to form extensions to dwelling including internal alterations and installation of underfloor heating. Construction of slate roofed stone extension between North elevation gable of existing dwelling and outbuilding. Re-roofing of two curtilage buildings	Ty'n y Ddol, Llanymawddwy. SY20 9AJ	14/01/21	Mr. Arwel LI Thomas
37.	NP5/74/LB287A	Re-build two chimneys on existing dwelling, conversion, alteration and extension of two adjoining barns to form additional residential accommodation to the existing farmhouse together with re-roofing of detached open barn. Alterations and re-roofing of pigsty to form bat roost	Ty'n y Ddol, Llanymawddwy. SY20 9AJ	14/01/21	Mr. Arwel LI Thomas
38.	NP5/77/T286C	Conversion of and extension of outbuilding to form a one bedroom open market dwelling and installation of a septic tank	Beudy Bach, Moel y Geifr, Talsarnau. LL47 6YB	09/02/21	Mr Aled Lloyd

39.	NP5/78/LB43B	Listed Building Consent to remove chimney on outbuilding, removal of roof over rear yard, removal of advert and hanging sign. External alterations including 2 conservation rooflights, extractor fans, reinstatement of historic window, repairs work including new door to main entrance and tunnel access opening. Internal works for restoration of stair details, fitting doors to existing openings, re-opening of fireplace, removal of bar counter, installation of secondary glazing and structural reinforcing to support floor to kitchen/utility/former men's toilets, installation of kitchen and bathroom facilities to first floor area including all associated works	White Lion Inn, Trawsfynydd. LL41 4UB	15/01/21	Mr. Arwel LI Thomas
40.	NP5/78/LB7R	Listed Building Consent for the restoration of the old tavern following fire damage including change to layout plan over three floors to occupy 3 holiday lets, kitchen dining and living on ground floor, bedrooms and bathrooms on second floor and additional bedrooms on second floor. The tavern to be relocated to the South wing extension with toilets facilities, office and stores on ground floor, new stairs leading to games room on second floor. Roof and new floor structures supported off new internal loadbearing leaf off new concrete floor foundation in 'modern form', fixing of 3no. dormers and 8 conservation rooflights on new Welsh slate roof and all associated works	Rhiw Goch Inn, Bronaber, Trawsfynydd. LL41 4UY	15/01/21	Mr. Arwel LI Thomas

41.	NP5/78/LB7S	Restoration of former tavern following the fire damage, changing its use to creating 3no. holiday lets and relocating tavern to the South wing including facilities, toilets, stores and office on ground floor with games room on second floor. Fixing of 3no. dormers and 8 conservation rooflights on new Welsh slate roof covering	Rhiw Goch Inn, Bronaber, Trawsfynydd. LL41 4UY	15/01/21	Mr. Arwel LI Thomas
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Applications Refused

	App No.	Proposed	Location	Reason for Refusal	Case Officer
1.	NP5/50/679D	Construction of one dwelling and associated parking area (Revised scheme)	Land adjacent to Brig-y-Don, Aberdyfi. LL35 0NH	<p>21/01/21</p> <p>The proposed dwelling, because of its overall size and siting, would amount to a cramped form of development which would not be compatible with the capacity and character of the site and locality within which it is located and it would fail to preserve or enhance the character and appearance of the Aberdyfi Conservation Area. As such, the proposal conflicts with Development Policy 1 and Strategic Policy Ff of the adopted Eryri Local Development Plan.</p> <p>The proposed dwelling, because of its siting and design, would interfere with the outlook currently enjoyed by the occupiers of the flats immediately to the south including Lwyn Onn, Gorse, Fern and Heather, to the extent that the building would appear unduly dominant and imposing. As such, the proposal conflicts with Development</p>	Mrs. Iona Roberts

				<p>Policy 1 of the adopted Eryri Local Development Plan.</p> <p>No biodiversity enhancement measures have been included with the proposal. The proposal is therefore in conflict with Strategic Policy D of the adopted Eryri Local Development Plan and paragraph 6.4.5 of Planning Policy Wales (Edition 10, December 2018).</p>	
2.	NP5/54/98C	Construction of agricultural building and roof over dry manure store	Esgairgawr, Rhydymain. LL40 2BH	<p>08/01/21</p> <p>Insufficient information has been provided, in particular in relation to detailed plans, ecology and flood consequence, to enable a full assessment to be made of the proposal. This application therefore is in conflict with Eryri Local Development Plan 2016-2031 Strategic Policies A, D and Development Policy 1.</p>	Mrs. Sara Thomas
3.	NP5/57/1165	Construction of dwelling	Land at Penarlag, Pencefn Road, Dolgellau. LL40 2YY	<p>21/01/21</p> <p>The proposed dwelling, because of its overall design, layout and massing would not be compatible with the capacity and character of the site and locality within which it is located and would fail to preserve or enhance the setting of the adjacent listed and traditional buildings (Ysgol Gynradd Dolgellau and Penarlag). As such, the proposal conflicts with Development Policy 1 and 6 and Strategic Policy Ff of the adopted Eryri Local Development Plan.</p>	Mrs. Iona Roberts

				No biodiversity enhancement measures have been included with the proposal. The proposal is therefore in conflict with Strategic Policy D of the adopted Eryri Local Development Plan and paragraph 6.4.5 of Planning Policy Wales (Edition 10, December 2018) which requires the incorporation of biodiversity enhancement with every application.	
4.	NP5/58/636	Outline application for the Erection of detached dormer bungalow (Open market)	Swn-y-Mor, Ffordd Glan Mor, Talybont. LL43 2AR	06/01/21 By reason of this application proposing an open market dwelling on a site that falls outside of any housing development boundary as defined in the Eryri Local Development Plan (2016 – 2031) this application is to be regarded as unwarranted development in the open countryside and is therefore in conflict with Eryri Local Development Plan policies A, C, 2, G, 11, 30 and Planning Policy Wales, edition 10.	Mr Aled Lloyd
5.	NP5/73/197L	Outline application for the erection of a new two storey detached building as serviced holiday accommodation	Bryn Arms, Gellilydan. LL41 4EN	27/01/21 The proposed increase in vehicular movements associated with the development if approved, would affect road safety and would cause danger and adversely affect the local road network. The proposal would therefore be contrary to Development Policy 1 of the Eryri Local Development Plan.	Mr Aled Lloyd