

RHYBUDD O GYFARFOD / NOTICE OF MEETING



Awdurdod Parc Cenedlaethol Eryri

Emyr Williams
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Snowdonia National Park Authority

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Cyfarfod : *Pwyllgor Cynllunio a Mynediad*

Dyddiad: *Dydd Mercher 19 Mai 2021*

Amser *10.00 y.b.*

Anfonir cyfarwyddiadau ymuno at yr Aelodau ar wahân

Meeting: *Planning and Access Committee*

Date: *Wednesday 19 May 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 14th April 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. **Delegated Decisions**
To submit the list of applications which have been determined in accordance with delegated authority, for information. (Copy herewith)
7. To submit an oral report by the Director of Planning and Land Management on the Inspector's decision to dismiss the appeal for outline planning permission for the erection of two holiday lets with associated pedestrian access, Craig-Y-Lanch, Aberdyfi, LL35 0HW. Appeal by Mr. Les Stephan against the decision of the Snowdonia National Park Authority.
(A copy of the Inspector's decision is enclosed - Copy herewith)

**SNOWDONIA NATIONAL PARK PLANNING AND ACCESS COMMITTEE
WEDNESDAY 14th APRIL 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 Wyn Ellis Jones, Ifor Glyn Lloyd;

Members appointed by the Welsh Government

Mr. Brian Angell, Mrs. Sarah Hattle, Mr. Tim Jones, Mr. Owain Wyn;

Officers

Mr. G. Iwan Jones, Mr. Jonathan Cawley, Mrs. Jane Jones, Mr. Aled Lloyd, Mr. Richard Thomas, Mrs. Sara Thomas, Mrs. Iona Roberts, Ms. Alys Tatum, Mrs. Anwen Gaffey.

Apologies

Councillors Freya Bentham, Philip Capper; Ms. Tracey Evans.

1. Chairman's Announcements

The Chairman advised, that today's meeting was subject to the 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

The Members appointed by Gwynedd Council declared a personal and prejudicial interest in item 6 (2) on the Agenda, under paragraph 10 (2) (a) (ix) (aa) and 12 (1) of the Code of Conduct for Members, but took part in the meeting, relying on the dispensation granted by the Standards Committee on 16th October 2020.

3. Minutes

The minutes of the Planning and Access Committee meeting held on 3rd March 2021 were accepted and the Chairman signed them as a true record.

4. Inspection Panels

Submitted – A report by the Director of Planning and Land Management seeking authority to resume normal operation of Inspection Panels following Covid restrictions.

Reported – The Director of Planning and Land Management presented the report and background.

RESOLVED that Inspection Panels should revert back to their original number of up to 9 Members, provided that:-

- i) additional safeguards of social distancing, face masks and hand sanitisation are followed.
- ii) Members should only enter the outside of private property where it is safe to do so (and the landowner allows this), and not to enter any buildings.

- iii) there was no obligation on Members to attend if they felt unsafe doing so on health and safety grounds.

5. **Planning Policy Update – Future Wales and Planning Policy Wales Edition 11**

Submitted – A report by the Planning Policy Officer to inform Members of the newly published Future Wales National Development Framework and Planning Policy Wales Edition 11, the new national planning policy document.

Reported – The Director of Planning and Land Management presented the report and advised that Future Wales now forms part of the Statutory Development Plan alongside the Local Development Plan. He confirmed that officers had assessed all the applications being presented today against this document.

Arising thereon, a Member raised concerns that Future Wales made no reference to the Welsh language and culture and that a regional growth area along the A55 corridor would not support rural communities. The Director of Planning and Land Management stated that the Authority had already presented its response to the consultation document and that Future Wales had now been adopted and was available to download on the Welsh Government website. He advised that following publication of Future Wales, the Welsh Government had taken the opportunity to update and revise Planning Policy Wales Edition 11. He confirmed that Authority Members would be invited to attend a joint training session on these matters, with Gwynedd Council, once the arrangements were finalised.

RESOLVED to note Future Wales as the new national development framework and Planning Policy Wales Edition 11 as Wales' current national planning policy. Future Wales forms part of the development plan as referred to by 38(6) of the Planning and Compulsory Purchase Act 2004. Planning Policy Wales Edition 11 is a material consideration when assessing planning applications and appeals.

6. **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.

7. **Delegated Report on the re-consultation of the Regional Technical Statement (RTS)**

Submitted – A report by the Minerals and Waste Officer for Members to approve the recommendations as outlined. Members were asked to note a correction in the report in that reference to Planning Policy Wales 10 should now be PPW 11.

Reported – Mr. Dafydd Gareth of Gwynedd Council presented the report and background. He advised that the review of the RTS usually required approval by each of the appropriate North Wales Region Councils to permit its publication, but on this occasion the RTS has already received Ministerial approval because of the upcoming elections. He confirmed that the RTS would not impact on the National Parks and that their position remains unchanged.

Arising thereon, and in response to a request from a Member, the Minerals and Waste Officer agreed to ascertain if the Aggregates Regional Technical Statement Members' Group was still in existence.

RESOLVED to accept the recommendations set out in the RTS relating to the strategic provisions required for planning for the supply of construction aggregates.

8. **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.

9. **Pre-Application Fees**

Submitted – A report by the Director of Planning and Land Management to remind Members of the current procedure and to extend the scheme of charges for pre-application site visits to include Listed Building Advice.

Reported – The Director of Planning and Land Management presented the report which Members considered in detail.

RESOLVED

1. **to approve the charge of a fee of £100 incl. VAT for any site visit relating to Listed Building Consent pre-application advise.**
2. **that in future, to delegate authority for setting fees for pre-application advice to officers.**

10. **Delegated Decisions**

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

Arising thereon,

NP2/16/159C – Ty Mawr, Prenteg

In response to concerns raised by Councillor Alwyn Gruffydd, the Director of Planning and Land Manager would instruct the case officer to contact the Member directly to explain the position.

RESOLVED to note the report.

The meeting ended at 13.00

SCHEDULE OF PLANNING DECISIONS – 14th APRIL 2021

Item No.

6. **Report by the Director of Planning and Land Management**

(1) NP5/50/147P – Construction of Rural Enterprise dwelling (re-submission), Nyth Robin Campsite, Panteidal, Aberdyfi.

Reported – Case Officer presented the report and background which Members considered in detail.

Public Speaking

Sadie Porter, the applicant, addressed the Planning and Access Committee and asked Members to consider the following:-

- the applicant thanked Members for the opportunity to address the meeting.
- the applicant and her husband own and run Nyth Robin campsite near Aberdyfi which they bought just over 4 years ago. It was a rundown caravan site with plenty of potential and through investments and hard work has now been built into a sustainable rural business with an annual turnover of £72k.
- Nyth Robin now provides full time employment for the owners, and also provides enough work for seasonal labour.
- there was now a need to be on site most of the time to carry out the day-to-day duties and to ensure the safety and welfare of the guests.
- there was also the issue of site security which was currently being addressed by the applicants temporarily living in a caravan on the site to ensure there was someone always on hand to avoid escalation of any issues and the reason why the application was for a rural enterprise dwelling.
- whilst CCTV helps with safety and security, it was not a replacement for having someone on site.
- in addition, the arrival of Covid last year had made it vital for someone to be onsite most of the time as shared facilities now need extra cleaning at the beginning and end of each day, and there was a need to ensure social distancing and correct safety procedures are kept to at all times.
- there was also an environmental impact for living off the site which means that travelling to and from the site every day would amount to around 10,000 miles in a year and nearly 3 tonnes of CO 2 emissions which is contrary to creating a low carbon society as outlined in the Wellbeing of Future Generations Act 2015.
- since moving to the area, the applicants have been keen to be involved in the local community. The applicant was currently membership officer for the Dyfi Biosphere Tourism Association and a member of the Aberdyfi Advertising and Improvements Committee. The applicant had also started the Eryri Ambassador Scheme.
- the application has the full support of Aberdyfi Community Council, local neighbours, and our guests.

Dewi Owen, addressed the Planning and Access Committee and asked Members to consider the following:-

- Mr. Owen thanked Members for the opportunity to address the meeting.
- as a Local Councillor in Aberdyfi, he supported the application, as did Aberdyfi Community Council.
- this was the only facility in Aberdyfi which accepts touring caravans and motorhomes and was important to prevent overnight camping in laybys and car parks etc.

- the applicants have to live in a caravan on site, which was not ideal in all weather conditions.
- there was a need to monitor the use of showers and toilets and makes it impractical for them to live off site as the nearest village is about 6 miles away.
- the applicants have improved the business over the years and Mr. Owen asked Members to support to the application.

Arising thereon, Members agreed that in future, individuals who ask to address the committee should be admitted to the meeting to speak on the particular item and be allowed to stay in the meeting until the end of that item only.

RESOLVED to **refuse** permission in accordance with the recommendation.

- (2) NP5/57/867A – Demolition of former school building, erection of five supported living units, one support unit/office and associated works, Hen Ysgol Glanwnion, Pont yr Aran, Dolgellau.

Reported – Case Officer presented the report and background. Members were asked to note that planning permission was not necessary for demolishing the existing building and was only required to agree the method of demolition. The Case Officer also advised upon a number of objections received on the grounds of Development Policy 7, which refers to traditional buildings, but was primarily for alterations, extensions or the change of use of traditional buildings.

Public Speaking

Mr. Peter Ogden, addressed the Planning and Access Committee and asked Members to consider the following objections:-

- the application before you is flawed. Neighbourhood objections were considerable and unanimous. The justification to refuse it was undeniable. No representation supports it.
- the proposal was ill-conceived, badly researched, inappropriately located and contrary to policy.
- if approved, a purpose built Victorian school, the only one of its kind, rooted in Dolgellau's social history, listed on the Park's Register of Traditional Buildings for its architectural value, will be destroyed; an act of heritage vandalism.
- what would replace it? Not affordable housing for locals but a short term "hostel" for transient individuals from anywhere in Meirionnydd or even beyond.
- the development was mismatched with the site, character and amenity of this residential area, wouldn't benefit community cohesion and was unlikely to improve Dolgellau's Welsh language status as claimed.
- no explanation was given why this scheme could not be situated in any other town in Meirionnydd. Gwynedd Council's ownership of this site was not a material planning consideration nor an overriding justification for this proposal.
- the Committee report stated that the proposal "would be contrary to Strategic Policy A and Ff" but "would not conflict with any of the other identified policies". This was not true. Changes to Traditional Buildings must be tested against Policy DP7 and should only supported if there was no significant harm to their historic or architectural character and setting. Its supporting text says "any proposal of a scale, design, or relies upon materials considered inappropriate will not be permitted"

- the Authority's Built Environment Officer's report, emphasises this glaring policy omission, condemns the loss of Ysgol Babanod as contrary to ELP Policy, TAN 24 and CADW's "Conservation Principles for Sustainable Management of the Historic Environment of Wales"
- demolishing Ysgol Babanod does not comply with these requirements. Neither Cadnant Planning nor the Case Officer's report considered this fundamental policy omission and as a result the committee summary does not reflect this professional advice.
- having rejected the scheme as affordable housing, it is then wrongly justified as a care home, conforming to Policy DP11, the supporting text of which states "the Authority must be satisfied that the building to be used can be converted without detriment to its existing character or in the manner which is likely to harm the amenity of the neighbouring properties. "The proposal also clearly fails this test.

Dafydd Gibbard, Head of Housing and Property, Gwynedd Council, addressed the Planning and Access Committee and asked Members to consider the following:-

- Members were thanked for the opportunity to address the meeting in support of Gwynedd Council's bid to redevelop the Hen Ysgol Glanwnion site in Dolgellau.
- following constructive discussions, the application has an improved layout and design to the original proposal and will re-use the local stone already on site and although unable to make use of the existing building, the development was now more compatible with National Park policies.
- there was a need for this facility in Dolgellau. Gwynedd Council deal with nearly 1000 homeless applications annually, which has increased because of the Covid pandemic with approximately 150-175 applications from homeless individuals in Meirionnydd, which is within the area of the National Park.
- tonight, 27 individuals, couples and families were housed in emergency accommodation in Meirionnydd, many of which were housed in bed and breakfast accommodation, an ineffective way to address the needs of these individuals.
- this development of 5 units would provide an opportunity to house the homeless of Dolgellau and Meirionnydd. It was one of a series of county-wide schemes to develop suitable self-contained supported accommodation to deal with homeless applications.
- this proposal would address the needs of the people of Dolgellau and Meirionnydd only.

RESOLVED contrary to officer recommendation, to **refuse** permission on the grounds that:-

- 1) the development would result in the loss of a traditional building and negatively impact on the wider historic environment of Dolgellau; as such the proposal would be contrary to Strategic Policies A and Ff of the adopted Eryri Local Development Plan which seeks to protect the built heritage within the National Park as well as Technical Advice Note 24: The Historic Environment which seeks to ensure that proposed developments do not damage the setting of historic assets.
- 2) insufficient information has been submitted in relation to the need for the proposal in order for the local planning authority to make an informed decision on the impact of the development.

- (3) NP5/58/199S – Relinquishment of 16 camping pitches and the siting of 9 additional touring caravan pitches, together with internal landscaping (amended proposal), Murmur–yr-Afon, Dyffryn Ardudwy.

Reported – Case Officer presented the report and planning considerations.

Public Speaking

Richard John, the Agent, addressed the Planning and Access Committee and asked Members to consider the following:-

- the agent was addressing the meeting on behalf of the applicant.
- the application sought to relinquish 16 camping pitches and the siting of 9 additional touring caravan pitches together with internal landscaping.
- the site was located within the boundary of Dyffryn Ardudwy, has a clear and wide entrance to the highway and is sheltered by trees and hedgerows.
- currently the site has a mix of 40 touring caravans and 38 camping pitches and over the last 3 years the demand for camping pitches has fallen with increased demand for touring caravan pitches, especially since the pandemic, where guests can keep to their own units.
- if the application was approved it would provide 22 camp pitches on the site and 49 touring caravan pitches. This change would benefit the economy as well as creating 2 new jobs on the site and would utilise local resources to undertake this work.
- there have been no objections by neighbours and Dyffryn and Talybont Community Councils support the application as they felt it would benefit the local community, whilst being less damaging to the land.
- there were no objections from Natural Resources Wales, Gwynedd Council Highways Authority, Gwynedd Council Licencing Department, SUDS and the Authority's Ecologist.
- the agent felt the application was not fully contrary to policy 23 as the applicant was retaining part of the site as camping only and making the site more viable as a business.
- the applicant was trying to improve the standard of the development in every way and it was anticipated that the change would be beneficial to the local area.

RESOLVED to **refuse** permission in accordance with the recommendation.

- (4) Llyn Tegid Reservoir Safety Project, Bala (NP5/53/580)

Submitted – An introductory report by the Planning Officer on the Llyn Tegid Reservoir Safety Project.

RESOLVED due to the scale and impact of the proposal, to arrange a site inspection prior to considering a more comprehensive officer report and recommendation being presented to the next meeting of the Planning and Access Committee in May 2021. All members of the Planning and Access Committee to be invited to attend.

8. Update Reports

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

Arising thereon, Members were provided with further details on the following matters:-

- (i) NP4/16/ENF405 – Dumping of Building Material and Waste, land opposite Tan y Castell, Dolwyddelan
Work to comply has started but not completed.

- Officers would ensure full compliance.
- (ii) NP5/58/ENF144K – Siting of Static Caravan used for Residential Purposes, Land at Tan y Coed, Talybont.
Currently awaiting Certificate of Lawful Use.
 - (iii) NP5/58/ENF616 – Siting of Static Caravan used for Residential Purposes, Land adjacent to Coed y Bachau, Dyffryn Ardudwy.
Officer confirmed that the matter would be progressed as soon as possible.
 - (iv) NP5/65/ENF115A – Dumping/Storage of Mattresses and Carpets, Land at Hengwrt, Llanelltyd.
The Acting Planning Manager agreed to pass on pollution concerns to Natural Resources Wales and also agreed to progress the matter on behalf of the Authority.
 - (v) NP5/54/ENFLB33M – Poor condition of building, Nannau Hall, Llanfachreth.
The Acting Planning Manager updated Members and advised that the external drone survey had been carried out and the footage will be assessed and hopefully presented to Members at the next meeting. The internal inspection will be carried out at the end of April, beginning of May, but if this does not happen, the Authority will apply for a warrant to gain entry.

RESOLVED to note the reports.

- (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	NP5/53/580	<p>Prosiect Diogelwch Cronfa Ddŵr Llyn Tegid - i gynnwys: atgyfnerthu wynebau cefn arglawdd y llyn gogleddol a'r Afon Dyfrdwy; uwchraddio'r amddiffynfa arfog garreg i wyneb blaen arglawdd y llyn; adlinio'r arglawdd yn ardal 'safle'r seindorf'; ad-drefnu a thirweddu maes parcio gorlif y blaendraeth a man eistedd allanol Canolfan Hamdden Penllyn; a chynyddu hyfywedd o lwybrau cysylltiol ar hyd arglawdd gogleddol y llyn, glan chwith yr Afon Dyfrdwy a glan dde Afon Tryweryn, Llyn Tegid, Bala / Llyn Tegid Reservoir Safety Project, comprising: reinforcement of the back faces of the northern lake and River Dee reservoir embankments; upgrading the rock armour protection to the front face of the lake embankment; realigning the lake embankment in the 'bandstand' area; re-organising and landscaping the lake foreshore overflow car park and Penllyn leisure centre outside seating area; and, increasing the accessibility of associated footpaths along the northern lake embankment, left bank of the River Dee and right bank of the Afon Tryweryn, Llyn Tegid, Bala.</p>	Mrs. Sara D. Roberts
2	NP5/77/265B	<p>Newid defnydd rhan o adeilad amaethyddol i ail-leoli busnes gwerthu gynnau 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.</p>	Mr. Aled Lloyd

3	NP5/70/LB9M	<p>Newid adeilad allanol i dy preswyl sydd o fewn cwrtil Adeilad Rhestredig yn cynnwys dwy ystafell wely cegin/byw ystafell gawod a'r holl waith cysylltiedig, Plas Gywair, Llangower – ADRODDIAD ADENDWM / Change of use of outbuildings to single dwelling which is within curtilage of a Listed Building to include 2 bedroom kitchen/ lounge and shower room and all associated works, Plas Gywair, Llangower – ADDENDUM REPORT.</p>	Mr. Richard Thomas
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Snowdonia National Park Authority Date: 19/05/2021
– Planning & Access Committee

Application Number: NP5/53/580

Date Application Registered: 20/11/20

Community: Bala

Grid Reference: 292144 335521.7

Case Officer: Mrs. Sara Thomas

Location:
Llyn Tegid, Bala.

Applicant:

Mr. Andrew Basford
Natural Resources Wales
Chester Road
Buckley
Flintshire
CH7 3AG

Description:

Llyn Tegid Reservoir Safety Project, comprising: reinforcement of the back faces of the northern lake and River Dee reservoir embankments; upgrading the rock armour protection to the front face of the lake embankment; realigning the lake embankment in the 'bandstand' area; re-organising and landscaping the lake foreshore overflow car park and Penllyn leisure centre outside seating area; and, increasing the accessibility of associated footpaths along the northern lake embankment, left bank of the River Dee and right bank of the Afon Tryweryn.

Summary of the Recommendation:

To **APPROVE** subject to conditions which are summarised below:

- Start work within 5 years.
- In accordance with approved plans.
- Submission of Construction Environmental Management Plan.
- Submission of Species Conservation Plan.
- Submission of Construction Traffic Management Plan.
- Submission of Specification for Archaeological Work & subsequent report.
- Details of stone to be agreed.
- Submission of long-term Management Plan for planting.
- Tree & Hedge removal to be carried out outside bird nesting/ bat activity period.
- Work carried out in accordance to details contained in ecology report and Environmental Statement.
- Work in accordance with submitted Invasive Species Management plan.

- Planting to be replaced if it becomes damaged/ diseased or dies within 5 years.
- Restoration of main construction compound post development.
- Working hours restriction.
- Conditions in relation to Dwr Cymru apparatus.

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

Application is Major development (under the provision of The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2012 (and further amended in 2016)) and due to its environmental effects also requires an Environmental Impact Assessment (EIA) Development.

*Please note that the application is not considered Major Development in relation to Eryri Local Development Plan Strategic Policy B. This is a separate category of Major Development and not applicable in this case.

Inspection Panel

A full inspection panel was held on 21st April 2021.

Present were -Councillors Alwyn Gruffydd, Elfed Powell Roberts, John Pughe Roberts, Wyn Ellis Jones, Ifor Glyn Lloyd; Mr. Brian Angell, Mrs. Sarah Hattle, Mr. Tim Jones, Mr. Owain Wyn; and

SNPA Officers Mr. Jonathan Cawley, Mrs. Sara Thomas, Mr Rhydian Roberts

During the panel visit Officers took members to key points within the site and answered questions in relation to the proposal. The aim of the visit was to familiarise members with the site in order to assist them in their deliberations on the application.

Environmental Impact Assessment (EIA):

The development has been subject to a screening opinion which concluded that the development is “EIA development”, the screening in particular identified concerns in relation to landscape impact and ecology. The application is therefore accompanied by an Environmental Statement (ES).

Land Designations / Constraints:

Open countryside
Llyn Tegid SSSI
Afon Dyfrdwy SSSI
Afon Dyfrdwy and Llyn Tegid SAC
Llyn Tegid Ramsar Site
C1 & C2 flood risk zone

ELDP Green Wedge
Public Right of Way's No's 1 and 4

Site Description:

The application site is located at the northern end of Llyn Tegid and the embankments of the Afon Dyfrdwy and Tryweryn on the outskirts of the Town of Bala.

Llyn Tegid is designated at international and national levels for its nature conservation interest and is a Wetland of International importance (Ramsar Site), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).

The important features are lake, swamp and fen habitats, rare plants, fish species, and a rare aquatic snail. The Afon Dyfrdwy is also designated as a SAC and SSSI for its aquatic vegetation, fish species and otter.

The impounding structures subject to this application run along the northern end of Llyn Tegid and the eastern bank of the Dyfrdwy and Tryweryn with two popular public footpaths running along their crest.

Bala PRoW 1 runs from the SNPA car park to the B4391 and Bala PRoW 4 which runs along the embankments of the Dyfrdwy and Tryweryn back up to the A496.

These embankments have a total length of approximately 2.9km.

The land subject to the application is split between a number of landowners who have been notified by the applicants as part of the application submission process.

Proposed Development

Upgrading the rock armour protection to the front face of the lake embankment.

One of the main parts of the project involves the upgrading of the existing rock armour on the front (or wet) side of the lake.

The details submitted with the application state that the existing stone will be removed and replaced with grey granite stone. An example of the type of stone proposed is included in the document bundle. The replacement stone will be more angular in form than the existing and will be placed at a greater depth.

To support the rock armour its proposed to add a stone protection strip 1.5m wide at the front of the embankment with its surface at ground level so it can be used for access and maintenance. In addition to the 1.5 wide strip of stone a further 3.5m of ground will be kept clear of vegetation to allow access for inspection and maintenance.

While the majority of the works on this side of the embankment will follow the existing line of defence, it is proposed to realign and straighten the section by the area identified as the bandstand where the public footpath joins Heol Tegid. The application states that the current alignment is believed to concentrate wave energy and therefore increase the risk of overtopping of defences during storms.

All trees and vegetation on the side of the embankment will need to be removed as part of the project. There is no proposal to replace any of the trees and vegetation on this part of the site. Following completion its proposed to maintain the area free from any vegetation to ensure the stability of the upgraded embankment in the long term.

Reinforcement of the back faces of the lake and Afon Ddyfrdwy reservoir embankments.

Works are also proposed to large sections of the rear face (dry) side of the embankment along the lake shore. The width of the embankments from the pumping station to the intersection of public footpaths by the rugby ground is proposed to be increased by up to 6m in some sections. A typical change in ground level of 300 – 400mm is proposed in these areas, but no overall change in the height of the embankment.

To ensure the stability of the reinforced embankment its proposed to install a geotextile membrane which would extend for around 2m beyond the existing embankment toe line. This area would be covered in soil and reseeded and then maintained free of any other vegetation.

On the dry side of the embankment of the Dyfrdwy its proposed to widen the embankment by up to 6m again increasing the ground level by between 300-400mm. This will also be covered in geotextile membrane and re-seeded.

No reinforcement work is proposed for the embankments of the Afon Tryweryn.

The application states that the widening and strengthening of the embankments will increase their stability in the long term and in the event of them being overtopped.

Railway trough.

Part of the scheme also includes the installation of a 380m long concrete trough along the crest of the embankment from the junction of the B4931 with Heol Tegid to the rear of the rugby club. This trough would have a width of 3m and would entail the construction of a retaining wall to the rear of the clubhouse of the rugby ground where it would run parallel with the public footpath.

The trough would be filled and seeded over as part of this scheme and would only be utilised should planning consent be granted in the future to extend Bala Lake railway into the town.

Removal of trees and hedges.

Currently the embankment is dotted by trees which have grown on both sides of the embankment, it appears that these have self-seeded, and due to lack of maintenance have been allowed to grow. There are also hedgerows at the toe-end of the dry side of the embankment.

It is proposed as part of the scheme to remove the vast majority of trees along the lake embankment (approximately 290 trees) together with stretches of hedgerow.

As already mentioned this area is to be kept clear of any vegetation following the completion of the works apart from the grass on the dry side of the embankment.

Footpaths.

As public rights of way run along the majority of the embankments, these will be temporarily affected by the proposed work and there will be a need to close some sections of footpaths during the construction works.

Construction.

Two construction compounds have been identified, the main compound is proposed on part of an agricultural field located between Heol Tegid and the B4391 opposite the 'bandstand' area (site of approx. 2.6ha) with a satellite compound accessed from the Enterprise Park by the Dee embankment (site of approx. 0.3ha).

Mitigation/ Enhancements proposed.

The submitted Landscape Masterplan (which is included in the document bundle) shows all the mitigation and enhancements proposed which includes-

- planting approximately 900 trees and 350m of hedgerow.
- enhancements to the SNPA's foreshore carpark and to the rear of Penllyn Leisure Centre.

- Reinstatement and upgrading of affected footpaths.
- Improvements to seating areas and new interpretation.
- Treatment of invasive species.
- Additional planting including wildflower meadows.

Supporting documentation –

The application is supported by an array of reports and assessments including-

- Environmental Statement
- Shadow Habitat Regulations Assessment
- Design and Access Statement
- Arboricultural Impact Assessment, method statement and Tree Management Plan
- Water Framework Directive Compliance Audit
- Flood Consequence Assessment

Further details in relation to the supportive information can be found on the Authority planning applications portal–

[PORTAL LINK](#)

Relevant Planning Policies:

Eryri Local Development Plan 2016-2031

- SP A: National Park Purposes and sustainable Development
- SP: C Spatial Development Strategy
- DP 1: General Development Principles
- DP:6 Sustainable Design and Materials
- DP 2: Development and the Landscape
- SP Dd Climate Change
- DP 5 Open Space and Green Wedges
- SP Ff: Historic Environment
- SPD: Natural Environment
- SP Ng Community Services and Facilities
- SPH: Sustainable Rural Economy

Future Wales: The National Plan 2040

- 4 – Supporting Rural Communities
- 5 – Supporting rural economy
- 8 – Flooding

Planning Policy Wales (Edition 11) 2021

Wellbeing of Future Generations (Wales) Act 2015

Consultations:

Bala Town Council	Support.
North and Mid Wales Trunk Road Authority	Applicant must submit and have agreed a Construction Traffic Management Plan (CTMP) prior to the commencements of any construction works.
Natural Resources Wales	No objection subject to appropriate conditions.
Cyngor Gwynedd - Highways	No objection in principle, advice provided in relation to footpath closures/ diversions the removal/ relocation of street furniture and any temporary accesses required from the B4391.

Cyngor Gwynedd - Planning	No observations.
SNPA ecology	No objection subject to appropriate conditions.
SNPA Trees and woodlands	No objection overall, comments in relation to extent mitigation/ compensation measures.
SNPA Access	No concerns provided the paths are reinstated to same or better standard than existing and ramps made more accessible to all users.
Cyngor Gwynedd – Public Right of Way	No objection provided the footpaths are restored to the same or improved standard in term of surface and width of path. Consent will be required for the closure and diversions of any footpaths.
Cyngor Gwynedd –SAB	No comments received.
GAPS	They are satisfied that the proposed finish will not have a significant adverse impact on the historic landscape. Pre-commencement condition in relation to archaeological mitigation recommended.
Dwr Cymru	Request conditions in relation to works near their apparatus.
SP Energy Networks	Discussions ongoing in relation to assets affected by the development.

Response to Publicity:

The application has been publicised by way of a Public notice in the Cambrian News, neighbour notification letters and a number of site notices were positioned at various points along the application route.

In addition, as 'Major Development' the application has been subject to a Pre-application consultation process and a report on this consultation accompanies the application.

A total of 3 representations have been received raising concerns in relation to the proposal which can be summarised as follows –

- Loss of flora and fauna
- No need for the development
- Area doesn't flood
- Trees provide shelter on path
- Mitigation insufficient
- New planting will take long time to establish
- Project needs to allow the rugby club to operate without significant disturbance

1 Assessment:

Principle of Development

1.1 Whilst in an open countryside location, it is considered that essential engineering works to upgrade the rock armour protection in order to protect the town from flooding is an acceptable form of development. The key issues to consider as part of this proposal is whether there is sufficient mitigation of the potential impacts, and this will be assessed in this report.

2 Planning Assessment

2.1 Main issues to consider have been identified as –

- Landscape and Visual impact
- Ecology
- Flooding
- Trees
- Construction
- Historic environment
- Green wedge

Why the development is required?

- 2.2 The lake is registered as a Category A Large Raised Reservoir under the Reservoirs Act 1975 and its maintenance falls under the responsibility of Natural Resources Wales. A report published in 2014 identified that modifications to the impounding structures at Llyn Tegid was required to ensure the long-term safety of the reservoir.
- 2.3 This application is therefore made by NRW in order to comply with their maintenance requirements.

Landscape and Visual Impact

- 2.4 One of the main considerations in relation to this proposal is the potential impact on the local landscape and visual amenity. While some of the impacts will be limited to the construction phase of the development and are therefore temporary, the removal of trees along the lake embankment, and the works to strengthen the defences will result in a permanent change. The potential effect on the landscape was identified as an important factor when the application was screened under EIA and one of the reasons the application is accompanied by an Environmental Statement. (ES).
- 2.5 Four chapters within the ES (Chapters 8-11) look at landscape and visual impacts and the potential for significant effects.
- 2.6 This includes a full Landscape and Visual Impact Assessment (LVIA) which looks at local landscape character, along with an assessment of visual amenity from 22 viewpoints. Here the significant effects have been broken down to – construction, operational and cumulative effects. Looking at these effects in combination with the proposed mitigation planting scheme (which will be addressed in more detail below) it is concluded in these reports the magnitude of any significant adverse effect is moderate to minor during the construction phase and minor in the long term. Therefore, with mitigation there will be no significant visual effects in the long term.
- 2.7 Natural Resources Wales provide the Authority with advice in relation to landscape and in their response to the consultation states that-
“There would therefore be some adverse effects on landscape character and visual amenity of the National Park during construction and the early years of operation. However, in the long term, the proposed mitigation will mature and reduce the adverse effects on landscape character and visual amenity to minor or negligible adverse effects along the lake shore”.
- 2.8 Officers agree with these comments and that the main visual impact will be seen during construction and before the mitigation planting is established.

- 2.9 The likely impact will also be of a local scale and will not have any long-term adverse impacts on distant views towards the lake shore.
- 2.10 Planning conditions are proposed to confirm the specification of the replacement stone on the 'wet' side of the Llyn Tegid embankment and ensure that the mitigation proposed to address impacts on the landscape and visual impact are undertaken and maintained in the long term.
- 2.11 Overall therefore, with mitigation it is considered that the effect on the landscape is acceptable and complies with the requirements of ELDP SP: A and DP: 2.

Ecology

- 2.12 As previously detailed the site is located within the Llyn Tegid SSSI, Afon Dyfrdwy SSSI, Afon Dyfrdwy and Llyn Tegid SAC and the Llyn Tegid Ramsar Site. Therefore, careful consideration and assessment is required in line with the requirements of statutory legislation and both national and local policies.

Habitat Regulations Assessment

- 2.13 As the relevant 'competent Authority' under the Conservation of Habitats and Species Regulations (2017) due to the proximity of the development to Natura 2000/ Ramsar site, the authority is required make an assessment of the implications of the plan or project for that site in view of that site's conservation objectives.
- 2.14 The shadow HRA document submitted by the applicants concludes that the project will not adversely affect the integrity of any Natura 2000/ Ramsar site, taking account any conditions or restrictions applicable either alone or in-combination with other plans and projects.
- 2.15 The Authority's Ecology Advisor has been consulted on the shadow HRA and they have concluded that provided the recommendations described in the submitted assessment are adopted, adverse effects on the integrity of either the Afon Dyfrdwy and Llyn Tegid SAC (Natura 2000 sites) or the Llyn Tegid Ramsar site can be ruled out alone or in combination beyond reasonable scientific doubt.
- 2.16 NRW have been consulted on the conclusions of the Authority's ecological advisor and are in agreement.

Protected species –

- 2.17 Bats – The surveys submitted with the application identified that the proposed development site is utilised by a range of bats for foraging and commuting although only one confirmed roost was found. For this reason, taking advice from both NRW and the Authority's ecologist a Species Conservation Plan will need to be adopted to secure the implementation of measures to reduce any disturbance to bats and to undertake further surveys. This can be secured by condition.
- 2.18 Otters – the otter report submitted with the application recommends a number of reasonable avoidance measures (RAM's) which are considered acceptable and proportionate. For the avoidance of doubt it is proposed for the RAM's to be secured by condition.
- 2.19 Invasive species- A report is also provided on the presence of invasive species on the site and how the project will reduce the risk of any inadvertent spread of these species. The RAM's detailed in the report will be secured by condition.
- 2.20 A summary of the assessment of effects on biodiversity and proposed mitigation is included in the Non-Technical Summary which accompanies the Environmental Statement which will be included in the document bundle.
- 2.21 Taking the above into considerations, the proposal has been assessed in line with relevant legislation. Subject to appropriate conditions to secure mitigation its concluded that the proposal will not have an adverse effect on any designated sites or have a detrimental impact or on other habitats and species.
- 2.22 The proposal is therefore in line with the requirements of SP:A: and D of the ELDP.

Flooding

- 2.23 Much of the site lies within an area at risk of flooding and therefore a Flood Consequence Assessment accompanies the proposal. As the project is limited to strengthening the existing defences with minimal increased footprint and do not involve raising the existing defences or building new defences the works are unlikely to have a detrimental impact on third parties through loss of available floodplain.
- 2.24 A permit will be required from NRW to undertake the works which should ensure that any potential flood risk impacts from the construction works will be mitigated and controlled to ensure that Bala and downstream communities are not vulnerable during the construction period.

2.25 NRW provide the Authority with advice in relation to flooding in line with the requirements of Technical advice Note 15 (TAN 15) and they are satisfied that the consequences of flooding can be adequately managed as part of the proposal.

2.26 The requirements of criterion xii of SP:A and xvi of DP:1 are therefore satisfied.

Trees

2.27 One of the biggest impacts of the proposal will be the loss of approximately 290 trees most along the Llyn Tegid embankment, to be replaced by approximately 900 trees in other locations in close proximity to the development site, (further details below).

2.28 An Arboricultural Impact Assessment, together with method statement and Tree protection plan has been submitted with the application.

2.29 These documents state that most of the trees to be removed are trees of moderate to low quality with the high proportion of the trees to be removed showing signs of suffering from Ash dieback.

The trees that are to be retained close to construction work will be protected in accordance with the provisions submitted in the Method statement and Tree Protection Plans.

2.30 Work to remove the trees will be limited to outside the bird nesting/ bat activity period, which will be secured by planning condition.

Tree planting

In lieu of the trees that will be removed from the embankments a mitigation/ compensation program is proposed to include –

- A 300m long 7m width linear woodland edge planting strip located within the field to the rear of the Llyn Tegid embankment. This planting is to include approximately 602 trees of various native species.
- Linear tree planting along the boundary of the field between the B4391 and the Dee to include appropriate native trees covering an area of approximately 2,500sqm.
- Planting on an area of land on the south embankment of the Dee which includes approximately 450 plants including around 100 trees.
- A linear row of trees (approximately 22 in number) is also proposed in the opposite bank of the river.
- Along the dry side of the Dee embankment a 350m long hedgerow is proposed to also include the planting of 24 trees.

- 2.31 All planting is to be undertaken by a specialist contractor working on behalf of NRW which would include a 5-year aftercare/establishment and defects period provided as part of this contract, before maintenance is handed back to landowners.
- 2.32 Further details in relation to tree/ plant species and sizes are include in the planting schedule which are included on the submitted drawings.
- 2.33 Overall, it is proposed as part of the scheme to plant 3 trees for every 1 lost, and the management of the planting scheme into the future would be subject to planning conditions requiring any plants that die or become diseased to be replaced.

Other mitigation/ compensation

2.34 In addition to tree planting the scheme also includes-

- The planting of approximately 50,000sqm of wildflower meadow on the banks of the Dee and Tryweryn. This is also to include 9 trees.
- Linear shrub planting of 190sqm along a section of field boundary with Gwynedd Confectioners.
- Planting of an orchard on land between the sluice from the Tryweryn to the Dee. (approximately 100 trees).
- Treatment of Himalayan Balsam and Japanese Knotweed.
- Repair/ improvement to artificial otter holts on the Tryweryn.

Biodiversity enhancement

- 2.35 While not specifically referenced as such in the submitted documentation much of the other mitigation/compensatory measures as detailed above can be considered biodiversity enhancements in accordance with the requirement of paragraph 6.4.5 of Planning Policy wales and ELDP Policy D.
- 2.36 While the loss of trees is of concern to officers, the applicants have confirmed that it is not possible to undertake the required works to legal standards without their removal. Neither is it possible to re-plant any trees on the embankment as this would have an adverse impact on the long term stability and safety of the structure. A comprehensive planting scheme has been submitted with the application which does replace trees on a ratio of 3:1 and includes various other elements including the planting of 350m of hedgerow and 50,000sqm of wild-flower meadow.
- 2.37 It is also noted by the applicants in more recent inspections that nearly all the Ash trees on the site (approx.50 trees) to be showing signs of dieback and would likely need to be removed in the near future to avoid the further spread of the disease and to ensure public safety adjacent to a public footpath.

- 2.38 All the planting proposed will take time to establish and therefore there will be a short to medium term impact by the loss of trees on both ecology and the landscape. However when established, the mitigation proposed should more than compensate for what will be lost in the longer term.
- 2.39 Planning conditions will be required to secure the details of the proposed planting and to ensure its maintenance and management moving forward.
- 2.40 It is considered that the project in the long term will safeguard the safety of the local community without having any long term impact on the characteristic biodiversity of the wider area.
- 2.41 The proposal is therefore considered to comply with SPA, DP1 and D of the ELDP.

Enhancements to public realm

- 2.42 Alterations and improvements are also proposed to improve the area of open space between Penllyn Leisure Centre and the lakeshore car with new hard and soft landscaping including new seating, and improved steps and ramped access. In addition, along the embankments it is proposed to install –
- Two new seating areas along the dee embankment
 - Interpretation at the start of the footpath adjacent to the Tryweryn and the A494.
 - Improvements to the seating area above the pumping station
 - Additional seating area along the Llyn Tegid embankment
 - More accessible seating and interpretation in the 'bandstand' area.
- 2.43 These changes are considered appropriate and will provide enhanced areas for the public to enjoy quiet enjoyment of the areas special qualities including the views towards the lake or the river.
- 2.44 All mitigation/ compensation measures and enhancements will be secured by means of a legal agreement.

Railway Trough

- 2.45 The design Project includes a trough laid along the section of lake embankment where the potential railway extension would run.
- 2.46 While this does not form part of the safety project its installation as part of this scheme would mean that only minimal work would be needed to the embankments, and their strength would not be affected if the railway extension does go ahead.

- 2.47 No application to extend Rheilffordd Llyn Tegid has been received to date, and therefore the inclusion of the trough as part of this scheme could be considered pre-emptive. However, due to the scale of this proposed development and the sensitive ecology of this part of the site, officers believe its inclusion in this scheme appears to be the best option.
- 2.48 This would avoid the need for any significant disturbance to his section of the embankment again in the future and as its proposed to be filled and seeded would not cause a greater visual impact to the top of the embankment at the end of the lake.
- 2.49 More significant engineering works, including a retaining wall is proposed by the Rugby clubhouse where the trough would run along the public footpath. However this would be located adjacent to an existing built form, where it is concluded that its visibility beyond the immediate area would be not be significant.
- 2.50 The inclusion of the railway trough is therefore on balance acceptable, taking into consideration the need to minimise disturbance to the embankment and designated sites, and therefore in line with SPA, DP:D and DP:1.

Construction

- 2.51 The construction phase of proposed works will inevitably result in local disruption. The foreshore area and footpaths are popular with both local residents and visitors and it is therefore essential that any disruption is kept to a minimum, especially during busy times over the summer months and bank holidays.
- 2.52 The applicants indicate that construction works will start in summer 2021, once all approvals have been attained, with reservoir safety works scheduled to be completed by the end of 2022.
- 2.53 Normal construction working hours are proposed as 8am to 6pm, Monday to Friday. Out of hour works, if required, would be agreed in advance with the Local Authority Environmental Health Officer. Sensitive timing of construction works to avoid conflicts with tourists/ leisure users and local events is proposed to be incorporated into the detailed construction programme. In order to minimise disruption its proposed to work closely with local organisations and businesses. It is also proposed to develop a Public Right of Way Management Plan with Gwynedd County Council and SNPA to agree how the required closures and diversions will be managed.

Construction traffic

- 2.54 The North and Mid Wales Trunk road Authority who have responsibility over the A494 direct that the applicants submit a Construction Traffic Management Plan (CTMP) for approval by the Authority and themselves prior to the commencement of works. This will be secured by condition.
- 2.55 Gwynedd Council Highways department and public rights of way officer do not raise any objection to the proposal, but have provided advice in relation to the closure and diversion of footpaths and any new accesses proposed to the site compound from the B4391.
- 2.56 The impact of the construction phase will be temporary and planning conditions and local agreements and joint working between relevant bodies will ensure that disturbance is kept to a minimum.

ELDP DP:5 Green Wedge

- 2.57 Sections of the site intersects land designated as green wedge in the ELDP. This land is designated in order to retain its undeveloped nature and to prevent the encroachment of the built-up area of the town towards the lake.
- 2.58 The area of encroachment mainly consists of planting as part of the project's mitigation/ enhancements scheme. Therefore, it is considered that this would not result in any adverse impact on the green wedge designation.
- 2.59 The main construction compound is also located within the green wedge, while it is acknowledged that this will result in a built form within the green wedge, this will be for a temporary period and therefore considered acceptable. A planning condition will be imposed to ensure that the main compound area is restored to its former condition following the completion of the project.

Historic Environment

- 2.60 While the site lies outside the historic centre of the town of Bala, it is still essential to ensure that any works proposed do not have any adverse impact on the historic environment in line with SP:Ff of the ELDP.
- 2.61 Gwynedd Archaeological Planning Services in their response to the consultation state that the scope for significant archaeological impact from the proposal would be limited to the areas of ground disturbance in greenfield locations and the appearance of the finished scheme within the historic landscape. They are satisfied that the proposed finish will not have a significant adverse impact on the historic landscape.

- 2.62 They recommend a pre-commencement condition in relation to suitable archaeological mitigation and this will be included in the proposed conditions list.
- 2.63 No significant matters of concern has therefore been identified in relation to the impact of this development on the historic environment and therefore no conflict with ELDP SP:Ff.

3 Conclusions

- 3.1 A thorough assessment of the application has been undertaken and overall having carefully considered the proposal, its location and the characteristics of the site its considered that the scheme, with mitigation satisfies the requirements of both local and National Policies.
- 3.2 The scheme has been put forward by NRW as a result of their legal responsibilities to ensure the long-term safety of the flood embankments and their ability to protect the town of Bala and communities downstream in the event of flooding.
- 3.3 The project has been subject to extensive consultation and engagement with stakeholders and interested parties prior to the submission of this application, including a pre application consultation and as part of this application.
- 3.4 While it is acknowledged that there will be effects in the short term on ecology and the landscape, officers have concluded that these will not be significant in the medium to long term and that with mitigation the scheme should deliver both a robust embankment and significant biodiversity enhancements.
- 3.5 The loss of the trees along the Llyn Tegid embankment will result in a change to the landscape, opening up this area in the short term, however the 300m, woodland edge planting strip to the rear of the embankment will more than replace the tree cover lost and create a new habitat for local wildlife.
- 3.6 Construction work will be carefully controlled through conditions to ensure disturbance is kept to a minimum.
- 3.7 The Environmental statement has been carefully assessed by consultees and the Local Planning Authority. The ES does acknowledge that there will be some adverse effects, these will be mostly limited to the construction phase. With a range of mitigation measures the scheme will overall provide long term benefits with no significant effects on the areas ecology and landscape.

- 3.8 An assessment has also been carried out in relation to the Conservation of Habitats and Species Regulations (2017) which concluded with mitigation that adverse effects on the integrity of either Natura 2000 sites or the Llyn Tegid Ramsar site can be ruled out alone or in combination beyond reasonable scientific doubt.
- 3.9 All the mitigation proposed will be secured through the implementation of planning conditions and a legal agreement.

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

- 3.10 This act places a duty on the Authority to take reasonable steps in exercising its functions to meet its sustainable development/wellbeing goals. This report takes into consideration the Authority's duty and the 'sustainable development principle' as provided in the Act. In determining the Authority has sought to ensure the needs of the present are met without compromising the ability of future generations to meet their needs.

Background Papers in Document Bundle No.1: Yes

RECOMMENDATION: To **APPROVE** the development subject to a legal agreement and 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 and documents:

Main plans

- Bala Railway Plan and Details_122918-BVL-Z0-00-DR-C-00002 Rev 7
- Bandstand Plan and Sections_122918-BVL-Z0-00-DR-C-10011 Rev P05
- Location Plan 122918-BVL-Z0-00-DR-I-10001.P05-S10 Rev P05
- Site (Block) Plan 1 of 8_122918-BVL-Z0-00-DR-I-10008 Rev P04
- Site (Block) Plan 2 of 8_122918-BVL-Z0-00-DR-I-10009 Rev P04
- Site (Block) Plan 3 of 8 122918-BVL-Z0-00-DR-I-10002.P05-S10 Rev P05
- Site (Block) Plan 4 of 8 122918-BVL-Z0-00-DR-I-10003.P05-S10 Rev P05
- Site (Block) Plan 5 of 8 122918-BVL-Z0-00-DR-I-10004.P05-S10 Rev P05
- Site (Block) Plan 6 of 8 122918-BVL-Z0-00-DR-I-10005.P05-S10 Rev P05
- Site (Block) Plan 7 of 8_122918-BVL-Z0-00-DR-I-10006 Rev P04
- Site (Block) Plan 8 of 8_122918-BVL-Z0-00-DR-I-10007 Rev P04

Sections

- Sections Sheet 1 of 3_122918-BVL-Z0-00-DR-C-10012 Rev P06
- Sections Sheet 2 of 3_122918-BVL-Z0-00-DR-C-10013 Rev P06
- Sections Sheet 3 of 3_122918-BVL-Z0-00-DR-C-10014 Rev P06

Ditches

- Ditches (sheet 1 of 3) - Dee Embankment north_122918-BVL-Z0-00-DR-C-10008 Rev P05
- Ditches (sheet 2 of 3) - Dee Embankment central_122918-BVL-Z0-00-DR-C-10009 Rev P05
- Ditches (sheet 3 of 3) - Dee Embankment south_122918-BVL-Z0-00-DR-C-10010 Rev P05

Planting

- Dee Embankment Hedgerow _22918-BVL-Z0-00-DR-L-00001 Rev P03
- Leisure Centre Planting Plan_122918-BVL-Z0-00-DR-L-00016 Rev P01
- Linear Woodland Edge Planting Belt_122918-BVL-Z0-00-DR-L-00037 Rev P03
- Planting Plan - Foreshore Car Park_122918-BVL-Z0-00-DR-L-00045 Rev P01
- Planting Plan 1 of 3_Tryweryn_122918-BVL-Z0-00-DR-L-00042 Rev P03
- Planting Plan 2 of 3_Dee_122918-BVL-Z0-00-DR-L-00043 Rev P02
- Planting Plan 3 of 3_Tegid St_122918-BVL-Z0-00-DR-L-00044 Rev P03

Landscaping

- Landscape Masterplan_122918-BVL-Z0-00-DR-L-00036 Rev P03

Enhancements

- Bandstand Seating Area Enhancements_122918-BVL-Z0-00-DR-L-00010 Rev P03
- Leisure Centre Enhancement Proposals_122918-BVL-Z0-00-DR-L-00003 Rev P04
- Pumping Station Seating Area Enhancements_122918-BVL-Z0-00-DR-L-00012 Rev P03
- Seating Area near Rugby Club Enhancements_122918-BVL-Z0-00-DR-L-00011 Rev P04
- Y Bala Rhif 1 Seating Area Enhancements_122918-BVL-Z0-00-DR-L-00013 Rev P05

Other documents

- Record of a Habitats Regulations Assessment and of a Project accompanying appendices (Natural Resources Wales, Version 7, October 2020)
- Addendum to Record of Habitats Regulations Assessment and of a Project by Natural Resources Wales contained within Email dated 13th January 2021 from Laura Cotton to Sara Thomas
- Arboricultural Method Statement (Tree solutions Arboricultural Consultants – Rev c November 2020)
- Tree Management Plan (Natural Resources Wales Version 5, November 2020)

- Environmental Action Plan Version 5, October 2020

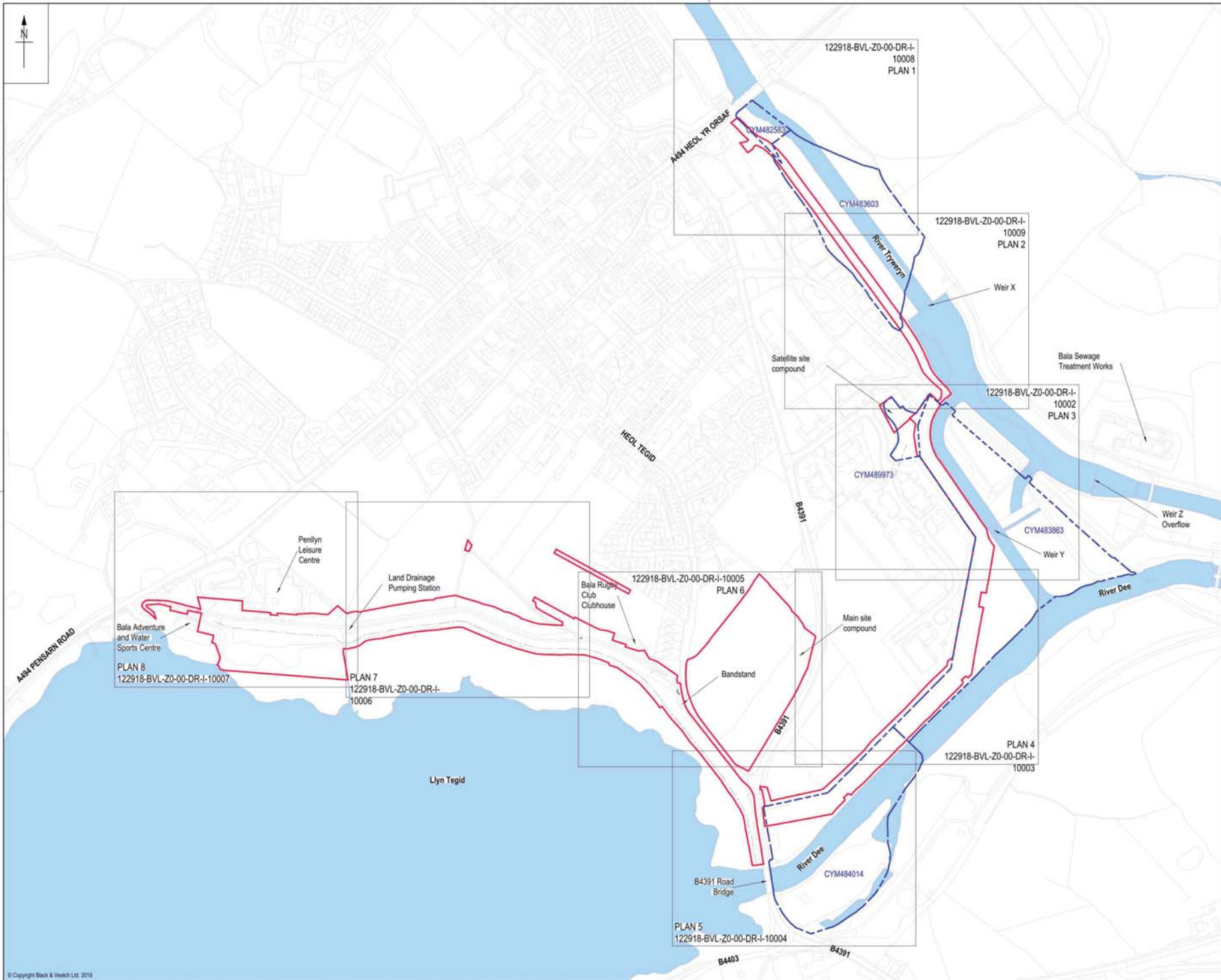
3. No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted and approved by means of a formal application to the Local Planning Authority. The development shall subsequently be carried out in accordance with the approved details.
4. No development shall commence until a Species Conservation Plan for bats has been submitted to and approved by means of a formal application to the Local Planning Authority. The development shall subsequently be carried out in accordance with the approved details.
5. The applicant is required to submit and have approved (in consultation with the Welsh Government) a Construction Traffic Management Plan (CTMP) by means of a formal application to the Local Planning Authority prior to the commencement of any construction works. The CTMP must specify how access to/from the A494 Pensarn Road junction - 292048; 335537 will be managed or specify that it will be strictly prohibited from use by construction/delivery vehicles. The development shall subsequently be carried out in accordance with the approved details.
6. No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved by means of formal application to the Local Planning Authority. The archaeological work shall be completed in strict accordance with the approved details.
7. Within six months of the completion of the approved programme of archaeological works (pursuant to condition 6) a detailed report shall be submitted to and approved by means of a formal application to the Local Planning Authority.
8. Details of the stone to be used in the embankment and hard landscape elements will need to be agreed and approved by means of a formal application to the Local Planning Authority. The development shall subsequently be carried out in accordance with the approved details.
9. To avoid disturbance to nesting birds, or bats, no removal of trees or hedges shall be carried out between 1st of March and 31st of August. If this is not possible then a pre-development (i.e. no greater than 48 hours before work begins) search of the area should be made by a suitably experienced ecologist. If evidence of nesting birds or bats are found works must be delayed until it can be confirmed that they are no longer present.
10. Prior to the implementation of any mitigation/compensatory planting, the applicant will be required, by means of a formal application to the Local Planning Authority, to submit and have approved a Long Term Management Plan for all planting associated with the approved development. The development shall subsequently be carried out in accordance with the approved details.

11. The applicant/developer shall ensure that the Reasonable Avoidance Measures detailed in the Llyn Tegid Embankments, Bala: Preliminary Ecological Appraisal, Enfys Ecology, 2018 and in the Paragraph, 7.9.3 of the Environmental Statement are followed and implemented in full.
12. The applicant/developer shall ensure that the measures to reduce the risk of inadvertent spread of invasive species as detailed in the Invasive Species Management Plan Llyn Tegid Reservoir Safety Project, Black & Veatch, 2019) are followed and implemented in full.
13. If within a period of 5 years from the date of the approval should any of the trees, hedgerows or planting (as detailed in the approved planting scheme details listed in condition 2) be removed, uprooted or destroyed, dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree/plant of the same species and size as that originally planted shall be planted at the same place during the next planting season immediately following the death/removal/destruction of that tree/plant, in accordance with recommendations laid out in the B.S. 8545:2014.
14. Following the completion of the development, the main construction compound as detailed on the approved plans shall be restored to its former condition.
15. Construction/demolition works or the operation of machinery/construction vehicles shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.
16. Any works in close proximity to Dwr Cymru apparatus, as detailed on the attached sewer and water plans attached to this decision shall be undertaken in line with the conditions contained in their consultation response dated 02.12.20.

Reasons:

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 development and to minimise the risk of unacceptable harm or disturbance to protected species and their habitats in accordance with Eryri Local Development Plan Policies 2016-2031 and in particular Policy D.
4. To ensure a satisfactory standard of development and to minimise the risk of unacceptable harm or disturbance to protected species and their habitats in accordance with Eryri Local Development Plan Policies 2016-2031 and in particular Policy D.
5. To maintain the safety and free flow of trunk road traffic, in accordance with Eryri Local Development Plan Policies and in particular Policy 1.

6. To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2018, TAN24: The Historic Environment and Strategic Policy Ff of the Eryri Local Development Plan.
7. To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).
8. 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 A, 1, 6 and 2.
9. To minimise the risk of unacceptable harm or disturbance to protected species in accordance with Eryri Local Development Plan Policies 2016-2031 and in particular Policy D.
10. To ensure a satisfactory standard of development and ensure the long term management of the mitigation scheme in accordance with Eryri Local Development Plan Policies and in particular Policy A, 1, 2 and D.
11. To ensure a satisfactory standard of development and to minimise the risk of unacceptable harm or disturbance to protected species in accordance with Eryri Local Development Plan Policies and in particular Policy D.
12. To ensure a satisfactory standard of development and to minimise the risk of harm through the spread of invasive species in accordance with Eryri Local Development Plan Policies and in particular Policy D.
13. To ensure the establishment of the mitigation and to preserve and enhance the visual amenities of the area, in accordance with Eryri Local Development Plan policies and in particular Policies A, 1 and 2.
14. To ensure no residual visual impact from the proposed construction compounds in accordance with Eryri Local Development Plan Policies and in particular Policies D and 2.
15. To minimise the loss of amenity to neighbouring properties and the surrounding area in general in accordance with Eryri Local Development Plan Policies and in particular Policy 1.
16. To ensure the works have no adverse impact on Dwr Cymru infrastructure.



Note: The levels, including the height and depths of the works, shown in this drawing are not to be taken as limiting the obligations of the contractor under Contract.

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- Notes**
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 2. All levels in metres above Ordnance Datum (m OD) unless stated otherwise.
 3. This drawing to be read in conjunction with drawing nos. - 122918-BVL-Z0-00-DR-I-10002 to 10007.



SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

IN ADDITION TO THE HAZARDS OR RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, THE FOLLOWING SIGNIFICANT RESIDUAL RISKS SHOULD BE NOTED. FURTHER DETAILS ARE INCLUDED IN THE CDM DESIGN RISK MANAGEMENT REGISTER.

CONSTRUCTION:
For details of risks refer to drawing Nos. 122918-BVL-Z0-00-DR-I-10002 - 10007.

MAINTENANCE, CLEANING AND OPERATION:
For details of risks refer to drawing Nos. 122918-BVL-Z0-00-DR-I-10002 - 10007.

DECOMMISSIONING OR DEMOLITION:
For details of risks refer to drawing Nos. 122918-BVL-Z0-00-DR-I-10002 - 10007.



P01	JR	DJ	MB	AC	19/11/19	For Client review/approval
P02	JR	MB	SPC	SPC	27/11/19	For Public Consultation
P03	TJM	HJR	SPC	SPC	14/10/20	For Client review/approval
P04	TJM	AB	SPC	SPC	05/11/20	For Planning
P05	HJR	MB	MS	SPC	09/04/21	Revised planning application boundary
Rev	Drawn	Check	Revised	Approved	Date	Description

Designed by: _____ Date: _____
 Status: S10 Issued for public consultation



Client Drawing No. _____ Revision _____

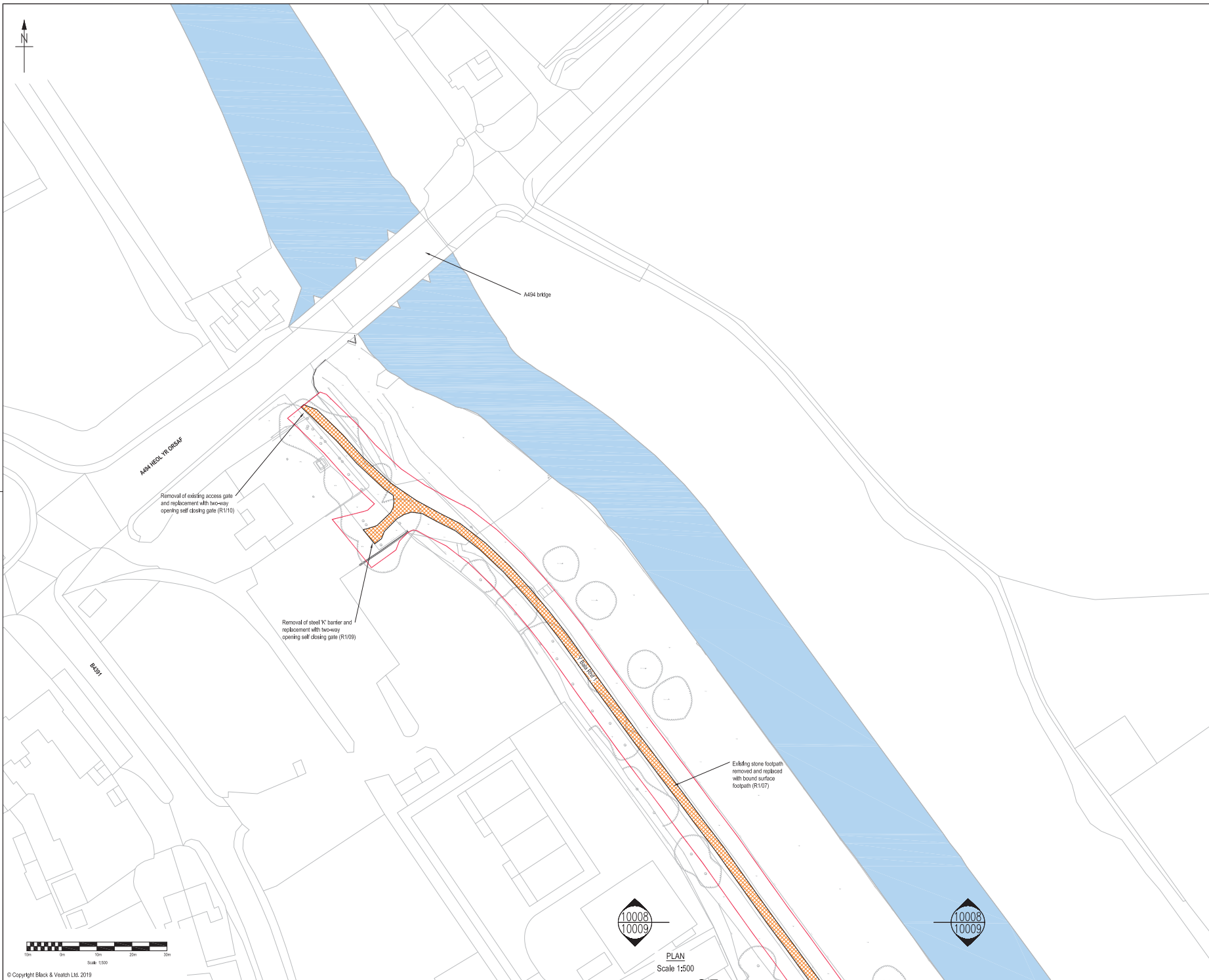


Project: **LLYN TEGID RESERVOIR SAFETY PROJECT**

Drawing title: **LLYN TEGID PLANNING LOCATION PLAN**

Drawing scale: 1:2500 Sheet size: A1

Drawing no. 122918-BVL-Z0-00-DR-I-10001 Revision: P05



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- Notes**
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 - See access audit (122918-BVL-Z0-Q0-RP4-00003) for details of references R110 etc.

LEGEND

- PLANNING APPLICATION BOUNDARY
- EXTENT OF CONSTRUCTION COMPOUND
- PUBLIC RIGHT OF WAY AND FOOTPATH WITH ID NUMBER, RESURFACED IN BOUND SURFACE

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

IN ADDITION TO THE HAZARDS OR RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, THE FOLLOWING SIGNIFICANT RESIDUAL RISKS SHOULD BE NOTED. FURTHER DETAILS ARE INCLUDED IN THE CDM DESIGN RISK MANAGEMENT REGISTER

CONSTRUCTION:
For details of risks refer to drawing Nos. 122918-BVL-Z0-Q0-DR4-10002.

MAINTENANCE, CLEANING AND OPERATION:
For details of risks refer to drawing Nos. 122918-BVL-Z0-Q0-DR4-10002.

DECOMMISSIONING OR DEMOLITION:
For details of risks refer to drawing Nos. 122918-BVL-Z0-Q0-DR4-10002.

P01	JR	DJ	MB	AC	19/11/19	For Client re-approval
P02	JR	MB	SPC	SPC	27/11/19	For Public Consultation
P03	TJM	HJR	SPC	SPC	14/10/20	For Client re-approval
P04	TJM	AB	SPC	SPC	05/11/20	For Planning
Rev	Drawn	Chkd	Revd	Apprvd	Date	Description

Designed by: _____ Date: _____
 Status: S10 Issued for public consultation
 Client: Cyfoeth Naturiol Cymru Natural Resources Wales

Client Drawing No. _____ Revision: _____

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Project: **LLYN TEGID RESERVOIR SAFETY PROJECT**

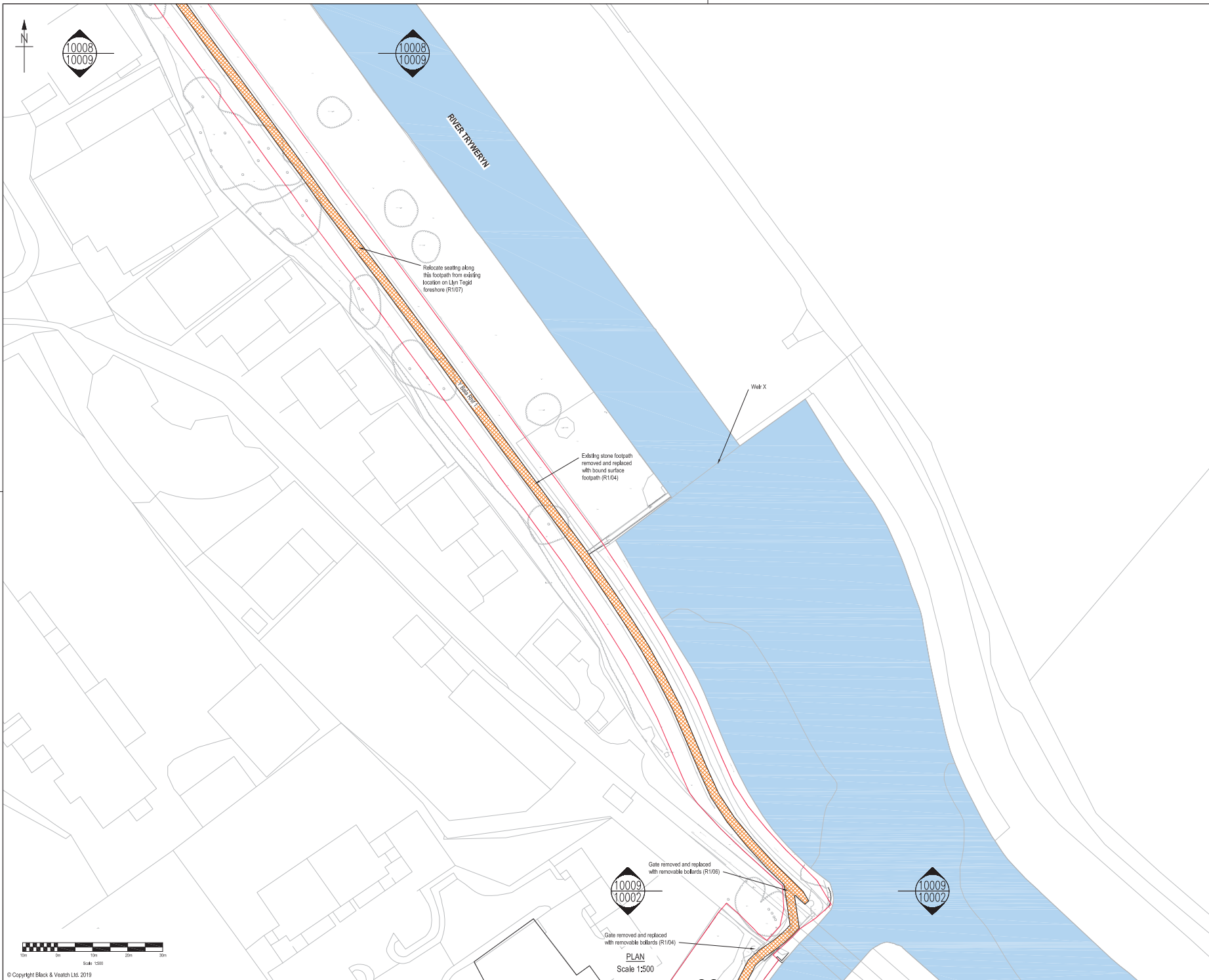
Drawing title: **LLYN TEGID SITE (BLOCK) PLAN 1**

Drawing scale: 1:500 Sheet size: A1
 Drawing no. 122918-BVL-Z0-Q0-DR-I-10008 Revision: P04



PLAN
 Scale 1:500





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 - See access audit (122918-BVL-Z0-Q0-RP-L-00003) for details of references R107 etc.

LEGEND

	PLANNING APPLICATION BOUNDARY
	EXTENT OF CONSTRUCTION COMPOUND
	PUBLIC RIGHT OF WAY AND FOOTPATH WITH ID NUMBER, RESURFACED IN BOUND SURFACE

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

IN ADDITION TO THE HAZARDS OR RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, THE FOLLOWING SIGNIFICANT RESIDUAL RISKS SHOULD BE NOTED. FURTHER DETAILS ARE INCLUDED IN THE CDM DESIGN RISK MANAGEMENT REGISTER

CONSTRUCTION:
For details of risks refer to drawing Nos. 122918-BVL-Z0-Q0-DR-L-10002.

MAINTENANCE, CLEANING AND OPERATION:
For details of risks refer to drawing Nos. 122918-BVL-Z0-Q0-DR-L-10002.

DECOMMISSIONING OR DEMOLITION:
For details of risks refer to drawing Nos. 122918-BVL-Z0-Q0-DR-L-10002.

P01	JR	DJ	MB	AC	19/11/19	For Client re-approval
P02	JR	MB	SPC	SPC	27/11/19	For Public Consultation
P03	TJM	HJR	SPC	SPC	14/10/20	For Client re-approval
P04	TJM	AB	SPC	SPC	05/11/20	For Planning
Rev	Drawn	Chkd	Rev'd	Apprv'd	Date	Description

Designed by: _____ Date: _____
 Status: S10 Issued for public consultation

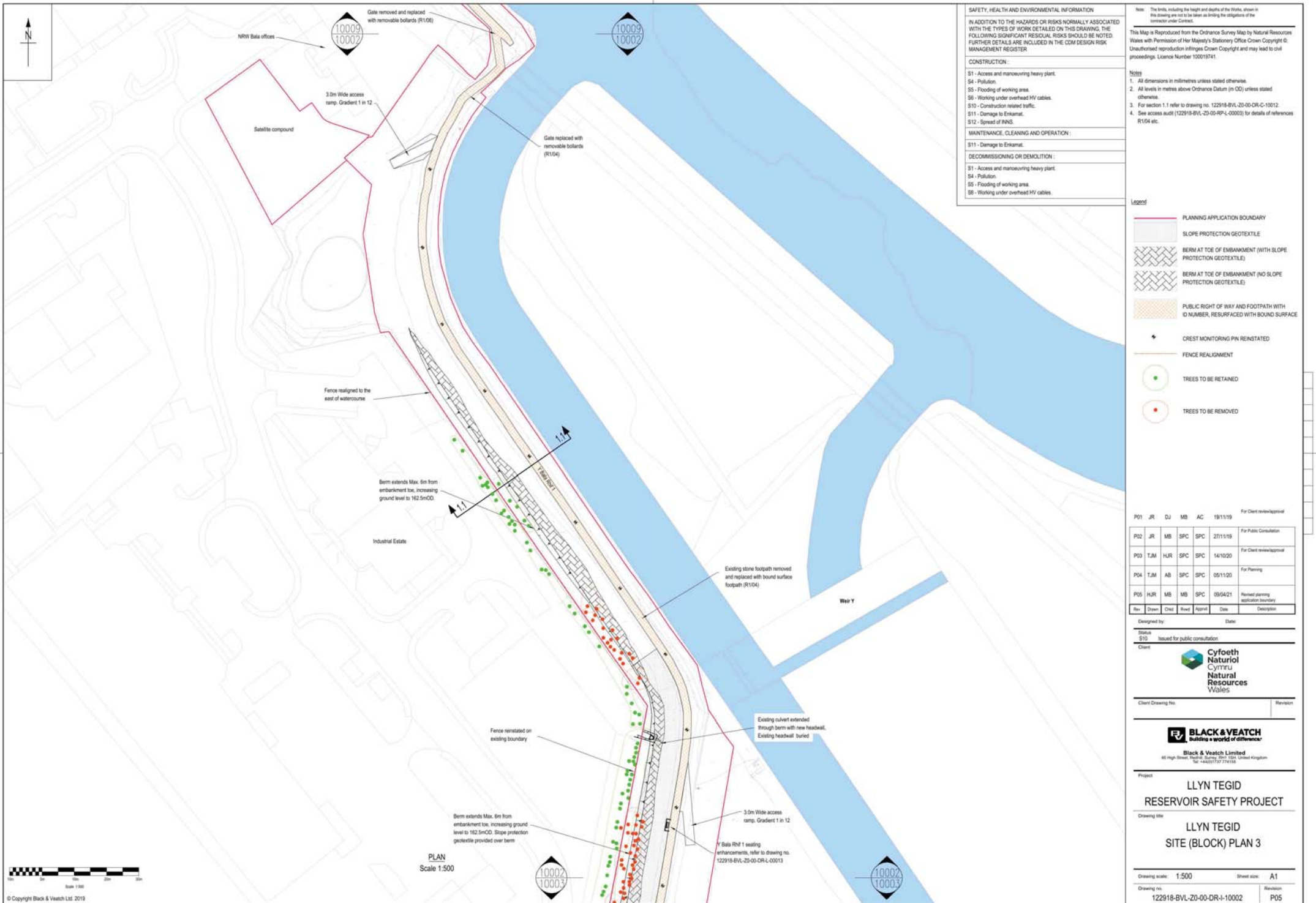


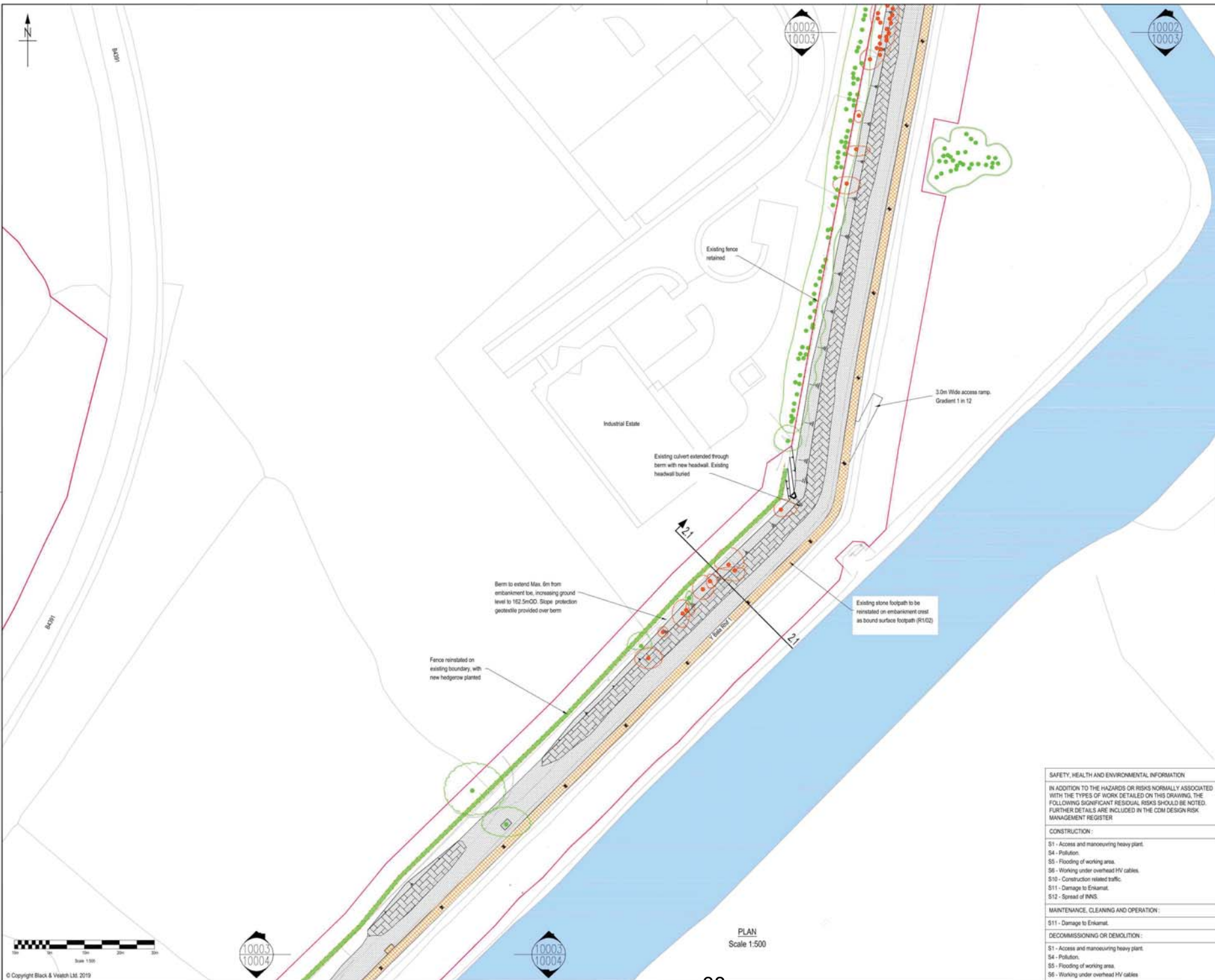
Client Drawing No. _____ Revision: _____



Project: **LLYN TEGID RESERVOIR SAFETY PROJECT**
 Drawing title: **LLYN TEGID SITE (BLOCK) PLAN 2**

Drawing scale: 1:500 Sheet size: A1
 Drawing no. 122918-BVL-Z0-Q0-DR-L-10009 Revision: P04





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- Notes**
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 2. All levels in metres above Ordnance Datum (m OD) unless stated otherwise.
 3. For section 2.1 refer to drawing no. 122918-BVL-Z0-00-DR-C-10012.
 4. See access audit (122918-BVL-Z0-00-RP-L-00003) for details of references R102 etc.

- Legend**
- PLANNING APPLICATION BOUNDARY
 - SLOPE PROTECTION GEOTEXTILE
 - BERM AT TOE OF EMBANKMENT (WITH SLOPE PROTECTION GEOTEXTILE)
 - PUBLIC RIGHT OF WAY AND FOOTPATH WITH ID NUMBER, RESURFACED WITH BOUND SURFACE
 - CREST MONITORING PIN REINSTATED
 - FENCE REALIGNMENT
 - HEDGEROW PLANTING
 - TREES TO BE RETAINED
 - TREES TO BE REMOVED

Rev	Drawn	Chkd	Rev'd	Appval	Date	Description
P01	JR	DJ	DJ	AC	19/11/19	For Client re-approval
P02	JR	MB	SPC	SPC	27/11/19	For Public Consultation
P03	TJM	HJR	SPC	SPC	14/10/20	For Client re-approval
P04	TJM	AB	SPC	SPC	05/11/20	For Planning
P05	HJR	MB	MB	SPC	09/04/21	Revised planning application boundary

Designed by: _____ Date: _____

Status: S10 Issued for public consultation

Client: **Cyfoeth Naturiol Cymru Natural Resources Wales**

Client Drawing No. _____ Revision _____

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

IN ADDITION TO THE HAZARDS OR RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, THE FOLLOWING SIGNIFICANT RESIDUAL RISKS SHOULD BE NOTED. FURTHER DETAILS ARE INCLUDED IN THE COM DESIGN RISK MANAGEMENT REGISTER

CONSTRUCTION:

- S1 - Access and manoeuvring heavy plant.
- S4 - Pollution.
- S5 - Flooding of working area.
- S6 - Working under overhead HV cables.
- S10 - Construction related traffic.
- S11 - Damage to Ernakat.
- S12 - Spread of RNS.

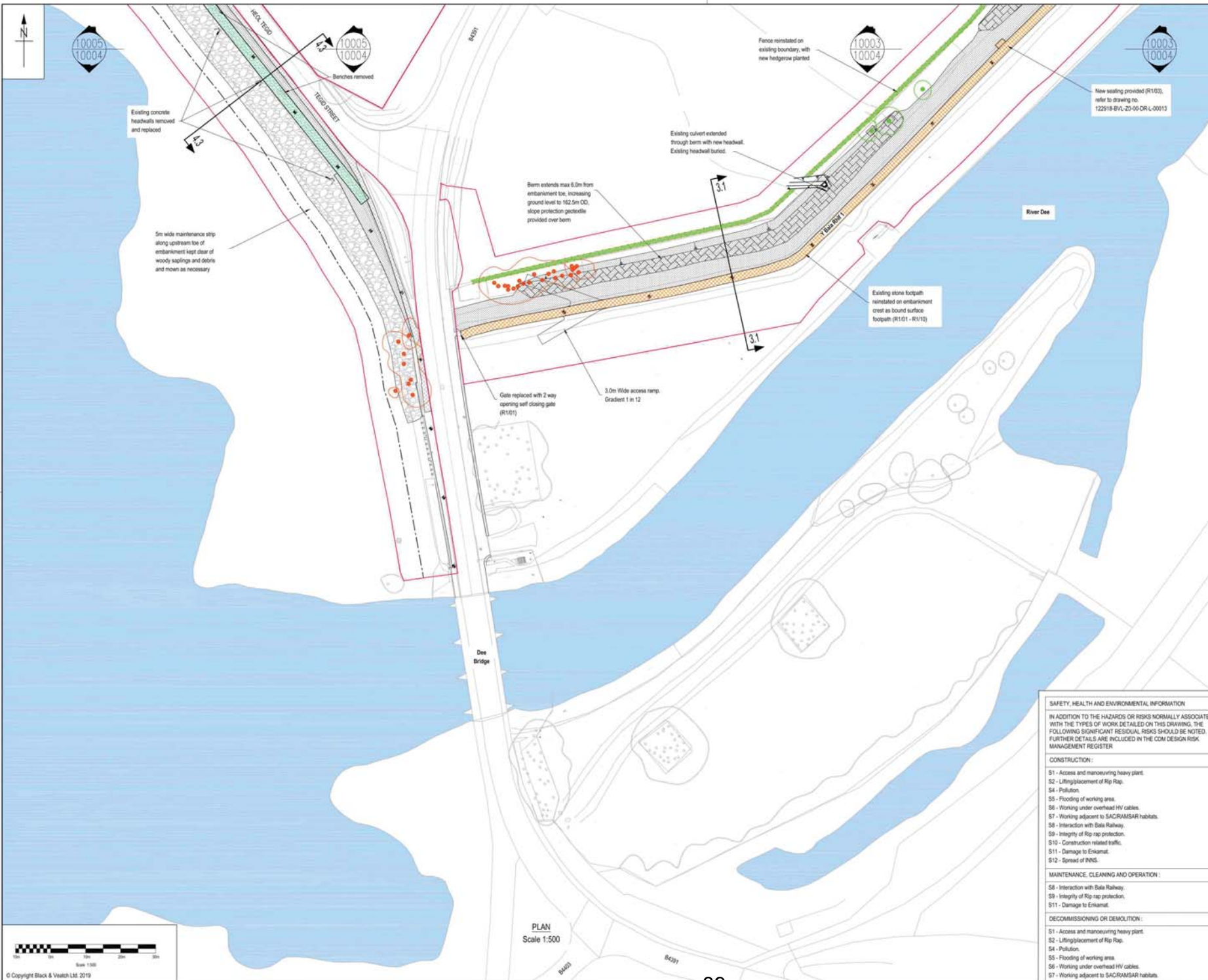
MAINTENANCE, CLEANING AND OPERATION:

- S11 - Damage to Ernakat.

DECOMMISSIONING OR DEMOLITION:

- S1 - Access and manoeuvring heavy plant.
- S4 - Pollution.
- S5 - Flooding of working area.
- S6 - Working under overhead HV cables.

PLAN Scale 1:500



Note: The limits, including the height and depth of the Works shown in this drawing are not to be taken as limiting the obligations of the contractor under Contract.

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 - For section 3.1 refer to drawing no. 122918-BVL-Z0-00-DR-C-1002, and for section 4.3 refer to drawing no. 122918-BVL-Z0-00-DR-C-1003.
 - See access audit (122918-BVL-Z0-00-PP-L-00003) for details of references R101 et al.

- Legend**
- PLANNING APPLICATION BOUNDARY
 - EXTENT OF MAINTENANCE STRIP
 - CONCRETE TROUGH FOR POTENTIAL BALA RAILWAY EXTENSION (FILLED WITH SOIL AND SEEDED)
 - UPGRADED RIP RAP PROTECTION
 - SLOPE PROTECTION GEOTEXTILE
 - BERM AT TOE OF EMBANKMENT (WITH SLOPE PROTECTION GEOTEXTILE)
 - PUBLIC RIGHT OF WAY AND FOOTPATH WITH ID NUMBER, RESURFACED WITH BOUND SURFACE
 - CREST MONITORING PIN REINSTATED
 - FENCE REALIGNMENT
 - HEDGEROW PLANTING
 - TREES TO BE RETAINED
 - TREES TO BE REMOVED

No.	Drawn	Chkd	Rev'd	Appval	Date	Description
P01	JR	DJ	MB	AC	19/11/19	For Client re-approval
P02	JR	MB	SPC	SPC	27/11/19	For Public Consultation
P03	TJM	HUR	SPC	SPC	14/10/20	For Client re-approval
P04	TJM	AB	SPC	SPC	05/11/20	For Planning
P05	HUR	MB	MB	SPC	09/04/21	Revised planning application boundary

Designed by: _____ Date: _____
 Status: S10 Issued for public consultation

Client: **Cyfoeth Naturiol Cymru Natural Resources Wales**

Client Drawing No. _____ Revision _____
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Project: **LLYN TEGID RESERVOIR SAFETY PROJECT**
 Drawing title: **LLYN TEGID SITE (BLOCK) PLAN 5**

Drawing scale: 1:500	Sheet size: A1
Drawing no. 122918-BVL-Z0-00-DR-I-10004	Revision P05

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

IN ADDITION TO THE HAZARDS OR RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, THE FOLLOWING SIGNIFICANT RESIDUAL RISKS SHOULD BE NOTED. FURTHER DETAILS ARE INCLUDED IN THE CDM DESIGN RISK MANAGEMENT REGISTER

CONSTRUCTION:

- S1 - Access and manoeuvring heavy plant.
- S2 - Lifting/placement of Rip Rap.
- S4 - Pollution.
- S5 - Flooding of working area.
- S6 - Working under overhead HV cables.
- S7 - Working adjacent to SACRAMSAR habitats.
- S8 - Interaction with Bala Railway.
- S9 - Integrity of Rip rap protection.
- S10 - Construction related traffic.
- S11 - Damage to Ernakat.
- S12 - Spread of INNS.

MAINTENANCE, CLEANING AND OPERATION:

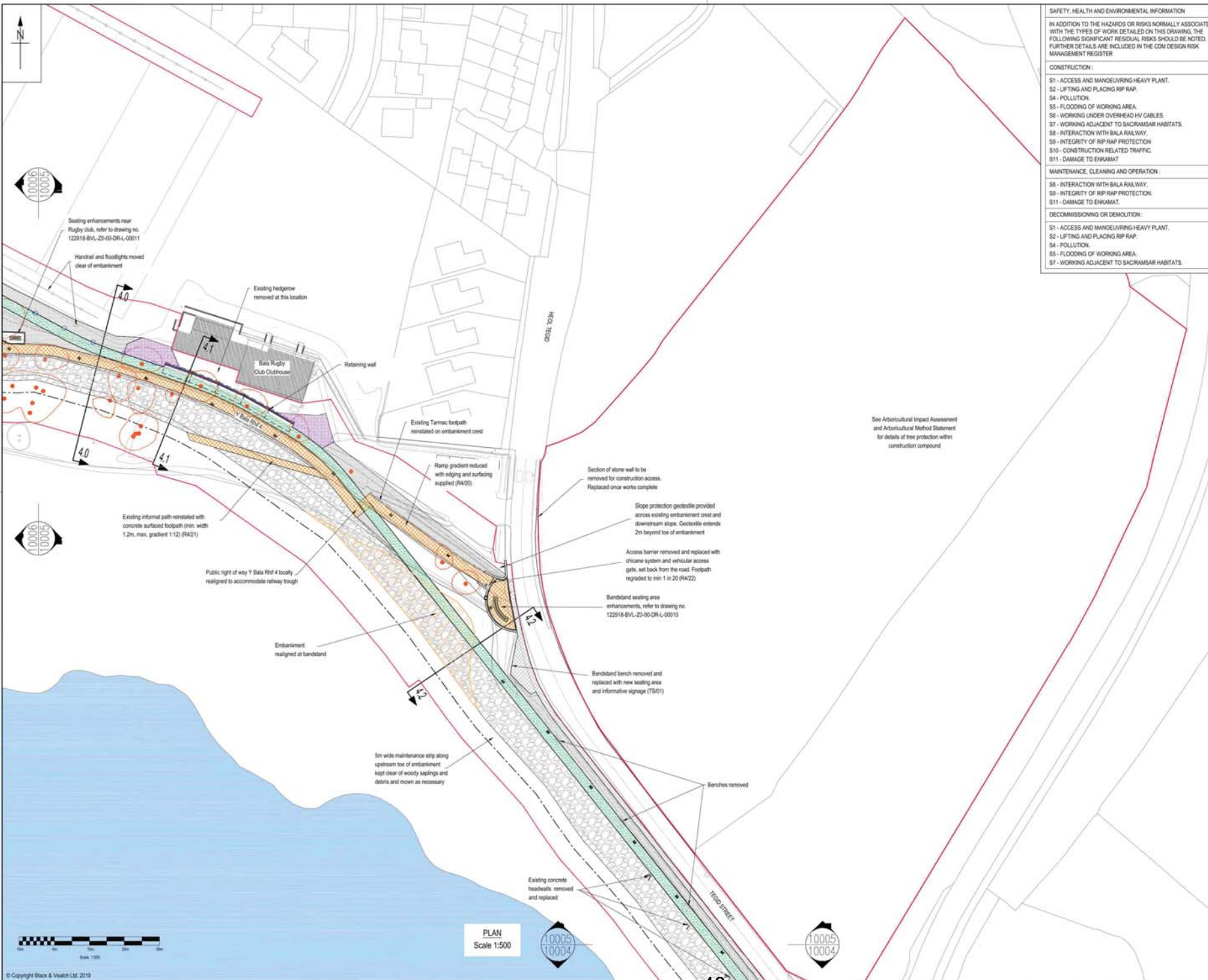
- S8 - Interaction with Bala Railway.
- S9 - Integrity of Rip rap protection.
- S11 - Damage to Ernakat.

DECOMMISSIONING OR DEMOLITION:

- S1 - Access and manoeuvring heavy plant.
- S2 - Lifting/placement of Rip Rap.
- S4 - Pollution.
- S5 - Flooding of working area.
- S6 - Working under overhead HV cables.
- S7 - Working adjacent to SACRAMSAR habitats.



Scale 1:500
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 BV PROJECT NUMBER: 122918



SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

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CONSTRUCTION:

- S1 - ACCESS AND MANOEUVRING HEAVY PLANT.
- S2 - LIFTING AND PLACING RIP RAP.
- S4 - POLLUTION.
- S5 - FLOODING OF WORKING AREA.
- S6 - WORKING UNDER OVERHEAD HV CABLES.
- S7 - WORKING ADJACENT TO SACRAMSAR HABITATS.
- S8 - INTERACTION WITH BALA RAILWAY.
- S9 - INTEGRITY OF RIP RAP PROTECTION.
- S10 - CONSTRUCTION RELATED TRAFFIC.
- S11 - DAMAGE TO ENWAMAT.

MAINTENANCE, CLEANING AND OPERATION:

- S8 - INTERACTION WITH BALA RAILWAY.
- S9 - INTEGRITY OF RIP RAP PROTECTION.
- S11 - DAMAGE TO ENWAMAT.

DECOMMISSIONING OR DEMOLITION:

- S1 - ACCESS AND MANOEUVRING HEAVY PLANT.
- S2 - LIFTING AND PLACING RIP RAP.
- S4 - POLLUTION.
- S5 - FLOODING OF WORKING AREA.
- S7 - WORKING ADJACENT TO SACRAMSAR HABITATS.

Notes:

- All dimensions in millimetres unless stated otherwise.
- All levels in metres above Ordnance Datum (m OD) unless stated otherwise.
- For sections 4.0, 4.1 and 4.2 refer to dtp no. 122918-BVL-Z0-00-DR-C-10013.
- See access audit (122918-BVL-Z0-00-AP-L-00003) for details of references RM21 etc.

Legend:

- PLANNING APPLICATION BOUNDARY
- EXTENT OF MAINTENANCE STRIP
- CONCRETE TROUGH FOR POTENTIAL BALA RAILWAY EXTENSION (FILLED WITH SOIL AND SEEDED)
- UPGRADED RIP RAP PROTECTION
- SLOPE PROTECTION GEOTEXTILE
- BERM AT TOE OF EMBANKMENT (WITH SLOPE PROTECTION GEOTEXTILE)
- ARMORLOC
- PUBLIC RIGHT OF WAY AND FOOTPATH WITH ID NUMBER, RESURFACED WITH BOUND SURFACE
- EXTENT OF ENCROACHMENT INTO DESIGNATED SITE (SAC, RAMSAR)
- FOOTPATH
- CREST MONITORING PIN REINSTATED
- FENCE REALIGNMENT
- HEDGEROW REALIGNMENT
- NEW FENCE
- LOCALLY RECLAIMED GRANITE SETTS
- TREES TO BE RETAINED
- TREES TO BE REMOVED

Revision Table:

Rev	Drawn	Chkd	Rev'd	Appr'd	Date	Description
P01	JR	DJ	MB	AC	19/11/19	For Client re-approval
P02	JR	MB	SPC	SPC	27/11/19	For Public Consultation
P03	TJM	HUR	SPC	SPC	14/10/20	For Client re-approval
P04	TJM	AB	SPC	SPC	05/11/20	For Planning
P05	HJR	MB	MB	SPC	09/04/21	Revised planning application boundary

Designed by: _____ Date: _____

Station: S10 Issued for public consultation

Client: **Cyfoeth Naturiol Cymru Natural Resources Wales**

Client Drawing No: _____ Revision: _____

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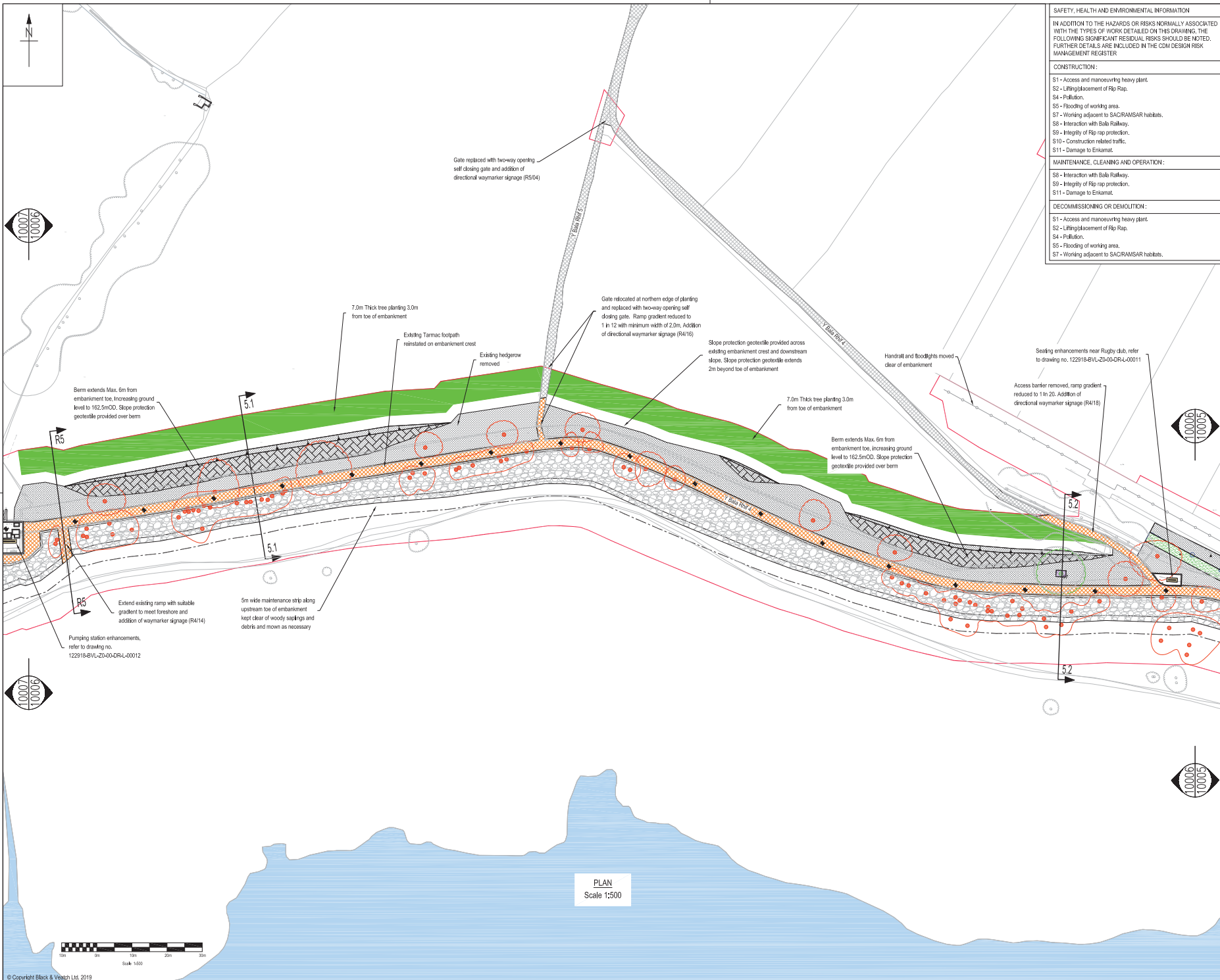
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60 High Street, Plymouth, Devon PL4 8AA, United Kingdom
Tel: +44(0)1752 774133

Project: **LLYN TEGID RESERVOIR SAFETY PROJECT**

Drawing title: **LLYN TEGID SITE (BLOCK) PLAN 6**

Drawing scale: 1:500 Sheet size: A1

Drawing no. 122918-BVL-Z0-00-DR-I-10005 Revision: P05



SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

IN ADDITION TO THE HAZARDS OR RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, THE FOLLOWING SIGNIFICANT RESIDUAL RISKS SHOULD BE NOTED. FURTHER DETAILS ARE INCLUDED IN THE CDM DESIGN RISK MANAGEMENT REGISTER.

CONSTRUCTION:

- S1 - Access and manoeuvring heavy plant.
- S2 - Lifting/Placement of Rip Rap.
- S4 - Pollution.
- S5 - Flooding of working area.
- S7 - Working adjacent to SAC/RAMSAR habitats.
- S8 - Interaction with Bala Railway.
- S9 - Integrity of Rip rap protection.
- S10 - Construction related traffic.
- S11 - Damage to Enkamat.

MAINTENANCE, CLEANING AND OPERATION:

- S8 - Interaction with Bala Railway.
- S9 - Integrity of Rip rap protection.
- S11 - Damage to Enkamat.

DECOMMISSIONING OR DEMOLITION:

- S1 - Access and manoeuvring heavy plant.
- S2 - Lifting/Placement of Rip Rap.
- S4 - Pollution.
- S5 - Flooding of working area.
- S7 - Working adjacent to SAC/RAMSAR habitats.

Notes:

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Notes:

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- For section 5.1 refer to drawing no. 122318-BVL-Z0-00-DR-C-10014.
- See access audit (122318-BVL-Z0-00-RP-L-00003) for details of references R4/14 etc.

- Legend**
- PLANNING APPLICATION BOUNDARY
 - EXTENT OF CONSTRUCTION COMPOUND
 - EXTENT OF MAINTENANCE STRIP
 - CONCRETE TROUGH FOR POTENTIAL BALA RAILWAY EXTENSION
 - UPGRADED RIP RAP PROTECTION
 - SLOPE PROTECTION GEOTEXTILE
 - BERM AT TOE OF EMBANKMENT (WITH SLOPE PROTECTION GEOTEXTILE)
 - PUBLIC RIGHT OF WAY AND FOOTPATH WITH ID NUMBERS, RESURFACED WITH BOUND SURFACE
 - CREST MONITORING PIN REINSTATED
 - FENCE REALIGNMENT
 - LINEAR WOODLAND EDGE PLANTING
 - NEW FENCE
 - LOCALLY RECLAIMED GRANITE SETTS
 - SLATE STONE RETAINING WALL
 - TREES TO BE RETAINED
 - TREES TO BE REMOVED

Rev	Drawn	Chkd	Revd	Apprvd	Date	Description
P01	JR	DJ	MB	AC	19/11/19	For Client re-approval
P02	JR	MB	SPC	SPC	27/11/19	For Public Consultation
P03	TJM	HJR	SPC	SPC	14/10/20	For Client re-approval
P04	TJM	AB	SPC	SPC	05/11/20	For Planning

Designed by: _____ Date: _____

Status: S10 Issued for public consultation

Client: Cyfoeth Naturiol Cymru Natural Resources Wales

Client Drawing No: _____ Revision: _____

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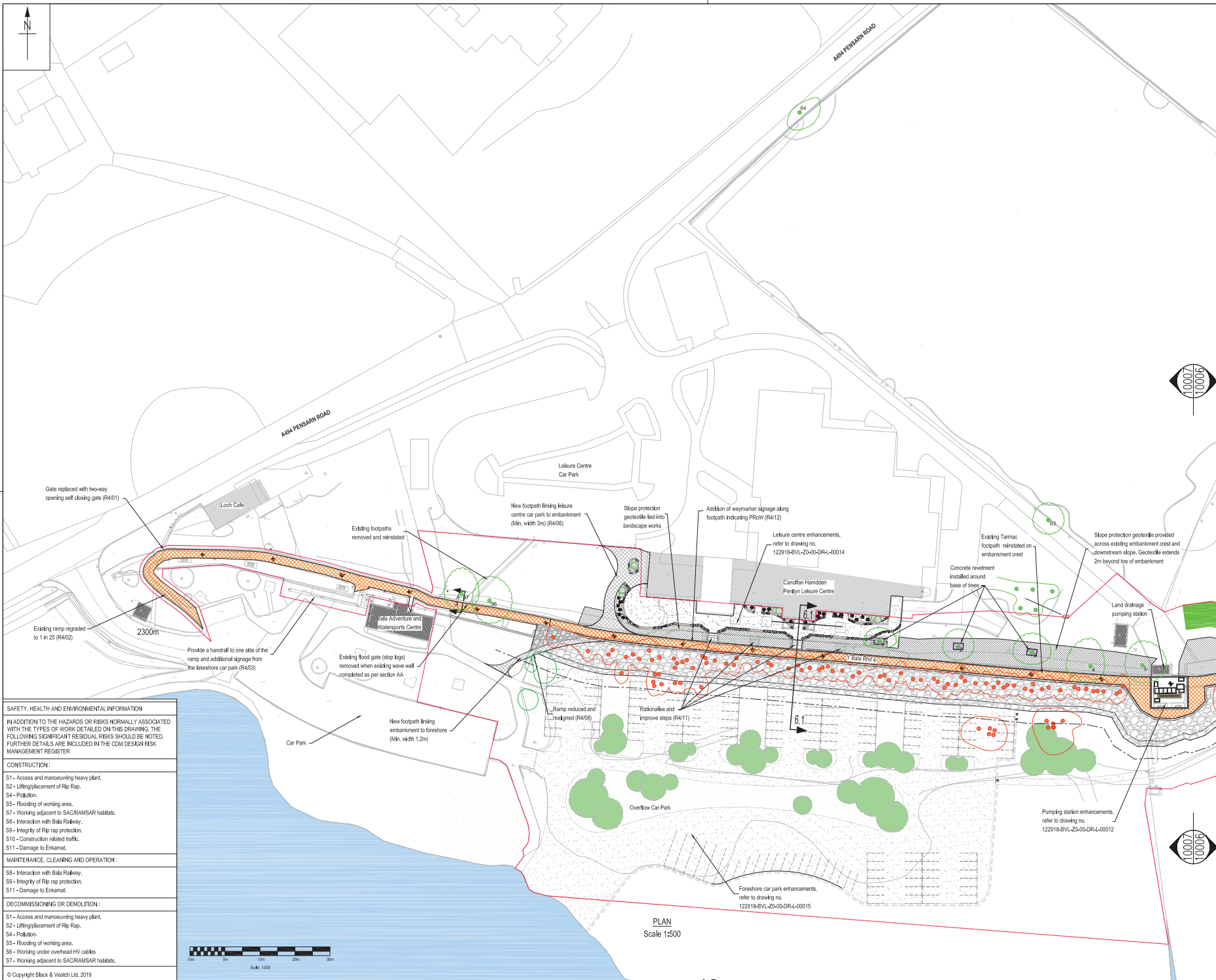
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Tel: +44(0)11737 774100

Project: **LLYN TEGID RESERVOIR SAFETY PROJECT**

Drawing title: **LLYN TEGID SITE (BLOCK) PLAN 7**

Drawing scale: 1:500 Sheet size: A1

Drawing no. 122318-BVL-Z0-00-DR-I-10006 Revision: P04



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- Notes**
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 3. For section 6.1 refer to drawing no. 122918-BVL-Z0-00-DR-C-10014.
 4. Site access audit (122918-BVL-Z0-00-RP-L-00003) for details of references R401 etc.

Legend

- PLANNING APPLICATION BOUNDARY
- EXTENT OF CONSTRUCTION COMPOUND
- EXTENT OF MAINTENANCE STRIP
- UPGRADED RIP RAP PROTECTION
- SLOPE PROTECTION GEOTEXTILE
- PUBLIC RIGHT OF WAY AND FOOTPATH WITH ID NUMBER, REPLACED WITH BOUND SURFACE
- FOOTPATH
- CREST MONITORING PIN REINSTATED
- FENCE REALIGNMENT
- LINEAR WOODLAND EDGE PLANTING
- UNBOUND STONE SURFACING
- GRASS/GREENSPACE
- CRUSHED SLATE 'MULCH' (CREATED FROM EMBANKMENT RIP RAP) AND SMALL PERENNIALS AND SHRUBS
- PROPOSED TREE PLANTING
- SCATTERED ROCKS/BOULDERS TO CREATE ADDITIONAL INFORMAL SEATING AND PATH BOUNDARY (REUSED RIP RAP)
- TIMBER TOPPED GABION WALL SEATING
- TREES TO BE RETAINED
- TREES TO BE REMOVED

Rev	Drawn	Chd	Rev'd	Apprv'd	Date	Description
P01	JR	DJ	MB	AC	19/11/19	For Client re-approval
P02	JR	MB	SPC	SPC	27/11/19	For Public Consultation
P03	TJM	HJR	SPC	SPC	14/10/20	For Client re-approval
P04	TJM	AB	SPC	SPC	05/11/20	For Planning

Designed by: _____ Date: _____
 Status: S10 Issued for public consultation

Client: Client Drawing No. _____ Revision: _____

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Project: **LLYN TEGID RESERVOIR SAFETY PROJECT**
 Drawing title: **LLYN TEGID SITE (BLOCK) PLAN 8**

Drawing scale: 1:500 Sheet size: A1
 Drawing no. 122918-BVL-Z0-00-DR-I-10007 Revision: P04

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION
 IN ADDITION TO THE HAZARDS OR RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORK DETAILED ON THIS DRAWING, THE FOLLOWING SIGNIFICANT RESIDUAL RISKS SHOULD BE NOTED. FURTHER DETAILS ARE INCLUDED IN THE COM DESIGN RISK MANAGEMENT REGISTER.

CONSTRUCTION:

- S1 - Access and manoeuvring heavy plant.
- S2 - Lifting/placement of Rip Rap.
- S4 - Pollution.
- S5 - Flooding of working area.
- S7 - Working adjacent to SACRAMSAR habitats.
- S8 - Interaction with Bala Railway.
- S9 - Integrity of Rip rap protection.
- S10 - Construction related traffic.
- S11 - Damage to Enkarnat.

MAINTENANCE, CLEANING AND OPERATION:

- S8 - Interaction with Bala Railway.
- S9 - Integrity of Rip rap protection.
- S11 - Damage to Enkarnat.

DECOMMISSIONING OR DEMOLITION:

- S1 - Access and manoeuvring heavy plant.
- S2 - Lifting/placement of Rip Rap.
- S4 - Pollution.
- S5 - Flooding of working area.
- S6 - Working under overhead HV cables.
- S7 - Working adjacent to SACRAMSAR habitats.

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PLAN
 Scale 1:500

Snowdonia National Park Authority Date: 19/05/2021
– 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 GRANT permission subject to conditions and the completion of a Legal Agreement to relinquish planning permission NP5/77/265A

- In accordance with the submitted floor plan.
- Restriction to the sale of guns, ammunition and associated essential gun accessories only.
- Restriction on opening hours.

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

Previously considered by the Planning and Access Committee on the 3rd March 2021.

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.

During a visit to assess this application, it was noted that 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.

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 within the planning unit 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, ammunition and associated essential gun accessories.

Since consideration of the application by the Planning and Access committee on the 3rd March, additional information has been provided in the form of a detailed floor plan indicating that 50% of the existing agricultural building will be utilised as part of the expansion of the business with space to safely accommodate visiting customers and a gun workshop area, storage area and shop counter and utilising the other half of the building for agricultural use.

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.
Highways	No objection - as the development is not considered to have an adverse effect on any highway.
Gwynedd Council – Public Protection	No objection.

North Wales Police	Support – on the grounds of public safety, the reduction in the fear of crime, enhances security as the premises are out of public view, safety of perspective purchasers as weapon handling can be clearly explained within a realistic environment and weapons, hunting equipment would not be carried in a public place.
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.

42 individual letters of support and from NFU have been received. The submissions support the proposal on the grounds that:

- Ideal location for such business
- Site is safe and secure
- Not appropriate to have such a business in a high street location
- Ample Parking on site
- Area for instruction on guns in a safe environment
- Using an existing building

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)

Policy No	Policy
Strategic Policy C	Spatial Development Strategy
Development Policy 1	General Development Principles
Development Policy 9	Conversion and Change of Use of rural buildings
Development Policy 24	Retail

Supplementary Planning Guidance

- SPG 2: General Development Considerations

National Policy

Future Wales 2040

- Policy 4 – Supporting rural communities
- Policy 5 – Supporting the rural economy

Planning Policy Wales (Edition 11) 2021

Technical Advice Note 4 (Retail and Commercial Development).

1.0 Background

- 1.1 This proposal as submitted 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). Development 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.
- 1.2 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.

Existing Permission NP5/77/265A

- 1.3 In September 2019, planning permission was granted subject to conditions for the change of use of part of the stable/hay barn to Class A1 retail shop, at Bryn Derw for the sale of guns and ammunition only.
- 1.4 Given the bespoke level of service and that the applicant was to provide customers, with an element of training /demonstration on the use of guns, it was considered that this retail business would not be suitable for a town or village centre location – this justified the use for a small-scale business with a floor area of 15m². This was considered acceptable despite it being contrary to Development Policy 24, and that the use being restricted for the sale of guns / ammunition only.

Current application NP5/77/265B

- 1.5 The current application was submitted in November 2020 and on assessing the details it was considered that:
- the increase in the retail area was too large. The submitted floor plan indicated an area of 74m², with no indication of the internal layout of the area.
 - the exact use of part of the agricultural building was unclear, i.e., there were no details on the submitted floor plan.
 - the existing retail unit was being retained (in effect there would be 2 retail units) and what was being proposed constituted a significant deviation from the permission granted in September 2019.
- 1.6 The current application was considered by the Planning and Access Committee on the 3rd March 2021 where officers recommended refusal, when it was resolved '*to defer consideration to seek justification from the applicant to the extent of the proposal and to seek a reduced footprint, which would also be based on the planning conditions attached to the existing permission*'.
- 1.7 Officers communicated with the agent and requested the submission of a detailed floor plan denoting how they propose to utilise the entire floor area of the building.
- 1.8 Due to the small scale and bespoke nature of the existing consent (NP5/77/265A) officers relayed to the agent that a proposal to increase the retail floor area, with the planning condition controlling the use (in order to avoid competing with retail units in nearby town / village centres), could be acceptable.
- 1.9 However, it was made clear that officers could not support what in effect would be 2 retail units (the existing permission and the proposal) on site with the current application and that the current permission had to be relinquished through a legal agreement.
- 1.10 Following communication with the agent a justification statement has been submitted together with a detailed floor plan.

2.0 Principle of Development

2.1 *Policy Considerations*

- 2.2 It is appropriate to consider the proposal against Strategic Policy C, and Development Policies 1, 9, and 24.

- 2.3 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.
- 2.4 This 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.”
- 2.5 Whilst the proposal is located in the open countryside, officers consider that on assessing the submitted detailed floor plan and justification statement that there are material considerations that may enable officers to determine an application contrary to the development plan policy in this circumstance, due to the nature of the business and that there is only a small increase in the retail floor area from that as previously approved.
- 2.6 *Main considerations*
- 2.7 The amended proposal is to re-locate the existing established business in part of an agricultural building in the open countryside while increasing the retail floor area.
- 2.8 Officers consider that they may be able to support an application contrary to the development plan policy in this circumstance due to the nature of the business and that there is only a small increase in the retail floor area from that as previously approved.

3.0 **Planning Assessment**

Development Policy 24: Retail

- 3.1 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 from the built-up area of this 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”.

- 3.2 Planning Policy Wales (Edition 11) in paragraph 4.32 states “Retail and commercial centres should be identified in development plans and include established city, town, district, local village and neighbourhood centres which provide a range of shopping, commercial and leisure opportunities as well as places of employment, education, civic identity and social interaction.
- 3.3 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.
- 3.4 The proposal seeks to incorporate a retail use (A1 use) within part of an existing agricultural building.
- 3.5 The gun, ammunition and associated essential gun accessories shop will have an internal retail floorspace of 22m² with 20m² allocated as a walkway to facilitate social distancing, a gun workshop for repair / alterations and a storage area each measuring 11m², with a shop counter of 6m² and a lobby of 4m². The proposed use predominantly falls within class A1 of the Town and Country Planning Use Classes Order 1987, with the gun workshop and storage being ancillary elements to this.
- 3.6 The expansion of the existing ‘bespoke business’ allows for products to be tested within supervision of an expert sales team, where such activity could not realistically happen in a town or village location.
- 3.7 The North Wales Firearms Officer supports the application on the grounds of:
- the rural location on public safety,
 - reduction in the fear of crime,
 - enhanced security at the premises out of public view,
 - weapon handling explained within a realistic environment.
- 3.8 The use of firearms on the land has been previously approved by North Wales Police and such activity cannot be carried out within 50m of a public road.
- 3.9 The applicant is willing to relinquish the current permission (NP5/77/265A) by means of a legal agreement.

- 3.10 The submitted justification statement states that the business is a “Bespoke Rural Business” in that the rural location will allow for products to be tested on site within the supervision of an expert sales team, and this is a service that cannot happen in a town or village centre location.
- 3.11 It follows a blueprint of other successful bespoke “try before you buy” businesses that allow customers to test products on site – none of which are within close proximity to Bryn Derw Guns, namely,
- North Wales Shooting School, Sealand, Deeside
 - Field and Falcon Lodge Farm, Rossett, Wrexham
 - North Wales Field Sports, Rhewl, Ruthin.
- 3.12 Customers do not want to take weaponry to town or village centre locations consistent with the Firearms Officer’s reasoning as detailed above.
- 3.13 The investment in the business would justify the employment of an additional full-time employee.
- 3.14 Given the bespoke level of service the applicant wishes to provide customers, which necessitates a considerable amount of open space and a degree of separation from public roads and other members of the public, it is not considered that this retail offer would be suitable for a town or village centre location – and in reality, needs to be located away from built up areas.

Strategic Policy C

- 3.15 Strategic Policy C states that it is only in exceptional circumstances development will be supported in an open countryside location. In view of the unique and bespoke nature of the amended proposal and the submission of a detailed floor plan and justification statement, it is considered that there are exceptional circumstances in this instance to expand the established business.

Traffic, parking and residential amenity

- 3.16 Parking for up to 6 vehicles is accommodated on site.
- 3.17 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 encourage retail and commercial use to be located within retail centres where public transport links are more available for potential customers.

- 3.18 Due to the need to transport guns and ammunition safely and securely most customers would travel by car even if the premises would be located in a town or village.
- 3.19 The applicant's states that the maximum number of customers visiting the existing gun and ammunition shop in any one day would not exceed 10.
- 3.20 Due to the nature and size of the business and the specialised nature of the goods sold, the number of vehicle movements would remain low.
- 3.21 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

- 3.22 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.
- 3.23 Taking the above into consideration, alongside the relatively small increase in the retail floor area, that the proposal relates to a bespoke retail business it is now considered that this proposal could be considered acceptable despite it being contrary to Development Policy 24 (Retail). In order to ensure that the applicant does not sell other products which would be entirely possible as the use class cannot normally control the type of goods sold within a retail (A1) Use Class, should Members be minded to grant permission then officers recommend that this be restricted solely to selling guns, ammunition and related gun accessories by an appropriately worded planning condition.

4.0 Conclusion

- 4.1 The submission of a detailed floor plan and detailed justification statement which confirms that there is only a minimal increase in the retail floor area, in that there will be retail floorspace of 22m² with 20m² allocated as a walkway to facilitate social distancing, a gun workshop is for repair / alterations and storage area each measuring 11m², with a shop counter of 6m² and a lobby of 4m², indicates a slight increase in the retail floor area to that as previously permitted. The proposed use predominantly falls within class A1 of the Town and Country Planning Use Classes Order 1987, with the gun workshop and storage being ancillary elements to this.

- 4.2 Due to the size of the shop and the specialist nature of the goods sold it, the element that products can be tested on site within the supervision of an expert sales team, this will not impact on the viability and vitality of town or village centres.
- 4.3 Having considered the above assessment of planning matters including the local, national policies, and guidance, it is believed due to the relatively unusual nature of this particular retail offer that the application can be supported, despite it being a departure from the LDP, subject to appropriate restrictive conditions and the relinquishment of planning permission NP5/77/265A by way of a legal agreement.

Background Papers in Document Bundle No.1: Yes

RECOMMENDATION: TO GRANT PLANNING PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS AND THE COMPLETION OF A LEGAL AGREEMENT TO RELINQUISH PLANNING PERMISSION NP5/77/265A.

1. The premises shall be used for the sale of guns and ammunition and associated essential gun accessories only and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan
 - Floor Plan received on 14/04/21
 - Proposed Elevation
3. For the avoidance of doubt the development hereby permitted shall be carried out in strict accordance with the details of the floor plan received on the 14th April 2021, which provides a detailed breakdown of how the floor area will be utilised, including the remaining 50% of the building being retained for agricultural use. A copy of this plan is attached to this notice for information.
4. The use shall not be carried out outside the hours of 10.00 to 18.00 Monday to Saturday, and not at any time on Sundays and Public and Bank Holidays.

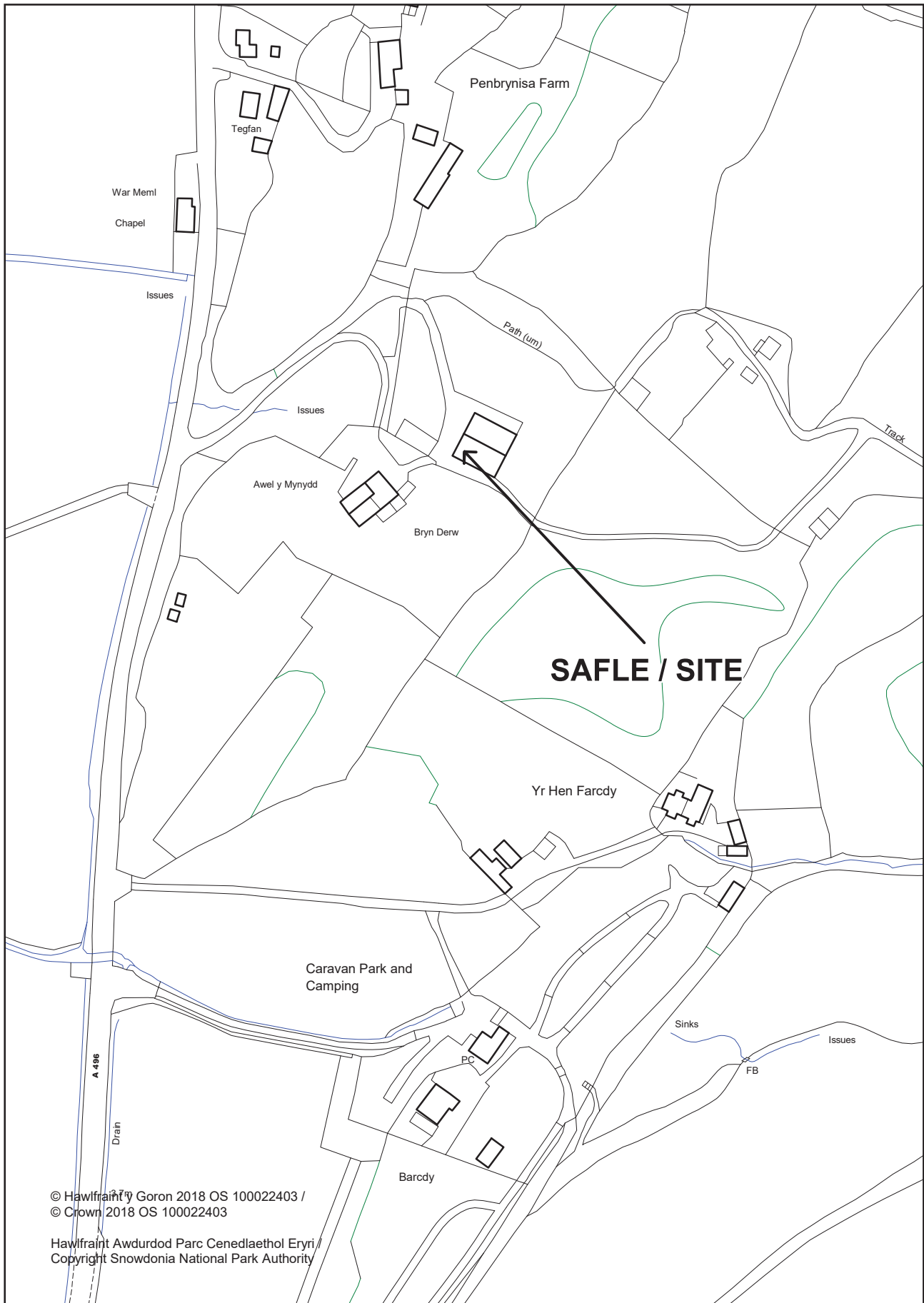
Reasons:

1. The local planning authority considers that such development should be subject to formal control in order to safeguard the amenities of the area.
2. To define the permission and for the avoidance of doubt.

3. For the avoidance of doubt as the extent of this permission.
4. To safeguard and protect the amenity of neighbouring properties in accordance with Eryri Local Development Plan Policies and in particular Policy 1.

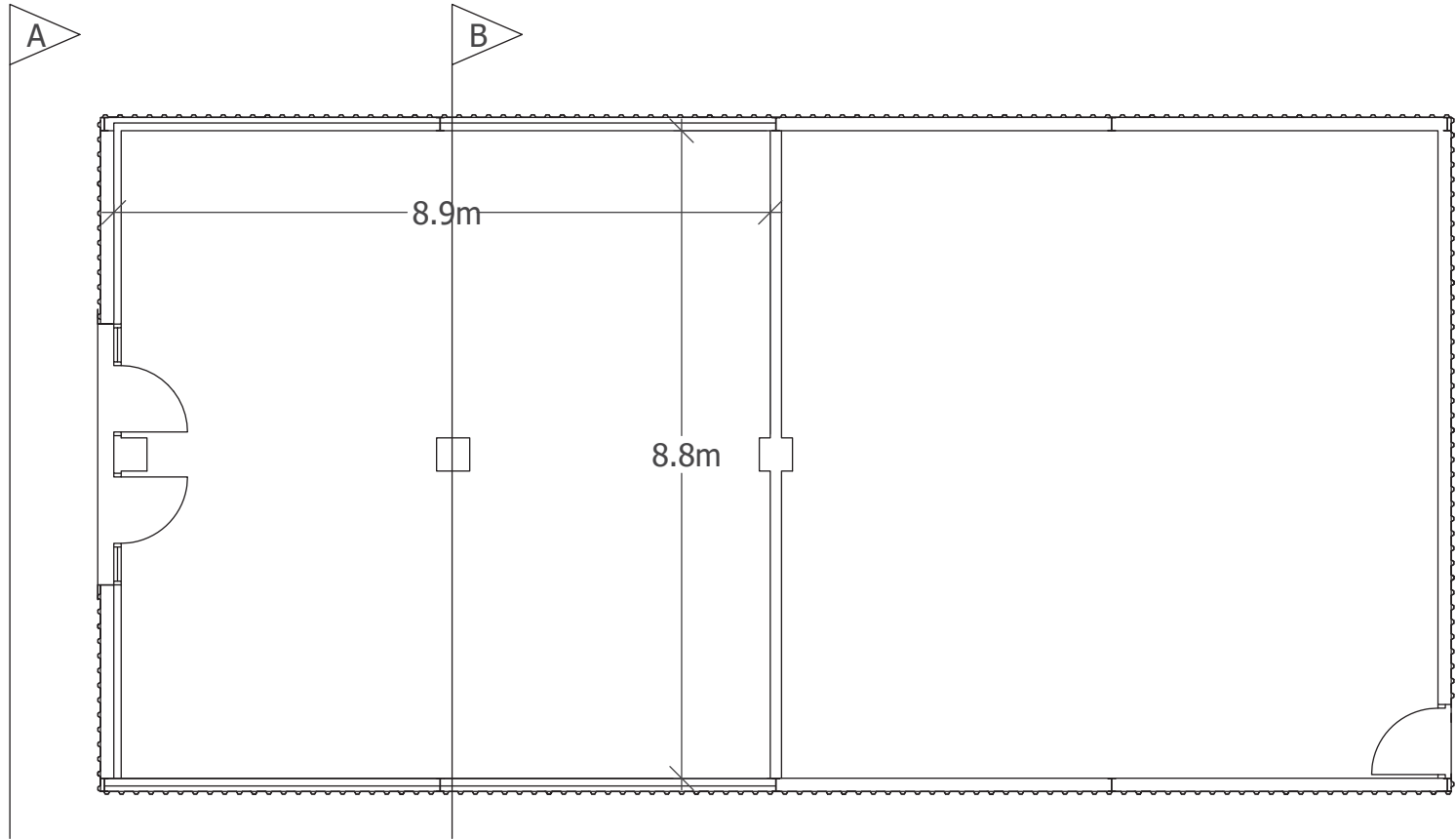


Cais Rhif / Application No. NP5/77/265B



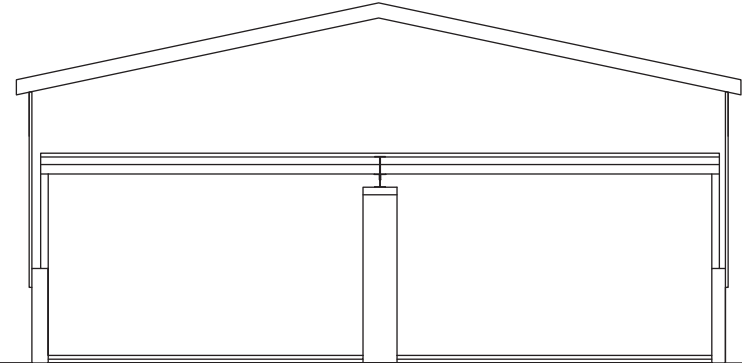
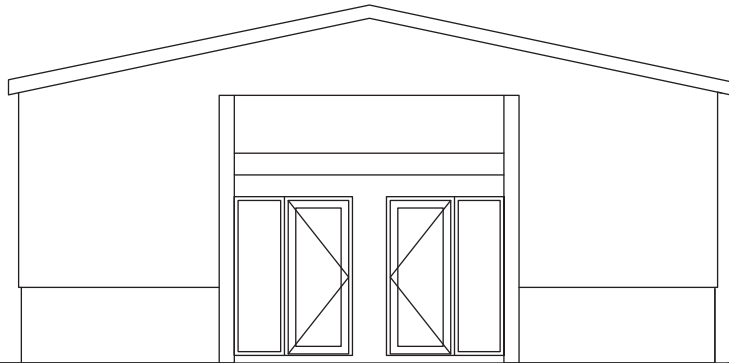
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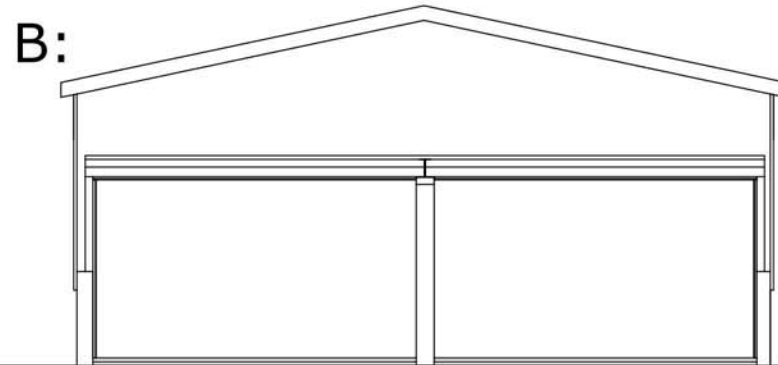
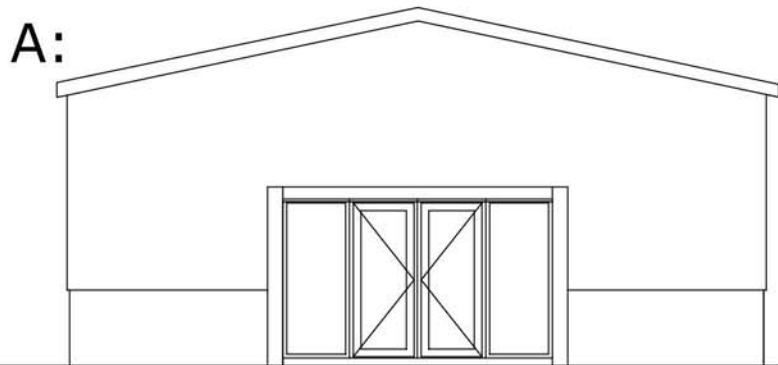
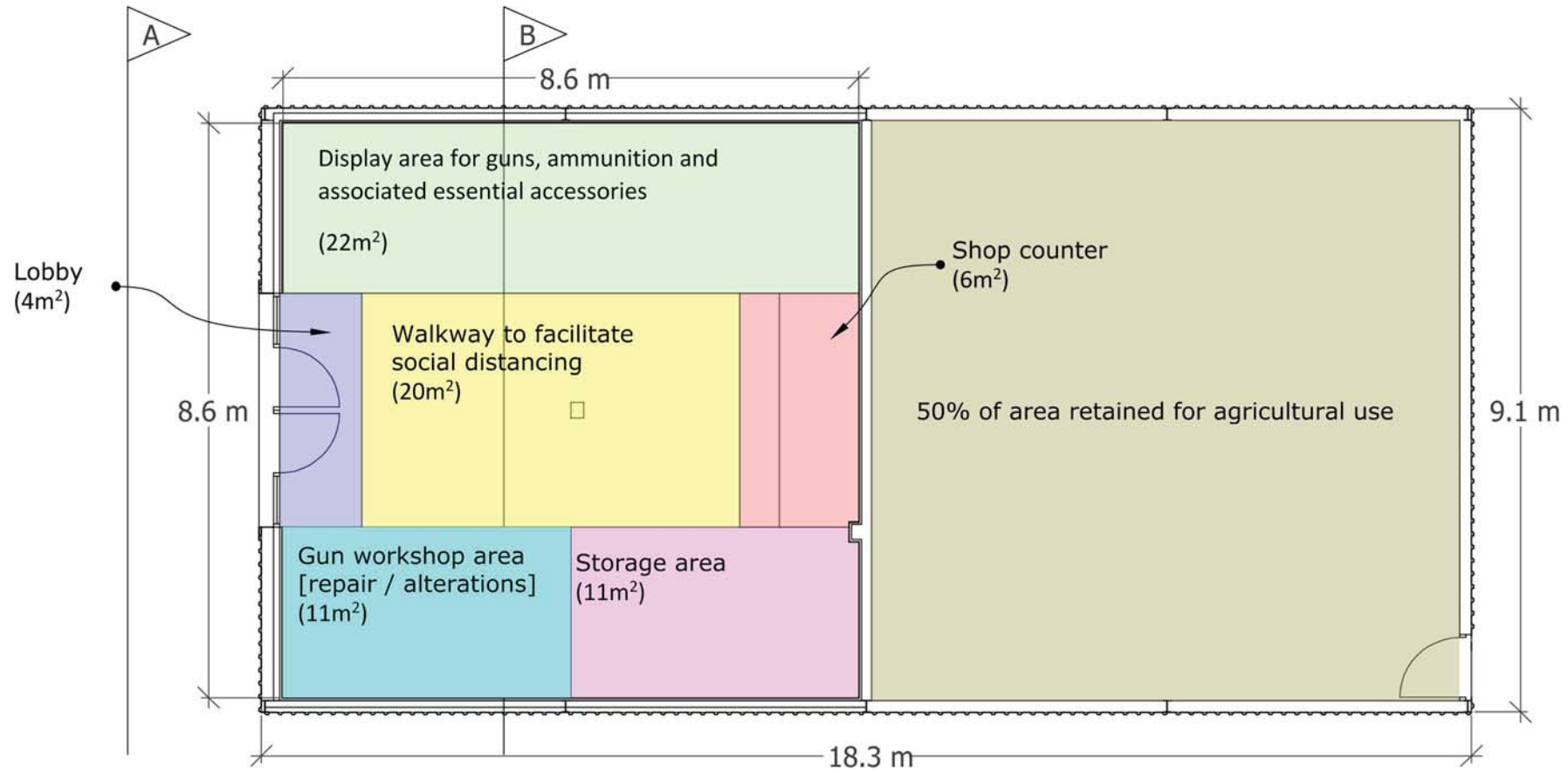
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Section A

Section B





View from the front of shop

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

ITEM NO. 4.3

MEETING	Planning and Access Committee
DATE	19 May 2021
TITLE	Change of use of outbuildings to single dwelling which is within curtilage of a Listed Building to include 2 bedroom kitchen/lounge and shower room and all associated works.
REPORT BY	Principal Planning Officer
PURPOSE	Addendum Report to follow previous Committee Report NP5/70/LB9M

Background:

This application was originally considered by the Planning and Access Committee of 04 March 2020 with Members resolving to approve the application.

At paragraph 3.4 of the previous committee report it was indicated that the applicant was willing to enter into a Section 106 Agreement with the Authority to pay a commuted sum of £47,995. On receipt of the commuted sum this Authority could then issue the decision notice for an unencumbered, open market dwelling.

However, and since that time the applicant has indicated that their preferred option would be to sign a Section 106 Agreement to secure the affordability of the new dwelling and restrict its occupancy to a local person in need of affordable housing.

As the officer recommendation, Member resolution and committee minute reflected the initial option by the applicant this did not reflect what is now being sought by the applicant.

It is therefore considered prudent to amend the officer recommendation to that indicated below:

RECOMMENDATION:

To **Approve** this application subject to the conditions below and appropriate Section 106 Agreement to secure the affordability of the dwelling and restrict occupancy to a person satisfying the local person criteria in need of affordable housing.

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:
 - 3.04[3]1A Site/location Plan
 - 3.04[1]02 Existing floor plan
 - 3.04[1]03 Existing elevations
 - 3.04[3]04 Proposed floor plan
 - 3.04[3]05 Proposed elevations
3. All repairs/alterations to the external elevations shall use traditional materials to be approved by means of a formal application to the Local Planning Authority.
4. The roof shall be covered with natural Welsh slates of the same colour, size, thickness and finish as present and re-use abutting ridge tiles. No slate and a half to be used to verge detail.
5. The replacement rainwater goods shall be of traditional cast iron or aluminium of a type to be approved by means of a formal application to the Local Planning Authority.
6. The external stone walls shall be re-pointed with quicklime before starting any re-pointing work on site a trial panel including pointing not less than 2.00 m² shall be submitted by means of a formal application to be approved by the Local Planning Authority.
7. The form, sections and details of the new windows shall be identical to the traditional puttied single glazed casement windows the type to be approved by means of a formal application to the Local Planning Authority.
8. The form, sections and details of the new boarded doors, including the frames shall be of a traditional design to be approved by means of a formal application to the Local Planning Authority.
9. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting or amending that Order with or without modification) nothing shall operate so as to permit (within the area subject to this permission) any development referred to in the Parts and Classes of Schedule 2 to the Order, summarised below:
PART 1: DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE
Class A: The enlargement, improvement or other alteration of a dwellinghouse.
Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.
Class C: Any other alteration to the roof of a dwellinghouse. 130
Class D: The erection or construction of a porch outside any external door of a dwellinghouse.
Class E: The provision within the curtilage of the dwellinghouse, of any building or enclosure, raised platform, swimming or other pool required for a purpose incidental to

the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building, enclosure, platform or pool; or a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

Class F: The provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or the replacement in whole or in part of such a surface.

Class G: The installation, alteration or replacement of a chimney on a dwellinghouse

Class H: The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.

No such developments shall be carried out at any time within these Parts and Classes without the express grant of permission by the Local Planning Authority.

10. No development shall commence until a photographic survey of the buildings has been undertaken in accordance with the Gwynedd Archaeological Planning Service Requirements for General Photographic Surveys of Buildings, and the survey submitted to and approved by means of a formal application by the Local Planning Authority.

Reasons:

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, 4, 5, 6, 7, 8, 9, 10. To safeguard the character and appearance of this Listed Building.

Snowdonia National Park Authority Date: 04/03/20
– Planning & Access Committee

Application Number: NP5/70/LB9M

Date Application Registered: 11/07/19

Community: Llangywer

Grid Reference: 290450 332193

Case Officer: Mr. Arwel LI Thomas

Location:
Plas Gywair, Llangower.

Applicant:
Mr. M. Adcock
Plas Gower
Llangower
Bala
Gwynedd
LL23 7BY

Description:
Change of use of outbuildings to single dwelling which is within curtilage of a Listed Building to include 2 bedroom kitchen/ lounge and shower room all associated works.

Summary of the Recommendation:

Recommend approval with appropriate conditions.

Confirmation has been received from the Agent that the applicant is entering into a 106 legal agreement.

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

Objection by Community Council contrary to case officer's recommendation.

Environmental Impact Assessment (EIA):

Not applicable

Habitats Regulations Assessment (HRA):

The Ecologist has concluded that the development does not affect nor interfere with any protected species in accordance with Eryri Local Development Plan policies.

Land Designations / Constraints:

Within the curtilage of a Listed Building

Site Description:

Safle: Rectory (Plas Gywair) Llangywer LL23 7BY.

Plas Gywair is likely to be the site of a former eighteenth century farmhouse and Rectory when the re-restoration of St Gwawr's Church was undertaken - which was listed as a Grade II Listed Building, on the 31st of January 2005. During the 20th century significant alterations were made to the main house including the removal of internal walls when the house was sold in the 1970s and then in 1991 when some elements were restored. A portal was also added during this period. It was listed as a Georgian Rectory which had surviving traditional details and had retained its original design, form and windows with emphasis on the main elevation. Two listed descriptions of two 19th century agricultural buildings located to the North of the main house are mentioned. This application relates to one of the agricultural buildings and is referred to in the description.

Datblygiad Arfaethedig:

This application primarily involves the conversion of an agricultural building namely the cowshed and the subsequent change of use of the building into an open market dwelling house within the curtilage of a Listed Building, to include two bedrooms, a kitchen and an open plan shower room with lounge. The work involves repairing the 'shell' and traditional materials that will protect the historic character to include re-pointing with lime, and traditional rainwater goods. The existing openings are used, changing the opening of two external doors and two windows - on the Eastern Elevation. Two other windows are added to the same elevation within the old opening of the former carhouse. At the rear of the building on the West Elevation the original opening has been closed with a wooden partition. The proposal includes the installation of two floor-length glass doors leading from the lounge to the rear garden, with two additional traditional wooden boarded doors set on the outside.

There is another former cowshed on the site and it is not intended to change its character and it does not form a part of this application.

An independent sewerage system would be added approximately 12m West of the existing stables which will serve one toilet from the shower room. Access to the site is via an existing opening.

Changes to the boundary of the original application plan follow the requirements of the 106 agreement commitment. The site will be added to and enlarged in order to include the cowshed which is the second agricultural structure and consequently increase the curtilage size of the proposed 'dwelling house' and is therefore independent of Plas Gywair.

Relevant Planning Policies:

Policy No.	Policy
Strategic Policy A	National Park Purposes and Sustainable Development
Strategic Policy Ff	Historic Environment
Development Policy 1	General Development Principles
Development Policy 6	Sustainable Design and Materials
Development Policy 7	Listed and Traditional Buildings
Development Policy 9	Conversion and Change of Use of Rural Buildings

Consultations:

Llangywer Community Council	Oppose - Development detrimental to existing character.
Gwynedd Council - Highways	No recommendation as no adverse impact assumed on any road.
Gwynedd Archaeological Services	Subject to a photographic record of the building being made before work commences.
Dwr Cymru/Welsh Water	As they intend to use a private treatment plant, the applicant is advised to contact NRW.
Ecology	No comments

Response to Publicity:

The application was advertised by:
Site Notice
Neighbour Letters

At the time of writing this report, one letter of objection had been received from the Community Council on the following grounds:

- [1] Creation of a house that is too small and that it requires change of use consent
- [2] Request a Local Condition
- [3] If it is going to be a summer house / holiday accommodation there is concern about the intensity and current excess of these in the area and traffic pressures in addition to this.

1. Egwyddor Datblygu

- 1.1 The principle of converting this building into an open market house is acceptable in principle as long as the ELDP policies are met. The key policies in this case are; DP7, DP9 and SPG.
- 1.2 Conversion of a former stable / agricultural building into residential dwelling. The proposal will comply with Development Policy 7: Listed and Traditional Buildings and Development Policy 9: Conversion and change of use of rural buildings.

2. Planning Assessment

- 2.1 National Planning Policies and Eryri Local Development Plan 2016-2031:
Strategic Policy G: Housing
Development Policy 30: Affordable Housing

3. Assessment:

- 3.1 The stables are to the North of the main house - the Old Rectory listed in 2005 on a section of land forming a triangle to the North and the B4403 Westbound and Eastern boundary off a minor road serving approximately four further properties and further up the valley.
- 3.2 The alterations to this curtilage building do not create new wall openings but alter existing openings and there will be more extensive interference in relation to the internal works. Two new similar windows would be added either side and below the lintel level of the former carhouse opening. There is no interference and either gable to the North or South. The alterations to the West elevation are the new windows to the opening toward the left, closing the existing opening and two floor-length glass doors, leading from the open plan kitchen / lounge room to the rear of the building and two traditional external timber doors will be an important element in reflecting the agricultural / historic character of the building and the introduction of 'modern' glass to the opening. Re-roofing and similar Welsh slates in accordance with the traditional style, woodwork and rainwater goods will ensure that the simple appearance will be retained.
- 3.3 The original application was submitted and a plan showing a site surrounded by a square extending the length of a farm gate from the Northern gable end and surrounding the sewerage chamber, to the Western boundary. It was intended that the 'residential unit' would be self contained within the 'curtilage' of Plas Gywair and that the yard which serves it, in front of the agricultural building, and the main house use, would therefore be a space that the owners would share.
- 3.4 The Eryri Local Development Plan 2016-2031, Development Policy 9: Conversion and Change of Use of Rural Building and Strategic Policy G: Housing and Supplementary Planning Guidance 4 require that the changes to planning application NP5 / 70 / LB9M must be considered so that the owner of the property enters into a 106 agreement. Confirmation was received on 4th November that the owner would enter into a 106 legal agreement and a commuted payment sum of £47,995 (SPG 4 - Band 2, Table 2 4P2BH).

- 3.5 As a result of the response an amended site plan was received 3 04 [3] 01 23/10/2019 - extending the site boundary submitted with the original application to a gable line toward the South and extending toward the West on the boundary wall alongside the B4403 and continuing on an exact line toward the East and around to include the cowshed, which is the second of the agricultural buildings which is referred to in the 2005 Listing description. Details of a location plan are therefore removed 3 04 [3] 01 'to include new gate and access toward the North from gable end of existing stable'. The proposed site boundary is therefore as shown with a red line on plan 3 04 [3] 01A with independent access through the existing gate and agricultural gate at the Eastern boundary off the minor road.
- 3.6 The application was opposed by the Community Council on the following grounds:-
- 3.7 [1] 'that is creates a fairly small house, with 2 bedrooms, one living room which also includes a kitchen, and one shower room. Councillors believe that 'change of use' permission will be required.
- 3.8 [2] 'If the intention is for someone to live in it permanently, the Council notes that it may be necessary for the Authority to impose local conditions
- 3.9 [3] 'If this is a holiday home or holiday accommodation, the Councillors have expressed their concerns when considering applications in the past about the intensity, and the excess of holiday homes and holiday accommodation in the area, and the pressure of transport on an extremely narrow road. The Council considers this to be the further basis for their Objection.'
- 3.10 Reason [1] - 'creating quite a small house' there is no increase in the area of the proposed floor plan and the existing area of the stable is 41m². The average area of a 2 bedroom bungalow is approximately 70-80m². Floor plan 3 04 [3] 04 shows two bedrooms, shower room and kitchen and open plan lounge. The development may be suitable for a single person or a couple who want to retire and need smaller properties. There is an application considering a 'change of use' from agriculture to a residential house.
- 3.11 Regarding the second reason [2] - The application includes the change of use of a rural building into an open market house and complies with Development Policy 9: Conversion and Change of Use of Rural Buildings. Also relevant is Strategic Policy G - Housing, and the agent has confirmed that the owner agrees to committing to a legal condition of a 106 Agreement by paying a commuted sum. Eryri Local Development Plan 2016-2031 Strategic Policy G: Housing, 5:22 - '... ..

Outside the housing development boundary the conversion of suitable traditional buildings into affordable local need housing or an open market dwelling will pay a commuted sum towards affordable housing elsewhere is considered provided it meets strict development control criteria'.

- 3.12 There is no basis for reason [3] - this application is not a holiday home and not holiday accommodation, - transport concerns - the Authority received consultation from Gwynedd Council's Environment Department - Transport and Countryside Service - no recommendations'... because it is considered that the proposed development would not adversely affect any road, or proposed road '.
- 3.13 An application and similar plans were approved on the 4th June 2007 - NP5 / 70 / LB9G and NP5 / 70 / LB9H but work did not commence within the five year period which was subject to this, and the right terminated in relation to both applications in June 2012.
- 3.14 Pre-application advice and confirmation re NP5 / 70 / LB9J for development at Plas Gywair to convert barn / cowshed into residential use and construction of new garage was approved on 18th April 2018 and the need to submit a listed building consent application and full planning application with the emphasis on the requirements of Policy Strategic G-Housing - Supplementary Planning Guidance 4.
- 3.15 I consider that both agricultural buildings have already evolved over time and there is no intrusion or loss of physical elements around the asset, and that there is a fair attempt here to try to restore the simple agricultural character of the stable under consideration and it is considered not have any negative visual impact on the historic asset when compared to what has survived.

4. Conclusion

- 4.1 We can confidently hypothesize that this historic asset was built for agricultural use and for use in relation to a farmhouse. The function of the farm / farmhouse changed when it was re-developed as a Georgian rectory and this was a possibility when St Gwawr's church was restored / rebuilt during the early eighteenth century.
- 4.2 I consider that all restoration and repair works as well as proposed alterations protect the historic and architectural character and do not impair our ability to understand and appreciate it. I therefore recommend that the proposed development be approved subject to changes subject to relevant conditions.
- 4.3 The application complies with the requirements of Technical Advice Note 24 and relevant best practice guidance documents and policies.

Background Papers in Document Bundle No. 1: No

RECOMMENDATION: To GRANT permission 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:
 - 3.04[3]1A Site/location Plan
 - 3.04[1]02 Existing floor plan
 - 3.04[1]03 Existing elevations
 - 3.04[3]04 Proposed floor plan
 - 3.04[3]05 Proposed elevations
3. All repairs/alterations to the external elevations shall use traditional materials to be approved by means of a formal application to the Local Planning Authority.
4. The roof shall be covered with natural Welsh slates of the same colour, size, thickness and finish as present and re-use abutting ridge tiles. No slate and a half to be used to verge detail.
5. The replacement rainwater goods shall be of traditional cast iron or aluminium of a type to be approved by means of a formal application to the Local Planning Authority.
6. The external stone walls shall be re-pointed with quicklime before starting any re-pointing work on site a trial panel including pointing not less than 2.00 m² shall be submitted by means of a formal application to be approved by the Local Planning Authority.
7. The form, sections and details of the new windows shall be identical to the traditional puttied single glazed casement windows the type to be approved by means of a formal application to the Local Planning Authority.
8. The form, sections and details of the new boarded doors, including the frames shall be of a traditional design to be approved by means of a formal application to the Local Planning Authority.
9. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting or amending that Order with or without modification) nothing shall operate so as to permit (within the area subject to this permission) any development referred to in the Parts and Classes of Schedule 2 to the Order, summarised below:
 - PART 1: DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE**
 - Class A: The enlargement, improvement or other alteration of a dwellinghouse.
 - Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.
 - Class C: Any other alteration to the roof of a dwellinghouse.

Class D: The erection or construction of a porch outside any external door of a dwellinghouse.

Class E: The provision within the curtilage of the dwellinghouse, of any building or enclosure, , raised platform, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building, enclosure, platform or pool; or a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

Class F: The provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or the replacement in whole or in part of such a surface.

Class G: The installation, alteration or replacement of a chimney on a dwellinghouse

Class H: The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.

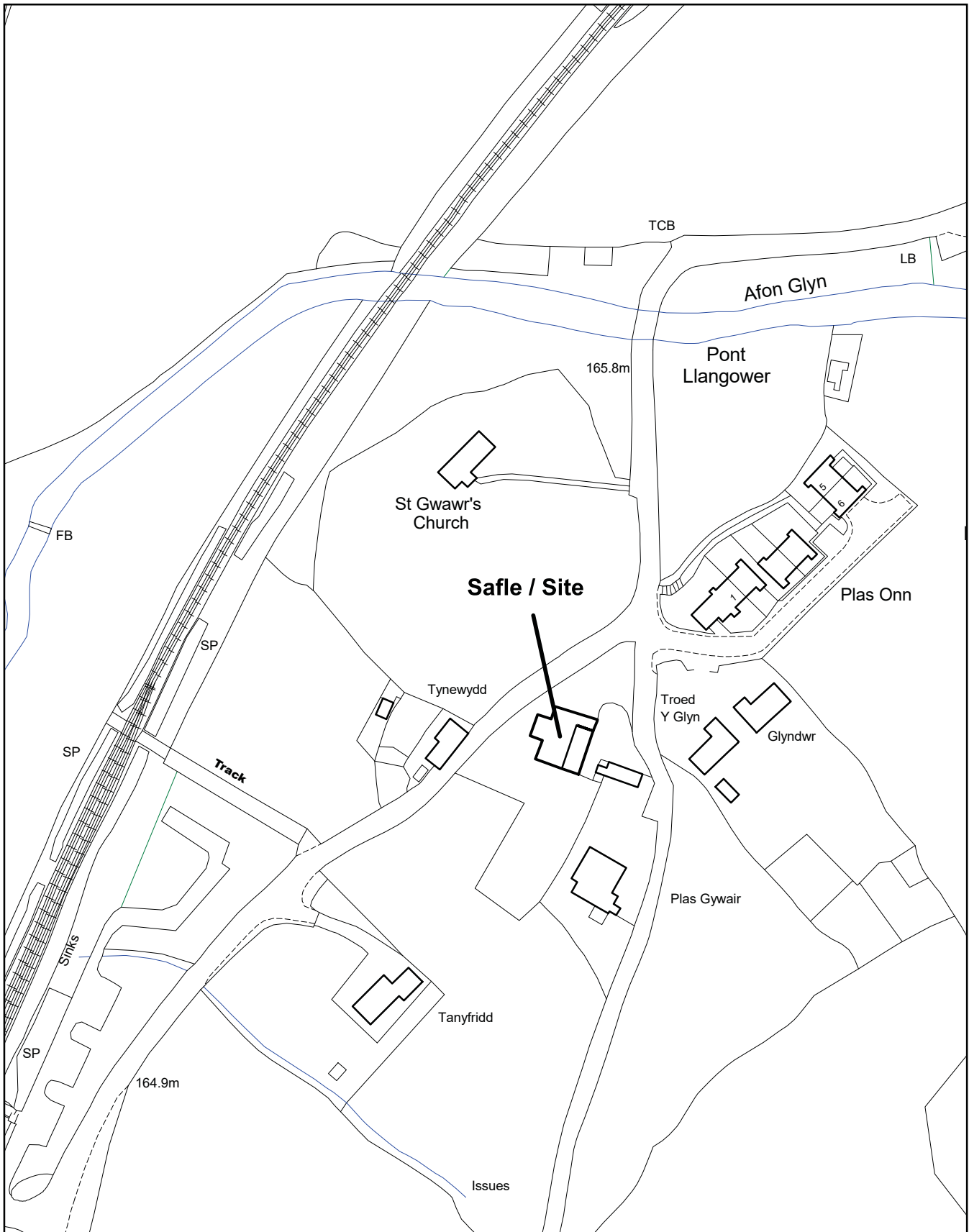
No such developments shall be carried out at any time within these Parts and Classes without the express grant of permission by the Local Planning Authority.

10. No development shall commence until a photographic survey of the buildings has been undertaken in accordance with the Gwynedd Archaeological Planning Service Requirements for General Photographic Surveys of Buildings, and the survey submitted to and approved by means of a formal application by the Local Planning Authority.

Reason(s) for Condition(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, 4, 5, 6, 7, 8, 9, 10. To safeguard the character and appearance of this Listed Building.

Cais Rhif / Application No. NP5/70/LB9M



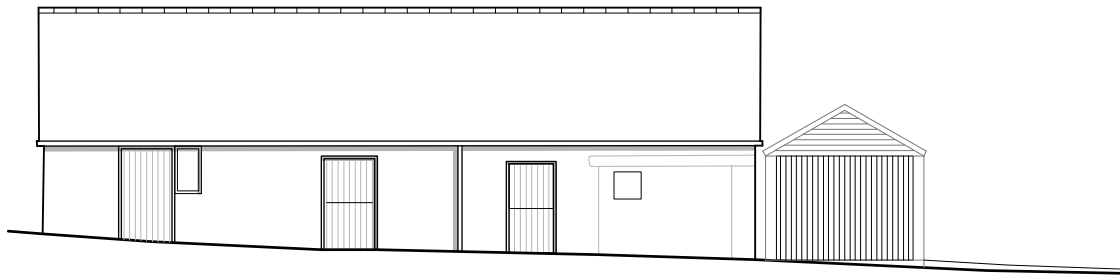
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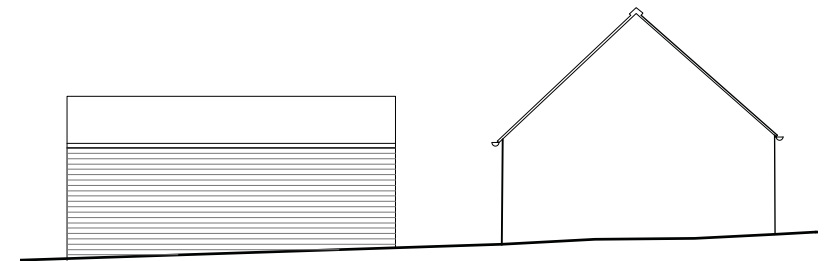
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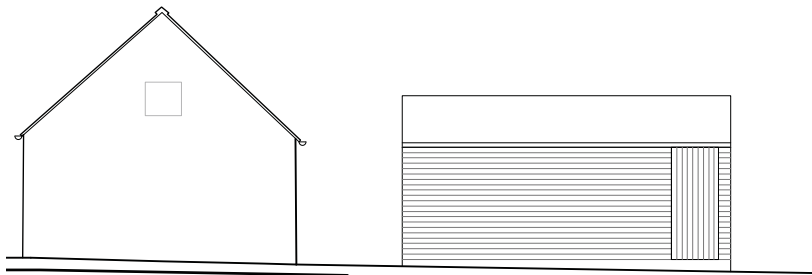




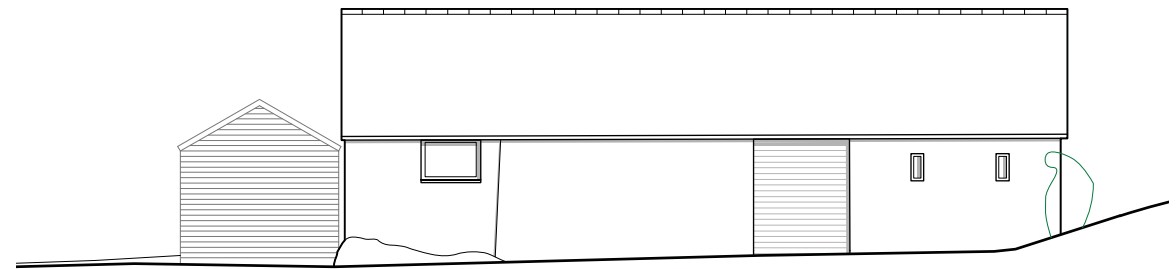
east elevation



south elevation



north elevation



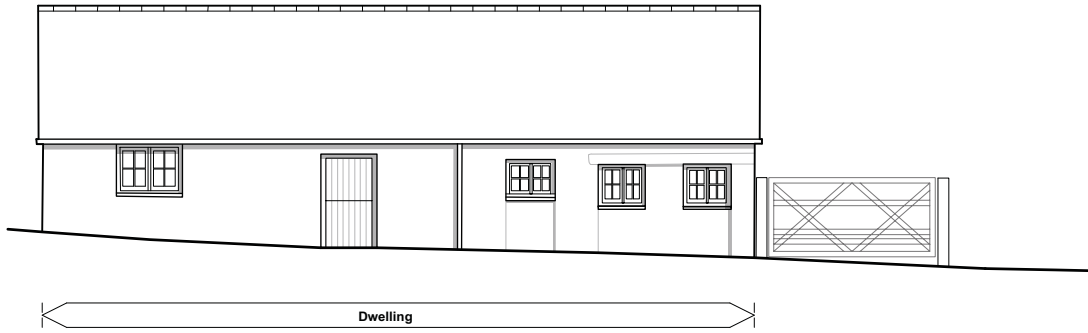
west elevation

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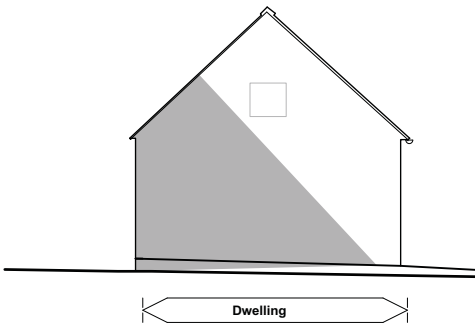
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	Proposed conversion at: Plas Gywair <i>Existing elevations</i>	304[1] 03
<small>Rhys Llwyd Davies - Architect Pensaer, swyddfa Heulwen, Y Stryd Fawr, Y Bala, LL23 7AG post@rhysllwyddavies.co.uk 01678 521450 www.rhysllwyddavies.co.uk</small>	<small>Date Dyddiad</small> 22/02/18	<small>Scale Graddfa</small> 1:100@A3
<small>Do not scale from drawing. Use figured dimensions only Peidiwch a mesur o'r darlun. Defnyddir mesuriadau nodedig yn unig</small>	<small>© Rhys Llwyd Davies 2018</small>	<small>Drawn Awdur</small> CR/RD



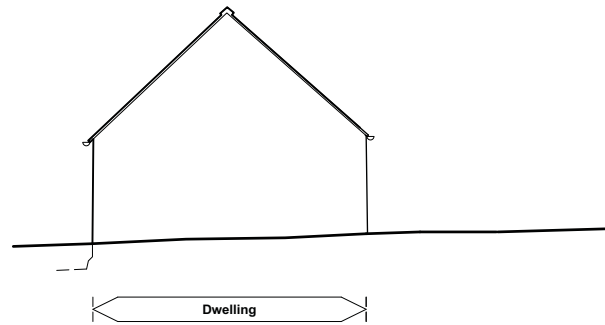
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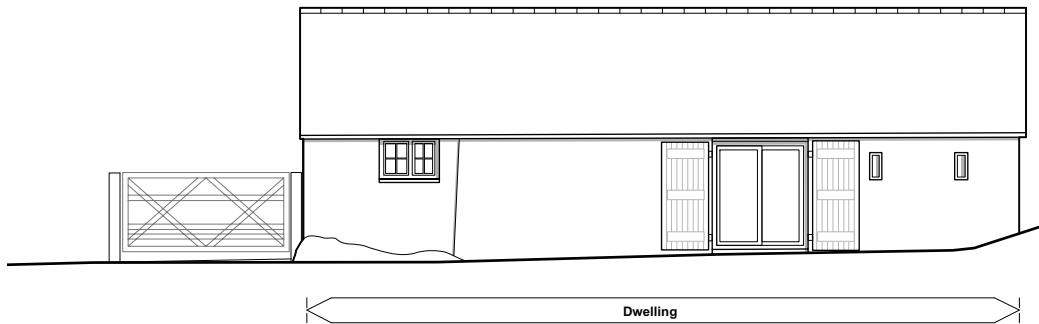
east elevation



north elevation



south elevation



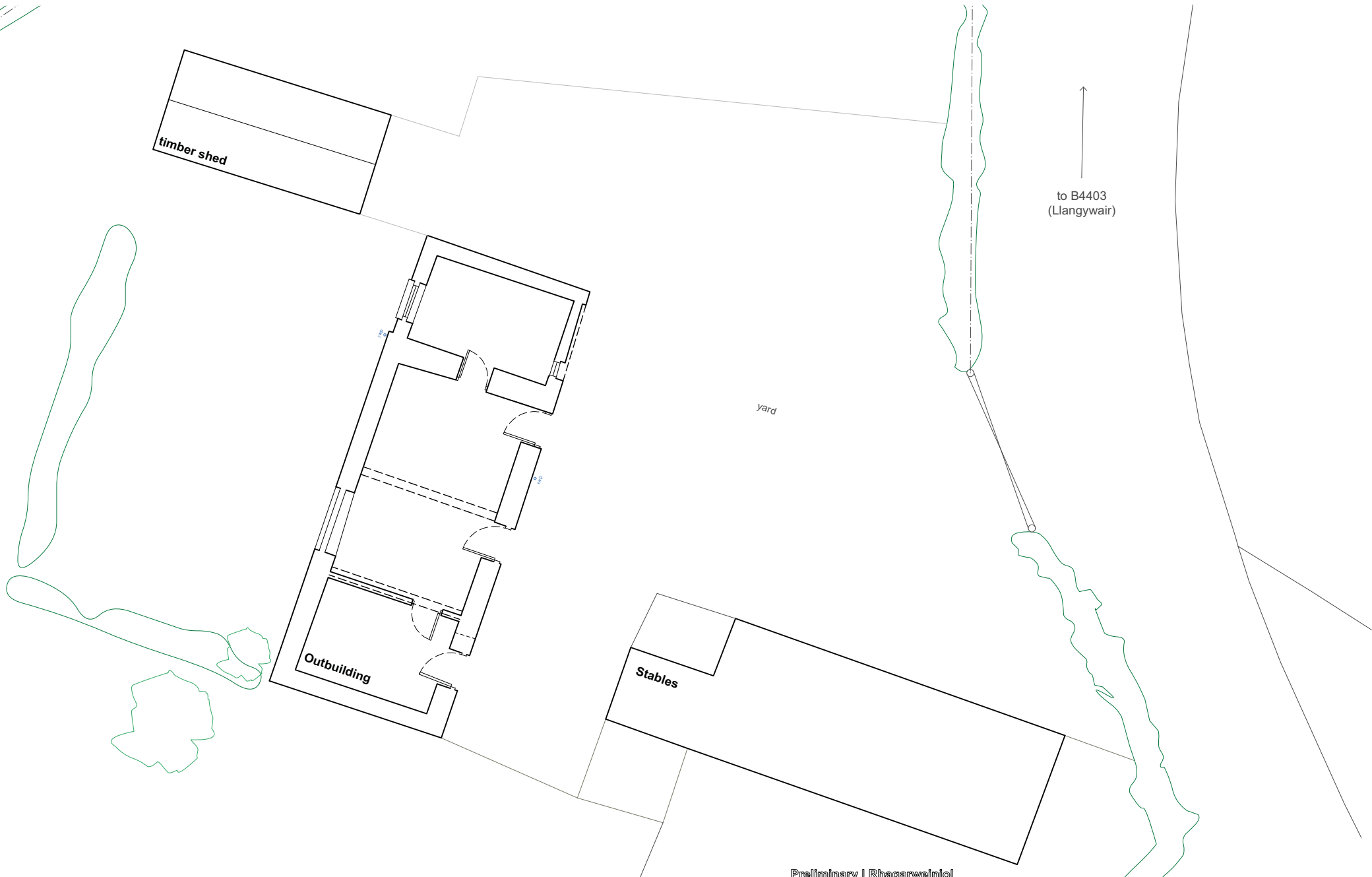
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Rhys Llwyd Davies Architect Pensaer	Project & drawing title Prosiect a teitl darlun	Drawing reference Cyfeirnod darlun		
	Proposed conversion at: Plas Gywar <i>Proposed elevations</i>	304[3] 05		
Rhys Llwyd Davies - Architect Pensaer, swyddfa Heulwen, Y Stryd Fawr, Y Bala, LL23 7AG post@rhysllwyddavies.co.uk 01678 521450 www.rhysllwyddavies.co.uk	Date Dyddiad	Scale Graddfa	Drawn Awdur	
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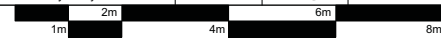




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Rhys Llwyd Davies Architect Pensaer	Project & drawing title Prosiect a teitl darlun	Drawing reference Cyfeirnod darlun	
	Proposed conversion at: Plas Gywair Existing floor plan	304[1] 02	
Rhys Llwyd Davies - Architect Pensaer, swyddfa Heulwen, Y Stryd Fawr, Y Bala, LL23 7AG post@rhysllwyddavies.co.uk 01678 521450 www.rhysllwyddavies.co.uk	Date Dyddiad	Scale Graddfa	Drawn Awdur
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Rhys Llywd Davies Architect Pensaer	Project & drawing title Prosiect a teitl darlun	Drawing reference Cyfeirnod darlun	
	Proposed conversion at: Plas Gywair Proposed floor plans	304[3] 04	
Rhys Llywd Davies - Architect Pensaer, swyddfa Heulwen, Y Stryd Fawr, Y Bala, LL23 7AG post@rhysllywddavies.co.uk 01678 521450 www.rhysllywddavies.co.uk	Date Dyddiad	Scale Graddfa	Drawn Awdur
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PLANNING AND ACCESS COMMITTEE

19 MAY 2021

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

SNOWDONIA NATIONAL PARK AUTHORITY
PLANNING AND ACCESS COMMITTEE, MAY 19 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	NP2/11/ENF283E	April 2021	Pistyll Gwyn, Dinas Ddu, Beddgelert	Stationing of caravan	Contact made with the owner. No planning breach. File closed
2	NP4/11/ENF100F	March 2021	Tan y Bryn, Pentre Felin, Betws y Coed	Development not built in accordance with approved plans (NP4/11/100F)	Site visit carried out. Contact made with the owner to advise that planning permission is required for the changes.
3	NP4/11/ENF104F	April 2021	Gwynant, Betws y Coed	Stationing of static caravan	Contact made with the owner.
4	NP4/13/ENF253	February 2021	4 Llugwy Terrace, Capel Curig	Untidy condition of site	Not expedient to take formal action. File closed.
5	NP4/26/ENF195C	April 2021	Llwynau, Capel Garmon	Siting of Pod	Letter sent to landowner.
6	NP5/57/ENF95Q	March 2021	Tan y Fron Caravan Park, Dolgellau	Engineering works	Contact made with the owner to discuss the matter. Site visit carried out. No breach.

7	NP5/57/ENF901F	April 2021	Dolgun Uchaf, Dolgellau	Stationing of pods without planning permission	Contact made with the owner. Matters being discussed.
8	NP5/57/ENF1071E	March 2021	Bryn y Gwin Farm, Dolgellau	Engineering works	Contact made with the owner and the matter is being discussed.
9	NP5/58/ENF19L	April 2021	Sarnfaen Farm Campsite, Talybont	Stationing of pods without planning permission	Contact made with the owner. Site visit carried out.
10	NP5/58/ENF434D	February 2021	Ty'n y Pant, Dyffryn Ardudwy	Stationing of touring caravans and untidy condition of land	Letter sent to the owner.
11	NP5/68/ENFT118A	April 2021	Sunnysands Caravan Park, Talybont	Caravans being occupied all year round	No planning breach. Close file.
12	NP5/61/ENF532D	March 2021	Swimming Pool, Harlech	Use of car park for overnight stay of motorhomes.	Email sent to the centre. No response received to date.
13	NP5/62/ENF426	April 2021	Land near Plas Gwynfryn, Llanbedr	Stationing of static caravan	Contact made with the owner. The matter is being discussed.
14	NP5/68/ENFT118A	January 2021	Hen Bryn y Gelynen, Croesor	Pod	Email sent to the centre. No response received to date.
15	NP5/74/ENF79B	April 2021	Tyn y Pwll Carafan Park, Dinas Mawddwy	Engineering works	Contact made with the owner. Site visit carried out. The matter is being discussed.
16	NP5/74/ENF492	April 2021	Ty Nant, Dinas Mawddwy	Unauthorised structure in garden	Contact made with the owner. The matter is 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
17	NP2/11/ENF709A	February 2021	Gelli'r Ynn Uchaf, Nantmor	Engineering works to create new access and driveway including removal of trees.	Contact made with the owner to advise that planning permission is required.	
18	NP4/16/ENF227C	July 2020	Gwalia Stores, Dolwyddelan	Change of use from retail to dwelling	Application not received. Contact made with the owner to seek an update.	Further discussions held with the owner. Awaiting application.
19	NP4/26/ENF266W	January 2020	Zip World Fforest, Betws y Coed	Erection of building & creation of footpaths	Site meeting carried out. Awaiting application.	Further contact made with landowner's agent.
20	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.	Awaiting update.

21	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. Further contact made to seek an update on the submission of an application.	No application received. Not expedient to take formal action. Close file.
22	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. Awaiting planning application.	Requested an update on the 6th May. Awaiting a response.
23	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. Awaiting planning application.	Further contact made with the owner – May 2021. Awaiting a response.

24	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.	Site visit carried out. Awaiting application
25	NP5/77/ENF345	February 2021	Bryn Mair, 21 High Street, Talsarnau	Chimney removed	Contact made with the owner to advise that planning permission is required. Response received, application to be submitted.	Awaiting submission of application.

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
26	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. Application received. Pending decision.	Planning permission granted. Close file
27	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.	Application received. Pending consideration

28	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 valid. Pending decision.	
29	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. Application received.	
30	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. Update received from the agent. Application due to be submitted mid February.	Application received, invalid.
31	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.	Application valid. Pending consideration.
32	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.	Appplication submitted but currently invalid.

					<p>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.</p> <p>Planning permission refused on design grounds and inappropriate materials. Appears the property is currently for sale on the open market.</p> <p>A further planning application has been submitted in relation to this property but it is currently invalid.</p>	
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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
33	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. Letter sent to the owner/occupier to re-arrange site visit. No response received.	

34	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. The owner has contacted to advise they have instructed a planning agent to submit an application. Awaiting contact/application from the agent.	
35	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. Instructions sent to legal to commence Prosecution proceedings.	

36	NP4/13/ENF53A	January 2021	Bron Heulog, Capel Curig	Eathworks being carried out	Letter sent to the owner/occupier. No response received.	
37	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. Monitoring.	
38	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>	

39	NP4/16/ENF420	February 2021	Hendre, Dolwyddelan	Excavation work	Contact made with the owner to discuss the work. Awaiting further information.	Not expedient to take formal action. File closed.
40	NP4/26/ENF261B	January 2020	Y Felin, Plas yn Rhos, Rhydlanfair	New Structure	Contact made with the owner and a site meeting is currently being arranged. Site meeting to be arranged.	Site meeting arranged.
41	NP4/26/ENF338A	February 2021	Bron Heulog, Capel Garmon	Poor condition of site	Site visit carried out. Consider expediency of taking formal action.	Still considering expediency of taking formal action.
42	NP4/29/ENFL453	February 2021	Plas Glasgwm, Penmachno	Restoring of outbuilding	Contact made with the owner to discuss the works.	No planning breach. File closed.
43	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 visit to be arranged following lockdown.	The matter is being discuss further with the owner.
44	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.	

					<p>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. Still discussing options with the owner as to how this can be resolved.</p>	
45	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.</p> <p>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.</p>	

					Prosecution proceedings to be initiated and instructions sent to the Authority's Solicitor.	
46	NP5/56/ENF165	October 2020	Land to west of A487, Pantperthog, SY20 9AT	Engineering works	Contact made with the owner to advise them that planning permission was required and to cease work. Site visit undertaken. Expediency of taking formal action is being considered.	
47	NP5/58/ENF616	December 2018	Land adjacent Coed y Bachau, Dyffryn Arduwy	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.	
48	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. NRW have advised a hearing has taken place where a not guilty plea was given.	

					A two week trial at Cardiff Crown Court has been scheduled for the beginning of August 2021.	
49	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.	
50	NP5/78/ENF2Q	February 2021	Trawsfynydd Holiday Village, Bronaber	Temporary show cabin still in situ contrary to condition 4 of planning permission NP5/78/2Q	Contact made with the owner. Application to be submitted to extend the temporary period.	Application received and approved. File closed.

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
51	NP2/14/18D	February 2019	Nant Cwmbran 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> <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> <p>Enforcement Appeal ongoing.</p>	
52	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
53	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.</p> <p>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> <p>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.</p>	

					<p>A meeting has been arranged with CADW to discuss possible options to safeguard Nannau Hall.</p> <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.</p> <p>An external condition survey has been arranged for the week commencing the 5th April 2021.</p> <p>Currently in discussion with the owner in relation to undertaking an internal inspection at the same time. Failure to agree for the Authority to undertake an internal inspection, will result in an application to the courts for a warrant to gain entry.</p>	
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54	NP5/66/ENFLB32D	November 2020	Ty Mawr, Llanfair	Internal works being undertaken.	Letter sent to the property. Response received and works discussed with the owner. Site visit to be carried out. Site visit carried out.. Application submitted but invalid.	
55	NP5/69/ENFLB326A	September 2018	Ty Gwyn, Llwyngwrl	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
19 MAY 2021

SECTION 106 AGREEMENTS

**SNOWDONIA NATIONAL PARK AUTHORITY
PLANNING AND ACCESS COMMITTEE, 19 MAY 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	Draft being prepared by Authority Solicitor
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

Number of applications on committee list 14 April 2021 = 2

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

Application No.	Location	Development

**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 14 APRIL 2021**

Application No.	Location	Development



PLANNING AND ACCESS COMMITTEE

19 MAY 2021

OUTSTANDING APPLICATIONS WHERE MORE THAN 13 WEEKS HAVE ELAPSED

SNOWDONIA NATIONAL PARK AUTHORITY

PLANNING AND ACCESS COMMITTEE 19 MAY 2021 OUTSTANDING APPLICATIONS WHERE MORE THAN 13 WEEKS HAVE ELAPSED

Awaiting Welsh Government Highways

NP5/57/885J	19/01/21	Cefn Naw Clawdd, Dolgellau. LL40 2SG.	Siting of 2 camping pods as holiday accommodation, together with associated parking and landscaping.
NP5/73/26B	24/05/19	Utica Buildings, Trawsfynydd.	Change of use of land to external Storage yard.

Awaiting submission of a Construction Environmental Management Plan

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

NP5/58/625A	15/12/20	Uncle Jim's Cabin, Talybont. LL43 2AF	Remove timber clad walls and installation of external render, erection of single storey rear extension, extend front terrace and replacement of flat roof with a pitched roof on existing garage.
NP5/65/L302D	25/08/20	Wern y Pistyll, Bontddu. LL40 2UP	Conversion and extension of barn into affordable dwelling and installation of septic tank,
NP5/68/6D	02/12/20	Rhiw Goch, Penrhyndeudraeth. LL48 6DR	Conversion of existing agricultural barn into self-catering holiday accommodation, associated parking, creation of curtilage area and installation of treatment plant. Alterations to existing vehicular access and conversion of an existing shed to a bat roost,

Awaiting Ecology

NP5/69/392B	09/12/21	Llwyn Du, Llwyngwriil. LL37 2JP	Erection of two storey dwelling.
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

NP5/58/227C	30/11/20	Land adjoining Tan-y-Foel, Dyffryn Ardudwy. LL44 2DQ	Demolition of an existing stone outbuilding and erection of 1 affordable dwelling and of 2no. detached open market and associated vehicular access,
NP5/73/424A	28/09/20	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,
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Awaiting Details form Agent / Applicant

NP5/58/569A	04/09/20	Bwlch Cae, Dyffryn Ardudwy. LL44 2HX	Erection of single storey rear extension.
NP5/58/629	29/01/20	Land between 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 submission of a traffic management scheme

NP5/58/598B		Llidiart Playing field, Dyffryn Ardudwy.	Change of use of land from play area to car park to accommodate 16 parking spaces
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Awaiting consultation response from Natural Resources Wales on further information submitted by applicant.

NP4/32/284A	06/12/20	Maes Mawr, Crafnant Road, Trefriw. LL27 0JZ	Extension, alterations and conversion of rural outbuilding into visitor accommodation unit, alterations to vehicular access, creation of parking area and installation of sewage treatment plant,
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Awaiting updated Heritage Impact Assessment

NP5/61/257C	16/11/20	Noddfa, Harlech. LL46 2UB	Erection of 4 two and three storey self-contained holiday letting units, engineering and terracing works, car parking and turning area in association with Noddfa Hotel,
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Total applications on list = 16

Total applications on list Committee 14 April 2021 = 17

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 cyhoeddadedig 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.



PLANNING AND ACCESS COMMITTEE
19 MAY 2021

DELEGATED DECISIONS

SNOWDONIA NATIONAL PARK AUTHORITY

PLANNING AND ACCESS COMMITTEE 19 MAY 2021

DELEGATED DECISIONS

Applications Approved

	Application No.	Proposed	Location	Decision Date	Case Officer
1.	NP2/11/1G	Erection of 4 gazebos within existing car park	Caffi Glandwr, Beddgelert. LL55 4YB	09/04/21	Mr Richard Thomas
2.	NP2/11/722B	Discharge of Condition 4 (Appropriate stonework) attached to planning application notice NP2/11/722 dated 17/03/2020	Land at Gerhynt Quarry, Beddgelert. LL55 4NL	24/03/21	Mr Richard Thomas
3.	NP2/11/AD1H	Erection of new signage	Caffi Glandwr, Beddgelert. LL55 4YB	19/04/21	Mr Richard Thomas
4.	NP3/10/119C	Siting of external oil-fired central heating boiler and oil tank	Ysgubor Bach, Abergwyngregyn. LL33 0LY	14/04/21	Mr Richard Thomas
5.	NP3/12/94L	Variation of Condition to allow extended season at Field 6 to between 1st March and 31st October in any year	Bryn Gloch Caravan & Camping Park, Betws Garmon. LL54 7YY	23/03/21	Mr Richard Thomas
6.	NP3/21/42C	Stone cladding to front elevation of dwelling	Marlow, Llanllechid. LL57 3LE	30/03/21	Mr Richard Thomas
7.	NP4/11/164A	Demolition of existing single storey side extension and erection of three storey side extension	Bryn y Gwynt, Holyhead Road, Betws y Coed. LL24 0BN	23/03/21	Mr Richard Thomas
8.	NP4/11/76T	Retrospective application for alterations and change of use of outbuilding to food and drinks outlet and erection of 4 wooden covered pods for outdoor catering	Glan Aber Hotel, Betws y Coed. LL24 0AB	09/04/21	Mr Richard Thomas
9.	NP4/16/402A	Discharge Conditions 5 (Conservation Management Plan), 7 (Construction and Traffic Management Method Statement) and 11 (Boundary Treatment) attached to Planning Approval Notice NP4/16/402 dated 23/06/2017	Ty Cwm Woodland Plot, adjacent Glan Gors, Dolwyddelan.	20/04/21	Mr Richard Thomas

10.	NP4/16/70C	Proposed demolition of existing and erection of replacement single storey rear extension	9 Castle Terrace, Dolwyddelan, LL25 0NJ	24/03/21	Mr Richard Thomas
11.	NP4/19/83B	Single storey extension to front elevation (Repeat Application)	Derwen Deg, Llechwedd, Conwy. LL32 8DX	21/04/21	Mr Richard Thomas
12.	NP4/29/44D	Non-material amendments (Use of local stone and enlarging doorway) to Planning Approval NP4/29/44B dated 27/03/2019	Hafod y Rhedwydd, Cwm Penmachno. LL24 0RF	25/03/21	Mr Richard Thomas
13.	NP4/29/500A	Discharge Condition 5 (Mast colour) attached to planning approval notice NP4/29/500 dated 21/10/2020	Land at Moel Llechwedd Hafod, Cwm Penmachno.	21/04/21	Mr Richard Thomas
14.	NP4/29/501A	Discharge Condition 6 Photographic record attached to Planning Approval Notice NP4/29/501 dated 22/06/2020	Pentop Cottage, Penmachno. LL24 0PU	21/04/21	Mr Richard Thomas
15.	NP4/32/357B	Single storey side extension	1 Tai Isaf, Llanrhychwyn, Trefriw. LL27 0YJ	29/03/21	Mr Richard Thomas
16.	NP5/50/438B	Construction of summerhouse in garden	Glascoed, Aberdyfi.	29/03/21	Mrs. Iona Roberts
17.	NP5/50/479A	Alterations to dwelling including new Juliet balcony, installation of cladding at first floor level on front elevation and associated works	Ty'r Enfys, 4 Copperhill Walk, Aberdyfi. LL35 0LG	30/03/21	Mrs. Iona Roberts
18.	NP5/50/L513B	Discharge Condition No. 3 of Planning Consent NP5/50/L513 dated 06/08/2020	1 Aber Villas, Aberdyfi. LL35 0HR	30/03/21	Mrs. Iona Roberts
19.	NP5/51/180D	Installation of two new rooflights and re-positioning of existing rooflights and alterations to door / window openings & associated works	Llwyn Gloddaeth, Barmouth. LL42 1DX	29/03/21	Mr Aled Lloyd
20.	NP5/53/LB45D	Listed Building Consent for internal alterations including the installation of a Covid-19 protection screen within the internal wall to reception and main office and fixing of a fire curtain to screen office side connected to the existing fire protection system	Council Offices, Henblas, 22-24 High Street, Bala. LL23 7AG	29/03/21	Mr. Arwel LI Thomas

21.	NP5/57/LB50J	Listed Building Consent for the internal alterations to ground floor only, re-opening door to sitting room, blocking up of existing doorway, blocking of doorway to utility and creating new opening within the internal wall, change wc doorway to other side of partition and removal of partition within the existing 'en-suite' and blocking up door opening to bedroom	Ty Meurig, Meyrick Street, Dolgellau. LL40 1LN	24/03/21	Mr. Arwel LI Thomas
22.	NP5/57/LB50K	Change of use from a Use Class C2 Residential to Use Class C3(a) dwellinghouse	Ty Meurig, Meyrick Street, Dolgellau. LL40 1LN	24/03/21	Mr. Arwel LI Thomas
23.	NP5/61/469Y	Erection of detached two storey dwelling & garage (Open market)	68 Cae Gwastad, Harlech. LL46 2GY	19/04/21	Mr Aled Lloyd
24.	NP5/61/532C	Installation of external stairway to allow access to the existing balcony	Swimming Pool, Beach Road, Harlech. LL46 2UG	19/04/21	Mr Aled Lloyd
25.	NP5/61/55B	Installation of new external stairs and external alterations to include enlargement of existing window to form a door	Eisteddfa, High Street, Harlech. LL46 2YA	19/04/21	Mr Aled Lloyd
26.	NP5/61/L315	Retrospective application for the removal of rear chimney stack and installation of 3 re-positioned rooflights,	4 Bronwen Terrace, Harlech. LL46 2YS	29/03/21	Mr Aled Lloyd
27.	NP5/62/424	Demolition of existing rear extension and erection of new two storey extension installation of rooflight and formation of pedestrian access on to adjoining footpath	Isfryn, Llanbedr. LL45 2LE	26/04/21	Mr Aled Lloyd
28.	NP5/66/236B	Discharge Condition 4 (Biodiversity Enhancement Scheme) of Planning Permission NP5/66/236B dated 19/02/2021	Pennant, Llandanwg. LL46 2SB	26/04/21	Mr Aled Lloyd
29.	NP5/66/259A	Installation of two linked rooflights	Golygfa, Llandanwg. LL46 2SD	19/04/21	Mr Aled Lloyd
30.	NP5/66/273	Erection of two storey side extension, basement garage and parking area	Garth, Llanbedr. LL45 2HS	29/03/21	Mr Aled Lloyd

31.	NP5/69/394E	Erection of new dwelling and associated parking and patio areas (amended design to that previously approved under NP5/69/394D)	Wendy's, Llwyngwriil. LL37 2JQ	29/03/21	Mrs. Iona Roberts
32.	NP5/69/409	Construction of single storey rear extension, installation of roof light, enlarge existing rear dormer window and removal of chimney	Heddwch, Llwyngwriil. LL37 2JD	19/04/21	Mrs. Iona Roberts
33.	NP5/70/155B	The installation of a 20m lattice mast, together with equipment cabins, a permanent generator and a 1.2m satellite dish and ancillary development thereto within a secure fenced compound (re-siting of mast permitted under reference NP5/55/155 dated 25.05.18)	Bwlch yr Hwch, Cwm Hirnant, Rhosygwaliau.	15/04/21	Mrs. Sara Thomas
34.	NP5/70/LB23C	Construction of a steel frame agricultural build	Rhiwaedog Farm, Rhosygwalia, Bala. LL23 7EU	31/03/21	Mrs. Sara Thomas
35.	NP5/74/464D	Non-material amendment to Planning Consent NP5/74/464A dated 15/06/2017 to amend a course feature and the Landscape Remediation and Management Plan	Land at Graig Wen, Dinas Mawddwy.	23/04/21	Mrs. Sara Thomas
36.	NP5/74/L319A	Discharge Condition 3 (Photographic survey) of Planning Permission NP5/74/L319 dated 15/01/2021	Capel Bethania, Aberangell. SY20 9NF	30/03/21	Mrs. Iona Roberts
37.	NP5/78/2T	Retrospective application for the extension of planning consent NP5/78/2Q dated 19/12/2019 for the temporary siting of a show cabin	Trawsfynydd Holiday Village, Bronaber, Trawsfynydd. LL41 4YB	06/04/21	Mrs. Sara Thomas

Applications Refused

	App No.	Proposed	Location	Reason for Refusal	Case Officer
1.	NP5/60/107B	Construciton of single storey front extension and single storey side extension	Ferndale, Ganllwyd. LL40 2HS	<p>06/04/21</p> <p>By reason of inappropriate form, design and scale (especially when taken together with existing extensions) it is considered that the proposal would be overly dominant and significantly harm the character and setting of the original dwelling which it is the policy of the Local Planning Authority to preserve. The proposal is therefore contrary to the Eryri Local Development Plan, in particular policies A, 1 and 15.</p> <p>The proposed extension, together with the existing extensions, would be considered overdevelopment of the original property and would be contrary to Development Policy 15 of the Eryri Local Development Plan which states that extensions to a dwelling will only be permitted providing the floor area is less than the floor area of the original property.</p>	Mrs. Sara Thomas
2.	NP5/62/60F	Non-material amendment to Planning Permission NP5/62/60B dated 17/10/2016 to change the siting of approved dwelling and alterations to design of dwelling	Cyplau, Llanbedr. LL45 2ND	<p>31/03/21</p> <p>In the opinion of the Snowdonia National Park Authority the amendments proposed are considered to be 'material' amendments in nature as they will result in a material form of change to the original planning permission. As such the changes proposed cannot be deemed a 'non-material' change and will require the benefit of a new planning permission.</p>	Mr Aled Lloyd

3.	NP5/67/334A	Prior notification under Part 24 of The Town & Country Planning (General Permitted Development) Order 1995 as amended to install 15m telecommunications mast, ancillary structures and compound (Re-submission)	Land near Minffordd Hotel, Tal y Llyn.	<p data-bbox="1234 81 1368 113">27/04/21</p> <p data-bbox="1234 172 1839 427">The Authority has determined previously that prior approval is required for the siting and appearance of the development by way of letter dated 15/03/2021. Given the representations received by Welsh Government, it is the Authority's decision that approval is refused.</p>	Mrs. Iona Roberts
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Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 23/02/21

gan Vicki Hirst, BA (Hons) PG Dip TP
MA MRTPI

Swyddog a benodir gan Weinidogion Cymru

Dyddiad: 16/4/21

Appeal Decision

Site visit made on 23/02/21

by Vicki Hirst, BA (Hons) PG Dip TP MA
MRTPI

An Inspector appointed by the Welsh
Ministers

Date: 16th April 2021

Appeal Ref: APP/H9504/A/20/3264885

Site address: Craig-Y-Lanch, Aberdyfi, LL35 0HW

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr Les Stephan against the decision of Snowdonia National Park Authority.
- The application Ref: NP5/50/723A dated 6 May 2020, was refused by notice dated 22 July 2020.
- The development proposed is the erection of two holiday lets with associated pedestrian access.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with all matters reserved. The indicative scale parameters for the pair of semi-detached dwellings when measured from the illustrative plans indicate a maximum height of approximately 9.5 metres, a width of 21.5 metres and a depth of 11 metres.
3. Since the application was determined by Snowdonia National Park Authority (the Authority), the Welsh Government has published Future Wales: The National Plan 2040 and Planning Policy Wales, Edition 11 (PPW). I am satisfied that neither publication makes any material difference to the main issues in this case.

Main Issues

4. The main issues are:
 - The effect of the proposed development on an area of designated open space; and
 - the effect of the proposed development on ecological interests.

Reasons

Open Space

5. The appeal site comprises a former quarry and the proposal is for the erection of two holiday lets. The indicative plans suggest the development would comprise two-storey semi-detached houses of a relatively contemporary design with extensive glazing on the south, sea facing elevation. The Design and Access Statement states that the design would be a modern interpretation of the Victorian villas along the seafront. No vehicular access or parking would be provided although it is indicated that a new pedestrian crossing and pavement would be provided across the A493 road to the south of the site. This would connect with a public right of way that is located to the immediate south of the site.
6. The development plan comprises the Eryri Local Development Plan (the LDP). For the purposes of the LDP the site lies within the settlement limits of Aberdyfi and within an area designated as Open Space. Policy 5 of the LDP states that such areas which contribute to the amenity of residents, the character of Conservation Areas or the setting of historic buildings will be protected from development. The supporting text states that green open spaces provide an important community function and a valuable local amenity and frequently create the setting for, and influence the character of, surrounding buildings and in doing so make a significant contribution to their value. The policy aligns with national planning policy advice in PPW that states that formal and informal open green spaces should be protected from development¹.
7. The LDP Background Paper "Open Spaces" categorises the open space designation in which the appeal site is located as being a natural and semi-natural greenspace. I note it is part of a larger designation extending to the north and that the appellant contends that the appeal site does not meet the functions of an open space as it is an old quarry and has no visual or public benefit.
8. I observed on my site visit that the site is somewhat separated from other development. It lies on steeply rising ground to the north of the railway line. The terraced housing to the east is three and four storeys high and of a high density. The terrace ends at the railway line. The housing to the west is largely detached two storey dwellings, set in more spacious surroundings. The appeal site occupies a central position between these areas of housing and when viewed from the wider surrounds, and particularly from the extensive beach to the south it provides an important visual break within the built form. Whilst the appeal site is divorced from the remainder of the open space allocation by virtue of its steep quarry side and topography, it is nevertheless fundamental in providing the visual break between the development to the east and west as it is its juxtaposition to these areas of housing that provides visual relief.
9. I acknowledge the appellant's contention that the site comprises previously developed land. However, PPW defines such land as excluding "where the remains of any structure or activity have blended into the landscape over time so that they can reasonably be considered part of the natural surroundings²". In my assessment, although the quarry side is evident, it is largely indistinguishable from the wider landscape due to the regrowth of vegetation and its return to a natural state. As

¹ Paragraph 4.5.3, Planning Policy Wales, Edition 11, February 2021

² Page 37, Planning Policy Wales, Edition 11, February 2021

such, I do not find any arguments in favour of its re-use as previously developed land to be persuasive.

10. I find that whilst the site is clearly not used for any formal recreational open space, it is nonetheless an important green space within the surrounds and makes a valuable contribution to the visual amenities of the area and the setting of the nearby buildings within the town. I conclude that the development of the site would result in the loss of an area of important open space contrary to Policy 5 of the LDP and PPW.

Ecology

11. The appeal site is situated immediately adjacent to the Craig y Don Site of Special Scientific Interest (SSSI) and within a short distance of the Pen Llyn a'r Sarnau Special Area of Conservation (SAC), and the Dyfi SSSI and SAC.
12. The Authority has suggested that a Preliminary Ecological Assessment should have been provided with the application with further protected species surveys. The appellant has submitted an ecological assessment which takes account of designated wildlife sites, priority habitats and species and protected species within the area. In respect of a number of habitats and species these have not been fully surveyed on the site itself but have rather been identified as not being a constraint to development as there was no physical evidence of them on site and/or there was not suitable habitat on site.
13. Notwithstanding these findings, the Ecological Assessment includes suggested mitigation and avoidance measures. In my assessment, with the exception of otters which I consider below, I have no evidence before me to suggest that the site may be used by protected species or contains any priority habitat/species requiring further survey work. As such I have no reason to believe that, subject to appropriate conditions relating to the suggested mitigation and avoidance measures, the proposal would cause any harm to the SSSIs, protected species, priority habitats/species or general biodiversity.
14. Otters are a qualifying feature of the Pen Llyn a'r Sarnau SAC and the Authority contends that insufficient survey work has been carried out in respect of the use of the site by otters. Natural Resources Wales (NRW) as the statutory advisor on such matters, whilst not objecting at application stage, has advised that it supports the Authority's request for further survey information in recognition of the Authority's local knowledge of the potential of the site to support otters.
15. As the decision has passed to me for determination, I am now the competent authority for the purposes of undertaking an assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). As such before deciding to give permission, if the proposals are likely to have a significant effect on a European site (in this case the Pen Llyn a'r Sarnau SAC) and the works are not directly connected with or necessary to the management of the site, I am required to undertake an appropriate assessment of the implications of the proposal in view of the site's conservation objectives³.
16. In respect of otters, the Ecological Assessment notes that there are records of otter within 1km of the site (the closest record within 340m of the site within the Dyfi

³ Article 6(3) of the Habitats Directive states that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon shall be subject to an appropriate assessment.

Estuary) but due to the presence of a well used footpath, train line and the highway, together with an absence of suitable habitat and no evidence of otter on the site it was concluded that otters do not impose a constraint on the site.

17. The Authority has drawn my attention to an otter record within similar scrub habitat in the immediate vicinity of the site. I note the appellant's contention that this was an unpublished survey of some age, and the Ecological Assessment's conclusions that the site is not suitable for otter. Nevertheless, and taking account of the site's individual characteristics, it is evident that otters have been recorded close by and the site is located within close proximity to the SAC which includes otters as a qualifying feature. I find that in the absence of any specific surveys of the site for otters I cannot rule out the possibility that they use the appeal site. In reaching this view I have considered the likelihood of otters using the site and note the reference to the cited case law⁴. For the reasons given I cannot rule out this likelihood. As such, in the absence of further survey information and in adopting the precautionary principle I am unable to conclude that the proposal would not cause likely significant effects on the Pen Llyn a'r Sarnau SAC.
18. An appropriate assessment is only required in instances where a competent authority is minded to undertake, or give any consent, permission or other authorisation for, a plan or project. I have found above that the proposal would be unacceptable due to its impact on the designated area of open space. In such circumstances, it is unnecessary for me to undertake an appropriate assessment pursuant to the 2017 Regulations as the appeal is being dismissed on other grounds.
19. I conclude that I have insufficient information before me to conclude that there would not be a likely significant effect on the Pen Llyn a'r Sarnau SAC. As such the proposal would conflict with Strategic Policy D of the LDP which seeks to ensure that proposals do not adversely affect the National Park's biodiversity resources including designated sites.

Conclusion

20. I have taken into account all other matters raised including the proposed pedestrian crossing. I have not been provided with any substantive evidence that the crossing is required or that it could be satisfactorily achieved within the available space with adequate sight lines for traffic approaching the signals. In any event, I do not find the provision of a pedestrian crossing would outweigh the harm that I have identified would arise from the proposal. For the above reasons I dismiss the appeal.
21. In reaching this decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through one or more of the Welsh Minister's well-being objectives as required by section 8 of the Act.

VK Hirst

INSPECTOR

⁴ *Morge v Hampshire CC [2010] EWCA Civ 608; a subsequent appeal was allowed in the Supreme Court – Morge v Hampshire CC [2011] UKSC 2*