

Adran Ynni, Cynllunio a Materion Gwledig
Department for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ms P Jones
Development and Building Control Manager
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Conwy
LL29 8AR

By email: paula.jones@conwy.gov.uk

Ein Cyf/Our ref: qA1344080
Eich Cyf/Your ref: 0/43785

Dyddiad/Date: 20 April 2018

Dear Ms Jones,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL-IN REQUEST.
PLANNING APPLICATION FOR REDEVELOPMENT TO CREATE 52 NO.
APARTMENTS, COMMERCIAL (A3) FLOORSPACE, AND RELATED ACCESS AND
PARKING. AT FORMER PIER PAVILION, LLANDUDNO, CONWY, LL30 2LP.
APPLICATION NO.0/43785.**

As you are aware the Welsh Ministers have been asked to call in the above application for their own determination. I am authorised, by the Cabinet Secretary for Energy, Planning and Rural Affairs, to consider whether the application should be called in for determination by the Welsh Ministers.

The Welsh Government's policy on calling in planning applications is set out in Planning Policy Wales (Edition 9, November 2016). The Welsh Government considers Local Planning Authorities, as elected bodies, should be left to make decisions about development proposals wherever possible. The Welsh Ministers do not, in practice, call in many planning applications and will only do so where the proposal raises issues of more than local importance. The consideration of a request to call in an application is not about the acceptability of the development and whether planning permission should be granted; it is concerned with who should make the decision.

The requests for the application to be called in are based on the following concerns:

- The applicant has failed to carry out consultation in accordance with the legislation and there are other procedural irregularities;
- No significant changes have been made since the previous plans were considered;
- The development is out of character for the location and is inappropriate in content and design;
- The application should be for full planning permission not outline. (It should be noted the application is made in full);
- The application fails to address council policies in relation to the provision of tourism facilities;
- No evidence of the need for accommodation of this scale;
- Highway issues. A full traffic evaluation should be carried out;
- The application conflicts with the Local Development Plan and Council policies; and
- The proposal conflicts with the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015 which seek to ensure developments do not have a long term detrimental effect on the historic environment.

The applicant also provided comments expressing a view the application should not be called in by the Welsh Ministers.

Consideration has been given to the concerns expressed in the call-in requests, the contents of the Planning Officer's Reports to the Planning Committee and the associated minutes. The Officer's Report to the Planning Committee in March 2018 recommended granting planning permission subject to the imposition of appropriately worded conditions. The application was considered against national planning policies and local planning policies contained in the Conwy County Borough Council Local Development Plan, which was adopted in October 2013. The views of statutory consultees were obtained and, following concerns of the Design Commission for Wales amendments were made to the proposal.

Matters relating to flooding have been appropriately assessed as have the need for the development, highways issues and the impact on listed buildings and the historic environment.. Any concerns regarding procedural irregularities are a matter for the Local Authority and should be dealt with through the authority's Monitoring Officer or through the Public Services Ombudsman for Wales.

It is considered the Local Planning Authority has assessed the proposal against the relevant national and local planning policies and given them due consideration. We are of the view the majority of the matters raised in the call- in requests can be considered to be local in nature and, in this instance, are not such as to warrant the application being called in by the Welsh Ministers.

In conclusion, the issues arising from the development have been assessed against national and local planning policies in an appropriate manner. They are not considered to have any wide effects and, while the application has raised a number of local objections, this can not be considered to be substantial controversy beyond the immediate locality. The proposal does not adversely impact on sites of scientific, nature conservation or historic interest, or areas of landscape importance and it does not raise issues of national security or novel planning issues.

In view of the above and, having considered the issues associated with the application,

in light of the Welsh Government's policy on call-in and relevant policy guidance, I do not consider the issues are of more than local importance and the application should **not be called in** for determination by the Welsh Ministers. It is now for your Authority to determine the application.

In exercising their functions as part of carrying out Sustainable Development in accordance with the Well-being of Future Generations (Wales) Act 2015 (WFG Act), section 2 of the Planning (Wales) Act 2015 requires the Welsh Ministers, in exercise of their functions under Part 3 of the Town and Country Planning Act 1990, to ensure the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales. As part of this consideration the Welsh Ministers have taken into account the ways of working set out at section 5(2) of the WFG Act, which is supported by Part 4 of 'Shared Purpose Shared Future 1: Core Guidance: Statutory Guidance on the WFG Act'.

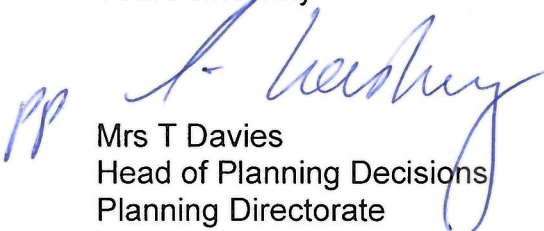
It is considered this determination is in accordance with the sustainable development principle set out under the WFG Act in contributing towards the Welsh Government's Well-being Objective to "support people and businesses to drive prosperity" set out in Prosperity For All – The National Strategy and as defined under the requirements of the WFG Act. It to conclude your Authority has considered the relevant planning policies in coming to its decision and the ways of working principles are satisfied in the decision making process.

In reaching this conclusion I did not consider the planning merits of the development and my decision not to call in the application should not in any way be taken as a reflection on the planning merits of the development.

In exercise of my powers, the Direction issued by the Welsh Ministers under Article 18 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 on 13 March 2018 for planning application 0/43785 is hereby cancelled.

It would assist us if a copy of the planning decision, relating to this application, could be sent to my colleague, Nicola J Middleton (E-mail Nicola.Middleton@gov.wales).

Yours sincerely


Mrs T Davies
Head of Planning Decisions
Planning Directorate
Welsh Government

Arwyddwyd o dan awdurdod Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig, un o Weinidogion Cymru.

Signed under authority of the Cabinet Secretary for Energy, Planning and Rural Affairs, one of the Welsh Ministers

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.