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CYNGOR SIR
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ISLE OF ANGLESEY
COUNTY COUNCIL

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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 5 TACHWEDD, 2014 ➔ 1.00 o'r gloch ←	WEDNESDAY, 5 NOVEMBER 2014 ➔ 1.00 pm ←
SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGFNI	COUNCIL CHAMBER, COUNCIL OFFICES, LLANGFNI
Swyddog Pwyllgor	Mrs. Mairwen Hughes 01248 752516 Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

Lewis Davies
Ann Griffith (Is-Gadeirydd/Vice-Chair)
John Griffith
K P Hughes
W T Hughes (Cadeirydd/Chair)
Vaughan Hughes
Victor Hughes
Richard Owain Jones
Raymond Jones
Jeffrey M.Evans
Nicola Roberts

Please note that meetings of the Committee are filmed for live and subsequent broadcast on the Council's website. The Authority is a Data Controller under the Data Protection Act and data collected during this webcast will be retained in accordance with the Authority's published policy

A g e n d a

Members are reminded that background papers referred to within committee reports are available for inspection in electronic format on the day of the meeting at the Council Chamber from 12.30 p.m. onwards; alternatively these may be inspected at the Development Management during normal office hours. Documents referred to in reports may also be viewed in full on the electronic application files.

Any additional information to hand following publication of reports will be verbally reported upon to the meeting.

Before a decision notice is released conditions of approval or reasons for refusal given in written reports may be subject to minor amendments to account for typographical errors.

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1 APOLOGIES

2 DECLARATION OF INTEREST

To receive any declaration of interest by any Member or Officer in respect of any item of business.

3 MINUTES_(Pages 1 - 12)

To submit, for confirmation and signature, the minutes of the Planning and Orders Committee held on 1 October, 2014.

4 SITE VISITS

None to be considered at this meeting.

5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED_(Pages 13 - 18)

- 6.1 21C40A – Penrhyn Gwyn, Llanddaniel
- 6.2 34C553A – Ty'n Coed, Llangefni
- 6.3 41C125B/EIA/RE – Bryn Eryr Uchaf, Menai Bridge

7 APPLICATIONS ARISING_(Pages 19 - 24)

- 7.1 36C336 – Ffordd Meillion, Llangristiolus

8 ECONOMIC APPLICATIONS

None to be considered by this meeting.

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9 AFFORDABLE HOUSING APPLICATIONS

None to be considered by this meeting.

10 DEPARTURE APPLICATIONS_(Pages 25 - 38)

10.1 24C261A – Dafarn Drip, Penysarn

10.2 37C26T/VAR – Merddyn Gwyn, Brynsiencyn

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS_(Pages 39 - 48)

11.1 28C354B/DEL – Glan y Gors, Llanfaelog

11.2 30C728B/DEL – Meusydd, Llanbedrgoch

12 REMAINDER OF APPLICATIONS_(Pages 49 - 86)

12.1 11LPA896D/CC – Maes Mona, Amlwch

12.2 15C91D – Ty Canol, Malltraeth

12.3 39C305C – 5 Cambria Road, Menai Bridge

12.4 40C233B/VAR – The Owls, Dulas

12.5 44C311 – 4 Council Houses, Rhosgoch

12.6 44LPA1005/TPO/CC – Ty'n y Ffrwd, Rhosybol

12.7 46C192B/FR – Dinghy Park, Porth Castell, Ravenspoint Road, Trearddur Bay

13 OTHER MATTERS_(Pages 87 - 94)

13.1 28LPA970A/CC/MIN – Ffordd y Traeth, Rhosneigr

13.2 34C40A/EIA/ECON – Peboc, Industrial Estate, Llangefni

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PLANNING AND ORDERS COMMITTEE

Minutes of the meeting held on 1 October, 2014

- PRESENT:** Councillor W.T.Hughes (Chair)
Councillor Ann Griffith (Vice-Chair)
- Councillors Lewis Davies, Jeff Evans, John Griffith, Kenneth Hughes, Vaughan Hughes, Victor Hughes, Richard Owain Jones, Raymond Jones, Nicola Roberts.
- IN ATTENDANCE:** Development Control Manager (DFJ)
Planning Assistants
Senior Engineer (Development Control) (EDJ)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** None
- ALSO PRESENT:** Local Members: Councillor Peter Rogers (application 12.3); Councillors Richard Dew, G.O.Jones (application 12.7)
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1 APOLOGIES

None received.

2 DECLARATION OF INTEREST

Councillor Kenneth Hughes declared an interest in respect of application 7.2

3 MINUTES OF THE 3RD SEPTEMBER, 2014 MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 3rd September, 2014 were presented and confirmed as correct.

4 SITE VISITS

It was noted that site visits were held on 17th September, 2014 in relation to the following applications:

- 42C9N – Full application for the demolition of existing workshop, office and showroom, extension of petrol filling station, erection of 2 non-food retail units and provision of additional parking at Pentraeth Services, Pentraeth
- 21C40A – Full application for the erection of an agricultural shed to house livestock and a slurry pit on land at Penrhyn Gwyn, Llanddaniel

5 PUBLIC SPEAKERS

The Chair announced that there were Public Speakers in relation to applications 7.2 and 12.3

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 34C553A – Outline application for residential development including extra care facility, highway and associated infrastructure at Ty'n Coed, Llangefni

It was resolved to defer consideration of the application in accordance with the Officer's recommendation for the reason given in the written report.

6.2 39C305B – Full application for alterations and extensions at 5 Cambria Road, Menai Bridge

It was resolved to note that the application had been withdrawn.

6.3 41C125B/EIA/RE – Full application for the erection of three 800kw – 900kw wind turbines with a maximum hub height of up to 55m, rotor diameter of up to 52m and a maximum upright vertical tip height of up to 81m, improvements to the existing access to the A5025 road together with the erection of 3 equipment housing cabinets on land at Bryn Eryr Uchaf, Menai Bridge

It was resolved to defer consideration of the application in accordance with the Officer's recommendation for the reason given in the written report.

7 APPLICATIONS ARISING

7.1 21C40A – Full application for the erection of an agricultural shed to house livestock and a slurry pit on land at Penrhyn Gwyn, Llanddaniel

The Development Control Manager informed that Committee that due to the emergence of late matters which require further discussion with the Environmental Health Officer, the Officer recommendation is now to defer consideration of the application.

Councillor Lewis Davies proposed a deferral and his proposal was seconded by Councillor Richard Owain Jones.

It was resolved to defer consideration of the application in accordance with the Officer's recommendation for the reason given.

7.2 Full application for the demolition of existing workshop, office and showroom, extension of petrol filling station, erection of 2 non-food retail units and provision of additional parking at Pentraeth Services, Pentraeth

The application was presented to the Planning and Orders Committee at the request of Councillor Ieuan Williams, a Local Member. The application site was visited by the Committee's Members on 17th September, 2014.

Councillor Kenneth Hughes, having declared an interest in this application, withdrew from the meeting during the discussion and voting thereon.

The Chair invited Sandra Robinson Clark to address the Committee as an objector to the application.

Ms Clark said that she was speaking on behalf of her neighbours at 73 to 78 Nant y Felin in registering their very strong objections to the proposed development which by virtue of its scale, height and proximity to these properties would be detrimental to the amenities of their occupants. She referred to concerns regarding loss of privacy as a result of the additional number of rear and elevated windows on the proposed extension as indicated by the plan and to loss of natural daylight. The proposal takes no account of the outlook of the adjoining residences and would have a very dominating impact on those residences. The additional noise from the increase in traffic which the proposal would generate through increased activity would also be detrimental to the residents of the nearby properties. The noise due to the retail outlets will exacerbate the situation.

The Committee's Members were given the opportunity to question Ms Clark. Councillor John Griffith sought clarification of a point made in the presentation in respect of non-adherence to plans. Ms Clark confirmed that that related to the installation of transparent windows in the existing extension contrary to what was intended.

The Chair asked Jan Tyrer to present her views in support of the application. Ms Tyrer said that one of the primary aims of the proposal is to address safety issues by increasing the petrol forecourt's capacity to deliver fuel and to accommodate waiting vehicles. By demolishing the existing buildings to the rear of the site and placing a new retail unit in the yard area, the activities associated with the workshop in that area which have historically elicited complaints by the occupiers of the nearby properties are removed. The design of the proposed new building also

ensures that no overlooking is possible from within the new structure or from the existing adjoining buildings to be retained. The removal of these activities and the elimination of overlooking will improve existing residential amenity. The shadow simulation animation accompanying the application demonstrates the minimal impact the development will have on the adjoining properties in terms of any loss of direct sunlight. The benefits of the scheme far outweigh any disadvantages and in addition to the highways safety gains residential amenity will be improved overall.

Councillor John Griffith suggested that significant increase in petrol sales confirms the objector's point regarding an increase in the volume of traffic and related activity throughout the day to the detriment of the occupants of the properties nearby. Ms Jan Tyrer replied that the increase in petrol sales is due to the loss of petrol facilities in the area. The current forecourt facilities at Pentraeth Services are outdated and inadequate and the principal motivator for the proposal is the improvement of those facilities and to facilitate the free flow of vehicles in and out of the service station. The proposal is designed to improve forecourt capacity and subsequently, highway safety.

Councillor Jeff Evans whilst commending the business aspects of the proposal said that he was concerned by its effects on amenity. He asked the speaker to clarify her argument that the proposal would improve residential amenity when the objector as a resident of one of the properties that would be affected by it states otherwise. Ms Jan Tyrer said that the existing buildings, which under the proposal will be removed, do have overlooking windows. The proposed new building has high level windows as well as velux windows in the roof meaning there will be no means of overlooking towards the housing. The new building also screens the two windows in the side elevation of the existing structure which is to be retained.

The Development Control Manager reported that the key issues are the principle of development and the effects on amenity and highway safety. Whilst there is no objection to the proposal on the basis of principle, the Officers are concerned that it will cause serious harm to the amenities of the residential occupiers to the rear of the site. It is considered that the proposed new building is excessively large and being situated in close proximity to the properties to the rear of the site, will have a dominating effect on those properties. The improvements in highway safety which the proposal will entail are to be commended but not at the expense of residential amenity. A compromise might be possible through an alternative scheme. The recommendation is one of refusal.

Councillor Vaughan Hughes speaking on behalf of Councillor Ieuan Williams, a Local Member read out a letter by Councillor Williams in which he asked the Committee to consider a number of factors including the advantages of the scheme in bringing improvements to highway safety on the A5025 to the front of the application site. The use of Pentraeth Services has increased significantly leading to queues outside the garage with potential for accidents as was demonstrated recently. Increasing the forecourt's surface area will enable vehicles to leave the A5025 thus reducing queues. Having discussed the application with Councillor Derlwyn Hughes as another Local Member, he also appreciates that there are advantages to the proposal.

Councillor Lewis Davies said that he was of the view that due consideration must be given to residential amenity, and that he also had concerns regarding the traffic situation particularly the possibility that the proposed improvements to the garage's forecourt facilities will lead to an increase in traffic bringing with it the potential for more accidents. He proposed that the application be refused. His proposal was seconded by Councillor Raymond Jones.

Councillor John Griffith raised the possibility of compromise as referred to by the Officer and asked whether any discussions to that effect are taking place. The Officer said that he was not aware of any such discussions.

It was resolved to refuse the application in accordance with the Officer's recommendation for the reason given in the written report. (Councillor Jeff Evans did not vote on the matter because although he supported the business merits of the application, he was concerned by its effects on residential amenity. Councillor Ann Griffith did not vote because she was absent for part of the discussion)

8 ECONOMIC APPLICATIONS

None were considered at this meeting of the Planning and Orders Committee.

9 AFFORDABLE HOUSING APPLICATIONS

None were considered at this meeting of the Planning and Orders Committee.

10 DEPARTURE APPLICATIONS

None were considered at this meeting of the Planning and Orders Committee.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 36C63H – Full application for the erection of a garage at Rhos Anedd, Rhostrehwfa

The application was presented to the Planning and Orders Committee as the applicant is related to an Officer of the Authority. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Planning Development Manager reported that the key issue is whether or not the proposed garage would affect the neighbouring properties. It is the Officer's opinion that the proposed scheme would not have any adverse impact on any surrounding neighbouring properties such as to warrant refusal. The recommendation is therefore to approve the application.

Councillor Kenneth Hughes proposed that the application be approved and his proposal was seconded by Councillor Vaughan Hughes.

It was resolved to approve the application in accordance with the Officer' recommendation subject to the conditions set out in the written report.

11.2 38C149B – Full application for the demolition of the existing dwelling together with the erection of a new dwelling and construction of a vehicular access on land at Llanddygfael Hir, Llanfechell

The application is referred to the Planning and Orders Committee because the applicant is a relevant officer of the Council under the Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Development Control Manager reported that the key issues are the principle of development in relation to material planning policies on replacement dwellings and landscape considerations in relation to the Special Landscape Area. It is the Officer's conclusion that the proposed development accords with the policy provisions in relation to replacement dwellings and the landscape considerations and is considered acceptable. Should the Committee approve the application, the planning consent will not be issued until an on-site bat survey has been undertaken. The Committee is asked to delegate authority to the Officers to deal with this matter.

Councillor Kenneth Hughes said that as a Local Member he supported the application and he proposed that it be approved. His proposal was seconded by Councillor Lewis Davies.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report, and to delegate to the Officers the authority to deal with any issues arising as a result of the bat survey.

12 REMAINDER OF APPLICATIONS

12.1 11C617 – Full application for the change of use of vacant area to create a storage compound on land at D P Welding, Unit 1, Site 3, Amlwch Business Park, Amlwch

Councillor Richard Owain Jones proposed that the application be approved and his proposal was seconded by Councillor Nicola Roberts.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12.2 12LPA1003/FR/CC – Full application for flood alleviation works comprising of the construction of a stone faced secondary flood defence wall along the eastern part of the Green, increasing the height of the existing sea wall and gabion protection between Townsends Bridge and Gallows Point and associated landscaping together with construction of earth bunding on Castle meadow on the north side of Beaumaris Castle, Beaumaris

The application is reported to the Planning and Orders Committee as it has been made by the Council and is on part of Council owned land.

The Development Control Manager reported that there are three main elements to the proposal. The key issue is the impact the proposal will have on the heritage receptors in the area weighed against its public benefit in reducing flood risk. A Heritage Impact Assessment has been submitted with the application and extensive consultations have been conducted with the statutory public bodies and with Beaumaris Town Council. Whilst the statutory bodies, and specifically CADW and Gwynedd Archeological Trust have raised a number of points with regard to the potential impacts of the scheme, no opposition in principle has been expressed, and only one letter of objection has been received. Beaumaris Town Council has confirmed that it recommends approval of the application. In balancing the public benefit of the proposal in reducing the risk of flooding in the area and to the heritage assets themselves against the need to have regard to the setting of those assets, it is the Officer's view that it is possible to alleviate any impacts arising from the development. The recommendation is therefore to approve the application.

Councillor Lewis Davies as a Local Member said that he was supportive of the application given that the town is prone to flooding; and, although Beaumaris is a World Heritage Site and is dependent on tourism he was satisfied that the statutory public bodies will keep a watching brief over the development. He proposed that the application be approved. Councillor John Griffith seconded the proposal of approval.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12.3 15C116F – Full application for alterations and extensions together with the erection of a garage at 5 Bythynod Gwenllyr, Malltraeth

The application is reported to the Planning and Orders Committee as it has been called in by a Local Member.

The Development Control Manager reported that the key issue is whether the proposed development complies with the provisions of the Council's policies on rural conversions. A similar application was rejected by the Committee in May 2014. Criteria iii of Policy 55 of the Ynys Môn Local Plan and Policy HP8 of the stopped Unitary Development Plan state that a conversion scheme should respect the character, scale and setting of the existing building and involve only minor external alterations unless it can be demonstrated that significant enhancement of the appearance of the building will be secured. The scale of the current building is 100.7 square metres. The overall scale of the proposed extension is approximately 97.5m forming an increase of at least 97% and doubling the scale of the existing dwelling. As planning permission would not be required to convert the garage into living accommodation, it is considered reasonable to incorporate its volume into the calculation. The applicant's agent disputes this, and he calculates the extension at 59% of the existing building having discounted the double garage in that calculation. There has been no material change since the application was refused in May and whilst the proposal is on a lesser scale than that previously submitted in May it is still sizeable, and cannot be regarded as constituting minor alterations. The recommendation is therefore to refuse the application.

The Chair invited Mr Berwyn Owen to address the Committee in support of the application. Mr Berwyn Owen highlighted the merits of the proposal in being an application made by a family who require more space in order to be able to look after their two grandsons who have special needs. . The domestic element of the extension is not large being only half the size of the original cottage. The extension has been planned so it is to the rear of the current building and will not therefore be visible from the road running through Malltraeth; neither will it impede the amenities of those few people who use the public footpath which runs alongside the application site. The Council's Footpaths Officer does not have any objection to the proposal. The present cottage is not within

a conservation area and neither is it a listed building. The cottage is not isolated but forms part of a cluster of similar cottages and no one in the vicinity has objected to the proposal.

There were no questions to Mr Berwyn Owen from the Committee's Members.

Councillor Peter Rogers spoke to the Committee as a Local Member in favour of the application and he stated that after the previous refusal, the applicants had sought to re-think the proposal in order to meet the requirements. He acknowledged the discrepancy in terms of the size of the proposal but stressed that that relates to whether the garage is included within the calculations and is not related to the proposed alterations to the living accommodation. There are no objections to the proposal from any of the neighbours in the area. There is a letter of support which demonstrates an important point. There is a very real regard for the way in which the family and the applicants have taken on their responsibilities towards their grandchildren who have autism related needs thereby providing their daughter with essential respite care.

Councillor Ann Griffith also a Local Member confirmed that she supported the comments made by Councillor Peter Rogers.

In response to a request by Members of the Committee, the Development Control Manager showed the proposed plans and what those entailed compared to the present building on site. Councillor R. O. Jones asked whether the application would be considered permissible if this was a building plot. The Officer said that in that case, the policy context would be different and an application in those circumstances would be considered under a different policy with different requirements.

Councillor Jeff Evans expressed his support for the application given that there were no local objections to it and because he felt it did not involve any major impact on the surrounding area. The proposal had been amended and he did not deem it to be overly large in terms of living space as he too took the view that the garage should be discounted from the calculations. He proposed that the application be approved. Councillor Vaughan Hughes seconded the proposal being of the opinion that this was intervention for intervention's sake and that the family was trying to shoulder its responsibilities without seeking local authority support.

The Officer said that the same policy considerations and principles apply to this application as to the previous application which was refused.

Councillor Lewis Davies proposed that the application be refused on policy grounds and because he believed the design to be out of keeping with the landscape and as such to be detrimental to an Area of Outstanding Natural Beauty. His proposal of refusal was seconded by Councillor Kenneth Hughes in the interests of consistency.

In the subsequent vote, Councillors Jeff Evans, Ann Griffith, Vaughan Hughes, R.O.Jones and Nicola Roberts voted in favour of the application. Councillors Lewis Davies, John Griffith, Kenneth Hughes, Victor Hughes, Raymond Jones and W. T. Hughes voted to refuse the application in accordance with the Officer's recommendation.

It was resolved to refuse the application in accordance with the Officer's recommendation for the reasons given in the written report.

12.4 15C212 – Full application for the restoration of the existing cottage and the conversion of the outbuilding to form 2 dwellings at Tyddyn Cook, Hermon

The application is reported to the Planning and Orders Committee at the request of a Local Member.

Councillor Ann Griffith speaking as a Local Member said that she had called in the application because of local concerns in the village. She read out to a letter of objection by a resident of the village which set out those concerns as relating to the inadequate vehicle access down the lane to Tyddyn Cook; noise and general disturbance which the proposal would generate which are contrary to the Council's Local Plan; the threat to the physical and social character of the village and its Welshness posed by the proposal and also, its potential threat to a wildlife species of

significance, Tyddyn Cook being home to several soprano pipistrelle bats which are legally protected in the UK by both domestic and international legislation.

The Development Control Manager confirmed that since the report was drafted four letters of objection have been received in the same vein as that referred to by the Local Member. The Officer reported that the key issues relate to the proposal's compliance with policy; its effects on the amenities of the neighbouring properties and whether it will have a detrimental effect on highway safety. There is a building on site which is suitable for conversion without the need for major building works as confirmed by the Structural Report. There are no immediate properties situated next to the proposal and it is not considered that the dwellings situated at the junction to the site will be detrimentally affected by the development by way of traffic. During the course of dealing with a pre-application enquiry for the proposal, the Highway Authority raised no objection to it. At the time of writing the report, a response by Natural Resources Wales was awaited and it is recommended that any issues that may arise from the presence of bats on site be dealt with by way of delegated authority to the Officers.

The Senior Engineer (Development Control) confirmed that the Highways Authority had not had sight of the letters of objection and the issues raised with regard to the access. However whilst recognising that the access road is narrow, it is a private road and it does become wider where it joins the highway. The visibility from the junction is acceptable and meets the standards. The Highway Authority is satisfied as regards access and highway safety.

Councillor Ann Griffith asked that the application be deferred to allow consideration of the letters of objection. The Development Control Manager said that albeit the letters were received after the report had been drafted, their contents have been considered.

Councillor Kenneth Hughes proposed that the application be approved and his proposal was seconded by Councillor John Griffith. Councillor Ann Griffith proposed that the application be refused on the basis of inadequate access; effects on amenities and on the Welsh language, and wildlife concerns. Her proposal of refusal was seconded by Councillor Lewis Davies.

In the subsequent vote Councillors Ann Griffith, Lewis Davies, Raymond Jones and Victor Hughes voted to reject the application. Councillors Kenneth Hughes, John Griffith, Jeff Evans, R.O.Jones, Vaughan Hughes, Nicola Robert and W. T. Hughes voted to approve the application.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report, and to delegate to the Officers the authority to deal with any issues that may arise from the presence of bats on site.

12.5 20LPA962B/FR/CC – Full application for the creation of a seating and picnic area, car parking improvements together with improvements to the access ramp at Cemaes Bay North Beach, Cemaes Bay

The application is reported to the Planning and Orders Committee because it is a Council application involving land owned by the Council and National Trust.

Councillor R. O. Jones proposed that the application be approved and his proposal was seconded by Councillor Lewis Davies.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12.6 28C12D – Full application for the demolition of the existing house together with the erection of a replacement dwelling which consists of the installation of solar PV integrated tile roofing at Broadsands, Belan, Rhosneigr

The application is presented to the Planning and Orders Committee as the land on which it is proposed the pipe work to connect to the main sewer is laid is Council owned land.

Councillor Vaughan Hughes proposed that the application be approved. His proposal was seconded by Councillor Lewis Davies.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12.7 28C497 – Full application for the erection of 12 dwellings together with the construction of a new vehicular access on land adjacent to Queen's Head, Ty Croes.

The application is presented to the Planning and Orders Committee as it is made on land in the ownership of the Council.

The Development Control Manager reported that that key issues relate to the principle of the development of affordable housing as an exception site and the impacts on adjoining occupiers. The application site is located outside, but immediately adjoining the development boundary of Bryn Du as delineated under Policy HP4 of the Stopped Unitary Development Plan. Policy 52 of the Local Plan and Policy HP7 of the stopped UDP allow, as an addition to land to meet general market housing need, the release of additional land to meet affordable housing needs in a locality as exception sites solely for the purpose of local affordable housing need where a demonstrable need for such housing exists. A local housing needs survey conducted in the Llanfaelog ward (Llanfaelog, Rhosneigr, Pencarnisiog and Bryn Du) in 2013 showed that the overall housing need is 34 households so the application is supported by policy. The scheme's layout and design has been amended to that originally submitted to address the concerns of local residents. Despite the receipt of objections regarding loss or privacy and amenity, it is not considered the development will affect amenity or privacy to such an extent as to warrant refusal. The recommendation is one of approval with conditions; a section 106 agreement is not required as the land on which the application is made is Council owned.

Councillors Richard Dew and G. O. Jones as Local Members both spoke in favour of the application and they affirmed the need for affordable housing in this locality.

Councillor Vaughan Hughes proposed that the application be approved and his proposal was seconded by Councillor Lewis Davies.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report and as reported to Committee, and to no new issues being raised in representation on the amended scheme.

12.8 34LPA1006/CC – Full application for alterations and extensions at Glan Cefni Flats, Llangefni

The application is reported to the Planning and Orders Committee as the application is on Council owned land.

Councillor Nicola Roberts proposed that the application be approved. Her proposal was seconded by Councillor R. O. Jones.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12.9 36C336 – Outline application for the erection of a dwelling with all matters reserved on land adjacent to Ffordd Meillion, Llangristiolus

The application is reported to the Planning and Orders Committee at the request of the Local Member.

The Development Control Manager reported that the key issues relate to policy compliance and effects on the amenities of the surrounding properties. Llangristiolus is defined as a Listed Settlement under Policy 50 of the Ynys Môn Local Plan and as a village under Policy HP4 of the stopped UDP. Single plot applications within or on the edge of a settlement are considered acceptable under Policy 50 of the Local Plan. The Stopped UDP which is a material factor in respect of planning decisions shows that the development boundary follows the road through the residential estate which is immediately to the front of the application site. It is therefore considered that there is a policy justification for recommending approval of the proposal as the application site is clearly on the edge of, if not within the village. It is also the Officer's view that there is ample space within the site to accommodate the proposed dwelling without resulting in the overdevelopment of the site to the detriment of the surrounding area. The recommendation is one of approval.

Councillor Victor Hughes speaking as Local Member drew attention to the following matters:

- The impact which he believed the application of Policy 50 of the Ynys Môn Local Plan had had in changing the character of Llangristiolus and the surrounding area.
- The cumulative effect which allowing successive planning applications such as this month by month has had on the Welsh language and the Welsh character of the area. The village of Llangristiolus used to be amongst the most Welsh in Anglesey; today there are 93 children in the village primary school, 58 of whom are from Welsh homes and 35 of whom are from non-Welsh homes.
- If such properties were affordable homes (and the proposed property is not) it would be so much easier for local couples to purchase them.
- The futility of making policy provision for the Welsh Language when that is then ignored in practice. The Planning and Orders Committee has over the course of the past 15 years changed the nature of the village albeit there have also been some positive influences. The balance is extremely delicate.
- The Committee did not determine where the development boundary lies but must recognise that it exists. To the left of the application site there is space for another dwelling and to the right of it there is space for four or more further dwellings. The boundary follows the route of the applicant's land all the way around and there are other potential sites for development on that boundary all of which could be brought to the Committee under Policy 50.
- A similar application within a stone's throw from the current application site was recently refused under the same Policy. The application was also rejected on appeal. Consistency should apply.
- The proposal that was refused did not extend as far into open countryside as the current proposal.
- That he opposed the application and asked for the Committee's support in bringing planning order back to the village of Llangristiolus by developing within boundary and by putting an end to sporadic development in every corner of the village.
- The rapidity with which the application has been dealt with and brought to Committee regarding which clarification was sought.
- The omission from the Officer's report of any reference to a letter by the Community Council.

He proposed that the application be refused.

The Development Control Manager said that the Development Plan in evaluating the effects of policies has taken account of potential effects on the Welsh Language so as to render such assessment on an application by application basis unnecessary. The Committee should consider the weight of evidence before it. Other applications may or may not ensue. One of the assessments to be made under Policy 50 is whether a proposal intrudes visually beyond the village or whether it sits within the village. In this case as opposed to the proposal rejected on appeal to which the Local Member refers, the Officer has assessed that the current proposal does sit neatly within the village. Whilst the Planning Service endeavours to deal with all applications as promptly as possible, the speed with which an application is dealt with is not material to determining it. The Officer confirmed that no correspondence had been received from the Community Council.

Councillor Nicola Roberts clarified a statement she made at the previous Committee meeting with regard to the Welsh Language. With regard to the proposal she suggested that the illustration of the boundary which the Committee was shown was outdated and did not include all the developments that now exist within the village.

Councillor John Griffith referred to a map of the development boundary of Llangristiolus and he suggested that the site on which Ffordd Meillion lies is an extension to the original development boundary of the village meaning that the Committee is considering an application on a site that forms an extension to an extension, thereby raising the question of where will the development end. He believed it inevitable that a development proposal would be presented either side of the current proposal. He seconded Councillor Victor Hughes in his proposal of refusal.

Councillor Lewis Davies said he had concerns regarding the application site and the potential for further development. The village has been extended lineally by developments that are not for local people. He said that he could not support the application.

Councillor Kenneth Hughes proposed that the application be approved in accordance with the Officer's recommendation. His proposal was not seconded.

In the subsequent vote, Councillors Lewis Davies, Jeff Evans, John Griffith, Ann Griffith, Victor Hughes, Raymond Jones, R. O. Jones and Nicola Roberts voted to refuse the application contrary to the Office's recommendation for the following reasons –

- No local need for the development
- Allowing the proposal would set a precedent for further future development
- The proposal lies outside the development boundary of the village, and
- The proposal does not form a logical extension to the village

It was resolved to refuse the application contrary to the Officer's recommendation for the reasons given.

In accordance with the requirements of the Council's Constitution, the application will be automatically deferred to the next meeting to allow the Officers to respond to the reasons cited for refusing the application.

12.10 30LPA1007/CC – Full application for alterations and extension at Maes y Coed Flats, Menai Bridge

The application is reported to the Planning and Orders Committee as the application is on Council owned land.

Councillor Lewis Davies proposed that the application be approved. His proposal was seconded by Councillor R.O.Jones.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12.11 145C89A – Retrospective application for the use of land as a touring caravan site for up to 12 touring caravans from 1st March to 31st December each year together with the provision of winter storage for up to 12 touring caravans at Rhos yr Eithin, Newborough

The Chair informed the Committee that an e-mail had been received stating that the application was being withdrawn.

It was resolved to note that the application had been withdrawn.

13 OTHER MATTERS

13.1 12C431C/LB – Listed Building Consent to replace the existing window with French doors at Gwynfa, Beaumaris

The application was presented to the 2nd July meeting of the Planning and Orders Committee. Members recommended approval of the Listed Building application contrary to officer recommendation.

The Development Control Manager informed the Committee that although the application has been forwarded to CADW for consideration and has been approved, CADW has expressed concerns regarding the way in which it was presented to the Committee and specifically the extent to which the Council considered the suitability of the proposal against policy and guidance in coming to its decision. The Officer said that consequently, future reports to the Committee on listed building applications will refer to the requirements of the Listed Building and Conservation Area Act 1990.

It was resolved to note the information.

13.2 22C40A – Full application for the demolition of the existing dwelling and garage, together with the erection of a replacement dwelling and garage, stables, installation of a package treatment plant and alterations to the vehicular access at Cae Maes Mawr, Llanddona

The Committee was informed that an appeal had now been lodged with the Planning Inspectorate against the Committee's decision at its 2nd July meeting to refuse the application contrary to the Officer's recommendation.

It was resolved to note the information.

**Councillor W.T.Hughes
Chair**

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6.1

Gweddill y Ceisiadau

Remainder Applications

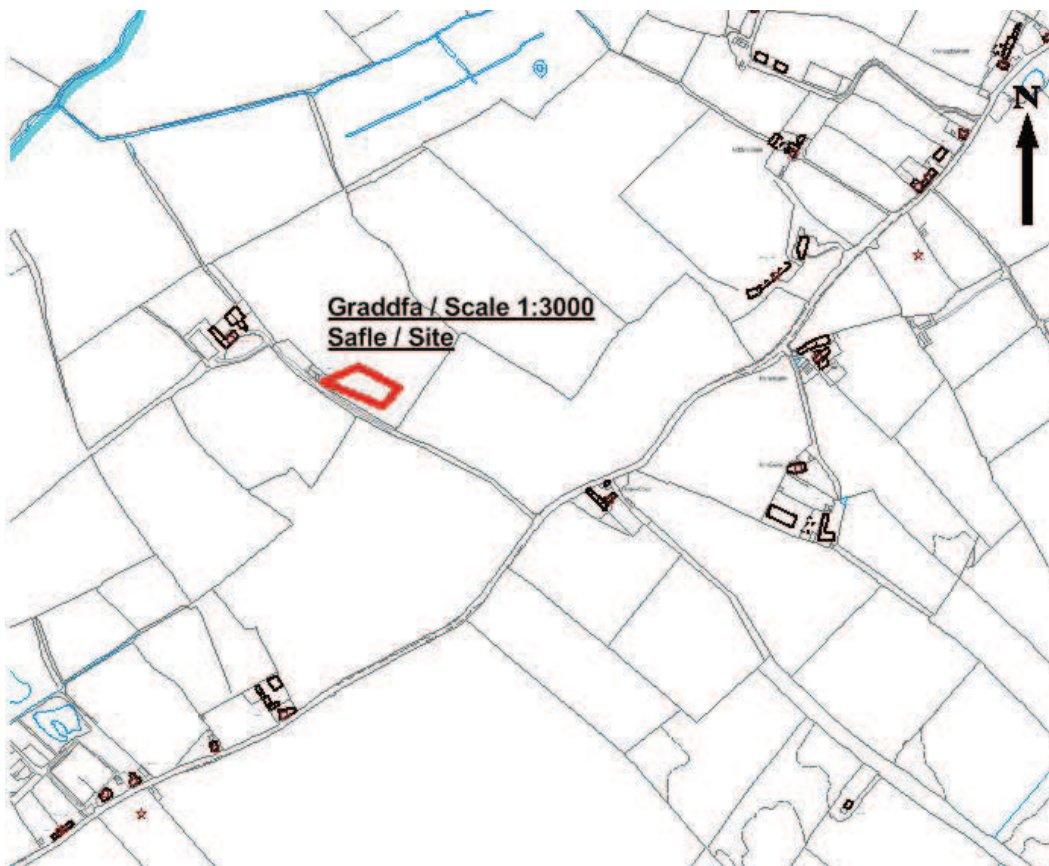
Rhif y Cais: **21C40A** Application Number

Ymgeisydd Applicant

Mr Hefin Jones

Cais llawn i godi sied amaethyddol ar gyfer cadw anifeiliaid a pit slyri ar dir yn / Full application for the erection of an agricultural shed to house livestock and a slurry pit on land at

Penrhyn Gwyn, Llanddaniel



Planning Committee: 05/11/2014

Report of Head of Planning Service (OWH)

Recommendation:

Defer.

Reason for Reporting to Committee:

The application is a full application for the erection of an agricultural shed to house livestock and a slurry pit on land at Penrhyn Gwyn, Llanddaniel

The application has been called-in for Committee determination by one of the local members.

At its meeting held on 3rd September 2014 the Planning and Orders Committee resolved to defer determination in order to allow a site visit to be made. The site was visited on 17th September.

At its meeting held on 1st October 2014 the Planning and Orders Committee resolved to defer determination of the application following Environmental Health consultation response and additional objections. This consultation response and an additional objection has been forwarded to the applicant to allow their consideration before making a decision.

Recommendation

Defer

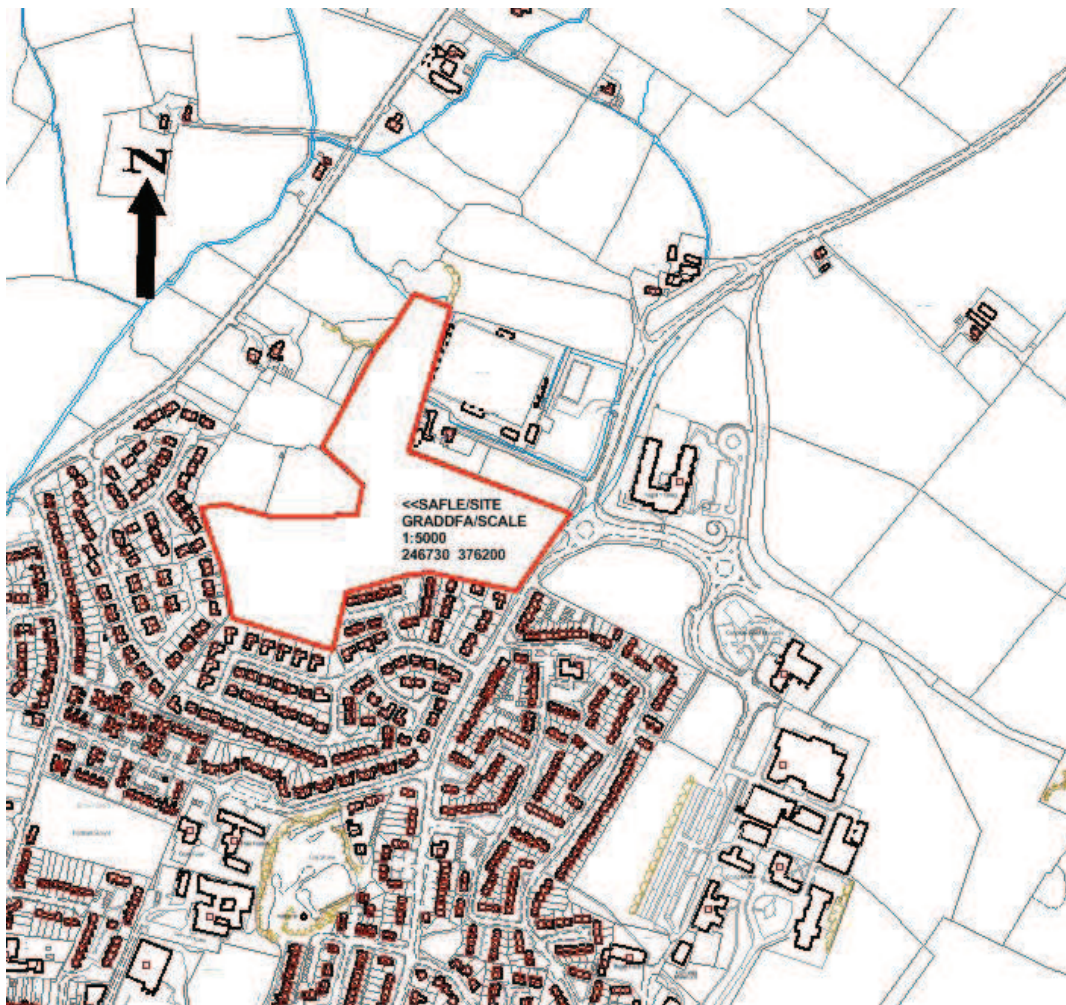
Rhif y Cais: **34C553A** Application Number

Ymgeisydd Applicant

St Malo (Llangefni) Ltd

Cais amlinellol ar gyfer datblygiad trigiannol yn cynnwys cyfleuster gofal ychwanegol, priffordd a rhwydwaith cysylltiol yn/Outline application for residential development including extra care facility, highway and associated infrastructure at

Ty'n Coed, Llangefni



Planning Committee: 05/11/2014

Report of Head of Planning Service (MTD)

Recommendation:

Defer.

Reason for Reporting to Committee:

To allow receipt of further consultation responses in respect of the re-visiting of the screening of the application which has been carried out on the recommendation of the legal section.

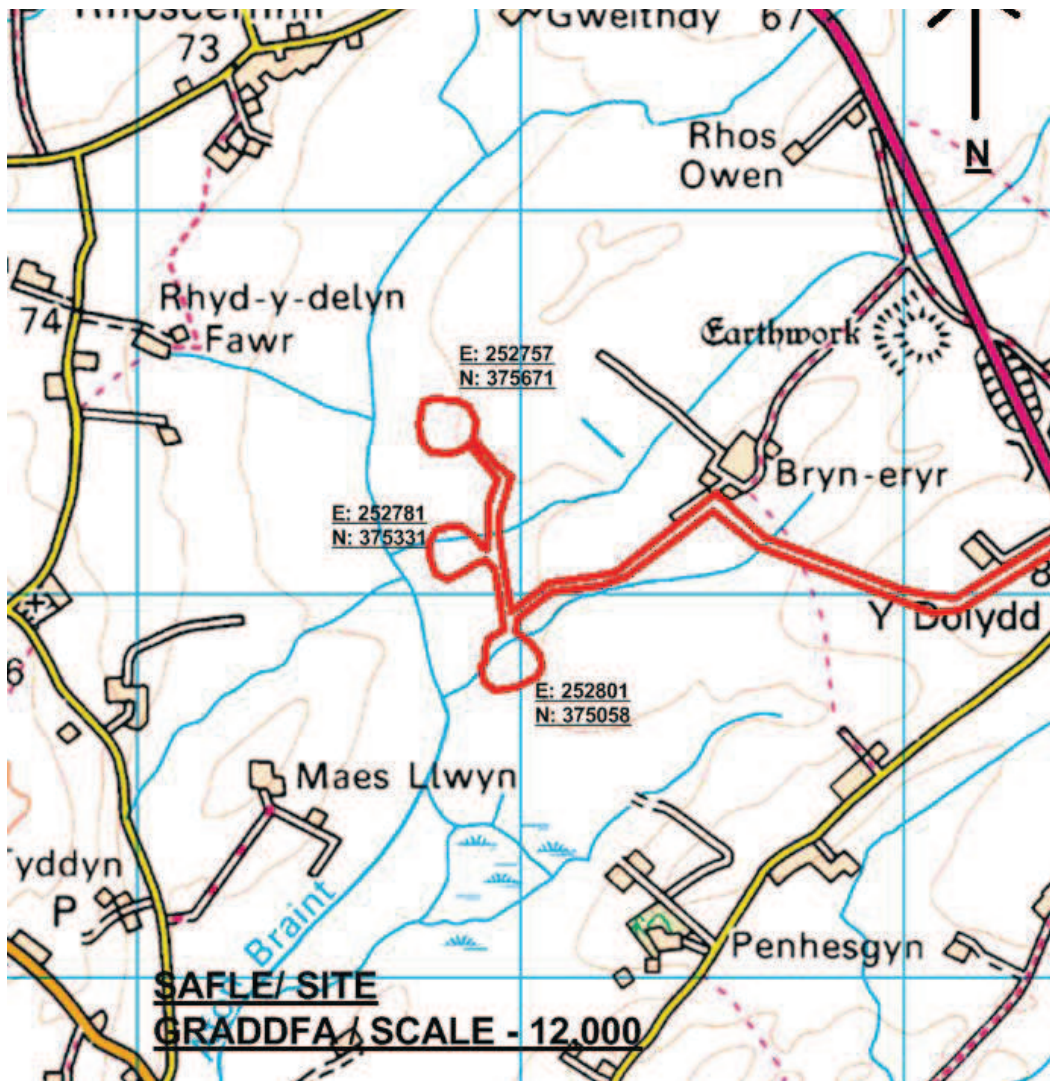
Rhif y Cais: **41C125B/EIA/RE** Application Number

Ymgeisydd Applicant

Ynys Mon Wind Energy Ltd

Cais llawn ar gyfer codi tri twrbin wynt 800kW - 900kW gyda uchder hwb hyd at uchafswm o 55m, diamedr rotor hyd at uchafswm o 52m a uchder blaen unionsyth hyd at uchafswm o 81m, gwelliannau i'r fynedfa presennol i lôn A5025, ynghyd a chodi 3 cabinet storio offer ar dir yn / Full application for the erection of three 800kW - 900kW wind turbines with a maximum hub height of up to 55m, rotor diameter of up to 52m and a maximum upright vertical tip height of up to 81m, the improvements to the existing access to the A5025 road together with the erection of 3 equipment housing cabinets on land at

Bryn Eryr Uchaf, Porthaethwy



Planning Committee: 05/11/2014

Report of Head of Planning Service (NJ)

Recommendation:

Defer

Reason for Reporting to Committee:

The application is a full application for the erection of three 800kW - 900kW wind turbines with a maximum hub height of up to 55m, rotor diameter of up to 52m and a maximum upright vertical tip height of up to 81m, the improvements to the existing access to the A5025 road together with the erection of 3 equipment housing cabinets on land at Bryn Eryr Uchaf, Porthaethwy.

At its meeting held on 4th December 2013 the Planning and Orders Committee resolved to visit the site before making its determination. The site was visited in 20th December.

At its meeting held on 8th January 2014 the Planning and Orders Committee resolved to defer determination of the application in order to receive outstanding consultee responses and to receive additional information from the applicant and to allow their consideration.

An objection to the application was received from Natural Resources Wales and a response issued by the applicant has now received consideration. NRW has requested full details of proposed mitigation measures for bats to be submitted prior to determination.

Additional details have been received from the applicant and are considered acceptable by Natural Resources Wales subject to conditions. However, issues relating to an IT link to Llanddona remain to be resolved. In the interim, the Welsh Government Transport Department has issued a directive that the application should remain pending until satisfactory details of a Traffic Management Plan are agreed.

Recommendation

Defer

7.1

Gweddill y Ceisiadau

Remainder Applications

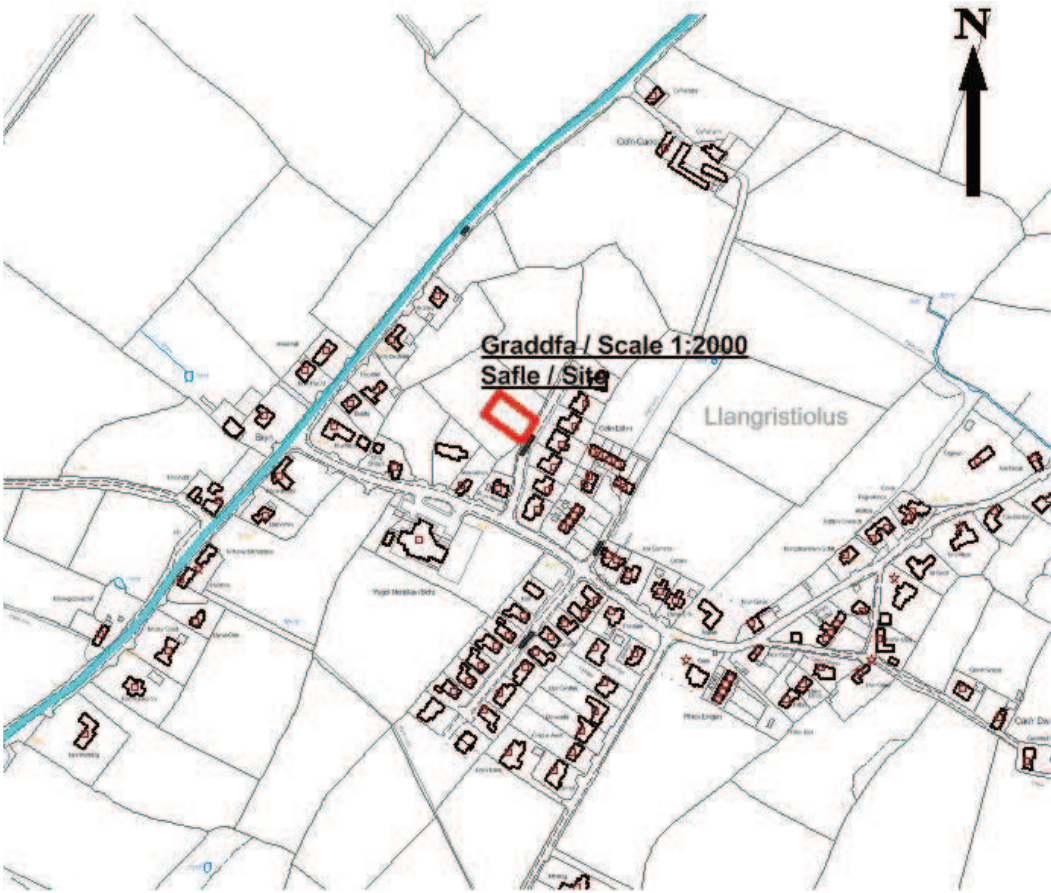
Rhif y Cais: **36C336** Application Number

Ymgeisydd Applicant

Mrs Muriel Williams

Cais amlinellol ar gyfer codi annedd gyda'r holl materion wedi'u gadw'n ôl ar dir ger / Outline application for the erection of a dwelling with all matters reserved on land adjacent to

Ffordd Meillion, Llangristiolus



Planning Committee: 05/11/2014

Report of Head of Planning Service (DFJ)

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the local member.

At its meeting held on the 1st October 2014 the Committee resolved to refuse the application contrary to officer recommendation. The recorded reasons being as follows:

- I. No local need for the development.
- II. Allowing the proposal would set a precedent for further future development.
- III. The proposal lies outside the development boundary of the village, and
- IV. The proposal does not form a logical extension to the village.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

- i. **No local need for the development:** Policy 50 of the Ynys Mon Local Plan which allows for the development of single dwellings within "listed settlements", such as Llangristiolus does not stipulate that a local need is required to be proven, consequently Policy 50 releases "open market" properties where being "local" is not a requirement.

There are other policies, such as Policy 51 "Large sites" or Policy 52 "Exception sites" where "local need" is a requirement, however these policies are not relevant in this particular case.

- ii. **Allowing the proposal would set a precedent for further future development:** Welsh Government guidance as set out in Planning Policy Wales places a duty on decision makers to consider each case on its planning merits based upon the facts of the particular case.

Whilst it is not possible therefore to presume that the approval of the application will mean that other similar applications in the locality will inevitably have to be approved it would be fair to say that the existence of a dwelling on the site would become a material consideration to be weighed in the overall balance.

Notwithstanding this, should any future application for a dwelling be received in the locality it would be subjected to the tests applied below and ultimately determined in its planning merits and upon the facts of the particular case existing at that time.

- iii. **The proposal lies outside the development boundary of the village:** Llangristiolus is recognised as a Listed Settlement in the adopted Ynys Mon Local Plan where no development boundary is shown. Policy 50 of that plan states that planning permission will normally only be granted for single dwellings within or on the edge of such settlements. Therefore in the absence of a definitive development boundary a judgement must be reached as to whether an application site can be fairly described as being within or on the edge of the settlement.

Whilst the characteristics of each site and its juxtaposition in relation to existing development will naturally be a part of this analysis, assistance can be found within the Stopped Unitary Development Plan (UDP). The UDP identifies Llangristiolus as a village with a development boundary that helps define the existing developed part of the settlement.

In this instance the application site immediately adjoins this development boundary.

The UDP is a material consideration in dealing with the current applications, however for single plot allocations in settlements such as Llangristiolus Policy 50 of the Local Plan carries greater weight and as stated above it does allow for development within or on the edge of settlements.

In accepting the above it can be seen that refusing the application purely on the grounds that it “lies outside the development boundary” is misguided as Policy 50, in appropriate circumstances allows this.

- iv. **The proposal does not form a logical extension to the village:** Having established that Policy 50 carries significant weight it is relevant to consider further criteria 1 of the policy that states:
“The proposal is clearly within, or forms a reasonable minor extension to the existing developed part of the settlement, and would not constitute an undesirable intrusion into the landscape or harm the character and amenities of the locality”.

Again a judgement is required in reaching this assessment, and it is helpful to break down the factors that need to be taken into account, as follows;

- **Is it clearly within, or does it form a reasonable minor extension to the existing developed part of the settlement** - As discussed above it is considered that the site can reasonably be described as being part of the developed part of the village as a newly constructed housing estate to the west immediately adjoin the site, dwellings also lie in close proximity to the south, the local primary school is close by and dwellings lie to the east of the site, albeit some distance away. It is considered therefore that in weighing these factors it is reasonable to describe the site as being an extension to the developed part of the settlement.

As the proposal is for a single plot it is also considered reasonable to conclude that given the size of the village it is a reasonable and minor extension.

- **Does it constitute an undesirable intrusion into the landscape** - It is acknowledged that

the plot does encroach into an undeveloped field. However when viewed from the B4422 roadway leading into the village the proposed dwelling will be viewed against the backdrop of the housing development described above and will not therefore be readily identifiable as an isolated feature intruding into the landscape.

Likewise when approaching the site along the highway leading from the B4422 into the village the proposed dwelling will be largely screened by existing housing and as the site is neared the proposed dwelling will be read as forming an integral part of the existing dwellings mentioned above.

When approaching the site from the lower part of the village the proposed dwelling will be screened by a mass of existing dwellings and will not be visible.

The site will be directly visible from the estate road that it adjoins, however this view is very localised and again will be set against the backdrop of existing housing described above.

It is not considered therefore that given the juxtaposition of the site to existing dwellings and its location in the landscape that it will constitute an undesirable intrusion within the wider landscape.

- **Does it harm the character and amenities of the locality-** Llangristiolus is typical of many villages on Anglesey that has developed and evolved over time resulting in a mixture of housing types ranging from traditional cottages, terraced properties, large detached dwellings and estate development.

A particular characteristic of the village is the amount of modern development that has taken place over the recent years; one aspect of which being the construction of large modern detached dwellings. It can be said therefore that by today these recent developments have to a great extent defined the very character of the village and as a result it is difficult to argue that the construction of a dwelling at the proposed site will be harmful in this respect.

Likewise it is difficult to articulate that amenity will be harmed by the proposal. As it is not considered to be out of character its wider impacts on the village are likely to be very limited. In terms of immediate neighbouring properties it is considered that sufficient space and distances are maintained that adequately mitigate against any dis-amenity. It is also relevant to note that no objections are raised by immediate neighbours.

It is considered therefore that it cannot be demonstrated that the proposal harms either the character or amenity of the locality.

1. Conclusion

It is accepted that each the reasons put forward are capable of being genuine and material planning reasons. However in considering the facts of this particular case officers have the following concerns;

No local need for the development- Policy 50 releases “open market” housing where being “local” is not a requirement.

Allowing the proposal would set a precedent for further future development- It is not possible to presume that this will necessarily be the case for the reasons outlined above.

The proposal lies outside the development boundary of the village- Acceptability or otherwise of a proposal for a single dwelling under Policy 50 of the Local Plan is not contingent upon being within a

“development boundary”.

The proposal does not form a logical extension to the village- The analysis carried out above suggests that the site will not be identifiable as an isolated feature in the landscape and will be read as forming an integral part of the existing developed part of the village.

2. Recommendation

It is considered that the application is compliant with development plan policy and causes no demonstrable harm and ought to be approved.

Should members maintain their objection to the application and recommend refusal for the reasons put forward it is considered that they would be difficult to defend at appeal and may risk costs against the authority.

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Planning Committee: 05/11/2014

Report of Head of Planning Service (MTD)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is submitted to the committee as an application which is contrary to the adopted Ynys Mon Local Plan but that can be supported under the Stopped Unitary Development Plan.

1. Proposal and Site

The proposal is for outline planning permission for the erection of a dwelling. The application site forms part of the curtilage of a property known as Dafarn Drip in the village of Cerrig Man between Amlwch and Penysarn.

2. Key Issue(s)

- Principle of development
- How well the dwelling would integrate with its surroundings
- Highways issues

3. Main Policies

Ynys Mon Local Plan

1 – General
31 – Landscape
42 – Design
48 – Housing Development Criteria
53 – Housing in the Countryside

Gwynedd Structure Plan

A6 – New Dwellings in the Open Countryside
D3 – Landscape Conservation Areas
D4 – Location, Siting and Design
D28 – Natural Slates
D29 – Design
D32 – Landscaping

Stopped Unitary Development Plan

GP1 – Development Control Guidance
GP2 – Design
TR10 – Parking Standards
EN1 – Landscape Character
HP5 – Countryside Hamlets and Clusters.
SG5 – Private Sewage Treatment Facilities
SG6 – Surface Water Run Off

Planning Policy Wales 2014

TAN 12 - Design

4. Response to Consultation and Publicity

Local Members – No response at time of writing report.

Welsh Water – No comments.

Community Council – No response at time of writing report.

Highways – Recommend condition regarding provision of a 2.4m x 120m visibility splay.

Drainage – Comments

5. Relevant Planning History

24C261: Outline application for the erection of a dwelling on land at Dafarn Drip, Cerrigman.
Approved - 14/08/2009

6. Main Planning Considerations

Principle of Development

The application site is considered as being in the countryside under the provisions of the Ynys Mon Local Plan; however, it is identified as a Countryside Hamlet and Cluster under policy HP5 of the Stopped Unitary Development Plan.

The Stopped Unitary Development Plan remains a material planning consideration in view of the advanced stage reached in the Unitary Development Plan adoption process and since it has been subject to scrutiny at a Public Enquiry and supported in the Inspectors Report of 2004.

The principle of development is therefore accepted as the proposal is acceptable under the provisions of policy HP5 of the Stopped Unitary Development Plan and this is a material consideration of significant weight.

It should be noted that outline planning permission was previously given for a dwelling on this site in 2009 as listed above.

Impact on the Surroundings

In landscape terms it is considered that the site forms an acceptable infilling that does not cause detriment to the wider landscaping setting.

The proposal is therefore acceptable in broad landscape terms and is well integrated with its immediate surroundings.

Additionally given the proposed dwelling relation with nearby properties it is not considered that there will be harm to residential amenities.

Highways and Drainage

The Highways Department have raised no objection to the proposed development, however, they

have recommended that a 2.4m x 120m visibility splay be provided as part of the development.

7. Conclusion

Whilst the proposal is contrary to the policy 53 contained within the Ynys Mon Local Plan and policy A6 of the Gwynedd Structure Plan, the proposal is acceptable under the provisions of policy HP5 of the Unitary Development Plan given the weight that can be given to this the proposals are considered acceptable.

8. Recommendation

To **permit** the development subject to conditions.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To prevent the accumulation of planning permissions: to enable the council to review the suitability of the development in then light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act

(02) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

Reason: To ensure that the development is in the interests of amenity.

(03) The prior agreement of the local planning authority in writing shall be obtained before any trees or hedges on the site or on the boundaries of the site are lopped, topped or felled, and if any such trees or hedges are felled they shall be replaced to the satisfaction of the local planning authority.

Reason: To ensure that the development is in the interests of amenity.

(04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: To ensure that the development is in the interests of amenity.

(05) The access shall be constructed with 2.4 meter by 120.0 meter splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

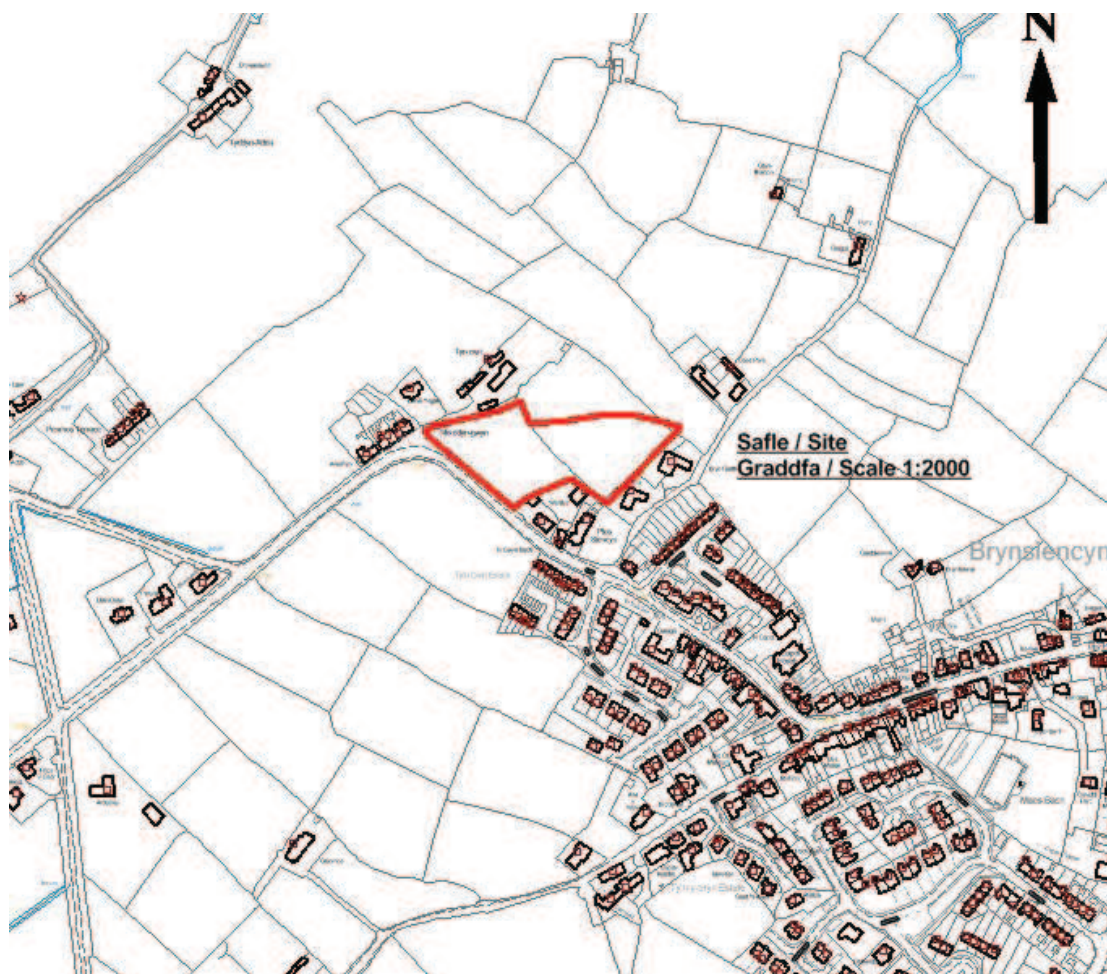
Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

Rhif y Cais: **37C26T/VAR** Application Number

Ymgeisydd Applicant

Mrs Helen Sweeney

Cais o dan Adran 73 i ddiwygio amodau (02) a (03) o ganiatâd cynllunio rhif 37C26S (adnewyddu caniatâd cynllunio 37C26P ar gyfer datblygiad trigriannol) er mwyn adnewyddu caniatâd cynllunio amlinellol ar dir ger / Application under Section 73 for the variation of conditions (02) and (03) of planning permission reference 37C26S (renewal of planning consent 37C26P for residential development) to re-new outline planning permission on land adjacent to

Merddyn Gwyn, Brynsiencyn

Planning Committee: 05/11/2014

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is submitted to the committee as an application which is in part contrary to the adopted Ynys Mon Local Plan but that can be supported under Stopped Unitary Development Plan policy.

1. Proposal and Site

This application is to renew the permission granted under ref 37C26S on the 18/10/2011.

The application is in outline form but includes details of the site layout and means of access. 13 dwellings are proposed, 4 of which are to be Affordable

The site is located at the north western edge of the village and comprises of two field enclosures of rough grassland.

Established trees and hedges are to be found along site boundaries and an existing access into the site exists from the adjoining A4080 highway.

2. Key Issue(s)

- Principle of development
- Impact on surroundings
- Highways and drainage issues
- Affordable housing

3. Main Policies

Gwynedd Structure Plan

Policy A2: Housing

Policy A3: Housing

Policy A9: Housing

Policy D3: Landscape conservation areas

Policy D4: Location, siting and design

Policy FF12: Parking standards

Ynys Mon Local Plan

Policy 1: General Policy

Policy 26: Car Parking

Policy 31: Landscape

Policy 32: Landscape

Policy 42: Design

Policy 48: Housing Development Criteria

Policy 49: Defined Settlements

Policy 51: Large Sites

Stopped Unitary Development Plan

GP1: General Policy

GP2: Design
EN1; Landscape character areas
EN14: Tree Preservation Orders & Hedgerows
HP2: Housing Density
HP4: Villages
HP7: Affordable Housing – Housing Need
SG4: Foul Sewage Disposal
SG6: Surface Water Run Off

Relevant National or Local Policy

Planning Policy Wales Edition 7
Technical Advice Note 2 “Planning & Affordable Housing.”
Technical Advice Note 12 “Design”
Technical Advice Note 18 “Transport”

4. Response to Consultation and Publicity

Community Council : No objection

Highways: No recommendation on highway grounds. Comments in relation to footpath.

Natural Resources Wales: Previous advice remains valid.

Drainage: no objection to renewal.

Responses were awaited from the following consultees:

Cllr H E Jones
Cllr V Hughes
Joint Planning Policy Unit
Dwr Cymru-Welsh Water

2 letters of objection had been received at the time of writing raising concerns regarding overlooking and loss of privacy from the proposed dwellings together with the devaluation of property. The siting of the buildings and the access to the site were included at the outline stage and were considered acceptable in policy terms. There has been no material change in circumstances since the approval was granted.

5. Relevant Planning History

There is an extensive planning history extending back to the early 1960's. The majority of these applications relate to the residential development of the land and the planning file indicates that permission for 7 bungalows issued in the early 1980's has been safeguarded.

The more recent planning history can be summarised as follows;

37C26: Erection of a home for the elderly together with the re-siting of 7 dwellings previously approved under A/436K. Approved: 12.09.86

37C26B: Re-siting of 7 bungalows previously approved under planning consent A/436J. Approved: 21.10.88

37C26C: Use of land for the erection of a dual registration residential and nursing home. Refused: 08.01.88

37C26D: Use of land for the erection of a dual registration residential and nursing home. Refused: 20.04.88

37C26F: Erection of 23 bungalows to provide starter homes. Refused: 04.03.92

37C26G: Residential development for the erection of 6 dwellings. Approved: 05.11.93

37C26H: Installation of septic tanks on plots 6 & 7. Approved: 26.01.95

37C26J: Erection of dwellings on plots 6 and 7. Approved: 24.01.00

37C26M: Amended plans for the erection of a dwelling at plot 7. Approved: 04.10.00

37C26N: Outline application for residential development. Refused: 09.09.02.

37C26P: Outline application for residential development. Approved: 14.12.07

37C26S: Renewal of outline planning permission for residential development granted under reference 37C26P. Approved: 18.10.2011

6. Main Planning Considerations

As the material considerations have not changed since the application was approved there is no objection to the renewal of the permission. I have, however reproduced below the Officers considerations from when the application was first determined so as to give members a clear picture as to why the application was originally approved.

"Inevitably an application of this kind raises a wide and diverse range of issues that need to be taken into account. It is not possible to deal with each and every one of these issues in detail and accordingly I have distilled what I consider to be the main issues as follows:

Principle of development & Policy context:

The settlement is identified as a Defined Settlement in the adopted Ynys Mon Local Plan with approximately 50% of the application site lying outside the development boundary.

It is identified as a Village in the Stopped Unitary Development Plan where the entire application site is within the development boundary and is allocated for housing.

The Stopped Unitary Development Plan remains a material planning consideration. Following on from the resolution of the Executive Committee on the 26th February 2007 that "the current levels of residential development are acceptable" it is considered that the logical areas to develop are the sites allocated in the Stopped Unitary Development Plan since they have been subject to scrutiny at a Public Inquiry and supported in the Inspector's Report of 2004.

The principle of development is therefore accepted as approximately 50% of the site lies within the adopted Development Plan. The remainder of the site is allocated for housing development within the Stopped Unitary Development Plan and this is a material consideration of significant weight given the stage reached and in light of the recent resolution of the Executive Committee.

Impact on surroundings:

The site is flanked by existing residential development with its frontage running alongside the A4080, the rear of the site backs onto open countryside. In visual terms the site is well related to the built confines of the village and forms a logical rounding off rather than forming an intrusion into the countryside.

In landscape impact terms it is considered that the site forms an acceptable infilling that does not cause detriment to the wider landscape setting.

The proposed density for the site is approximately 20 per hectare which is below the average of 30 identified in the Stopped Unitary Development Plan. However, it is recognized that density will vary with the characteristics and design issues related to individual sites. In this instance the density is considered acceptable given the semi rural location of the site and the desirability of retaining existing trees and hedgerows were possible.

The proposed layout has been submitted for consideration and it is considered that due regard has been had to the location of existing properties surrounding the site. The proposal will inevitably change the situation for the occupiers of adjoining properties as there will be a housing estate on what was previously an undeveloped piece of land. It is considered that the greatest impact in terms of change of outlook is likely to be on the properties known as Lleifior and Ty'n Cwrt, other properties will be effected but to a lesser degree.

Nevertheless, it is considered that the proposed layout and the juxtaposition of the proposed dwellings to existing properties is such that loss of amenity by reason of overshadowing, loss of privacy or overlooking will not be so severe as to make the proposal unacceptable.

On balance it is considered that the layout is such that sufficient distances are maintained between existing and proposed properties and that the proposal integrates well with its surroundings. Existing trees and hedges that are to be retained will help in this respect and additional landscaping and screening can be accommodated on site as required.

The proposal is therefore acceptable in broad landscape terms and is well integrated with its immediate surroundings.

Highways & Drainage issues:

There are no objections raised by Statutory Consultees.

Foul drainage will discharge into the public sewerage system and Welsh Water can foresee no problems with the treatment of domestic discharges from the site.

Technical details relating to surface water disposal have been submitted with the application. Both the domestic and the highway surface water run off will be accommodated on site via soakaway.

Statutory consultees are content with these proposals in principle subject to a detailed scheme being submitted and agreed prior to any commencement of development at the site. A new site access is proposed onto the A4080 highway. The Head of Service (Highways & Transportation) is satisfied that the proposed access is suitable and in reaching that conclusion will have had regard to the relevant standards, the characteristics of the site and the surrounding road network.

There are therefore no technical objections in relation to highways and drainage issues.

Affordable Housing:

The proposal triggers the requirement for affordable housing under policies 51 of the adopted Ynys Mon Local Plan and HP7 of the Stopped Unitary Development Plan.”

This was secured by way of a Section 106 agreement. A new agreement will need to be signed prior to the release of this permission.

7. Conclusion

As with any planning proposal there are points that can be made for and against. In this instance I have considered the substance of representations made by the public, the applicant and statutory consultees alike and have balanced these against the relevant policy context.

In doing this I have identified what I consider to be the main issues and my analysis is that on balance the proposal can be supported on policy grounds, I find that its impact on its surroundings, there are no technical objections and it will meet a housing need. I consider therefore that the application is acceptable and ought to be approved.”

As the material considerations have not changed since the application was approved there is no objection to the renewal of the permission.

8. Recommendation

Permit subject to the signing of a S106 agreement requiring the provision of 4 affordable dwellings

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

(01) The approval of the Council shall be obtained before any development is commenced to the following reserved matters viz. design, external appearance of the building and the landscaping of the site.

Reason: To comply with the requirements of the Town & Country planning Act 1990.

(02) Application for approval of the reserved matters hereinbefore referred to shall be made not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of the Town & Country planning Act 1990.

(03) The development to which this permissionrelates shall be begun not later than whichever is the later of the following dates namely: -

(a) the expiration of five years from the date of this permission or

(b) the expiration of two years from the final approval of the said reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with the requirements of the Town & Country planning Act 1990.

(04) Full details of all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the local planning authority before any work on the site is commenced, unless otherwise agreed in writing with the local planning authority. Such works shall be erected following completion of the building(s) or the completion of the development, whichever is the sooner.

Reason: To ensure the satisfactory appearance of the development and to safeguard the character of the site and its setting on the edge of a rural area.

(05) The prior agreement of the local planning authority in writing shall be obtained before any trees or hedges on the site or on the boundaries of the site are lopped, topped or felled, and if any such trees or hedges are felled they shall be replaced to the satisfaction of the local planning authority.

Reason: To ensure the satisfactory appearance of the development and to safeguard the character of the site and its setting on the edge of a rural area.

(06) The site shall be landscaped and trees and shrubs shall be planted in accordance with a scheme to be agreed in writing with the local planning authority before any development work is commenced on the site, unless otherwise agreed in writing with the local planning authority. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained for a period of five years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation.

Reason: To ensure the satisfactory appearance of the development and to safeguard the character of the site and its setting on the edge of a rural area.

(07) Areas around all the trees to be retained as part of the development hereby permitted shall be protected during site clearance and construction work by a 1 metre minimum chestnut paling fence erected 1 metre outside the crowns of the trees or as otherwise agreed with the local planning authority. Within these areas the existing ground level shall be maintained and they shall not be used for the placing or storage of any materials, temporary buildings, plant, machinery or surplus soil. If any trenches for services are required within these areas they shall be excavated and backfilled by hand and any tree roots with a diameter of 50 mm. or more shall be left unsevered.

Reason: To ensure the satisfactory appearance of the development and to safeguard the character of the site and its setting on the edge of a rural area.

(08) The access shall be laid out and constructed strictly in accordance with the submitted plan before any work is commenced on the dwellings. The existing wall/fence/hedge along the boundary shall be removed and replaced along the line of the vision splays where they lie within the curtilage of the site.

Reason: To comply with the requirements of the Highway Authority.

(09) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 metre above the level of the adjoining county road carriageway along the whole length of the site's boundary with the adjoining highway and nothing exceeding this height erected within 2m. of the said wall.

Reason: To comply with the requirements of the Highway Authority.

(10) The access shall be completed to a rolled and blinded hardcore finish with the surface water drainage system completed and in working order any work is commenced on the dwellings.

Reason: To comply with the requirements of the Highway Authority.

(11) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: To comply with the requirements of the Highway Authority.

(12) The estate road(s) shall be completed to a base course finish with the surface water drainage system complete and in working order before any work is commenced on the dwellings which it serves.

Reason: To comply with the requirements of the Highway Authority.

(13) The estate road(s) shall be kerbed and the carriageway and footways finally surfaces and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the site or such any other period as may be agreed in writing with the L.P.A. whichever is the sooner.

Reason: To comply with the requirements of the Highway Authority.

(14) Foul water and surface water discharges shall be drained separately from the site

Reason: To protect the integrity of the public sewer.

(15) No surface water shall be allowed to connect directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system to protect the health and safety of existing residents and ensure no detriment to the environment.

(16) Land drainage run-off shall not be permitted to discharge directly or indirectly into the public sewerage system

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the environment.

(17) No development shall commence until a scheme for the comprehensive and integrated drainage of the site showing how foul water surface water and land drainage will be dealt with and this has been agreed in writing by the Local Planning Authority in liaison with Dwr Cymru Welsh Water's Network Development Consultant.

Reason; To ensure that effective drainage facilities for the proposed development and that no adverse impact occurs to the environment or the existing public sewerage system.

(18) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding.

Informatives

The Highway Authority shall not be responsible for any road surface water entering the site as the result of the development.

Any adjustments, resiting and/or protection of any statutory services in the highway shall be his responsibility and carried out at his own expense.

The footway and/or verge crossing required in connection with this development shall be carried out at his expense by the Highway Authority, their Agents or other approved Contractor before the access is brought into use and completed before the use is commenced.

The developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants.

The granting of planning permission does not entitle the developer to interfere with the Public Footpath.

The granting of planning permission does not entitle the developer to disturb any existing rights of way.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the

issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

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11.1

Gweddill y Ceisiadau

Remainder Applications

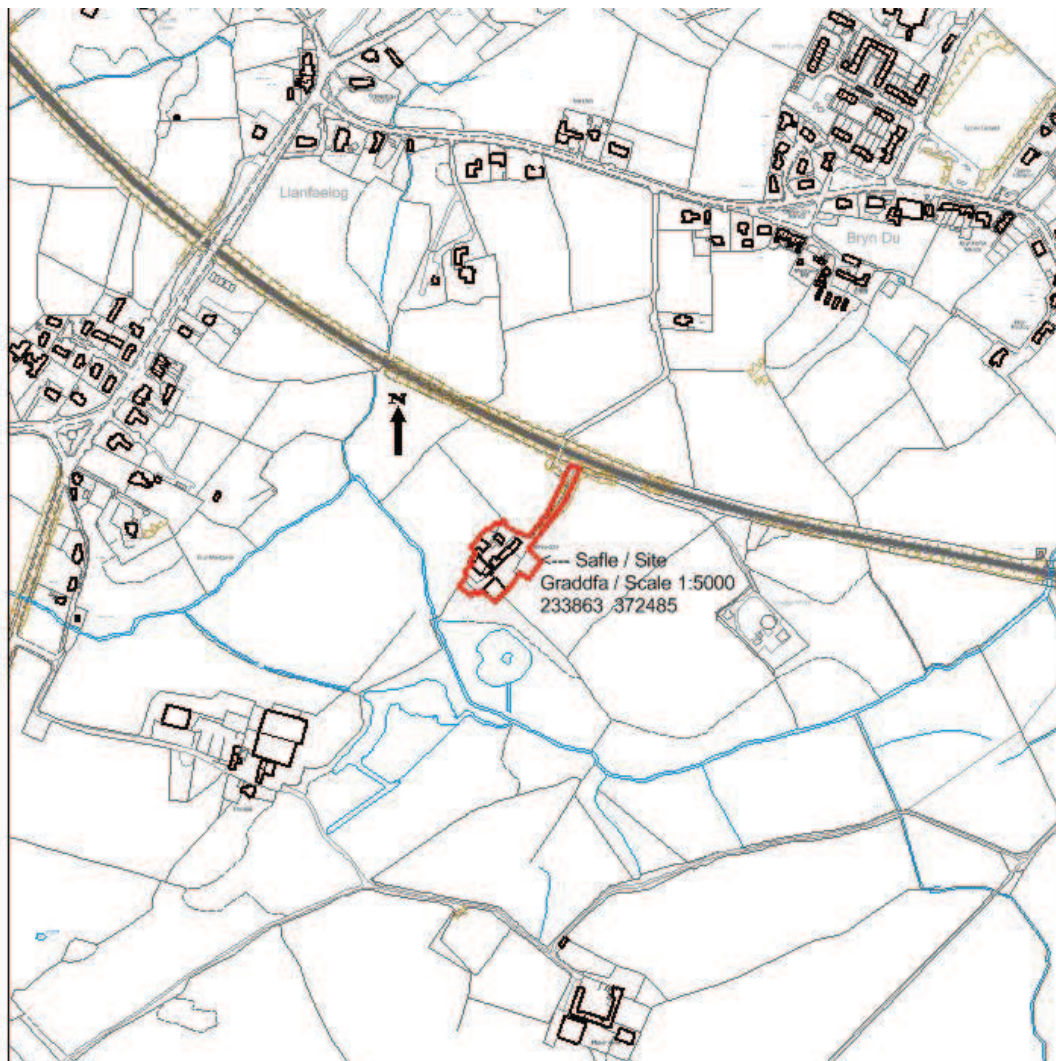
Rhif y Cais: **28C354B/DEL** Application Number

Ymgeisydd Applicant

Mr Richard Dew

Cais o dan Adran 73 i dynnu amodau (07), (08) a (09) (amodau yn cyfyngu'r uned ar gyfer defnydd gwyliau) o caniatâd cynllunio rhif 28C354A (dymchwel yr adeilad allanol presennol ynghyd a chodi uned gwyliau yn ei le) a'i amnewid gyda amodau deiliadaeth gwyliau sengl ynghyd a'i defnyddio fel anecs i'r annedd yn / Application under Section 73 for the removal of conditions (07), (08) and (09) (conditions restricting the use of the unit for holiday purposes) from planning permission reference 28C354A (demolition of the existing outbuilding and the erection of a holiday unit) and replacement with single holiday occupancy conditions together with its use as an annexe to the dwelling at

Glan Y Gors, Llanfaelog



Planning Committee: 05/11/2014

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is submitted by a Local Member.

1. Proposal and Site

The site forms part of a complex of buildings at Glan Gors which are let as holiday accommodation.

The planning permission for the holiday letting unit is restricted by conditions which allow only a seasonal use for no more than 28 days per let. The application seeks the updating of the conditions to reflect the advice contained in TAN 13 as well as to allow the use of the unit as an annexe to the main dwelling in order to accommodate an elderly relative.

2. Key Issue(s)

Compliance with planning policies and policy advice.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 8 – Holiday Accommodation

Gwynedd Structure Plan

Policy CH2- Holiday Accommodation

Stopped Ynys Mon Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy TO2 – Holiday Accommodation

National Planning Policy and Guidance

Planning Policy Wales (Edition 7)

Technical Advice Note 13 – Tourism

4. Response to Consultation and Publicity

The Local Member and Community Council were consulted but no response had been received at the time of writing.

Neighbours were notified through site notice, personal notification and press advert but no response had been received by the expiry date of 15th October 2014.

5. Relevant Planning History

28C354 Full plans for the demolition of the existing outbuilding and the erection of 2 holiday units

together with the conversion of the remaining outbuilding to be a third holiday unit together with the installation of a new septic tank at Glan y Gors, Llanfaelog - Approved 20/10/2005

28C354A Amended plans for the demolition of the existing outbuilding and the erection of a holiday unit in lieu of previously approved application 28c354 for the conversion of the outbuilding into a holiday units at Glan y Gors, Llanfaelog – Approved 05/06/2006.

6. Main Planning Considerations

The holiday letting business at Glan y Gors is operational and consists of 3 letting units, two located near the existing dwelling and the third located in a small yard behind the dwelling.

The application involves this third unit. The current planning permission restricts the holiday letting of this unit to between 1st March and 31st January in any year and to no longer than 28 consecutive days per let.

TAN 13 advises that a holiday occupancy condition rather than a seasonal occupancy suits most circumstances, advising that seasonal occupancy conditions can continue to apply in circumstances where for example due to construction or design, a building is unsuitable for continuous occupation in the winter months or where the site is near a habitat which requires protection at particular times of the year. Neither apply in this case and it is considered acceptable to amend the current conditions to provide for holiday occupancy in accordance with TAN 13 advice.

In addition, the application seeks permission for the use of the unit as an annexe to the dwelling at Glan y Gors in order to accommodate an ailing elderly relative. The use as an annexe as opposed to a holiday letting unit would not create any additional impacts at the site in terms of amenity or landscape effects. Use as both an annexe and as a holiday unit does not equate to a use as a stand-alone permanent dwelling. It is not considered therefore that the proposed annexe use is in conflict with established planning policies.

The permission granted under application 28C354A was subject to a Section 106 legal agreement to retain the holiday units as a single enterprise with the other two holiday units on the site. It is considered that a planning condition can achieve the same objective.

7. Conclusion

The use as an annexe is considered acceptable in amenity and policy terms. The variation of the holiday conditions to allow a holiday use rather than seasonal occupancy is in line with national planning advice.

8. Recommendation

To **permit** the application subject to the following conditions:

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

(01) The development to which this permission relates shall be begun not later than five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) The annexe hereby approved shall be used for the purposes of a residential annexe incidental to the enjoyment of the dwelling at Glan y Gors, Llanfaelog and as a holiday letting unit and shall at no time be used as permanent residential premises.

Reason: To define the scope of this permission.

(03) A register of all letting of the unit as a holiday unit shall be kept and made available to the local planning authority on request.

Reason: To prevent unauthorised uses taking place.

Rhif y Cais: **30C728B/DEL** Application Number

Ymgeisydd Applicant

Mr James Burgess

Cais o dan Adran 73 i dynnu amodau (10), (11) a (12) (Cod Cartrefi Cynhaliadwy) o caniatâd cynllunio rhif 30C728 (cais amlinellol i codi annedd) ar blot 3, ar dir ger / Application under Section 73 for the removal of conditions (10), (11) and (12) (Code for Sustainable Homes) from planning permission reference 30C728 (outline application for the erection of a dwelling) on plot 3, on land adjacent to

Meusydd, Llanbedrgoch



Planning Committee: 05/11/2014

Report of Head of Planning Service (DO)

Recommendation:

Permit.

Reason for Reporting to Committee:

The applicant is employed by the Local Authority and is a 'relevant officer' as defined within paragraph 4.6.10.4 of the Constitution.

The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

1. Proposal and Site

The site lies within the settlement boundary of Llanbedrgoch.

The application is for the removal of conditions (10), (11) and (12) of planning permission 30C728 which relate to the code for sustainable homes.

2. Key Issue(s)

The key issue is whether the proposal complies with the requirement of Technical Advice Note 12: Design.

3. Main Policies

Ynys Mon Local Plan

- 1 – General Policy
- 48 – Housing Development Criteria
- 50 – Listed Settlement
- 26 – Car Parking
- 31 - Landscape
- 42 - Design

Gwynedd Structure Plan

- A2 - Housing
- D3 - Environment
- D28 - Design
- D29 - Design
- D32 - Design
- FF12 - Transport

Stopped Unitary Development Plan

- GP1 – Development Control Guidance
- GP2 – Design
- HP5 – Countryside Hamlets and Clusters
- EN1 – Landscape Character
- TR10 – Parking Standards

SG5 – Private Sewage Treatment Plant
SG6 – Surface Water Run Off

Technical Advice Note 12: Design

Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment.

4. Response to Consultation and Publicity

Cllr V Hughes – No response at time of writing report.

Cllr I Williams – No response at time of writing report.

Cllr D R Hughes – No response at time of writing report.

Community Council – Approve

The application was afforded two means of publicity these were; the posting of a site notice near the site and the serving of personal notifications on neighbouring properties. The latest date for the receipt of representations was the 09/10/2014 at the time of writing the report no letters of representation has been received at the office.

5. Relevant Planning History

30C728 – Outline application with all matters reserved for the erection of a dwelling together with the construction of a new access and installation of a sewage treatment plant on land adjacent to Meusydd, Llanbedrgoch. Approved 05/01/2012

30C728A/DA – Reserved matters application for the erection of 1 dwelling on land adjacent to Meusydd, Llanbedrgoch. Approved 22/05/2014

6. Main Planning Considerations

An outline application with all matters reserved for the erection of a dwelling on land at Meusydd, Llanbedrgoch was approved on the 05/1/2012.

Conditions (10), (11) and (12) of this approval relate to the code for Sustainable Homes. Under the now cancelled TAN 22 new housing development was required to meet a requirement of the Code for Sustainable Homes and there was a policy requirement to impose planning conditions to meet that objective. In its clarification letter of the 5th June 2014 however the Welsh Government through its Minister for Housing and Regeneration announced the withdrawal of the policy on 31st July 2014 and stated that:

“Any application determined after the 31 July 2014, including Section 73 applications which might seek to remove extant conditions on planning permissions requiring the relevant Code for Sustainable Homes / BREEAM levels to be achieved, should be assessed in accordance with the policy changes and any existing adopted LDP policy which may require a higher standard.”

The dwelling which was approved was required to meet the Code for Sustainable Homes but given the policy changes, the request to delete the conditions is considered acceptable in accordance with Welsh Government advice.

As an application under Section 73 is in effect the granting of a whole new planning permission, consideration should be given to what other conditions on the original grant of planning permission need to be included in the new permission. The development has begun on site therefore the 5 year time limit to commence is no longer relevant.

7. Conclusion

The deletion of the conditions is acceptable in accordance with current planning policies.

8. Recommendation

To **permit** the development subject to conditions.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

(01) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

Reason: To ensure that the development is in the interests of amenity.

(02) The access shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

Reason: To comply with the requirements of the Highway Authority.

(03) The access shall be completed with a bitumen surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 metres from the nearside edge of the County Highway with the surface water drainage system completed and in working order before the use hereby permitted is commenced.

Reason: To comply with the requirements of the Highway Authority.

(04) The existing highway boundary wall/fence/hedge or any new boundary erected fronting the highway shall at no time be higher than 1 metre above the level of the adjoining county road carriageway along the whole length of the site's boundary with the adjoining highway and nothing exceeding this height erected within 2 metres of the said wall.

Reason: To comply with the requirements of the Highway Authority in the interest of road safety.

(05) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: To comply with the requirements of the Highway Authority.

(06) The access shall be constructed with its gradient not exceeding 1 in 20 for the first 5 metres back from the nearside edge of the adjoining carriageway.

Reason: To comply with the requirements of the Highway Authority.

Informative

The Highways Authority shall not be responsible for any road surface water entering the site as a result of the development.

Any adjustments, resisting and/or protection of any statutory services in the highway shall be his responsibility and carried out at his own expense.

The footway and/or verge crossing required in connection with this development shall be carried out at his expense by the Highway Authority, their Agent or other approved Contractor before the access is brought into use and completed before the use is commenced.

If he/she chooses to carry out the work himself, the Applicant should be advised to apply in writing to the Corporate Director of Highways, Transportation and Property for the necessary consent, as required under Section 171 of the Highways Act, 1980 to carry out work within the highway for the formation of the footway and/or verge crossing.

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12.1

Gweddill y Ceisiadau

Remainder Applications

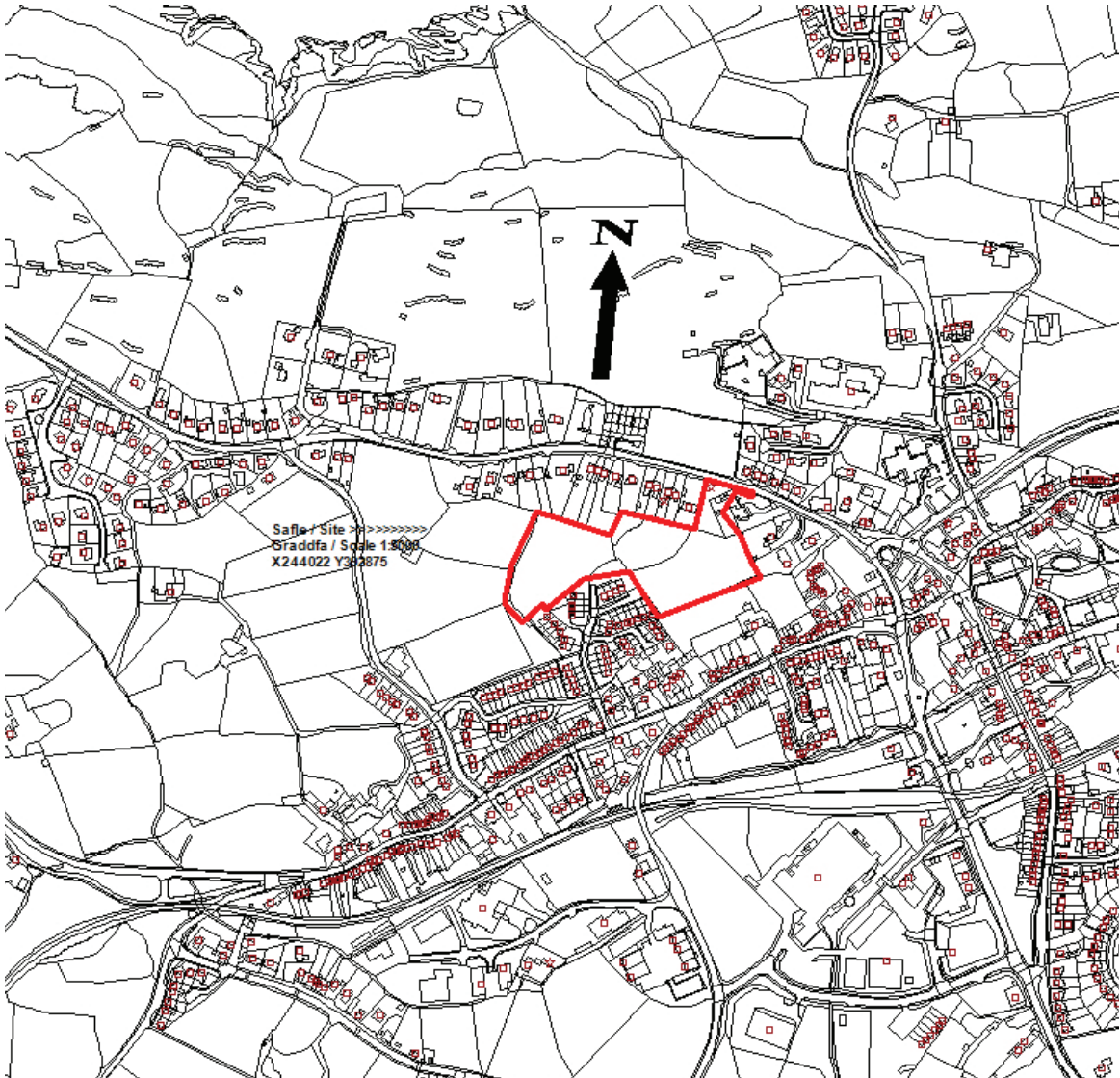
Rhif y Cais: **11LPA896D/CC** Application Number

Ymgeisydd Applicant

Head of Service (Property)

**Cais amlinellol gyda rhai materion wedi eu cadw yn ol ar gyfer codi 40 o unedau preswyl ar dir ger
/ Outline application with some matters reserved for the erection of 40 residential units on land
near**

Maes Mona, Amlwch



Planning Committee: 05/11/2014

Report of Head of Planning Service (DPJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is being reported to committee because the Isle of Anglesey Council is the applicant and the land owner.

1. Proposal and Site

The application site compasses part of the garden of a residential property at "Craigwen" and the agricultural enclosures between this property and Maes Mona residential estate to the south.

This is an outline planning application encompassing an area of 1.80 hectares, and is made for up to 40 dwellings of which 30% will be affordable housing. The application is accompanied by:

- Layout plan of the development illustrating 41 residential units.
- Detailed topographical plan of the vehicular access onto the A5025 "Bull Bay Road" including the proposed vision splays.
- Ecological Scoping Report.
- Full foul & surface water drainage details.
- Welsh Language Assessment

2. Key Issue(s)

- Principle of development & relationship with surroundings.
- Affordability
- Education Contribution
- Welsh Language
- Siting, External Appearance and the Historic Environment
- Trees, Landscape & Ecological Features
- Highways
- Foul & Surface Water Drainage

3. Main Policies

Gwynedd Structure Plan

A2 - Housing Land

FF12 - Parking Standards

Ynys Môn Local Plan

1 - General Policy

49 - Defined Settlements

Stopped Ynys Môn Unitary Development Plan

GP1 - Development Control Guidance
HP2 - Density
HP3 –New Housing Development – Main &
Secondary Centres.

Planning Policy Wales (7th Edition)

Technical Advice Note 2: Planning & Affordable Housing

Technical Advice Note 5: Nature Conservation and Planning

Technical Advice Note 12: Design

Technical Advice Note 20: Planning and the Welsh Language.

4. Response to Consultation and Publicity

Local Members: No responses received.

Amlwch Town Council: No objections.

Drainage: Conditions and informative on drainage recommended.

Highways: Comments awaited at the time of writing.

Conservation Officer: The site lies outside Amlwch conservation area and it is not considered that the development would have an adverse effect on the character and appearance of the designated area or on the views into or out of it.

In addition the proposed development would not have an adverse effect on the character or setting of the surrounding listed buildings.

The trees on the site are not protected by Tree Preservation Orders.

Environmental Services: Condition recommended in respect of contaminated land, working hours and informatives recommended on miscellaneous matters.

Ecological & Environmental Adviser: No objections subject to the considerations listed.

Lifelong Learning Education contribution requested as detailed in the main body of the report.

Welsh Water: Comments waited at the time of writing.

Natural Resources Wales: Not aware of any flooding on the site, however there is a watercourse along the western boundary which will need to be safeguarded and left in an open state.

In addition a condition is recommended requiring the provision of a surface water regulation scheme.

Recommended the landscape condition is amended to ensure that there is no net loss of habitat and connectivity is also addressed.

It is pointed out that the proposal is within the Amlwch and Parys Mountain Landscape of

Outstanding/Special Historic Interest. Planning Policy Wales (PPW) states that it is a material consideration in the planning process and must be given due regard when reaching a determination.

Gwynedd Archaeological Planning Service: There appear to be no significant archaeological implications for this scheme.

5. Relevant Planning History

11LPA896/CC - Screening opinion for residential development. Environmental Impact Assessment Not Required - 13.12.09.

11LPA896A/CC - Outline application for residential development together with the construction of a new access. Conditionally approved - 06.07.10.

11LPA896B/CC - Outline application for residential development together with the construction of a new access. Withdrawn - 10.09.13.

11LPA896C/CC/SCR: Screening opinion for residential development. Withdrawn - 10.09.13.

11LPA896E/SCR/CC: Screening opinion for residential development. Environmental Impact Assessment Not Required - 27.02.14.

6. Main Planning Considerations

Principle of Development

The application site is allocated as residential proposal T1 in the Ynys Môn Local Plan and T59 in the Stopped Ynys Môn Unitary Development Plan. The inclusion of the site in the Ynys Môn Local Plan and in the Stopped Ynys Môn Unitary Development Plan reflects the fact that an extant historical permission exists on the site, and the principle of residential development is acceptable.

Affordability

Policy 51 of the Ynys Môn Local Plan seeks affordable housing on sites of 10 residential units or more. Policy HP7 of the Stopped Ynys Môn Unitary Development Plan seeks to negotiate up to 30%, which has been agreed by the applicant.

Education Contribution

The Council's Lifelong Learning have requested a financial contribution of £181,728 towards facilities at Ysgol Gynradd Amlwch. This based on the number of primary school pupils generated by the development in the next 5 years and the existing capacity available in the catchment.

Welsh Language

The Council's Supplementary Planning Guidance requires that a Welsh Language Statement in support of the proposal. It is understood that this information will be submitted shortly and the matter will be updated at the Planning Committee.

Siting, External Appearance and the Historic Environment

The application is made in outline form, the indicative layout is considered acceptable subject to conditions recommended.

Trees, Landscape & Ecological Features

There are trees within the garden of "Craigwen" which are prominent in the approach to Amlwch and will be required to be removed to provide the visibility splays for the vehicular access to the development. The council's Landscape Officer has assessed their amenity value and condition and is satisfied with their felling subject to the conditions recommended which require re-planting and retention of other trees on the site.

In accord with NRW's comments the landscape condition recommended below incorporates requirements in terms of retention of landscape features and connectivity.

The application site is within the Amlwch and Parys Mountain Landscape of Outstanding/Special Historic Interest. Given that the application is bounded by existing development to the north and south, and by a road to the west it is considered to an acceptable infill of this part of the settlement, It is not considered that subject to the conditions recommended in respect of materials that the development will unacceptably affect the character and appearance of the landscape.

Highways

The vehicular access to the development is onto the A5025 at Bull Bay Road. The submitted plans illustrate visibility splays of 2.4 by 75 meters either side of the proposed vehicular access. The comments of the Highways Officer are awaited at the time of writing.

Foul & Surface Water Drainage

Foul drainage from the development will be connected to the public sewer and Welsh Water have recommended conditional permission. In terms of surface water the council's Drainage Section have confirmed that the development is acceptable subject to the conditions recommended. Comments are awaited from Dwr Cymru at the time of writing.

7. Conclusion

The proposal is acceptable subject to any additional conditions recommended by the Highways Section and Dwr Cymru.

8. Recommendation

That planning permission is **permitted** subject to

- a) The completion of a legal agreement containing obligations requiring:
 - Provision of 30% of the units hereby approved being affordable housing.
 - Education contribution of £181,728 to accommodate the number of primary school pupils forecast to be generated by the development in the next 5 years having regard to capacity.
- b) Thereafter that planning permission is granted subject to the following planning conditions and any additional recommended by Highways or Welsh Water. In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of

the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

(01) The development hereby permitted shall be begun not later than whichever is the later of the following dates:

i) The expiration of five years from the date of this permission.

ii) The expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To prevent the accumulation of planning permissions: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990.

(02) Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990.

(03) Approval of the details of the appearance **to include floor plans, layout; scale, and the landscaping of the site (hereafter called 'the reserved matters')* shall be obtained in writing from the Local Planning Authority before the development is commenced.

Reason: The application is for outline planning permission.

(04) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (3) above shall include details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. The building(s) shall be constructed with slabs at levels that have been approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

(05) No development shall take place until trade descriptions of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development.

Reason: To ensure a satisfactory appearance to the development.

(06) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

Reason: In the interests of amenity.

(07) No development whatsoever shall be undertaken during the bird breeding season (March to August), unless written approval is obtained from the local planning authority that there will be no occupied bird nests disturbed.

Reason To mitigate the impacts of the development on this protected species.

(08) Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

(09) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the local planning authority.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(10) Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

(11) A scheme for the landscaping and ecological connectivity which shall include the watercourse at the western boundary of the application site of the application site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping & ecological scheme shall include details of tree, scrub, lowland dry acid grassland and hedgerow retention and protection, replacements tree planting plans (to include disease resistant elm), written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishments), schedules of plants noting species, plant size, the proposed numbers and densities and an implementation programme. Long-term management of the open space areas shall be included in the scheme and shall thereafter be implemented and retained in accord with the details to be approved under the provisions of this condition.

Reason In the interest of amenity, the visual amenities and biodiversity of the locality.

(12) The approved landscaping and ecological plan shall be completed in accordance with the following:-

a) All landscaping and ecological works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the Local Planning Authority.

b) All new tree planting shall be positioned in accordance with the requirement of Table 3 of the British Standard BS5837:2005 Trees in Relation to Construction: Recommendations (or any document which updates or superseded this British Standard).

c) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

Reason In the interest of amenity, the visual amenities and biodiversity of the locality.

(13) No other part of the development shall begin until the new means of access has been sited and laid out in accordance with the submitted plans.

Reason: To minimise danger and inconvenience to highway users.

(14) No other part of the development shall begin until the visibility splays shown on the submitted plan has been provided and the area contained within the vision splays shall be kept free of any obstruction exceeding 1.0 metre in height above the nearside channel level of the carriageway.

Reason: To provide adequate inter-visibility between the access and the existing public footway for the safety and convenience of pedestrians and users of the access.

(15) No part of the development shall begin until the access has been laid out to a gradient of 1 in 20 for a minimum distance of 5.0 metres beyond the edge of the carriageway.

Reason: To minimise danger and inconvenience to highway users.

(16) The estate road(s) shall be completed to a base course finish with the surface water drainage system complete and in perfect working order before any work is commenced on the dwellings which it serves.

Reason: To minimise danger and inconvenience to highway users.

(17) The estate road(s) shall be kerbed and the carriageway and footways finally surfaces and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the site or such any other period as may be agreed in writing with the local planning authority whichever is the sooner.

Reason: To minimise danger and inconvenience to highway users.

(18) Prior to the commencement of the development hereby approved a management and maintenance plan for the lifetime of the development which shall include the arrangement for adoption by any public authority or statutory undertaker or other arrangements to secure the operation of the scheme throughout its lifetime shall be submitted to and approved in writing by the Local Planning Authority. The details to be approved under the provisions of this condition shall be implemented in accord with a timetable which also be approved in writing by the Local Planning Authority.

Reason: To minimise danger and inconvenience to highway users.

(19) Before any development commences, plans shall be submitted to and approved in writing by the Planning Authority of the following reserved matters:

(a) longitudinal and cross sections through the estate roads showing the proposed road levels relative to the existing ground levels and proposed garage floor levels.

(b) The surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.

(c) The location and the type of street lighting furniture.

(d) The extent and position of accommodation for car parking.

Reason: To minimise danger and inconvenience to highway users and enable vehicles to draw off, park and turn clear of the highway.

(20) Full details of all fencing, walling or other means of enclosure or demarcation shall be

submitted to and approved in writing by the local planning authority before any work on the site is commenced, unless otherwise agreed in writing with the local planning authority. Such works shall be erected following completion of the building(s) or the completion of the development, whichever is the sooner.

Reason: In the interest of the amenities of the locality.

(21) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (3) shall illustrate the dwelling sited and designed so that no window of a habitable room shall overlook an existing habitable room window at a distance of less than 21 meters or a garden of any adjacent dwelling at a distance of less than 10.0 meters.

Reason To safeguard the amenities of adjacent properties.

(22) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority. Surface water generated from new impermeable surfaces must be limited to equivalent Greenfield rate for the site, the level of which to be agreed with the Natural Resources Wales (up to and including the 1 in 100 year rainfall event with an allowance for climate change).

Reason To prevent the increased risk of flooding on and off-site.

(23) If during the development hereby approved material is found or suspected of being contaminated, then the developer should undertake soil testing and analysis. If the application site is found to be contaminated then a suitable remediation strategy should be submitted to an approved in writing by the local planning authority. The development shall thereafter be implemented in accord with any remediation strategy approved in writing under the provisions of this condition.

Reason To ensure that any contamination present is satisfactorily remedied.

(24) Any construction works should be solely undertaken between the following times – 0800 to 1800 hours - Monday to Friday; 0800 to 1300 hours on Saturday's and no working on Sunday's or Bank Holidays).

Reason To safeguard the amenities of occupants of residential properties in the locality.

Informatives

This decision notice relates solely to the Town and Country Planning Act 1990 (as amended) and does not purport to grant any approval, which may be required under any separate European or UK legislation in relation to protected species. Under the Wildlife & Countryside Act 1981 (as amended) and the Conservation (Natural Habitats) Regulations 1994, it is an offence to disturb a bat in its place of shelter, to kill or injure a bat or to damage, destroy or prevent access to its roosting site, whether or not the roost is occupied at the time. If evidence of use by bats is found a licence may be required from the Welsh Government (Countryside Division) before any development can proceed. The applicant is advised to contact: WG, Cathays Park, Cardiff, CF102NQ, telephone 02920 823363.

The survey found no evidence that badger setts exist on site, however some areas of dense scrub were difficult to survey. Badgers and their sets are protected under the Protection of Badgers Act 1992 and if in the course of works evidence of badgers are found work should stop and Natural Resources Wales contacted immediately.

9. Other Relevant Policies

Gwynedd Structure Plan

D29 (Design) FF11 (Traffic) FF15 (Pedestrian Requirements)

Ynys Môn Local Plan

42 (Design) 48 (Housing Development Criteria)

Stopped Ynys Môn Unitary Development Plan

GP2 (Design) EN1

Isle of Anglesey Design Guide for the Urban and Rural Environment (2008)

Isle of Anglesey Parking Standards (2008)

Rhif y Cais: **15C91D** Application Number

Ymgeisydd Applicant

Mr Paul Barron

**Cais llawn i ddymchwel yr ystafell ardd presennol ynghyd a chodi adeilad pwll nofio yn ei le yn
/ Full application for the demolition of the existing garden room together with the erection of a
swimming pool building in its place at**

Ty Canol, Malltraeth



Planning Committee: 05/11/2014

Report of Head of Planning Service (OWH)

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called-in by the Local Member.

1. Proposal and Site

The application site lies between Malltraeth village and Newborough village along the A4080 road. The site consist a large garden where the proposal lies at the end of the garden.

The proposal entails the demolition of the existing garden shed together with the erection of a swimming pool building in lieu.

2. Key Issue(s)

The key issue is whether or not the proposed swimming pool building would affect the neighbouring properties and whether or not the proposal may affect the surrounding landscape.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 5 – Design

Policy 42 - Design

Gwynedd Structure Plan

Policy D4 – Location, Siting and Design

Policy D29 - Design

Stopped Unitary Development Plan

Policy GP1 – General Control Guidance

Policy GP2 – Design

Planning Policy Wales (7th Edition), July 2014

Technical Advice Note 12 – Design

4. Response to Consultation and Publicity

Councillor Ann Griffith – Call in

Councillor Peter Rogers – No response received at the time of writing this report.

Community Council – No response received at the time of writing this report.

Natural Resource Wales – Comments – no objection

Drainage Section - Comments

Public Consultation – The application was afforded two means of publicity. These were by the placing a notice near the site and serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations is 06/11/2014. At the time of writing this report, no letters of representation have been received at the department.

5. Relevant Planning History

15C91: Demolition of existing dwelling and the erection of a bungalow on the site at Ty Canol, Malltraeth. Approved – 20.03.95

15C91A: Demolition of the existing dwelling, erection of a new dwelling together with the construction of a new access at Ty Canol, Malltraeth. Withdrawn – 26.09.03

15C91B: Demolition of the existing dwelling together with the erection of a new dwelling and the construction of a new vehicular access at Ty Canol, The Cob, Malltraeth. Approved – 07.04.04

15C91C – Full application for the erection of a double car port and store at Ty Canol, Malltraeth
Approved - 07/06/2013

6. Main Planning Considerations

The proposal is to demolish the existing garden shed together with the erection of a swimming pool building in lieu. It is located at the end of the garden. The overall square area of the swimming pool building is 109.48 square metres.

The proposed swimming pool building will be for private use. There is ample space within the applicant's garden to accommodate the proposal.

The proposed materials are considered acceptable as they would match the existing dwelling; and as a result would not look out of place.

It is noted that the proposed scheme can be seen from the A4080 from the South as well from the Cob. The surrounding landscape is flat. There are hedges around the applicant curtilage. The proposed swimming pool will be sited at the end of the garden, further away from the A4080 road which would lessen the impact on the surrounding landscape. It is not considered that the proposed scheme would impact the surrounding landscape to a degree that it should warrant a refusal.

It is not considered that the proposed scheme would have an adverse impact on any surrounding neighbouring properties. The nearest dwelling lies approximately 115 metres to the South and the next nearest dwelling lies approximately 140 metres to the North. There are no dwellings to the rear and front of the dwelling. The dwelling is surrounded by fields. Given the fact that there are ample distances between the proposal and the nearest neighbouring properties, it is not considered that the proposed scheme would impact any neighbouring properties to a degree that it should warrant a refusal. A condition will be placed to ensure that the proposed swimming pool will be for private use only and not for commercial/business use whatsoever.

7. Conclusion

The proposed development is considered acceptable to the Local Planning Authority. Consequently, it is considered that the proposal should be permitted subject to conditions.

8. Recommendation

To **permit** the development subject to conditions.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) The swimming pool building hereby permitted shall only be used as a private swimming pool building incidental to the enjoyment of the adjoining dwelling on the land outlined in red on the location plan hereby approved (Drawing No. DC4666 / D01) and for no commercial or business use whatsoever.

Reason: In the interests of amenity.

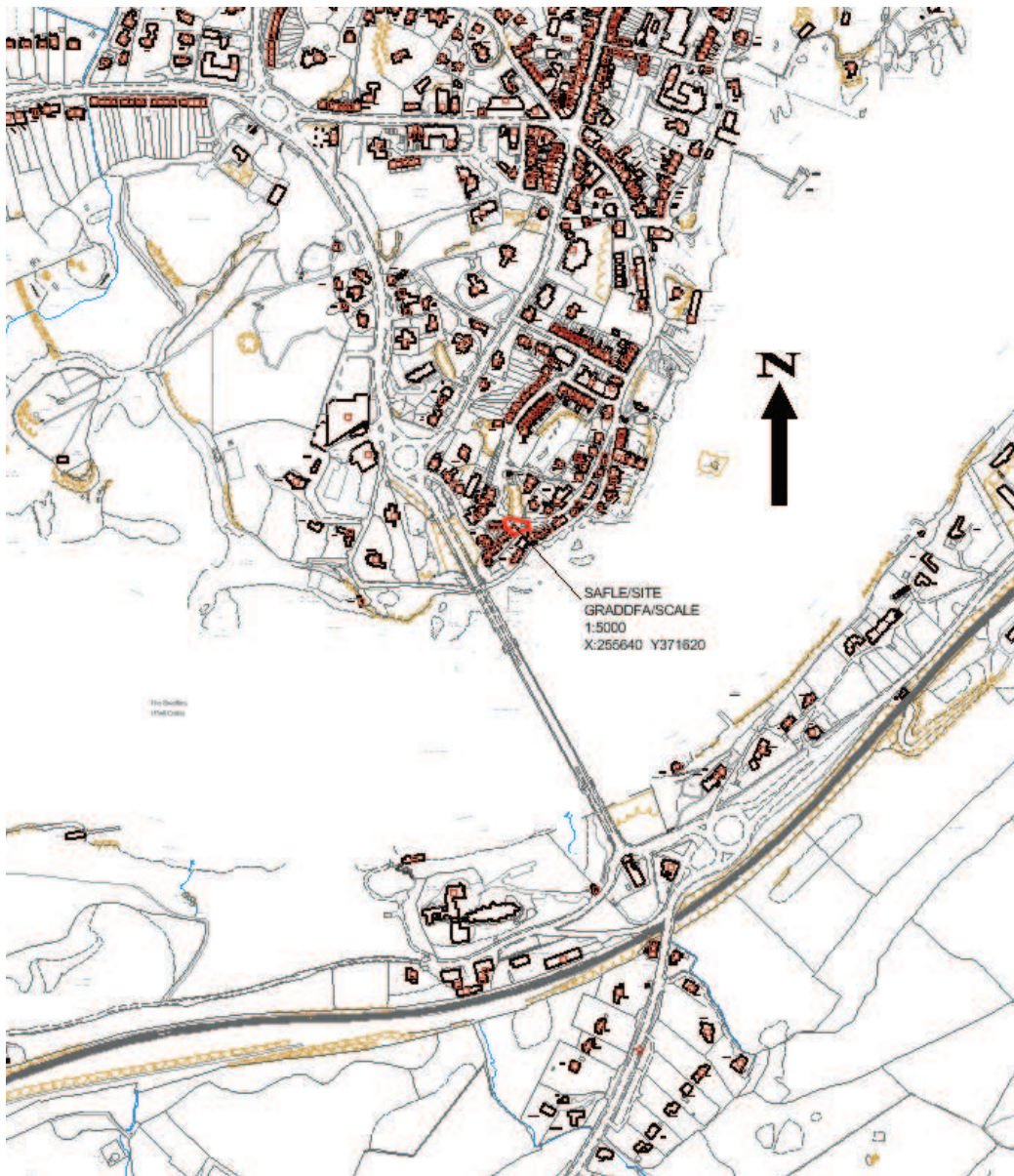
Rhif y Cais: **39C305C** Application Number

Ymgeisydd Applicant

Mr & Mrs J Cole

Cais llawn ar gyfer addasu ac ehangu yn / Full application for alterations and extensions at

5 Cambria Road, Menai Bridge



Planning Committee: 05/11/2014

Report of Head of Planning Service (GJ)

Recommendation:

Permit.

Reason for Reporting to Committee:

The application has been called in to the planning committee by the Local Member.

1. Proposal and Site

The application is a full application for replacement of existing windows to the front elevation, provision of french doors and a balcony together with the erection of a ramp to the rear elevation at 5 Cambria Road, Menai Bridge

2. Key Issue(s)

The key issue is the design, location, whether the proposal will have any impact on adjoining properties and on the Conservation Area

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 31 – Landscape

Policy 40 – Conservation of Buildings

Policy 42 – Design

Policy 58 - Extension

Gwynedd Structure Plan

Policy D1 – Environment

Policy D4 – Location, siting and design

Policy D25 – Environment

Policy D26 – Environment

Stopped Ynys Mon Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN1 – Landscape

Policy EN13 – Conservation of Buildings

4. Response to Consultation and Publicity

Town Council – No response at the time of writing the report

Local Member (Cllr Alun Mummery) – Requested that the application be presented to the planning committee for consideration

Local Member (Cllr Jim Evans) – No response at the time of writing the report

Local Member (Cllr Meirion Jones) - No response at the time of writing the report

Natural Resources Wales – Standard Advice

Drainage Section - Comments

A site notice was placed near the site and individual letters were posted to neighbouring properties. The application was also advertised in the local newspaper as the development is within the Menai Bridge Conservation Area. The expiry date to receive representations was the 15th October, 2014. At the time of writing the report no representations were received.

5. Relevant Planning History

39C305 – Demolition of existing garage together with a balcony over at 5 Cambria Road, Menai Bridge – 10/09/00 – Granted

39C305A – Alterations and extensions at 5 Cambria Road, Menai Bridge – Withdrawn

39C305B - Full application for alterations and extensions at 5 Cambria Road, Menai Bridge - Withdrawn

6. Main Planning Considerations

Main Considerations - The key issues which need to be considered are the location, design, effect on neighbouring properties and on the Conservation Area.

Design - It is considered that removing the existing flat roofed dormer windows and replacing them with a slate covered pitched roof dormers and Juliette balcony will be an enhancement to the character and appearance of the dwelling and designated Conservation Area.

The proposal also includes a steel ramp which is located on the first floor at the rear of the property. The ramp is not visible from the public highway and it is not felt that the ramp will be detrimental to the designated Conservation Area.

The proposed new balcony will not cause any more overlooking onto neighbouring properties than existing. The existing garage has a balcony which is at a higher level than the proposed new balcony. It is therefore not considered that the new balcony will have a negative impact upon the neighbouring properties.

Effect on Neighbouring Properties - Neighbouring properties have been notified of the development. No adverse representations have been received at the time of writing the report. It is not considered that the proposed development will have any impact on any adjoining property.

7. Conclusion

The site can comfortably accommodate the proposal without appearing cramped or over developing the site to the detriment of the character of the locality or the amenities of the neighbouring properties. The proposal complies with the Supplementary Planning Guidance on Design Guide for the Urban & Rural Environment, Technical Advice Note 12: Design, Paragraph 4.11 Promoting sustainability through good design, Planning Policy Guidance (Wales) Edition 7 and policies contained within the Ynys Mon Local Plan and Stopped Unitary Development Plan.

8. Recommendation

To **permit** the development subject to conditions.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: For the avoidance of doubt

(02) The new roof lights shall be low profile conservation style roof lights, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is satisfactory from an architectural and Conservation Area point of view.

(03) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 15/09/2014 under planning application reference 39C305C.

Reason: For the avoidance of doubt

Planning Committee: 05/11/2014

Report of Head of Planning Service (IWJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called in to the planning committee by the Local Member – Councillor Derlwyn R Hughes.

1. Proposal and Site

The proposal is to vary condition (01) from planning permission 40C233 to allow the track be retained for the purposes of agriculture and for the operational requirements of Tyddyn Isaf, Caravan Park.

The site is located in a rural area of Lligwy Bay, Dulas. The track considered as part of the application is accessed by a private track served by the A5025.

2. Key Issue(s)

The key issues are whether or not the development is acceptable in terms of the impact upon the amenities of nearby residential occupiers, the visual impact upon the locality and designated Area of Outstanding Natural Beauty (AONB) and highway safety.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 30 – Landscape

Policy 35 – Nature Conservation

Policy 37 – Public Access

Gwynedd Structure Plan

Policy D3 - AONB

Policy D4 – Location, Siting, Design

Policy CH1 – Tourism and Recreation

Stopped Unitary Development Plan

Policy D1 – AONB

Policy D4 – Location, siting and design

Policy EN2 - AONB

Technical Advice Note (Wales) 9: Enforcement of Planning Control

4. Response to Consultation and Publicity

Highways Department – The highways department state that the access is acceptable in terms of width and visibility. There is an existing use for agricultural vehicles to use this private highway

therefore the proposed use would not have a detrimental effect on the existing access and adopted highway.

Footpath Officer – The proposed development will not have any effect on the public footpath. Public Footpath No.1 is situated near the development and the granting of planning permission does not entitle the applicant to interfere with the public right of way.

Natural Resources Wales (NRW) – Provided advice regarding the use of controlled waste. NRW also consider that the proposal will not have adverse effects on any statutory nature conservation sites or protected species.

Welsh Water – No response.

Ecological and Environmental Advisor – Proposal does not pose a particular risk to the wildlife site.

Community Council – No response.

Local Member – Application called into planning committee. Echoing concerns of local residents.

Response to publicity. 17 letters of objection received are summarised below:

- Proposal interferes with Footpath No.1
- The application track does not cross Footpath No.1.
- Proposed use would have an unacceptable impact upon the Public Rights of Way.
- Concerns regarding the speed of vehicles.
- It was always the intention of the applicant to use the application track for the caravan park.
- Safety concerns regarding vehicle movement from an unadopted track linking the application track and the A5025.
- Petition (signed by 34 individuals) raising safety concerns over the use of the public footpath and the access track.
- Proposed use would have an unacceptable impact upon amenity of local residents.
- Proposed use would have an unacceptable impact upon the AONB.
- Proposed use would have an unacceptable impact upon Candidate Wildlife Site and the natural wildlife which exist around Nant Y Perydd and Traeth Lligwy.
- Breach of legal covenant.
- Potential damage to existing water mains supply pipe.
- Vehicular movement restricts emergency access.
- Track is being used in excess of what is proposed as part of the application.
- Unadopted track leading to application track is in a state of disrepair and not suitable for large vehicles or the operational requirements of a large caravan site.
- Alternative access to caravan site would be more suitable for the proposed use.
- If application is approved there will be no restriction upon the type or amount of vehicle movement.
- The applicant has breached the condition by using the track for the operational requirements of the caravan site for numerous years.
- Track is also being used to access agricultural buildings.
- Use of the track is affecting the quality of life of the owners of Sop Y Rhos and other local residents.
- Agricultural track and shed were granted planning permission retrospectively.
- History would suggest that use of track would exceed what is proposed as part of the application.
- No justification for the proposed use.

Response received by applicant and agent in reply to the objections are summarised below. Full copies can be found in the letters pack.

- Applicant considers movement is de minimus. However, submitted current application for the

- avoidance of ambiguity and following a series of complaints.
- Log of activity along the track is inaccurate. However, log does demonstrate that the track is not used for the operational requirements of the caravan park more than 2-3 times a month.
- No increase in usage of the track since 2003.
- Vehicles do not obstruct public footpath or constitute a closure of the public right of way.
- Vehicle movement across footpath takes maximum of three seconds therefore does not warrant closure of footpath.
- Not all traffic associated with the caravan park will use the track.
- Size of the caravan load prevents the applicant from using the main access to the site. When empty, the transport vehicle will use the main access to leave the site.
- Covenants and right of way are a civil matter.
- Gravel track leading to application track has been widened.
- Historically farmers have used the track by heavy machinery. Passage of vehicles does not constitute a temporary closure or restriction of the track.
- Water pipe will not be affected by vehicular movement.
- Agricultural shed is accessed from a farm track already in existence.
- Application track is not accessible to patrons or any visitors of the site.
- Majority of caravan movement occurs in the closed season.
- Journey of 5-10 minute duration would not have an impact upon the AONB.
- Caravan Park does not have plans to expand towards the application site.
- The main caravan park access is not a suitable alternative route for the delivery and removal of caravans from the park. In order that the park continues to operate it must have an alternative access.
- Application track would only be used by emergency vehicles if the main access to the site is blocked for any reason.
- Track shall not be used by any visitors to Tyddyn Isaf Caravan Park other than for the delivery of caravans and operational access.
- No threat to highway safety.
- Vehicular movement does not constitute the closure or obstruction of a public right of way.

In response to points raised in the objections I comment as follows:

- The response from the Authority's professional highway officers does not identify concerns with respect to vehicular or pedestrian safety.
- Appears from the location plan that application track does cross Footpath N0.1.
- Highways department considers that the proposed development will not have an effect on the footpath.
- Track is not a part of the public highway network and therefore the speed of vehicles cannot be dealt through the planning regime.
- Whether or not it was always the intention of the applicant to use the track for the operational requirements of the caravan park is a fact which is disputed with equal conviction by the applicant.
- The Local Highway Authority states that the access is acceptable in terms of width and visibility.
- It is not considered that the proposed use of the track would have an unacceptable impact upon the amenity of local residents. A full assessment addressing this matter is discussed later within the report.
- It is not considered that the proposed use of the track would have an unacceptable impact upon the AONB.
- The professional observations of Natural Resources Wales and the Authority's own Ecological and Environmental Advisor were sought during the determination of the application. The response received considers that the proposal does not pose a particular risk to the wildlife site (J15 Nant Y Perfydd and Traeth Lligwy Woods).
- Issues relating to legal covenants are a civil matter, detached from the planning regime.
- The Local Planning Authority has not received a consultation response from Welsh Water.
- The increase in vehicle movement along the private track would be relatively infrequent. It is therefore considered that the possibility of emergency vehicles being restricted by the proposed movement is relatively low and not a sufficient reason to warrant refusal of the application.
- Whether or not the track is currently being used in excess of what is proposed as part of the application is a fact disputed with equal conviction by the applicant.

- Whether the track leading to the application track is in a state of disrepair or not suitable for the proposed use is not a material planning consideration. The track is a private and not a public highway.
- The applicant claims that the size of the caravan load prevents the applicant from using the main access to the site.
- The application entails the variation of condition in order to only allow vehicles being used for the operational requirements of the caravan park.
- It is not a criminal offence to carry out development without first obtaining the necessary planning permission. The legislation allows development to be carried out without first obtaining the necessary consent and thereafter applying for permission retrospectively.
- The application requests that use of the track for agricultural purposes be retained.
- I do not consider that the impact of the proposal would be so detrimental upon the amenities of local residents which could warrant refusal.
- Whether the track and shed were granted permission retrospectively is a moot point.
- The Local Planning Authority is duty bound to consider the present application on the basis of the information which has been presented before it. It would be unreasonable for the Local Planning Authority to refuse permission for that which is currently proposed on the basis that it might lead to an alternative use or that it may lead to the further expansion of the site.
- The Design and Access statement submitted as part of the application outlines the reasons why the applicant requires the use of the track for the operational requirements of the caravan park. The Local Planning Authority must assess and evaluate the application on the basis of the information presented as part of the application and assess and measure this information against national and local planning policies and guidance.

5. Relevant Planning History

40C233 – Retention of access track at Siop y Rhos, Lligwy. Approved – 04/03/04

40C233A - Retrospective application for the retention of agricultural building at The Owls, Lligwy Bay, Dulas. Approved – 22/12/08

6. Main Planning Considerations

Effect on amenities of neighbouring properties – It is considered that the proposal will not affect the amenities of any of the neighbouring properties to such an extent that it would warrant refusing.

The application entails the variation of condition (01) of planning permission 40C233 to allow the track be retained for the purposes of agriculture and the operational requirements of Tyddyn Isaf, Caravan Park. There is no operational development involved in the application as the track is already in existence.

The proposed variation of the condition entails the use of the track in association with the operation requirements of the caravan park. In terms of the additional vehicle movements associated with operational requirements of the caravan park, this would include the occasional delivery of caravans to the site or their removal. Other requirements for the caravan park would be instances where delivery vehicles could not access the site using the public highway due to its narrow width. The track may also be used for emergency vehicles as a quickest access route or when the main public access is blocked.

The main access to the site would remain for the public and employees of the caravan park. It is proposed that the track will not be used for the operational requirements of the caravan park more than 2 – 3 times a month maximum. The applicant claims that the main access to the caravan park is not a suitable alternative route for the delivery and removal of caravans from the park. In order that the park continues to operate it must have an alternative access. Based upon these factors and all other information provided as part of the application it is considered that the proposal is not

unreasonable and should warrant refusing.

Currently the track allows unrestricted and unconditional use for any agricultural vehicle. I do not consider that the additional occasional use of for the purposes of operational requirements of Tyddyn Isaf caravan park would create an unacceptable impact upon the amenity of local residents that it should warrant refusing the application.

The application track is accessed by an unadopted highway which links with the A5025. The professional observations by the Local Highways Authority state they do not identify any concerns with respect to vehicular or pedestrian safety.

Although claims are made to the effect the applicant may well exploit the proposal presently under consideration as justification for the extension of the caravan site, it would be unreasonable for the Local Planning Authority to refuse permission for which is currently proposed on the basis that it might lead to the further development of the site. Any such proposals which might be carried out in the respect would be the subject of a separate application which would be considered in light of the policies prevailing at that time. The planning service is duty bound to consider the current proposal on the basis of the information which currently lies before and not to determine an application on conjecture and hearsay on the basis of what it might be confronted with in the future.

The use of the track would be relatively intermittent and infrequent therefore it is not considered that the increase in use of the track should have an adverse impact upon the AONB or character of the locality that it should warrant refusal. In arriving at this conclusion I am also mindful of the professional observations of the departments Ecological and Environmental Advisor in the matter.

7. Conclusion

In this instance I have considered the substance of representations received from the public, the applicant and agent together with the statutory consultees alike and have balanced these against the advice contained within the relevant policy documents. Although careful consideration has been given to the objections raised by the objectors, it is considered that the objections received carry insufficient weight to warrant the refusal of the application.

The advice provided under para 3.1.8 within Planning Policy Wales (Edition 7) on such matters states...

When determining planning applications local planning authorities must take into account any relevant view on planning matters expressed by neighbouring occupiers, local residents and any other third parties. While the substance of local views must be considered, the duty is to decide each case on its planning merits. As a general principle, local opposition or support for a proposal is not, on its own, a reasonable ground for refusing or granting planning permission; objections, or support, must be based on valid planning considerations. There may be cases where the development proposed may give rise to public concern. The Courts have held that perceived fears of the public are a material planning consideration that should be taken into account in determining whether a proposed development would affect the amenity of an area and could amount to a good reason for a refusal of planning permission. It is for the local planning authority to decide whether, upon the facts of the particular case, the perceived fears are of such limited weight that a refusal of planning permission on those grounds would be unreasonable.

There are no other significant material consideration which are of relevance in the determination of the application presently under consideration which have not already been given due consideration.

Whilst any development could be argued to have a potential impact upon the amenities of neighboring properties or the character of the locality, the question which needs to ask is whether or not the impact is so adverse that it warrants refusing the application. On balance however I do not consider the additional vehicle movement be so adverse that it should warrant refusing the application. Moreover, I do not consider that any refusal issued could be substantiated on appeal.

The application presently under consideration has been considered in light of the advice provided within Technical; Advice Note (Wales) 9 Enforcement of Planning Control together with all other material planning considerations. In accordance with the advice contained with the aforementioned document

'Enforcement action should be commensurate with the breach of planning control to which it relates; it is usually inappropriate to take formal action against a trivial or technical breach of control which causes no harm to public amenity. The intention should be to remedy the effect of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought, but otherwise acceptable'

It is not considered expedient nor in the wider public interest for the Local Planning Authority to take formal planning enforcement action in this case irrespective of the motive, whether intentional or otherwise.

On balance, having given detailed consideration to the professional consultees comments in the matter, the representations received and all other material planning considerations, it is not considered that the refusal of the application could be warranted. Moreover, it is not considered that it would be expedient or in the wider public interest that formal planning enforcement action should be instigated in the matter.

8. Recommendation

To **permit** the development subject to conditions.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

(01) The track shall only be used for the operational requirements of Tyddyn Isaf Caravan Park only between the hours of 9am – 5pm Monday to Friday.

Reason: In the interest of amenity.

(02) The track shall be retained but may only be used for the following purposes:

(a) To allow access to and egress from agricultural land for any purpose related to such agricultural use; or

(b) To allow access to and egress from Tyddyn Isaf Caravan Park for the purposes running and managing that caravan park.

Reason: In the interest of amenity and highway safety.

9. Other Relevant Policies

Planning Policy Wales (Edition 7)

Planning Committee: 05/11/2014

Report of Head of Planning Service (MTD)

Recommendation:

Refuse

Reason for Reporting to Committee:

The application has been called in to the planning committee by the Local Member.

1. Proposal and Site

The site is located alongside a terrace of 4 terraced dwellings adjacent to a crossroads which form part of a small cluster of properties.

It is proposed to construct a dwelling and detached garage.

2. Key Issue(s)

The main considerations have been identified as the following :-

- Is the principle of the proposal acceptable in policy terms
- Amenity issues

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 31 – Landscape

Policy 42 – Design

Policy 50 – Listed Settlements

Gwynedd Structure Plan

Policy A3 – Environment

Policy D4 – Location, siting and design

Stopped Ynys Mon Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN1 – Landscape

Policy HP5 – Country Hamlets and Clusters

4. Response to Consultation and Publicity

Community Council – Support

Local Member Cllr Aled Morris Jones - has referred the application to Committee

No comments have been received from other **Local Members**

Natural Resources Wales – Comments

Drainage Section Comments

5. Relevant Planning History

None

6. Main Planning Considerations

In terms of the principle it is considered that whilst the site is not located within the indicative frame for Rhosgoch it forms a cluster which can be considered as part of the settlement.

Whilst the principle of a dwelling within this cluster could be considered acceptable in this instance the sites location in relation to the existing form of development is of concern.

The proposed dwelling would be in a position not well related to the settlement. There are no dwellings on the opposite side of the road and the site is elevated. Given this scenario it is considered that the proposed dwelling would unacceptably harm the appearance of the location, intruding into an open rural landscape.

7. Conclusion

The proposal would unacceptably harm the character of the landscape.

8. Recommendation

Refuse

(01) The proposal by virtue of its position and elevation would cause unacceptable harm to the appearance and character of the landscape and as such would be contrary to policies A3 and D4 of the Gwynedd Structure Plan, policies 30 and 50 of the Ynys Mon Local plan, policies EN1 and HP5 of the Ynys Mon Unitary Development Plan (Stopped) and the provisions of Planning Policy Wales

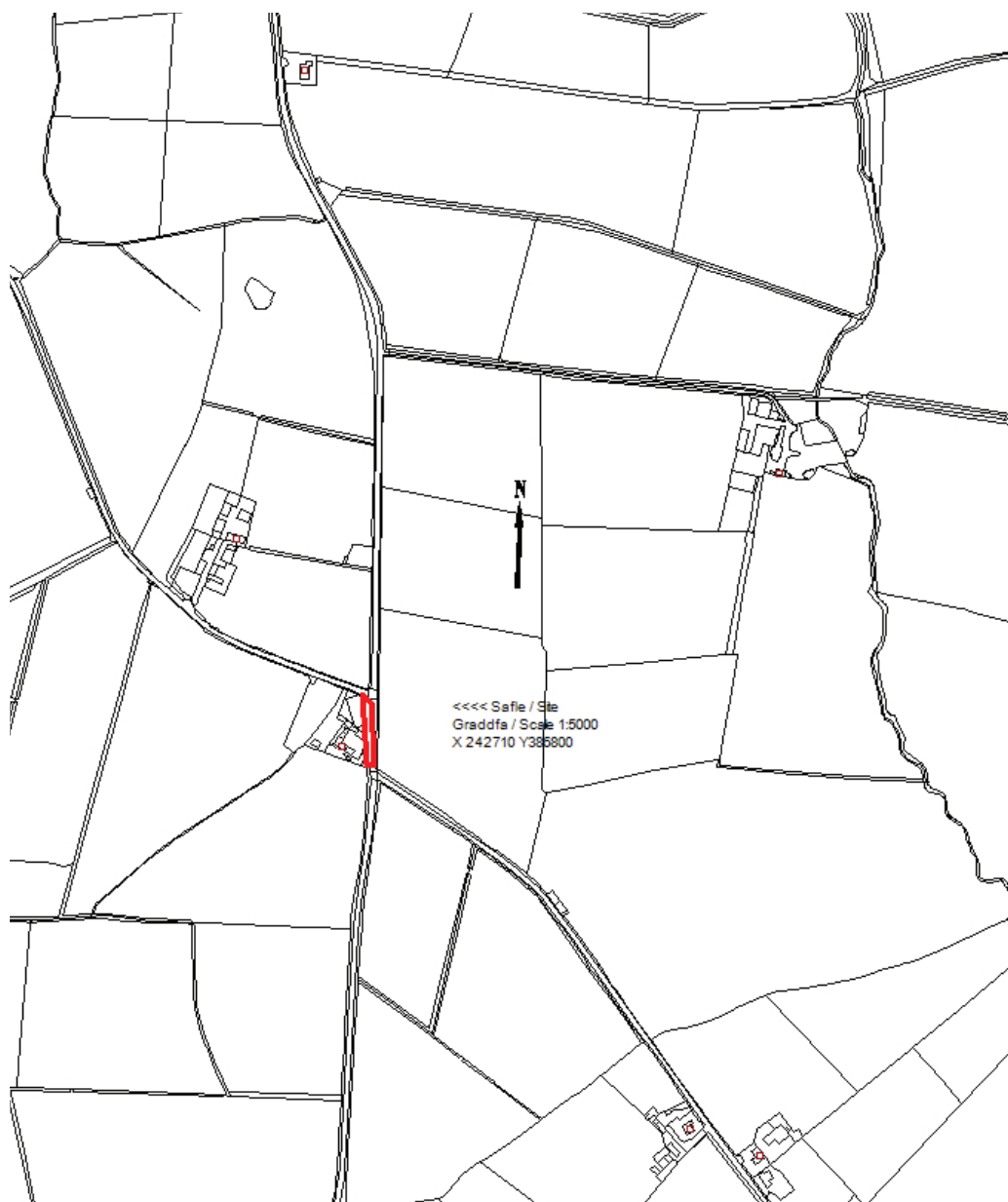
Rhif y Cais: **44LPA1005/TPO/CC** Application Number

Ymgeisydd Applicant

Head of Service (Highways and Waste)

**Cais i dynnu lawr 2 goeden onnen a 3 coeden sycamorwydden wedi eu diogelu o dan
Orchymyn Diogelu Coed yn / Application to remove 2 ash trees and 3 sycamore trees
protected under a Tree Preservation Order at**

Ty'n y Ffrwd, Rhosybol



Planning Committee: 05/11/2014

Report of Head of Planning Service (DO)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is on Council owned land.

1. Proposal and Site

The application is for the felling of 2 Ash trees and 3 Sycamore trees to allow for a better visibility splay for improved road safety to the existing junction.

2. Key Issue(s)

The key issues to consider are whether or not the proposal will have an effect on amenity and highway safety.

3. Main Policies

Ynys Mon Local Plan

1 – General Policy

31 – Landscape

Gwynedd Structure Plan

D4 – Location, Siting and Design

Stopped Unitary Development Plan

GP1 – Development Control Guidance

EN1 – Landscape Character

4. Response to Consultation and Publicity

Cllr W Hughes – No response received at time of writing report.

Cllr R O Jones – No response received at time of writing report.

Cllr A M Jones - No response received at time of writing report.

Community Council – No objection.

The application was afforded by two means of publicity. These were by the posting of a site notice near the site and a publication of a notice in the local press. At the time of writing the report no representations have been received at the department.

5. Relevant Planning History

None.

6. Main Planning Considerations

Effect on amenity

It is acknowledged that the existing trees as a group provide moderate amenity value in an area of low tree cover.

The work is necessary for highway safety and therefore it is believed that the reason for justification overrides the impact on amenity.

7. Conclusion

Based on the consultation responses received I find this application acceptable.

8. Recommendation

Permit.

Rhif y Cais: **46C192B/FR** Application Number

Ymgeisydd Applicant

Trearddur Bay Sailing Club

Cais llawn ar gyfer gosod arfwisg graig o flaen y wal strwythur caergawell presennol yn / Full application for the placement of rock armour to the front of the existing gabion wall structure at

Dinghy Park, Porth Castell, Ravenspoint Road, Trearddur Bay



Planning Committee: 05/11/2014

Report of Head of Planning Service (AMG)

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the Local Member.

1. Proposal and Site

The site is situated at Porth Castell on Ravenspoint Road in Trearddur Bay. The site is located within a C2 flood zone and is partially located within the Porth Diana Candidate Wildlife Site.

The proposal entails the placement of rock armour to the front of the existing gabion wall structure at the Dinghy Park, Porth Castell, Ravenspoint Road, Trearddur Bay and is designated to protect the dinghy park from damage by wave action.

2. Key Issue(s)

The key issues to consider are whether the development complies with current policies, the effect on the surrounding landscape and the effect on the amenities of surrounding properties.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General

Policy 28 – Tidal Inundation and River Flooding

Policy 31 – Landscape

Policy 34 – Nature Conservation

Policy 36 – Coastal Development

Policy 42 – Design

Gwynedd Structure Plan

Policy D4 – Location, Siting and Design

Policy D5 – Coastal Development

Policy D10 – Nature Conservation

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN1 – Landscape Character

Policy EN7 – Local Sites

Policy SG2 – Development and Flooding

Planning Policy Wales, Edition 7, July 2014

Technical Advice Note 5: Nature Conservation and Planning

Technical Advice Note 12: Design

Technical Advice Note 14: Coastal Planning

Technical Advice Note 15: Development and Flood Risk

4. Response to Consultation and Publicity

Councillor Trefor Lloyd Hughes – No response received at time of writing the report.

Councillor Jeffrey M Evans - No response received at time of writing the report.

Councillor Dafydd Rhys Thomas – Requested that the application be referred to the Planning Committee for determination. Councillor Thomas has requested that the planning committee visit the site. Concerns are raised that the proposal is going to adversely damage a small and very attractive cove Porth y Castell and that it would result in the loss of open area. Councillor Thomas has requested if the sailing club could consider if a similar result could be achieved without having to use all this rock armour which will effectively ruin the peaceful attractive cove for ever.

Community Council – The amount of rock armour appears excessive for a small beach, other defence solutions should be considered.

Crown Marine Estate - No response received at time of writing the report.

Highways – Have confirmed that they are satisfied with the proposal providing a Traffic Management Plan is undertaken and followed accordingly.

Drainage – Standard comments

Welsh Water - No response received at time of writing the report.

Natural Resources Wales – The application site lies within zone C2 as defined by the development advice map referred to under TAN 15 Development and Flood Risk (July 2004). They have advised that the works seem acceptable and that the risks can be managed. Also advice is given in relation to pollution prevention and waste. The proposed works are not located within or likely to affect any European site of conservation importance.

Maritime Service - No response received at time of writing the report.

Public Consultation – The application was afforded three means of publicity. These were by the posting of a notice near the site, the publication of a notice in the local press and the serving of personal notifications on the occupiers of neighbouring properties. The latest date for the receipt of representations was the 24th September 2014. At the time of writing this report no representations had been received at the department.

5. Relevant Planning History

46C192 - Construction of a dinghy park at Porth Diana / Porth y Castell, Trearddur Bay – Approved 08/10/1990

46C192A - Alterations to the existing slipway and the erection of safety railings at Trearddur Bay Sailing Club, Dinghy Park, Porth Diana, Trearddur Bay – Approved 10/06/2003

46C192C/SCR - Screening Opinion for the placement of rock armour to the front of the existing

gabion wall structure at Dinghy Park, Porth Castell, Ravenspoint Road, Trearddur Bay – EIA not required 25/09/2014

6. Main Planning Considerations

Policy Context: The proposal entails the placement of rock armour to the front of the existing gabion wall structure which retains the Dinghy Park at Porth Castell. The existing and proposed gabions act as a retaining structure and are not intended as form of coastal protection. Gabions are flexible structures which are not designed to retain whilst being impacted upon by waves. The proposed rock armour at the front of the existing gabion wall structure will dissipate the energy of the approaching waves. The angle of the rock armour causes waves to break prior to impacting upon the retaining structure due to shallow water effects.

Planning Policy Wales (7th edition) states that climate change will have potentially profound environmental, economic and social justice implications and failure to address it will make planning for sustainability impossible. The changes to the climate and impacts arising from climate change we can expect include an increase in winter rainfall and in the frequency of intense rainfall; rising sea levels and more extreme weather, such as severe storms which will result in a range of impacts including an increase in flash flooding due to heavy rain and an increase in river and coastal flooding and erosion; increase winter storm damage and changes to the landscape. Failure to prepare for the inevitable impacts through adaptation measures will lead to further vulnerability for communities through damage to property, infrastructure and the economy. There is a need to plan for these impacts, reducing the vulnerability of our natural environment and built environment to climate change.

It is acknowledged that the site lies within zone C2, as defined by the development advice map referred to under TAN 15 Development and Flood Risk (July 2004). Boatyards are deemed an exception to the general rule because it is required in a fluvial, tidal or coastal location by virtue of its nature.

Therefore the principle of the proposed development is considered to be acceptable and is encouraged within planning policy.

Effect on the surrounding landscape: It is not considered that the proposal will detrimentally affect the surrounding landscape to such a degree it should warrant refusing the application. In terms of its amenity impact, it is not considered to be significant except for close views. It is acknowledged that the proposal is partially located within the Porth Diana Candidate Wildlife Site, however, as the proposal entails additions to the existing gabions it is not considered that the proposal will impact the headlands nearby which are the main relevant interest in this part of the site. The storms of early 2014 had an extensive effect on the landscape and the Dinghy Park was subjected to significant waves. The storm's impacts worsen by the very high spring tides and tidal surges. Parts of Trearddur Bay were hit by crashing waves with some very heavy damage to the main promenade and sea facing walls. The proposed rock armour at the front of the existing gabion wall structure will dissipate the energy of the approaching waves prior to impacting upon the retaining structure. Adaptation measures to prepare for the impacts of climate change are encouraged within planning policy.

Effect on the amenities of surrounding properties: It is not considered that the proposal will detrimentally affect the amenities of the adjacent neighbouring properties. A highway is located between the site and the adjacent neighbouring properties. The proposal is located at the existing Dinghy Park in Porth Castell and it is considered necessary to prepare for the inevitable impacts of climate change.

7. Conclusion

The proposal is considered acceptable subject to conditions.

8. Recommendation

To **permit** the development subject to conditions.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: For the avoidance of doubt.

(02) No development shall commence until details of the rock to be used to implement this permission have been submitted to and approved in writing by the local planning authority. The development shall thereafter take place in accordance with the details as approved.

Reason: To ensure a satisfactory appearance of the development.

(03) No development shall commence until a traffic management plan has been submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the approved details.

Reason: To comply with the requirements of the Highway Authority.

(04) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 29/08/2014 under planning application reference 46C192B/FR and in any other documents accompanying such application, unless conditions of this permission stipulate otherwise.

Reason: To ensure that the development is implemented in accord with the approved details.

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Other Matters

Rhif y Cais: **28LPA970A/CC/MIN** Application Number

Ymgeisydd Applicant

Head of Service (Economic)

Man newidiadau i gynllun sydd wedi ei ganiatau yn flaenoral o dan ganiatad cynllunio 28LPA970/CC yn / Minor amendments to scheme previously approved under 28LPA970/CC at

Beach Road, Rhosneigr



Planning Committee: 05/11/2014

Report of Head of Planning Service (AMG)

The application was made by the Council on Council owned land.

The original application entailed public realm improvements to the beach access which consisted of resurfacing, the construction of an access ramp, installation of street furniture and bollards. The proposed amendments entailed changes in the materials used for the surfacing of the proposed beach access and access ramp together with the re-positioning of tooting seats.

Given the relatively minor nature of the proposed amendments, it was not considered that the proposed changes would have a material impact on the scheme and the area. It was not considered that the proposed changes significantly altered the previously approved scheme.

Therefore the proposed alterations were deemed to be non-material and were consequently approved under Section 96A of the Town and Country Planning Act 1990.

The matter is therefore reported for information purposes only.

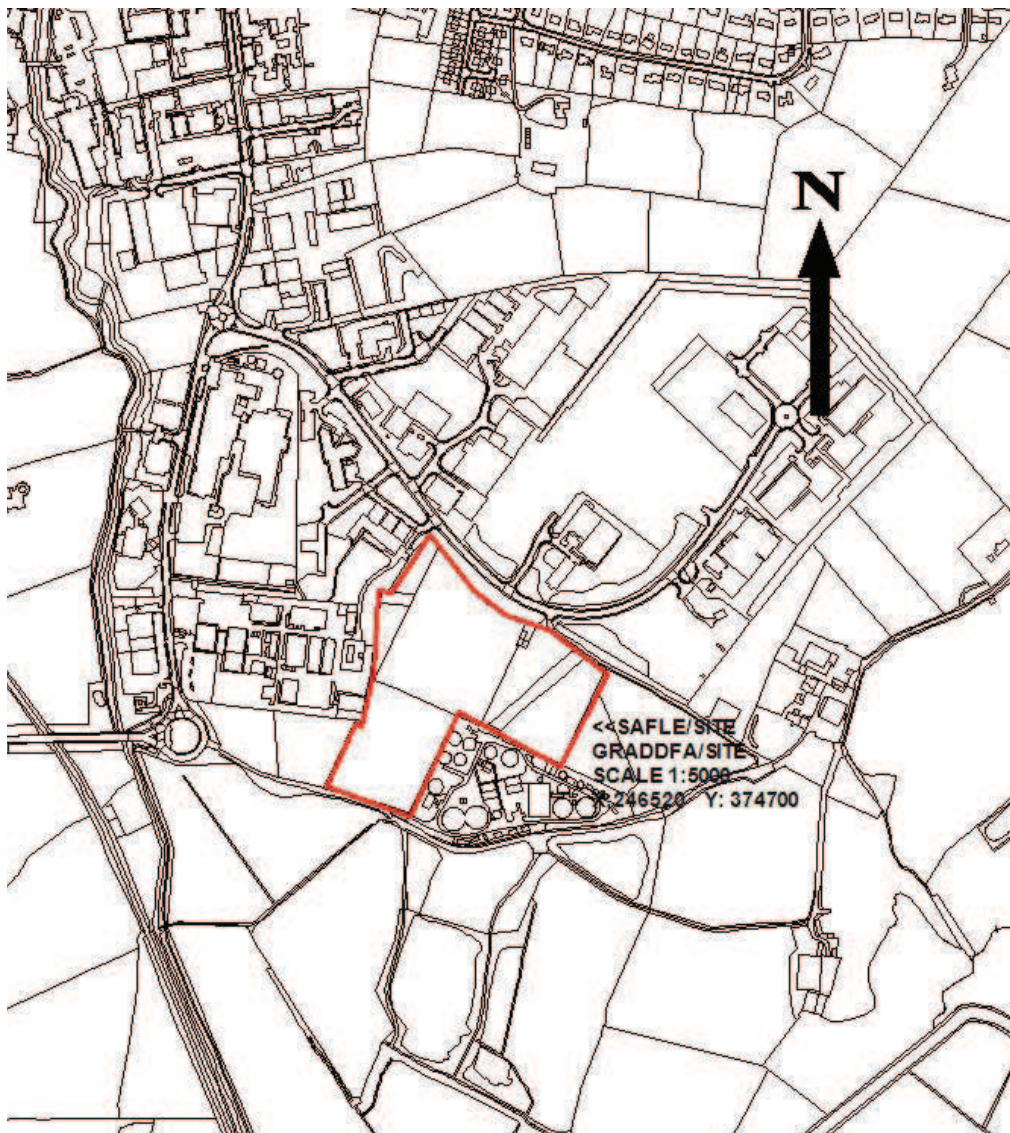
Rhif y Cais: **34C40Z/EIA/ECON** Application Number

Ymgeisydd Applicant

Mr. Paul Kellett

Codi Gwaith Ynni Biomas newydd yn cynnwys gwaith peledi pren, gwaith ynni biomas gwres cyfun, peiriannau tynnu rhisgl a naddu pren, iard storio coed ac adeiladu mynedfa newydd i gerbydau ar dir ger / Erection of a new Biomass Energy Plant comprising of a wood pellet plant, a biomass combined heat power plant, debarking and chipping plant, wood storage yard and construction of a new vehicle access on land adjacent to

Peboc,Industrial Estate,Llangefni



Planning Committee: 05/11/2014

Report of Head of Planning Service (RWW)

Reason for Reporting to Committee:

You are reminded of the Planning Committee's decision on 2nd May 2012 to refuse the above planning application for the following reasons :-

- Access and highways
- Air quality
- Noise
- Ecology
- Effect on the landscape
- Economic effect and Sustainability
- Proximity Principle

Following the refusal the applicant appealed against the Council's decision. In accordance with paragraph 3.11.2 Planning Policy Wales (Revision 6, February 2014) it was decided that this appeal decision would be of national interest so Welsh Government gave the Minister for Housing and Regeneration – Mr Carl Sargeant the power to determine the appeal. The appeal was the subject of a public inquiry which was held 24 – 31 January 2014 when it was decided to defend the Council's decision within the following areas :-

- The development would have a detrimental effect on the landscape and visual amenities of the area.
- The additional information which was presented for the appeal is insufficient to overcome the effects with regards to highways and noise.
- The negative cumulative effects in connection with highways, noise, air quality, visual affect and landscape which would result from the development as well as the distance of the development from any resource or market would make the development incongruous with proximity and sustainable development principles. The negative cumulative effect would also have a detrimental effect on the local economy.

On 15 August 2014 correspondence was received from the Housing and Regeneration Minister refusing the appeal and drawing attention to the following :-

- Any benefit to the local economy in the form of jobs and large investment would be eroded as a result of the presence of bad neighbour development arising from this development.
- The development would have a substantial detrimental effect on the landscape and on the visual amenities locally because of its size, scale and its elevated position on the outskirts of Llangefni.
- It is very likely that local amenities would be affected as a result of the unacceptable noise levels which would emanate from the proposed development.
- Even though the development would be likely to create high levels of particulates in the air and would have some effect on the risk to people's health, the levels would remain within national levels.
- The local road network would be able to accommodate the extra traffic levels that would be created by the development. Despite this the arrangements presented for the access to the

site remains hopeless.

- The sustainability principles of the development would be undermined with the need to carry material, waste and wood pellets over large distances on the road network. The development is also contrary to the waste hierarchy and the proximity principle which is a necessary part of the sustainable management of waste. As a result of this the Minister came to the simple conclusion – the development is located in the wrong place.
- Having considered the development. It is judged that the proposed development is contrary to national policies and the Development Plan especially the policies that are intended to safeguard the character and the appearance of an area and its amenities.

I attach the Minister's letter for the Committee's attention.

3. Under the provisions of the Government of Wales Act 2006 the power to determine appeals made under section 78 of the Town and Country Planning Act 1990 ("the 1990 Act") has been transferred to the Welsh Ministers and, in this case, this power is being exercised by me, the Minister for Housing and Regeneration.
4. The appeal was dealt with via a public inquiry held on 21-24 January and 28-31 January 2014 and a site visit was carried out on 30 January 2014. The Inspector's conclusions are set out in paragraphs 190-229 of his report, a copy of which is enclosed.
5. In the Inspector's view, although a number of matters are raised with regard to the proposed development, the main considerations in this appeal are:
 - the need for the development of a biomass renewable energy plant;
 - the economic benefits that would emanate from the development;
 - the sustainability of material supplies;
 - the landscape and visual impact of the proposed plant;
 - the effects on local air quality, and any associated effects on the health of local people;
 - the effects on the local noise environment and the amenity of nearby residents and neighbouring premises;
 - the adequacy of the proposed means of access to the site;
 - the effects of traffic on the local road network; and
 - whether or not the benefits of the proposed development would outweigh any detrimental impacts associated with the matters above.

I agree with the Inspector that these are the relevant issues.

6. The Inspector recommended that the appeal be dismissed and planning permission refused.

Inspector's Overall Conclusions

7. The Inspector, at paragraphs 223 to 228 of his Report, drew the following overall conclusions:

"In reaching my conclusions I have had regard to the Environmental Statement, the supplementary information submitted in respect of that Statement, and to all other environmental information submitted in connection with the appeal and the public inquiry.

The need for the expansion of renewable energy capacity to reduce carbon emissions and develop long-term sustainable energy supplies is strongly supported by national and development plan policy and carries considerable weight. These benefits are also supported by benefits to the local economy resulting from the introduction of new jobs and substantial capital investment, though these would be largely offset by the deterrent effect on other business potential resulting from the presence of the very large biomass plant which would be seen as a "bad neighbour". The inherent sustainability benefits of the plant would also be eroded by the need to transport the source materials and the manufactured wood pellets over long distances by road, a situation that leads to the simplistic conclusion that the plant would be in the wrong place.

The sourcing of such large quantities of materials in this region would also place great

stress on the markets, displacing existing customers and conflicting with the proximity principle and the waste hierarchy, which are important principles underlying sustainable waste management.

The plant would be significantly harmful to the local landscape and to visual amenity in the area due to its very substantial size and scale and its elevated location on the edge of the settlement, where it would harden that edge rather than allow the settlement to merge more gently into the surrounding countryside. It is also likely that unacceptable harm to amenity would be caused due to noise and disturbance emanating from the plant. Whilst it is possible these concerns may be overcome by substantial detailed design measures (and the EA/NRW has issued the environmental permit on this basis), the Appellant has failed to demonstrate appreciation of the tonal nature of noise generated from some of the plant and the harm to amenity associated with that in this location where background noise levels would be expected to be relatively low. The plant would also give rise to increased levels of fine particulate matter in the air, which would have a slight effect on risks to human health. However, as air quality levels would still be within the relevant national standards, I give this quite limited weight.

I have concluded above that the additional traffic could be accommodated by the local road network without unacceptable detriment to the safe and free flow of traffic. However, the arrangements for access to the site itself remain hopelessly unresolved. The latest proposals for the southern access (to be used by the main HGV traffic) are impractical and uncertain, and I consider them unlikely to be feasible. It would be possible to rely solely on the northern access but the practical and safety implications of this have not been properly explored. The matter might be resolved by use of a suitable planning condition and would not warrant refusal on its own account. However, the uncertainties involved serve to reinforce objections on other matters.

It is acknowledged that the renewable energy benefits carry considerable weight. However, I conclude that those and any other benefits would be substantially outweighed by the harmful effects of the development. The harm to the landscape and to visual amenity would be significant, and I consider this to be the critical factor in the assessment. The very substantial size and bulk of the plant could not be disguised by any mitigation measures and would be completely out of place in this location. The risks of harm to amenity due to noise and to health due to air pollution and the uncertainties concerning access to the site further reinforce this main factor. On balance, I conclude that the proposed development would conflict with development plan and national policies, particularly policies aimed at safeguarding the character and appearance of the area and amenity. Consequently, I conclude that the appeal should be dismissed."

The Inspector recommended that the appeal be dismissed and planning permission refused.

Conclusion

8. I offer no comment as to whether the biomass plant should be considered as a 'bad neighbour' development and, while it has been argued during this appeal that that is the case, I do not consider it to be a determinative issue in the consideration of the appeal.
9. I have noted the Inspector's comment that while the details of the northern access are unresolved, he considers that the suitability of the northern access might be resolved by the use of a suitable planning condition. While that may be the case, the issue of access to the site is fundamental to the proposed development and, in my view, one that should be resolved before planning permission is granted and not after.

10. The Inspector has concluded that the harm to the landscape and to visual amenity would be significant and that it is the critical factor in the assessment of the appeal. I accept that the effect of the proposed development on the landscape and visual amenity are significant material considerations in the assessment of this appeal but, in light of the range of issues arising from this proposed development, I do not consider that effect to be critical.

11. Subject to the above comments I agree with the Inspector's conclusions and accept his recommendation that the appeal be dismissed and outline planning permission refused.

12.1 have taken into account the environmental information as defined by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) in reaching my decision on this appeal.

13.1 have received no representations relating to the planning merits of the appeal since the inquiry closed.

FORMAL DECISION

14. For the reasons given above, and in exercise of the power referred to in paragraph 2 of this decision letter, I dismiss your client's appeal (APP/L6805/A/12/2183072) and hereby refuse planning permission for a biomass energy development and associated infrastructure consisting of a wood pellet plant, solid and liquid biomass combined heat and power plants, a wood storage yard and a debarking and chipping plant at Peboc, Llangefni Industrial Estate, Llangefni, Isle of Anglesey, LL777UX.

15. A copy of this letter has been sent to the Isle of Anglesey County Council and those who were entitled to appear at the public inquiry and did so.

Yours sincerely

A handwritten signature in black ink that reads "Carl Sargeant". The signature is written in a cursive, slightly slanted style.

CARL SARGEANT AM

Minister for Housing and Regeneration, one of the Welsh Ministers. Enc:
Leaflets H and HC