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**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

Dr Gwynne Jones
Prif Weithredwr – Chief Executive

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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 3 CHWEFROR, 2016 am 1 o'r gloch y.p.	WEDNESDAY, 3 FEBRUARY 2016 at 1:00 p.m.
SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGEFNI	COUNCIL CHAMBER, COUNCIL OFFICES, LLANGEFNI
Swyddog Pwyllgor	Ann Holmes 01248 752518
	Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

Lewis Davies
Jeffrey M. Evans
Ann Griffith (Is-Gadeirydd/Vice-Chair)
John Griffith
K P Hughes
Vaughan Hughes
Victor Hughes
W T Hughes (Cadeirydd/Chair)
Raymond Jones
Richard Owain Jones
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 6 JANUARY, 2016 MEETING_(Pages 1 - 10)

To submit the minutes of the previous meeting of the Planning and Orders Committee held on 6 January, 2016.

4 SITE VISITS 20 JANUARY, 2016_(Pages 11 - 12)

To submit the minutes of the Planning site visits held on 20 January, 2016.

5 PUBLIC SPEAKING

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

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6.2 42C127B/RUR – Ty Fry Farm, Rhoscefnhir

6.3 45LPA605A/CC – Dwyrdd, Newborough

7 APPLICATIONS ARISING_(Pages 19 - 44)

7.1 19C1038F – Ty'n Pwll Road, Holyhead

7.2 31C431 – Borthwen, Penmynydd Road, Llanfairpwll

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7.3 36C344 – Ysgol Gynradd Henblas, Llangristiolus

7.4 44C250A – Council Houses, Fourcrosses, Rhosgoch

7.5 44C320 - Gorslwyd Fawr, Rhosybol

8 ECONOMIC APPLICATIONS

None to be considered by this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None to be considered by this meeting.

10 DEPARTURE APPLICATIONS_(Pages 45 - 48)

10.1 42C247 – Gwel y Don Yard, Pentraeth

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS_(Pages 49 - 60)

11.1 38C219G – Cae Mawr, Llanfechell

11.2 38C219H/LB – Cae Mawr, Llanfechell

12 REMAINDER OF APPLICATIONS_(Pages 61 - 90)

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12.2 14C171H/ENF – Stryttwn Farm, Ty'n Lon

12.3 19C1147A – St.David's Priory, Llanfawr Road, Holyhead

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13.1 42C237D/VAR – Plas Tirion, Helen's Crescent, Pentraeth

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Planning and Orders Committee

Minutes of the meeting held on 6 January 2016

- PRESENT:** Councillor W.T. Hughes (Chair)
Councillor Ann Griffith (Vice-Chair)
- Councillors John Griffith, K P Hughes, Vaughan Hughes, Victor Hughes, Raymond Jones, Jeffrey M. Evans and Nicola Roberts
- IN ATTENDANCE:** Planning Development Manager,
Planning Assistants,
Senior Engineer (Highways & Development Control) (EDJ),
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** Councillors Lewis Davies and Richard Owain Jones
- ALSO PRESENT:** Councillor R.A. Dew – Portfolio Holder (Planning and Public Protection)
- Local Members : Councillor T.LI. Hughes & D.R. Thomas (application 12.2); Councillors R. Meirion Jones & A.W. Mummery (application 12.5); Councillor Aled M. Jones (application 12.7).
- Councillors Jim Evans, G.O. Jones, Alwyn Rowlands.

1 APOLOGIES

Apologies as noted above.

2 DECLARATION OF INTEREST

Councillors Ann Griffith, John Griffith, Vaughan Hughes and Nicola Roberts declared personal interests in respect of application 12.3 on account of the reference to wind turbines within the Plaid Cymru manifesto but stated that they would consider the application on its own merits.

Councillor Ann Griffith declared a personal interest in respect of application 12.7 and left the meeting during discussion and voting thereon.

Councillor T.V. Hughes declared a personal and prejudicial interest in respect of application 10.2 and left the meeting during discussion and voting thereon.

Councillor Alun Mummery, whilst not a member of the Planning and Orders Committee, declared a personal interest in respect of application 12.5. He stated that following legal advice he was able to speak as a Local Member with regard to application 12.5 but left the meeting during discussion and voting thereon.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 2 December, 2015 were submitted and confirmed as correct.

4 SITE VISITS

The minutes of the planning site visits held on 16 December, 2015 were submitted and confirmed as correct, subject to the inclusion of Councillor K.P. Hughes' name being included to members present at the Site Visit together with the name of Councillor Alwyn Rowlands being included to the local members present at the site visit to 1 Hampton Way, Llanfaes, Beaumaris.

5 PUBLIC SPEAKING

The Chair announced there would be Public Speakers in respect of applications 10.1, 12.1 and 12.7.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 42C127B/RUR – Full application for the erection of an agricultural dwelling together with the installation of a private treatment plant on land at Ty Fry Farm, Rhoscefnhir

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 44C250A – Outline application for the erection of a dwelling together with full details for alterations to the existing agricultural access on land opposite Council Houses, Four Crosses, Rhosgoch

It was RESOLVED to defer consideration of the application as the matter will be discussed at the February meeting of the Planning and Orders Committee.

6.3 45LPA605A/CC – Outline application with all matters reserved for the erection of 17 new dwellings, demolition of the existing toilet block together with the creation of a new vehicular access on land adjacent to Dwryrd, Newborough

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 12C463/ENF – Retrospective application for the retention of a stable/garden store together with extension to curtilage at 1 Hampton Way, Llanfaes, Beaumaris

The application is presented to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 2 December, 2015 the Committee resolved to undertake a site visit which was subsequently carried out on 16 December, 2015.

Councillor T.V. Hughes read out a statement by Councillor Lewis Davies, a local member who had submitted his apologies for the meeting.

Councillor K.P. Hughes proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

Councillor Ann Griffith abstained from voting in respect of this application.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions listed in the written report.

7.2 40C58L/RE – Full application for the siting of 100Kw ground mounted photovoltaic array on land at Tyddyn Isaf Caravan Park, Dulas

The application is presented to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 2 December, 2015 the Committee resolved to undertake a site visit which was subsequently carried out on 16 December, 2015.

The Planning Development Manager stated that questions were raised at the site visit regarding the traffic management during construction of the development. It was noted that if approval was granted a condition will be imposed that a Traffic Management Plan be implemented. The applicant has stated that construction vehicles will travel through the caravan park at Tyddyn Isaf. The Planning Development Manager further reported that the site is relatively isolated with no residential dwellings within close proximity of the development which should alleviate local concern with regard to harm to thamenity of the area.

Councillor T.V. Hughes proposed that the application be approved and Councillor John Griffith seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions listed in the written report.

8 ECONOMIC APPLICATIONS

None were considered by this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None considered by this meeting.

10 DEPARTURE APPLICATIONS

10.1 40C154A – Outline application for the erection of 5 dwellings and the creation of a new vehicular access together with full details of the access and layout on land adjoining Nant Bychan Estate, Moelfre

The application is presented to the Planning and Orders Committee as the development is contrary to the adopted Ynys Môn Local Plan but can be supported under the Stopped Unitary Development Plan.

The Chair invited Mr. Rhys Davies to address the meeting as a supporter of the application. Mr. Davies stated that the Community Council supports the application and welcomes that one of the dwellings is to be an affordable one. A local member also supports the application as the land is included within the Stopped UDP. Mr. Davies stated that not many houses have been built in Moelfre over recent years. He referred to the objector's comments regarding drainage problems in the area and noted that the applicant has spent a lot of money over the last few years in alleviating drainage issues in the area.

The Committee asked questions of Mr. Davies with regard to the affordability element of the proposed dwellings and design element of the houses. Mr. Davies responded that one dwelling has been offered as an affordable dwelling; 2 dwellings will be semi-detached which are two bedroomed, one dwelling will be 4 bedroomed and another with three bedrooms.

The Planning Development Manager updated the Committee that an additional letter of objection has been received which totals 15 letters of objection in respect of this application. He noted that there is a policy foundation to support this application as the Stopped Unitary Development Plan has identified the area for development. Due to the distances between the proposed dwellings and neighbouring properties it is not anticipated that the proposal will have an adverse impact on neighbouring properties. The Planning Development Manager further stated that if the application was approved, an additional condition would be attached regarding landscaping to certain boundaries of the site.

Councillor Jeff Evans proposed that the application be approved and Councillor K.P. Hughes seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions listed in the written report.

10.2 42C237D/VAR – Application under Section 73 to vary condition (07) (in accordance with approved plans) from planning permission 42C237 so as to amend the layout scheme at Plas Tirion, Helens Crescent, Pentraeth

The application is presented to the Planning and Orders Committee as the application is a departure application for which the recommendation is to permit.

Councillor John Griffith proposed that the application be approved and Councillor Jeff Evans seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions listed in the written report.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

None were considered by this meeting.

12 REMAINDER OF APPLICATIONS

12.1 10C118F/RE – Full application for the construction of a 2.5MW solar array farm on land adjacent to Tyn Dryfol, Soar

The application is presented to the Planning and Orders Committee at the request of the Vice-Chair of the Committee.

The Chair invited Mr. George Meyrick to address the meeting in support of the application. Mr. Meyrick made the following points :-

- Mr. Meyrick said that this application is a much smaller development to the previous solar array farm which has been approved in the area. He considered that will have less impact on the area;
- He acknowledged that transportation of materials to the previous two approved solar array farms had caused issues regarding damage to the highways;
- The delivery period of 2/3 weeks for the transportation of materials would entail with this development in contrast to the 2/3 months taken for the previous approved applications;

- Community Benefits will be offered to the surrounding communities in line with the Bodorgan Estate existing commitments. £45k has been committed with regard to the two previous approved solar array farms with £19k already been shared between the Gwalchmai Memorial Clock, Llangristiolus Playground facility and the Aberffraw Community Hall;
- The UK Government have now changed the rules with regard to social impact tax relief on such solar farms;

The Committee asked questions of Mr. Meyrick with regard to which roads the developer intended to use to deliver the materials to the site. Mr. Meyrick pointed out a track on the map shown to the Committee which will be used to deliver materials. Questions were raised as to the proportion of the Community Gain it is anticipated from this smaller proposed development to the local community. Mr. Meyrick responded that the Community Benefits will be calculated on a pro-rata basis in conjunction with the size of the proposed solar array farm at Tyn Dryfol, Soar and could be in the region of four to five thousand pounds. Questions were raised if it was possible to enforce the grazing rights of the land at Tyn Dryfol. Mr. Meyrick responded that he was unable to enforce grazing rights on the land but he reserved the rights to graze on behalf of the Bodorgan Estate as the landowner.

The Committee further asked questions of Mr Meyrick regarding the objector's comments that considerable damage had been incurred to the highways during construction of the previous development of solar array farms in the area together with the inconvenience and disruption to local residents during construction. Mr. Meyrick responded that Bodorgan Estate will endeavour to put pressure on the developer to minimize the damage to the highways infrastructure in the area. If there is continued damage to the highways following the previous two solar array farms in the area he will contact the Highways Authority to discuss the matter to rectify the problems.

The Vice-Chair, who is a local member, stated that she has not received any objections to this application at Tyn Dryfol, Soar but over the last 12 months she has received numerous complaints regarding the two previous approved solar array farms in the area. Complaints have been expressed regarding the damage to hedgerows, ditches and highways. She stated that she will welcome a robust highways plan with regard to this application. The Senior Engineer (Highways & Development Control) stated that the Traffic Management Plan would be assessed prior to being approved and that the highway authority has certain powers under the Highways Act 1980 to recover costs in connection with damage caused to the highways by extraordinary traffic.

The Planning Development Manager stated that he wished to amend the report to the Committee as this proposed application is for a 2.5MW solar farm and is therefore not categorised as 'Local Authority-wide' in Planning Policy Wales.

He stated that there is a presumption in favour of such development within national and local planning policies and therefore there is a policy basis to

support this application with regard to renewable energy projects provided that the impacts upon the locality are acceptable to the local planning authority. The proposal is acceptable in landscape and visual terms, does not harm biodiversity or cultural heritage and does not cause unacceptable detriment to amenity. Any adverse impacts such as traffic disruption, noise and dust will be confined to the construction. The Planning Development Manager stressed that 'Community Benefits' is voluntary in respect of any planning applications.

Councillor Jeff Evans proposed that the application be approved and Councillor Nicola Roberts seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions listed in the written report.

12.2 19C1038F – Full application for the erection of a dwelling together with the construction of a vehicular access on land at Ty'n Pwll Road, Holyhead

The application is presented to the Planning and Orders Committee at the request of a local member.

Councillors D.R. Thomas and T.LI. Hughes, as Local Members addressed the meeting and requested that a site visit be undertaken so that Members can view local concerns with regard to traffic and health and safety issues.

Councillor Jeff Evans proposed that a site visit be undertaken and Councillor John Griffith seconded the proposal.

It was RESOLVED to visit the site in accordance with the Local Members request for the reasons given.

12.3 25C227C/RE – Full application for the erection of two 15kW wind turbines with a maximum hub height of up to 15m, rotor diameter of up to 9.8m, and a maximum upright vertical tip height of up to 19.9m on land at Cwyr, Llanerchymedd

The application is presented to the Planning and Orders Committee as it has been decided that delegated powers will not be used in connection with wind turbine developments.

The Planning Development Manager reported that it is considered that the site can accommodate the proposed turbines without undue harm to visual or residential amenity. He further stated that there are national and local planning policies to support such developments of wind turbines.

Councillor K.P. Hughes proposed that the application be approved and Councillor T.V. Hughes seconded the proposal.

Councillor John Griffith proposed that a site visit be undertaken and Councillor Ann Griffith seconded the proposal.

In the subsequent vote :-

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions listed in the written report.

12.4 25C254 – Full application for the change of use of land from school field to allotments together with associated works on land to the rear of Llanerchymedd Primary School

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

Councillor K.P. Hughes proposed that the application be approved and Councillor John Griffith seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions listed in the written report.

12.5 31C431 – Full application for the change of use of existing building from residential dwelling into a nursery at Borthwen, Penmynydd Road, Llanfairpwll

The application is presented to the Planning and Orders Committee at the request of 2 local members.

Councillors R. Meirion Jones and A.W. Mummery, as Local Members addressed the meeting and requested that a site visit be undertaken so that Members can view local concerns with regard to traffic issues within the area.

Councillor Jeff Evans proposed that a site visit be undertaken and Councillor John Griffith seconded the proposal.

It was RESOLVED to visit the site in accordance with the Local Members request for the reasons given.

12.6 36C344 – Outline application for the erection of a dwelling, together with full details of the vehicular access together with the re-location of the access into the field on land adjacent to Henblas Primary School, Llangristiolus

The application is presented to the Planning and Orders Committee at the request of a local member.

Councillor T.V. Hughes, a local Member requested that a site visit be undertaken so that Members can view the site as details within the

application refers to direct access to the highway from the plot as well as a reconfigured field access between the proposal and the adjoining dwelling under construction.

Councillor T.V. Hughes proposed that a site visit be undertaken and Councillor John Griffith seconded the proposal.

It was RESOLVED to visit the site in accordance with the Local Member's request for the reasons given.

12.7 44C320 – Outline application for the erection of a dwelling with all matters reserved on land near Gorslwyd Fawr, Rhosybol

The application is presented to the Planning and Orders Committee at the request of a local member.

The Chair invited Mrs. Ffion Gough to address the meeting in support of her application. Mrs. Gough made the following points :-

- The family wish to return to the village of Rhosybol to raise their two young daughters in the same manner as Mrs. Gough was able to attend the local primary school, Sunday School and Chapel, the Urdd and participating in the local Young Farmers Club. Four generations of the family live in the village of Rhosybol. Point 7 of the Ynys Môn Local Plan notes that *'the Welsh Language is important. A way of assisting is to give every opportunity to stay in the area which they were born and bred'*.
- Policy 42 of the Local Plan notes : *'The Council will favour proposals for development which promote a high quality of design.'* They are eager to conform to the guidance. They are also eager to build a home which will correspond with personal principles in safeguarding the environment and cut down as much as possible on artificial light emission.
- Policy 50 of the Local Plan notes that Rhosybol is identified as a listed village. Mrs. Gough believed that their application complies fully with the guidance that it will be a small reasonable extension with the existing village. There are two new dwelling near the application site already.

The Committee asked questions of Mrs. Gough with regard as to why the application site has been located further into the field at this location. The plan showed to the Committee showed buildings adjacent to the access of the site. Mrs. Gough responded that the dimensions of the space are an issue and that is why the proposed dwelling has been located further into the field. She stated that the plan shown to the Committee did not show that a new dwelling had been built near their application site. Further questions were asked as to who is the owner of the road that passes the application site and whether it is a private road. Mrs. Gough responded that a local farmer owns the land they intend to build upon and she believed that he was the owner of the road as well. They intend to buy the acreage of the field from the present owner as have the other two dwellings near the site.

Members questioned that if the application was to be approved, there would be a requirement to connect into the main sewer. Mrs. Gough responded that there application has been done through an agent and he is confident that the dwelling will be able to be connected to the main sewer.

Councillor Aled M. Jones, a local member stated that the Committee has heard the personal reasons why this young family wish to return to the village of Rhosybol. Four generations of the family have been raised and live in the village. The applicant has outlined planning policies that supports approval of this application; this is not a departure application.

The Planning Development Manager reported that the local Community Council, Dŵr Cymru and the Highways Authority have now responded with no objection to the development. A recommendation of refusal has been noted as the dwelling would extend into open countryside and not be a reasonable extension of the village and would have a detrimental effect on the landscape.

Councillor Jeff Evans said that he supported this application as he considered that local Welsh families need to be supported and to be able to return to their local communities. Councillor Evans proposed that the application be approved. Councillor K.P. Hughes also supported that application and seconded the proposal of approval.

Following the subsequent vote, Councillors John Griffith and T.V. Hughes abstained from voting.

It was RESOLVED to approve the application contrary to the Officer's recommendation as the Committee believed that the proposal did comply with the requirements of Policy 50. In accordance with the Council's Constitution, the application was automatically deferred to the next meeting to allow Officers the opportunity to prepare a report in respect of the reasons given for approving the application.

13 OTHER MATTERS

None considered at this meeting.

**COUNCILLOR W.T. HUGHES
CHAIR**

PLANNING SITE VISITS

Minutes of the meeting held on 20 January, 2016

- PRESENT:** Councillor W.T.Hughes (Chair)
- Councillors Lewis Davies, Jeff Evans, John Griffith, Kenneth Hughes, Victor Hughes.
- IN ATTENDANCE:** Development Management Team Leader (NJ)
Senior Engineer (Highways & Development Control) (EDJ)
- APOLOGIES:** Councillor Vaughan Hughes
- ALSO PRESENT:** Local Members: Councillors Jim Evans, R.Meirion Jones , Alun Mummery (application 1); Councillor Trefor Lloyd Hughes (application 3)
-

1. 31C431 - Full application for the change of use of existing building from residential dwelling into a nursery at Borthwen, Penmynydd Road, Llanfairpwll

Councillor Alun Mummery addressed the Members to confirm that he had called in the application as a Local Member with a request for a site visit but took no further part.

The Officer explained the proposal and confirmed the number of anticipated staff and opening hours. The Members saw the proposed on-site parking area and the road network in the locality. The Officer confirmed that the car parking area in front of dwellings at Rhos y Gad is part of the public highway and is unrestricted as to use. The nature of concerns raised in relation to the application were confirmed as well as the nature of support.

2. 36C344 - Outline application for the erection of a dwelling together with full details of the vehicular access together with the relocation of the access into the field on land adjacent to Ysgol Gynradd Henblas, Llangristiolus

The Members were shown the application drawings and viewed the site in its context. The Highways Officer confirmed that visibility splays shown on the drawings comply with relevant standards. The position and width of the agricultural access proposed for modification was noted.

3. 19C1038F - Full application for the erection of a dwelling together with the construction of a vehicular access on land at Ty'n Pwll Road, Holyhead

The Members were shown the application drawings. The safe route to schools was shown in the context of the site and the local primary schools. The Members were shown the extent of the public footway on Ty'n Pwll Road and the portion of road without a footway. Councillor Trefor Lloyd Hughes as a Local Member pointed to a privately owned wall at the termination point of the footway. The nature of local concerns was confirmed.

**Councillor W.T.Hughes
Chair**

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6.1

Gweddill y Ceisiadau

Remainder Applications

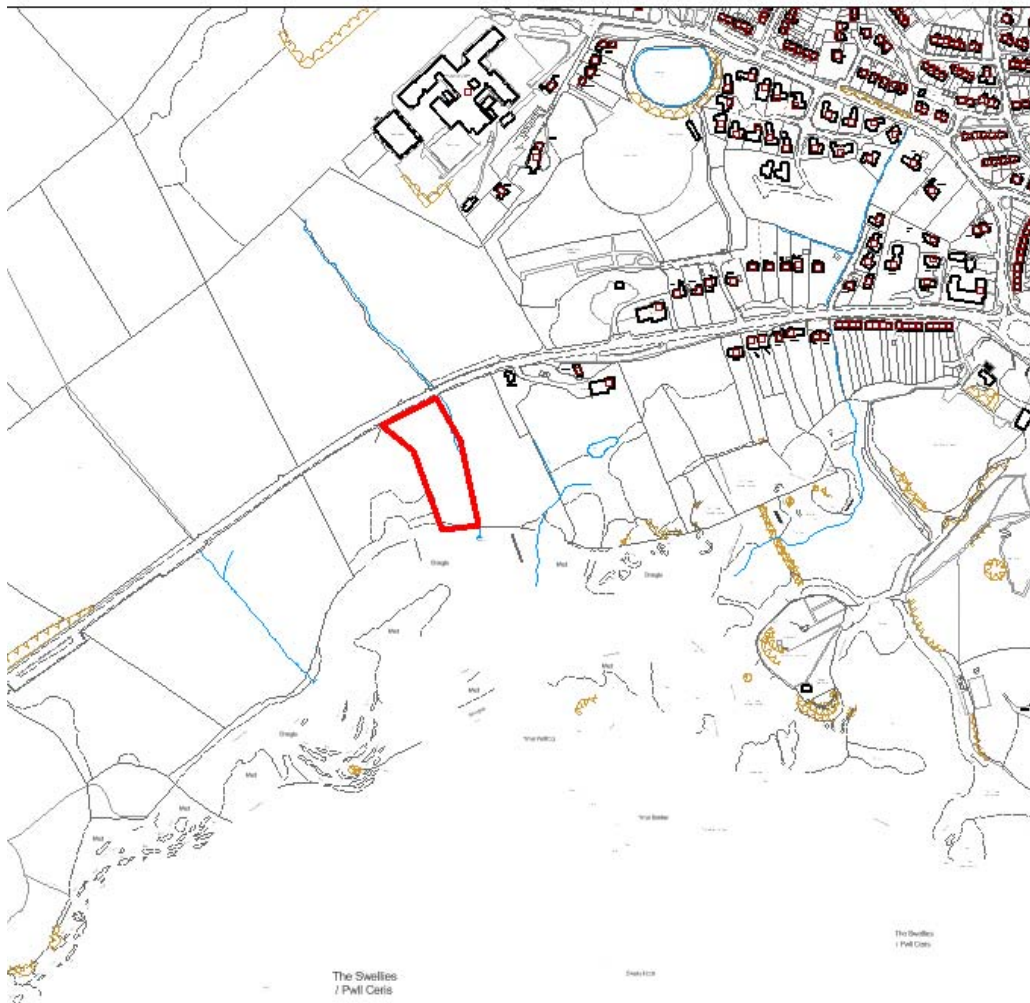
Rhif y Cais: **39C561/FR** Application Number

Ymgeisydd Applicant

Mr George Ulrich

Cais llawn ar gyfer codi Canolfan Zorb ynghyd a chreu mynedfa i gerbydau a maes parcio ar dir yn / Full application for the erection of a Zorb Centre together with the construction of a vehicular access and car park on land at

The Lodge, Ffordd Caergybi / Holyhead Road, Porthaethwy / Menai Bridge



Planning Committee: 03/02/2016

Report of Head of Planning Service (GJ)

Recommendation:

Site Visit

The site is in a sensitive location and due to the unusual nature of the application, a site visit would be useful for members prior to any consideration of the application.

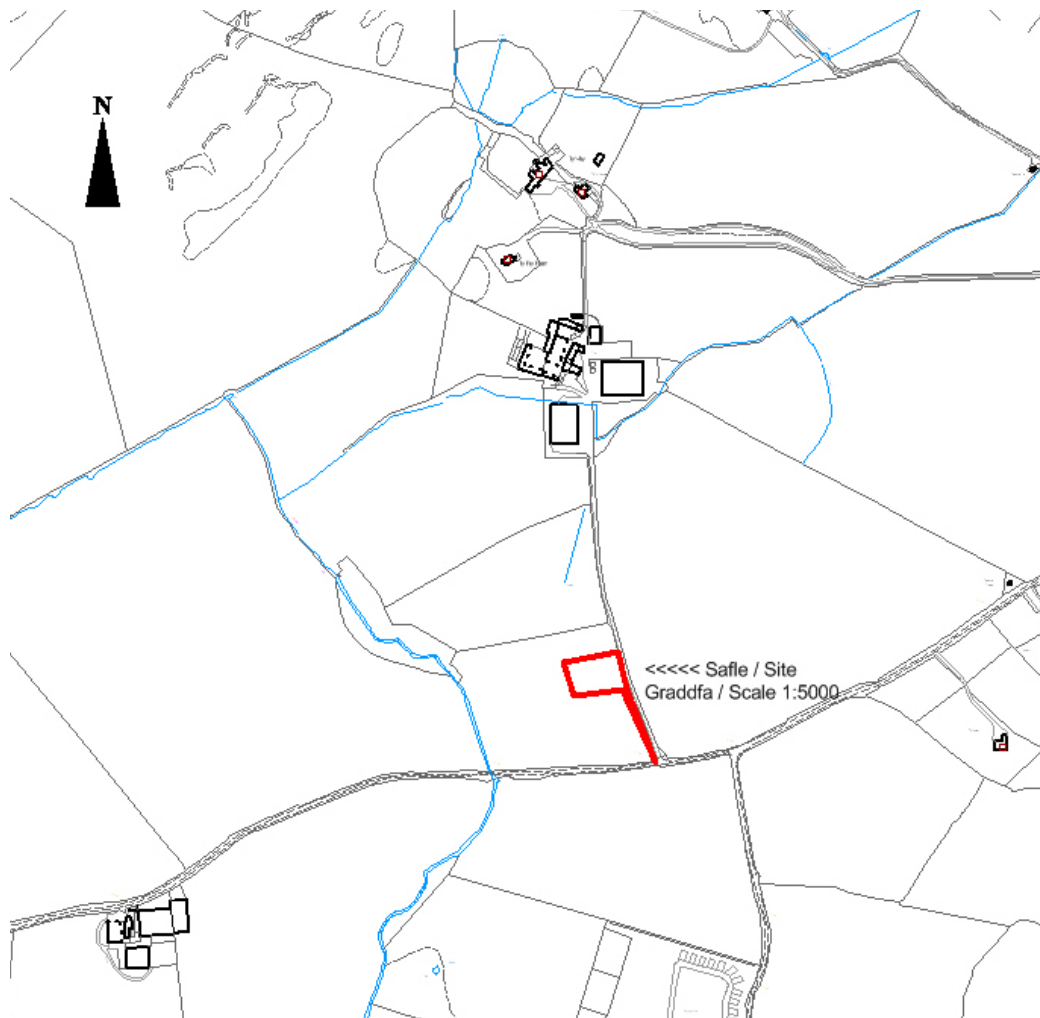
Rhif y Cais: **42C127B/RUR** Application Number

Ymgeisydd Applicant

Mr G Jones

Cais llawn ar gyfer codi annedd amaethyddol ynghyd a gosod system trin carthffosiaeth ar dir yn / Full application for the erection of an agricultural dwelling together with the installation of a private treatment plant on land at

Fferm Ty Fry/Ty Fry Farm, Rhoscefnhir



Planning Committee: 03/02/2016

Report of Head of Planning Service (DFJ)

Recommendation:

Defer

Additional matters have arisen that need to be fully assessed before a recommendation can be formulated. The applicant has been informed and further submissions are awaited.

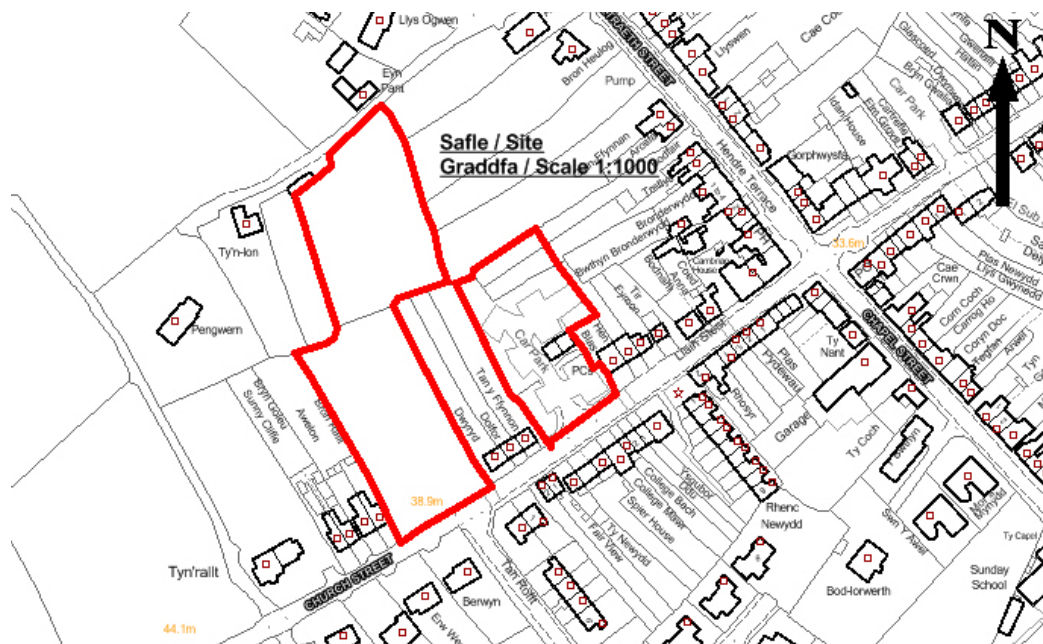
Rhif y Cais: **45LPA605A/CC** Application Number

Ymgeisydd Applicant

Head of Service Property

Cais amlinellol gyda holl faterion wedi ei gadw'n ôl ar gyfer codi 17 annedd newydd, dymchwel bloc toiled presennol ynghyd a chreu mynedfa newydd i gerbydau ar dir ger / Outline application with all matters reserved for the erection of 17 new dwellings, demolition of the existing toilet block together with the creation of a new vehicular access on land adjacent to

Dwryd, Niwbwrch / Newborough



Planning Committee: 03/02/2016

Report of Head of Planning Service (NJ)

Recommendation:

Defer

Reason for Reporting to Committee:

The application is made by the Council on Council owned land. Both Councillor Ann Griffith and Councillor Peter Rogers have indicated a wish to call in the application for a Committee determination.

At its meeting held on 2nd September 2015 the Members resolved to undertake a site visit prior to determining the application. The site was visited on 16th September.

At its meeting held on 7th October 2015 the Members resolved to defer the application in order to allow the applicant time to consider alternative proposals for the site which could include retaining the public car park and toilet facilities.

At the December Committee the applicant provided additional information in support of the application providing background information in relation to the Council's decision to dispose of the site (which is not a planning matter) and also explaining that the public conveniences on the site have been closed since April 2011 and are currently attracting anti-social behaviour – a Community Toilet Grant scheme is available to local business which open their facilities for public use; it furthermore explains that the existing public car park has 11 spaces in total whilst the scheme as proposed in the outline application would provide 28 parking spaces available for public use.

At its meeting held on 2nd December 2015 the Members resolved to defer determining the application in order to request the applicant to remove the car park and public toilet areas from the application site as proposed. At the time of writing the applicants were considering their position.

At its meeting held on 4th January 2016 the application was deferred pending receipt of a response from the applicant. No response had been received at the time of writing.

7.1

Gweddill y Ceisiadau

Remainder Applications

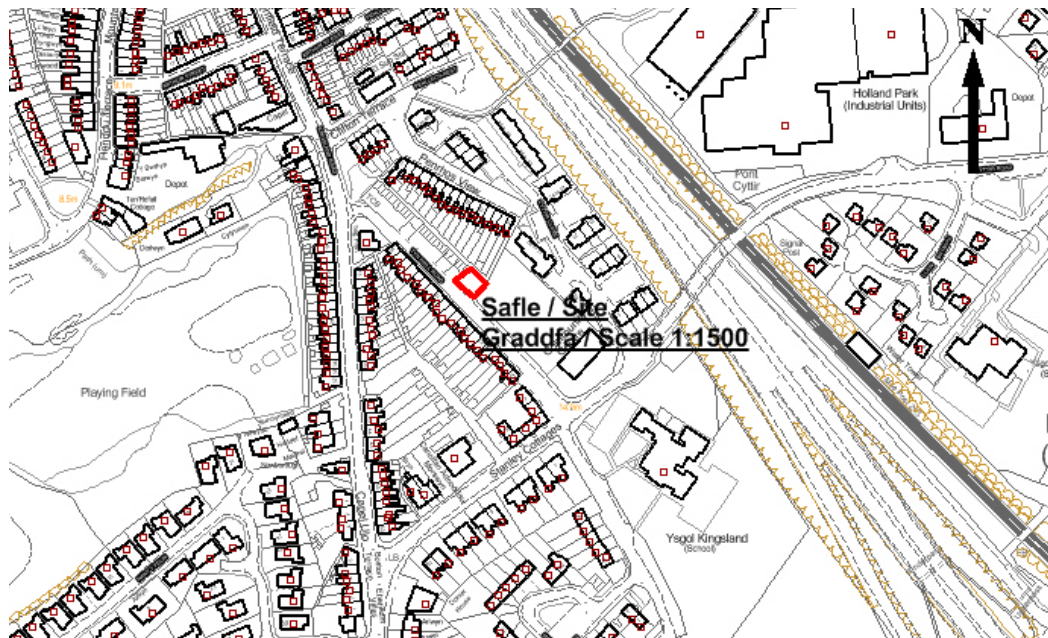
Rhif y Cais: **19C1038F** Application Number

Ymgeisydd Applicant

Grwp Cynefin

Cais llawn ar gyfer codi annedd ynghyd a chreu mynedfa i gerbydau ar dir yn / Full application for the erection of a dwelling together with the construction of a vehicular access on land at

Ffordd Ty'n Pwll / Ty'n Pwll Road, Caergybi / Holyhead



Planning Committee: 03/02/2016

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called-in for determination by the Committee by Cllr. D R Thomas due to local concerns regarding traffic and requests a site visit.

At its meeting held on 6th January 2016 the Planning and Orders Committee resolved to defer determination of the application in order that members could visit the site.

The site was visited on 20th January 2016 and the members will now be familiar with the site and its setting.

1. Proposal and Site

The application is located on a cul de sac on Ty'n Pwll Road in Holyhead. Terraced housing exists to the south of the site, the rear of traditional terraced housing defines the boundary to the north. The site is adjacent to existing garages and a block of flats recently approved as part of the former Wells Kelo site and which is currently under construction. The site is a vacant plot amongst existing development and the proposal is a full application for the erection of a single dwelling on the site. The design and scale reflects similar housing in the immediate area. Two off-road parking spaces are provided on the site.

2. Key Issue(s)

Acceptability of an infill plot, amenity and highway issues.

3. Main Policies

Ynys Mon Local Plan

Policy 1 General Policy

Policy 26 Car Parking

Policy 41 Conservation of Buildings

Policy 42 Design

Policy 48 Housing Development Criteria

Policy 49 Defined Settlements

Gwynedd Structure Plan

A1 Housing Land

A2 Housing Land

D4 Location, Siting and Design

D22 Listed Buildings

D29 Standard of Design

FF12 Parking provision

Ynys Mon Stopped Unitary Development Plan

GP1 Development Control Guidance

GP2 Design

HP3 New Housing Development

EN13 Conservation of Buildings

Supplementary Planning Guidance- Design in the Urban and Rural Built Environment

Planning Policy Wales Edition 8

Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas

4. Response to Consultation and Publicity

Councillor D R Thomas: requests a Committee determination due to local concerns regarding traffic and requests a site visit.

Councillor T LI Hughes: Late call-in request received for site visit

Councillor J M Evans: no reply at the time of writing

Holyhead Town Council: No objection

Dwr Cymru-Welsh Water: Details are satisfactory.

Highway Authority: There was a concern here for vehicles reversing onto the highway causing hazards to pedestrians; however, there is an existing vehicle movement here with the garages and parking areas. Also, the pedestrian footway stops just short of the site.

Drainage Section: Additional details requested in relation to containment of surface water within the site. Details received.

Response to Publicity: The application has been publicised through site notice and personal notifications. The expiry date for the receipt of representations was 17th December 2015.

6 letters were received, objecting to the application on the following grounds:

Safety issues with a new access exiting onto Tyn Pwll Road; there is already an unsafe opening to the Community Centre;

The road gives access to two nursery schools;

Parking would become a major issue and is already problematic;

Construction traffic would use a narrow street used by children to get to school;

Road was closed as a through road due to safety issues and a pelican crossing was recently installed for safety due to the road being part of the safe route to schools and communities;

The site is very small and the dwelling would be crammed into it and there will be overlooking of existing properties.

Responses to these matters are contained in the body of the report.

5. Relevant Planning History

6. Main Planning Considerations

Principle of the Development: The site is a vacant parcel of land centrally located in Holyhead and surrounded by residential development. The principle of residential development is supported in both national and local planning policies.

Amenity Impacts: The site is compact and the proposal is to erect a two storey dwelling with 2 parking spaces on the site. The site backs onto the rear garden area of adjoining housing at Penrhos View and is skirted by a footpath. There is a distance of between 3 and 3.5m from the rear elevation of the proposed dwelling to the rear boundary with the footpath and with over 20m between the rear elevation and dwellings at Penrhos View. There is a lesser distance of 12.5m between the front elevation of the proposed dwelling and the front elevation of dwellings on Ty'n Pwll Road but they are separated by a public road. The dwelling has been designed such that first floor bedroom windows are located to the front elevation and a landing and bathroom window are located to the first floor rear. It is not considered that any unacceptable overlooking or loss of privacy will occur. The SPG on Design suggests a distance of 9m between secondary windows as being acceptable.

Highway Impacts: The site is located on a cul de sac and the development provides two off-road parking spaces. There is no room within the curtilage of the proposed plot for vehicles to turn and accessing and exiting the parking spaces will require manoeuvring in the highway. Following discussion with the Highway Authority, the scheme has been amended in terms of the setting out of the proposed car parking spaces and the Highway Authority now offers no objection subject to conditions. It is not considered that the level of traffic using the cul de sac is such that unacceptable highway impacts will arise. It is acknowledged that the route along Ty'n Pwll Road is used by pedestrians as a short cut and that the local primary school is situated opposite the junction to Ty'n Pwll Road. However, there is good visibility on the road and there is no through traffic.

The site is within an accessible location in sustainability terms. PPW "confirms that sustainable development will be the central organising principle of the Welsh Government" and that sustainable development is promoted by for example, placing sustainability at the heart of decision making and "encouraging and enabling others to embrace sustainable development". Paragraph 4.2.2 of PPW confirms that the 'planning system provides for a presumption in favour of sustainable development'. It further states that

"8.4.2 **Car parking provision** is a major influence on the choice of means of transport and the pattern of development. Local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past. Minimum parking standards are no longer appropriate. Local authorities should develop an integrated strategy on parking to support the overall transport and locational policies of the development plan".

It is not considered that the impacts of the scheme are such that refusal can be sustained.

Other matters: The Almshouses on the junction of Ty'n Pwll Road are listed buildings but it is not considered that the scheme will affect their setting. The Drainage Authority has requested details of the drainage scheme for the site to ensure that any surface water can be dealt with on the site itself. Albeit details were awaited from the applicant at the time of writing it is considered that a technical solution can be achieved.

7. Conclusion

The principle of the development is fully supported in local and national planning policy which seeks to locate residential development within existing centres and to promote the sustainable re-use of under-used and vacant urban sites. It is not considered that unacceptable amenity impacts will occur. It is not considered that a refusal on highway grounds could be sustained.

8. Recommendation

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

(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 car parking space shown on the proposed site layout plan (WM Design Drawing A.02.2) submitted on 12th November 2015 under planning reference 19C1038F shall be made available for use before the dwelling is occupied and shall thereafter be retained for parking purposes and kept free of any obstruction for the lifetime of the development.

Reason: In the interests of highway safety.

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

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

(04) 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 overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

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

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

(06) 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 minimize danger and inconvenience to highway users

(07) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the County Highway with the surface water drainage system completed and in perfect working order before the use hereby permitted is commenced.

Reason: in the interests of amenity.

(08) 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 enable vehicles to draw off clear of the highway for the safety and convenience of highway users.

(09) No development shall commence until a construction traffic management plan has been submitted to and approved by the local planning authority detailing:

- I. The parking of vehicles for site operatives and visitors**
- II. Loading and unloading of plant and materials**
- III. Storage of plant and materials used in constructing the development**
- IV. Wheel washing facilities (if appropriate)**
- V. Hours and days of operation and the management and operation of construction and delivery vehicles.**

The development shall thereafter proceed in accordance with the details as agreed.

Reason: In the interests of safety and amenity.

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.

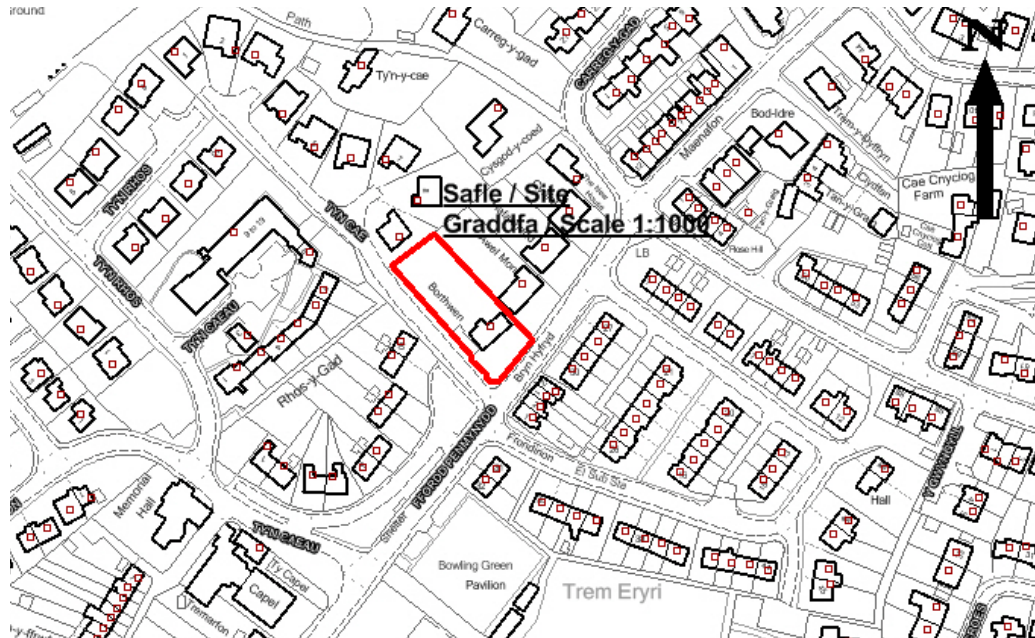
Rhif y Cais: **31C431** Application Number

Ymgeisydd Applicant

Miss Samantha Owen

Cais llawn i newid defnydd yr adeilad presennol o annedd preswyl i feithrifa yn / Full application for the change of use of existing building from residential dwelling into a nursery at

Borthwen, Ffordd Penmynydd, Llanfairpwll



Planning Committee: 03/02/2016

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called-in by Cllrs Meirion Jones and Alun Mummery for a Committee decision, both due to highway concerns.

At its meeting held on 6th January 2016 the Committee resolved to defer determination pending a site visit. The site was visited on 20th January and the members will be familiar with the site and setting.

1. Proposal and Site

The application site is located fronting Ffordd Penmynydd and is a private bungalow. Adjoining the south side garden boundary of the bungalow is a road leading to other private housing. To the south of this is an estate of local authority housing with a communal car park to their front accessed off Ffordd Penmynydd and which is signposted as private parking for residents only. Having made enquiries following concerns raised by Councillor Meirion Jones it is confirmed that this car park is part of the public highway and is generally available for use.

Parking and turning area for the bungalow is located to the front while a large garden area extends to the rear bordered by mature hedging.

The application seeks a change of use of the property to create a day nursery for up to 32 children which is anticipated to operate Monday to Friday from 7.30am to 6pm but at no time of weekends, Bank Holidays or over Christmas.

It is understood that a lease on the current premises which has been operated as a nursery in Star since 2012 is unstable and that the applicant seeks an alternative premises from which to continue her business. The application forms indicate that 1 full time employee and 8 part time staff are employed.

2. Key Issue(s)

Compliance with development plan policies, amenity and highway impacts.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 2 – New Jobs

Policy 5 – Design

Policy 17 Recreation and Community Facilities

Gwynedd Structure Plan

Policy B1 Employment Generating Developments

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EP4 – Other Employment Opportunities and Rural Diversification

Policy EP6 – Reuse of Buildings

Policy TR 10 – Parking Standards

Policy CC1 – Community Facilities

Planning Policy Wales (Edition 8)

Technical Advice Note 11 Noise and CL-01-15 Updates to Tan 11

Technical Advice Note 12 Design

Technical Advice Note 18 Transport

4. Response to Consultation and Publicity

Community Council – concerns regarding traffic and parking by the site especially in the mornings when parents in a rush are dropping off their children. On the whole the Community Council is supportive of having a nursery in the village.

Cllr Meirion Jones – I wish this matter to be referred to Committee because of the issue of traffic and road safety. I believe one important aspect could be that customers in general arrive in a vehicle more than on foot. Adequate arrangements need to be available.

Cllr Alun Mummery – following concerns from local residents about the traffic problem I feel a site visit should be arranged following discussion by the Committee

Cllr Jim Evans – no response at the time of writing

Environmental Health Section – comments for development stage

Highway Authority - I acknowledge that child drop off and pickups will be sporadic over a couple of hours in the morning and again at the afternoon, which means that there should not be too much conflict with vehicles using the site with some local people picking their children up via sustainable transport or foot. With regards to the parking, I would suggest that you demonstrate that there is adequate space within the site to accommodate the staff to all park their cars and also 2 additional spaces for parents dropping off and picking up.

A parking plan has been received and is considered acceptable.

Response to Publicity

The application has been publicised by personal notification and site notice with an expiry date for receipt of representations of 11th November 2015. At the time of writing, 10 letters of objection had been received together with 20 letters of support.

Objections are based on:

Suggestion that staff and customers will walk to the facility rather than use their cars is based on supposition;

Claim of no increase in traffic is unsubstantiated and unrealistic;

Change in character from signage and decoration of the building to identify it as a nursery;
Noise has not been considered – up the 32 children playing in the grounds – people work night shifts and the noise would impact upon them;
Yellow lines have recently been placed on the entrance to Carreg y Gad due to concerns regarding parking by customers accessing the local Spar shop – Ffordd Penmynydd cannot accommodate any additional traffic;
Parents using the access road to Tyn Cae to park would cause traffic problems in particular as on street parking already causes access difficulties e.g. for bin lorries; the road has no pavements and increased parking would increase risks;

Work has already commenced on the site and the contractors' vehicles have already caused disruption;
Impact on property values due to noise and traffic issues;
Another property should be found in order to cause less disruption to the village and with appropriate parking facilities;
Supporting letters have been received from staff and customers who state they can walk to and from the facility, the development will provide a facility which is not available in the village; the facility is in the centre of the village and would reduce the need to travel along narrow lanes; it is close to local amenities such as the playing field, increasing opportunities for outdoor play.

5. Relevant Planning History

None

6. Main Planning Considerations

Principle of the Development: The application is made to change the use of an existing bungalow into a nursery to cater for up to 32 children.

Policy 17 of the Local Plan supports the creation of community facilities and states that 'The Plan's overriding aim is to safeguard and strengthen communities by creating jobs. Communities can also be strengthened by the retention or provision of facilities such as community halls, libraries, nurseries and places of worship'.

Policy EP6 of the stopped UDP allows the re-use of buildings subject to criteria including that the redevelopment has no significant adverse impact on the character of the building or the amenity of the area. Policy CC1 of the stopped UDP reflects Policy 17 of the Local Plan.

Planning Policy Wales encourages the sustainable re-use of sites. The site is centrally located in the village and is an accessible site. Amongst the Welsh Government's objectives for economic development is that "The planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development".

Paragraph 7.1.3 of PPW states that planning authorities should aim to:

Align jobs and services with housing, wherever possible, so as to reduce the need for travel, especially by car;

Promote the re-use of previously developed, vacant and underused land;

The principle of the use as a nursery is acceptable.

Residential Amenity: The proposed nursery is situated amongst residential dwellings but is separated from them by existing hedges. It is not considered that any issues of overlooking or loss of privacy would occur. Concerns have been expressed in relation to noise at the site in particular due to

children playing outdoors. Effects on neighbours working night shifts have been cited in objection but it should be noted that paragraph 3.1.7 of PPW makes clear that “The planning system does not exist to protect the **private interests** of one person against the activities of another. Proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest”. The Environmental Health Section raises no concern and it is noted that the operating hours of the business are between 7.30am and 6pm on weekdays. TAN 11 in relation to Noise identifies daytime hours as between 7am and 11pm. The site will operate within daytime hours and does not operate at weekends or Bank Holidays. The objectors to the scheme raise concerns that the site is located on a busy road which suggests that background noise levels during daytime hours are likely to be fairly high. It is not considered that children on occasion playing outside at the site, or the noise from customers and staff accessing and existing the facility, would be such as to unacceptably affect amenity levels to the extent that refusal of the scheme could be supported.

Highway Impacts: Concern has been expressed that the site has inadequate parking facilities and that those accessing the service will use existing roads to park their vehicles. It is suggested in objection that it is unrealistic to expect staff and customers to walk to and from the site although supporting letters welcome the opportunity provided to do so due to the site’s location. The site is within an accessible location in sustainability terms. PPW “confirms that sustainable development will be the central organising principle of the Welsh Government” and that sustainable development is promoted by for example, placing sustainability at the heart of decision making and “encouraging and enabling others to embrace sustainable development”. Albeit many of the site’s customers and staff may continue to use their cars, the location of the development in a central and accessible village setting will allow them the opportunity to use alternative means of transport including walking. Paragraph 4.2.2 of PPW confirms that the ‘planning system provides for a presumption in favour of sustainable development’. Planning decisions should ‘Locate developments so as to minimise the demand for travel, especially by private car’. Paragraph 4.7.4 states that

“4.7.4 Local planning authorities should assess the extent to which their development plan settlement strategies and new development are consistent with **minimising the need to travel and increasing accessibility by modes other than the private car**. A broad balance between housing and employment opportunities in both urban and rural areas should be promoted to minimise the need for long distance commuting. Local authorities should adopt policies to locate major generators of travel demand such as housing, employment, retailing, leisure and recreation, and community facilities including libraries, schools and hospitals within existing urban areas or in other locations which are, or can be, well served by public transport, or can be reached by walking or cycling”.

PPW recognises that:

“8.4.2 **Car parking provision** is a major influence on the choice of means of transport and the pattern of development. Local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past. Minimum parking standards are no longer appropriate. Local authorities should develop an integrated strategy on parking to support the overall transport and locational policies of the development plan”.

The applicant has submitted details of the availability of parking spaces within the curtilage of the site. Paragraph 8.1.4 of PPW encourages locating development on accessible sites and encourages multi-purpose trips and the reduced length of journeys. Supporters of the scheme state that the proposed site is more convenient and accessible than the existing site at Star. Objectors are concerned that parents will drop off and pick up children on the way to and from work. These multi-purpose trips are encouraged under national planning policy but the accessible location where public transport links are available provides opportunities for reduced car travel. As confirmed earlier in this report, a car park adjoining the site fronting local authority housing is in fact part of the public highway and available for

general use.

It is not considered that the impacts of the scheme are such that refusal can be sustained.

7. Conclusion

The principle of the use is supported in planning policies. The amenity impacts are not considered sufficient to warrant refusal. The proposal is located in an accessible and sustainable location in accordance with the sustainability objectives of national planning policy.

8. Recommendation

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

(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) No more than 32 children shall be permitted at the nursery at any one time and a register of clients shall be kept and made available for inspection on request by the local planning authority.

Reason: To define the scope of the permission.

(03) The site shall not operate as a nursery before 7am or after 6pm Monday to Friday. The site shall not operate as a nursery on weekends, Bank Holidays or other public holidays.

Reason: To define the scope of the permission and in the interests of amenity.

(04) The car parking space shown on the parking layout plan submitted on 7th December 2015 under planning reference 31C431 shall be made available for use before the use of the building as a nursery is commenced and shall thereafter be retained for parking purposes and kept free of any obstruction for the lifetime of the development.

Reason: In the interests of highway safety.

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.

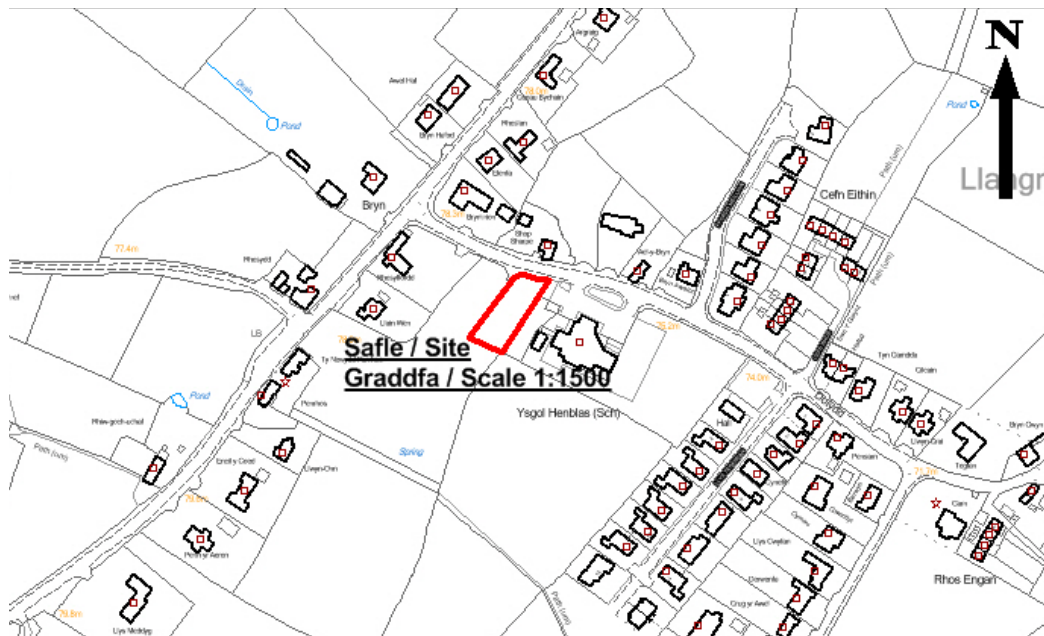
Rhif y Cais: **36C344** Application Number

Ymgeisydd Applicant

Rev & Mrs G. Lloyd Evans

Cais amlinellol ar gyfer codi annedd sydd yn cynnwys manylion llawn am y fynedfa i gerbydau ynghyd a ail-leoli mynedfa i'r cae ar dir ger / Outline application for the erection of a dwelling together with full details of the vehicular access together with the re-location of the access into the field on land adjacent to

Ysgol Gynradd Henblas, Llangristiolus



Planning Committee: 03/02/2016

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called-in for Committee determination by Cllr. Victor Hughes.

At its meeting held on 6th January 2016 the Planning and Orders Committee resolved to defer determination pending a site visit.

The site was visited on 20th January and the members will be familiar with the site and its setting.

1. Proposal and Site

The site is situated within the settlement of Llangristiolus on a parcel of land directly adjoining the local primary school and lies on land next to a detached two storey dwelling which is under construction. Access to the site is afforded off the B4422 onto a Class III highway which serves as the main route through the settlement. The surrounding properties are a mix of single and two storey units.

The application is an outline application for the erection of a detached two storey dwelling. The dimensions given for the dwelling are a maximum of 10x10m on plan (minimum 6x6m) and between 6m and 8m to the ridge. Access details are included in the application and involve direct access to the highway from the plot as well as a reconfigured field access between the proposal and the adjoining dwelling under construction.

2. Key Issue(s)

The applications main issues are whether the proposal complies with current policies and whether the proposal will affect the amenities of the surrounding properties.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 50 – Listed Settlement

Gwynedd Structure Plan

Policy D4 – Location, Siting and Design

Policy D29 – Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP4 – Villages

Planning Policy Wales, 8th Edition

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

Technical Advice Note 12 – Design

4. Response to Consultation and Publicity

Community Council – No response to date

Local Member, Cllr V Hughes – Call-in if the recommendation is one of approval

Local Member, Cllr H E Jones – No response to date

Highways Authority – the access appears substandard in terms of visibility. A traffic survey has been undertaken and conditions are proposed.

Drainage Section – Requested additional information. Details received and are satisfactory in principle.

Welsh Water – Recommended conditional approval.

Joint Planning Policy Unit - Llangristiolus is identified as a Listed Settlement under Policy 50 of the adopted Ynys Môn Local Plan and as a Village under Policy HP4 of the Stopped Unitary Development Plan (UDP). Whilst the UDP has not been fully adopted, due to the stage reached in its preparation it is a material consideration that can be given significant weight in dealing with current applications.

Policy 50 is a criteria based policy that can support single dwelling applications on infill or reasonable minor extensions to the existing developed part of the settlement. A development boundary was introduced for Villages identified under Policy HP4 of the Stopped UDP.

The site lies outside but adjoins the Llangristiolus Stopped UDP development boundary. However, as the application is for a single dwelling adjoining the existing urban form it can be considered under the adopted Ynys Môn Local Plan. A judgement should be made on whether the site is a reasonable minor extension to the existing built form of the surrounding area.

A site visit is strongly recommended in order to establish whether the application is sympathetic to the surrounding built environment and landscape.

Level of Requirement:

(i) Supply of dwellings with planning permission:

at April 2015 there were 9 units with planning permission within the settlement of Llangristiolus.

Land Bank – April 2015	
Not Started	Under Construction
5	4

(ii) Number and type of vacant dwellings (Neighbourhood Statistics Table KS401EW)

Llangristiolus falls within the Bodorgan ward. At the 2011 Census, out of 807 dwellings in Bodorgan, 90 were with no usual residents i.e. empty at time of Census, which equates to 11.2%. Llangristiolus

has approximately 79 dwellings. On the basis of an 11.2% vacancy rate this would be 9 units being vacant that could include houses for sale at the time of the Census.

(iii) Number and type of dwellings built in the past 10 years

A review of the House Monitoring Survey reveals that 27 units have been completed in the settlement over the past 10 years.

Completions			
Year	Units	Year	Units
2005-06	6	2010-11	2
2006-07	2	2011-12	5
2007-08	0	2012-13	2
2008-09	2	2013-14	6
2009-10	2	2014-15	0

Other Issues

(i) Design

It is strongly recommended that the views of the Built Environment and Landscape Section are sought in terms of the scale and design of the proposed dwelling.

The Council's Supplementary Planning Guidance 'Design Guide for the Urban and Rural Environment' should be referred to when evaluating the design merits of the proposal.

(ii) Designations

The site is not situated within environmental, heritage or landscape designations.

(iii) Highways and Parking

The views of the Council's Highways Department should be sought in order to establish whether the proposal conforms to all relevant highways and parking requirements.

The Council's Supplementary Planning Guidance 'Parking Standards' should also be taken into consideration.

Conclusion

The figures highlighted show that 27 units have been developed over the past 10 years and there is a land bank of 9 units with existing planning permission. As the estimated number of units in the settlement is 79, the growth rate for the settlement would be 45.6% with the implementation of the units in the current land bank. Additionally, it is estimated that there could be 9 vacant properties in the settlement. Regard should be given to the aforementioned issues in evaluating the suitability of the proposed development.

Response from members of the public

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of representations was the 13th November, 2015 and at the time of writing this report one letter of representation had been received at the department, objecting to the proposal. The main issues raised opposing the application can be summarised as follows -

i) Road and access between the existing plot under construction and the current application site can only be there for one purpose, which is to create access to further building in the future;

ii) If the long term aim is to build more dwellings in this location, the application should make that clear. It is only fair that those likely to be impacted by future development should know the facts from the beginning.

iii) Significant development has taken place in Llangristiolus of late, development which appears to be out of control with many houses built which are beyond the means of local people to afford to buy and which have changed and lost much of which made the area so attractive. Do we need more of this type of development?

5. Relevant Planning History

None.

Site history of adjoining land

36C319 Outline application for the erection of one dwelling together with the construction of a vehicular access on land adjacent to Ysgol Henblas, Llangristiolus – approved 11/10/12

36C319A Full application for the erection of a new dwelling together with the construction of a new vehicular access on land adjacent to Ysgol Henblas, Llangristiolus – approved 8/5/14

6. Main Planning Considerations

Policy – 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 Ynys Môn Local Plan. The erection of a dwelling on this site is considered acceptable as the site lies close to the adjoining properties.

Policy HP4 of the stopped Unitary Development Plan states that residential development within the village boundary will be permitted subject to the listed criteria. The application site lies outside the development boundary of Llangristiolus as defined under Policy HP4 of the stopped Unitary Development Plan.

Although the site lies outside the development boundary of the village as defined under Policy HP4 of the stopped Unitary Development Plan the proposal is for a single dwelling only and therefore greater weight is placed on Policy 50 of the Ynys Môn Local Plan. The proposal is considered as an acceptable 'infill' development.

Although concern has been raised regarding the number of plots approved in Llangristiolus under Policy 50, it is clear from a recent appeal decision raising similar issues in Llanfaelog that a refusal based on numbers cannot be sustained on appeal.

Effect on amenities of surrounding properties -

It is not considered that the proposal will harm the amenities of the occupants of neighbouring properties due to the distances between the proposal and existing properties. There is ample space within the site to accommodate the dwelling without resulting in the over-development of the site to the detriment of the locality and surrounding properties. Careful consideration during its design stage will ensure that no overlooking / loss of privacy will occur to the occupants of the existing and proposed dwelling.

Highways issues: The Highways Authority suggests that the visibility at the access may not reach current standards.

A traffic survey was undertaken by the Highway Authority with the results such that conditions are

proposed.

7. Conclusion

The proposal is considered as an acceptable 'infill' development which complies with Policy 50 of the Ynys Môn Local Plan. The proposal will not harm the amenities currently enjoyed by the occupants of neighbouring properties. It is considered that a suitable access can be achieved. The recommendation is one of approval subject conditions.

8. Recommendation

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

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

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

(03) The development to which this permission relates 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 and Country Planning Act 1990.

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

Reason: In the interests of visual amenity.

(05) 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.

Reason: In the interests of visual amenity.

(06) Full details of the existing and proposed ground levels and finished floor levels shall be submitted as part of any full or detailed application.

Reason : In the interests of amenity

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

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

environment.

(08) 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 overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

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

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

(10) No surface water from within the curtilage of the site to discharge onto the county Highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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 access to the dwelling hereby approved shall be completed with a 2.4m x 43 m visibility splay in a westerly direction and a 2.4m x 33 m visibility splay in an easterly direction. Within the visibility splays, nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: In the interests of highway safety.

(13) The development permitted by this consent shall be carried out strictly in accordance with the plans, sections and elevations required to be approved by the local planning authority under the conditions imposed.

Reason: For the avoidance of doubt.

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.

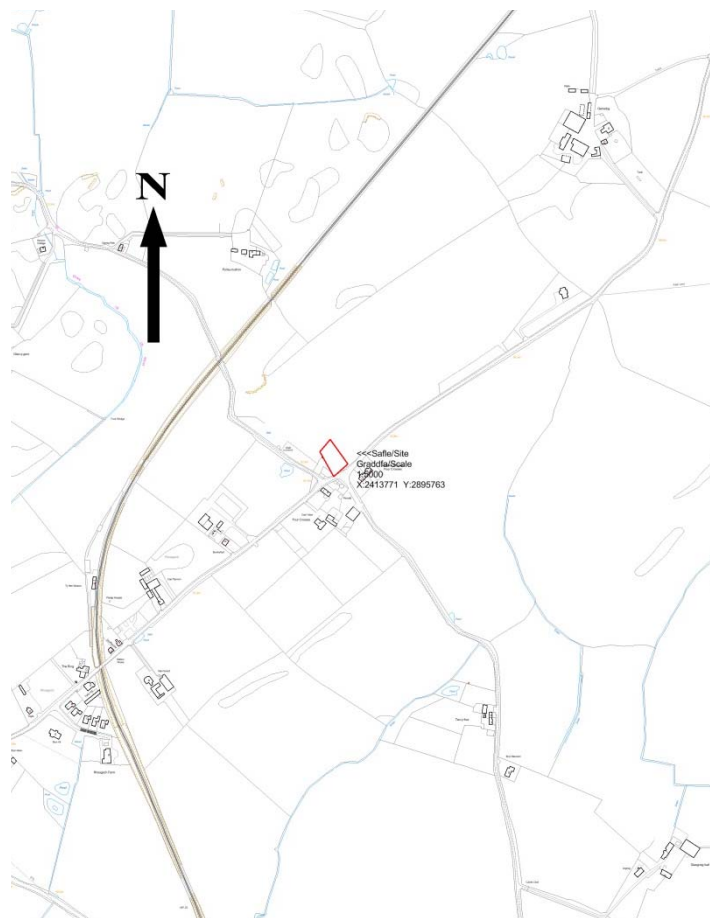
Rhif y Cais: **44C250A** Application Number

Ymgeisydd Applicant

Mr William Edwards

Cais amlinellol ar gyfer codi annedd yn cynnwys manylion llawn am addasu'r mynedfa amaethyddol beresennol ar dir gyferbyn a / Outline application for the erection of a dwelling together with full details for alterations to the existing agricultural access on land opposite

Tai Cyngor / Council Houses, Four Crosses, Rhosgoch



Planning Committee: 03/02/2016

Report of Head of Planning Service (GJ)

Recommendation:

Refuse

Reason for Reporting to Committee:

The application is presented to the Planning Committee on the request of the local member.

At its meeting held on the 2nd December, 2015 the agent requested that the committee defer the application until the 3rd February in order that he may present 3D drawings of the proposal.

At the time of writing the report, no drawings have been received from the agent.

1. Proposal and Site

The proposal is for Outline planning for the erection of a dwelling with full details of the vehicular access on land opposite Council Houses, Fourcrosses, Rhosgoch

2. Key Issue(s)

The key issue is whether the proposal complies with current policies and whether the proposal will affect the amenities of the surrounding properties.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 31 - Landscape

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 50 – Listed Settlement

Gwynedd Structure Plan

Policy A2 – Housing

Policy A3 - Housing

Policy D4 – Location, Siting and Design

Policy D29 - Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP5 – Countryside Hamlet and Cluster

Policy EN1 - Landscape

4. Response to Consultation and Publicity

Community Council – Support

Local Member (Cllr Aled Morris Jones) – Requested that the application be presented to the Planning and Orders Committee for consideration.

Local Member (Cllr William Hughes) – No response at the time of writing the report

Local Member (Cllr Richard Owain Jones) – No response at the time of writing the report

Highways Authority – No response at the time of writing the report

Drainage Section – Standard Comments

Welsh Water – Standard Comments

Natural Resources Wales – Standard Comments

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of representations was the 13/11/15. At the time of writing the report no letters had been received objecting to the proposal.

5. Relevant Planning History

44C250 – Outline application for the erection of a dwelling on land at Fourcrosses, Rhosgoch – Refused 6-4-06

6. Main Planning Considerations

Policy - Rhosgoch is identified as a Listed Settlement under Policy 50 of the Ynys Mon Local Plan and the land is outside the Hamlet and Cluster area under Policy HP5 of the stopped Unitary Development Plan.

Single plot applications within or on the edge of a settlement are considered acceptable under Policy 50 of the Ynys Mon Local Plan.

Policy HP5 of the Stopped Unitary Development Plan states that single dwellings will be permitted on 'infill' sites, or other acceptable sites that are immediately adjacent to the developed part of the rural hamlet and clusters, provided that the development will not cause undue harm to the character of the group or any harmful visual intrusion into the surrounding landscape.

Policy A2 of the Gwynedd Structure Plan states that new housing should be located within or on the edge of settlements at a scale which reflects the settlements existing population at a proportion of the total population of the relevant district.

Paragraph 9.3.3 states that insensitive infilling, or cumulative effects of development or redevelopment, should not be allowed to damage an area's character or amenity

Paragraph 9.3.4 states that in determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity.

Main planning considerations

The site is located opposite a cluster of 4 terraced dwellings adjacent to a crossroad which forms a small cluster of properties.

The main considerations have been identified as the following:

- Is the principle of the proposal acceptable in policy terms
- The impact on the landscape and amenities of adjacent residential properties

In terms of the principle of development, whilst it is accepted that a small cluster of dwellings are located in the area, the site is located on the opposite side of the road which is currently undeveloped.

The dwelling would be in a position not well related to the settlement. There are no dwellings located on this side of the road. Given this scenario it is considered that the proposed dwelling would unacceptably harm the appearance of the location, intruding into an open rural landscape. The erection of a dwelling on this site could also possibly result in future residential development within the field.

Due to the above the application currently does not comply with Policy 50 by virtue of the fact that it would extend the built form further into the open countryside thus creating an undesirable intrusion into the landscape which would harm the character and amenities of the locality.

Effect on the amenities of adjacent residential properties

There is ample room within the site to accommodate a dwelling, parking and turning area. The dwelling would therefore not have an adverse effect on the amenities currently enjoyed by the occupants of the neighbouring properties.

7. Conclusion

It is not considered that the erection of a dwelling in this location would be acceptable, and it would result in development into the open countryside. It would constitute a harmful visual intrusion into the landscape designated a Special Landscape Area under Policy 31 of the Ynys Mon Local Plan and Policy EN1 of the Stopped Unitary Development Plan. The proposal would result in the extension of the built form into the countryside and is contrary to both Local and Structure Plan Policy and the advice contained within Planning Policy Wales.

8. Recommendation

Refusal

(01) The proposal in this form would prejudice the implementation of Policy 50 of the Ynys Mon Local Plan by creating a set of circumstances which make it difficult to resist further development on this field which could purport to be a logical extension of the settlement

(02) The local planning authority considers that the proposal would be harmful to the character and appearance of the area bringing about the unacceptable erosion of an attractive rural field in this Special Landscape Area and would therefore be contrary to Policy A2, A3 and D4 of the Gwynedd Structure Plan, Policies 1, 31, 42, 48 and 50 of the Ynys Mon Local Plan, Policies GP1, GP2, EN1 and HP5 of the Stopped Unitary Development Plan and the provisions of Planning Policy Wales (Edition 8, 2016)

9. Other Relevant Policies

Technical Advice Note 12 – Design

SPG – Design Guide for the Urban and Rural Environment

Planning Policy Wales 8th Edition

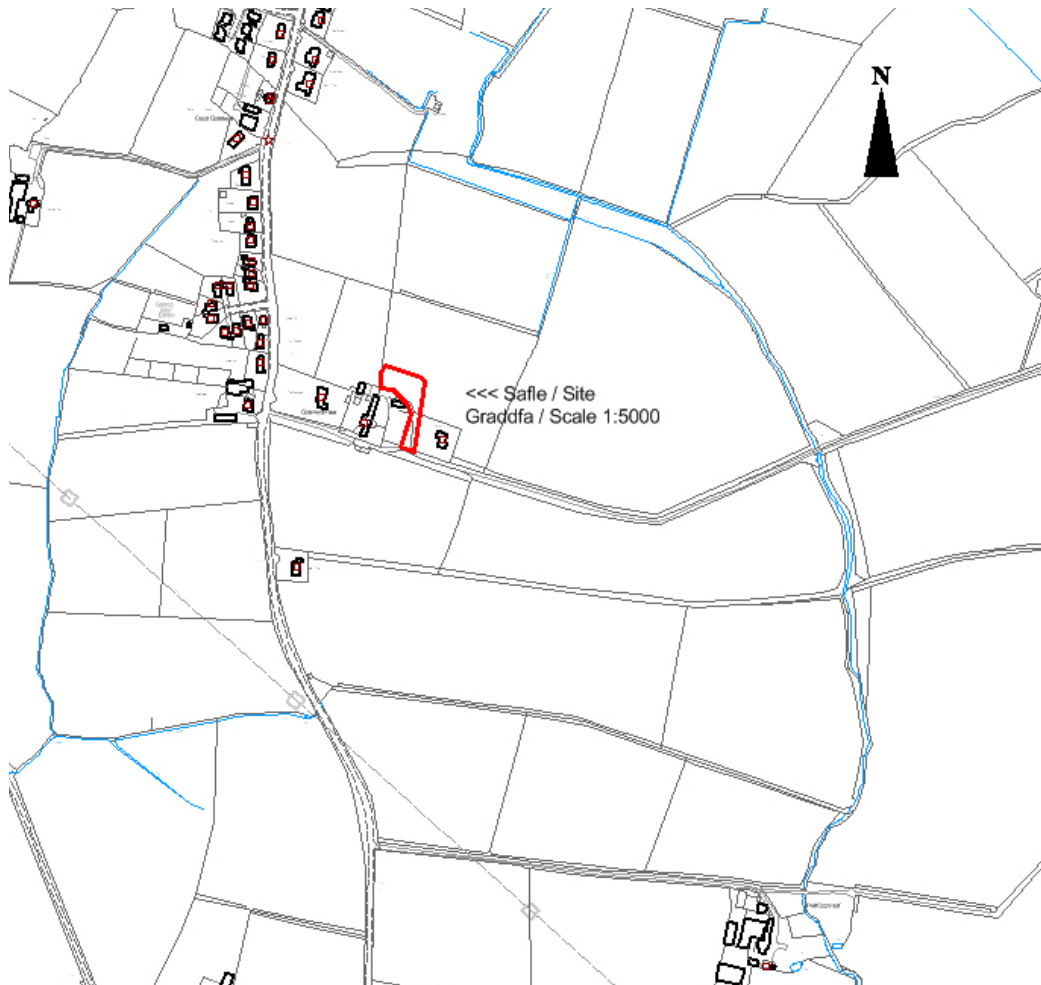
Rhif y Cais: **44C320** Application Number

Ymgeisydd Applicant

Mr & Mrs Rhys Gough

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 near

Gorslwyd Fawr, Rhosybol



Planning Committee: 03/02/2016

Report of Head of Planning Service (GJ)

Recommendation:

Refuse

Reason for Reporting to Committee:

At the request of the local member.

At its meeting held on the 6th January, 2016 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

- The proposal complies with Policy 50 as it forms a small, reasonable 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;

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?: It is considered that the development would abut beyond a reasonable extension to the village and would have a detrimental impact on the landscape. The development will not fit in comfortably with the existing development pattern of the village.

It is considered therefore that in weighing these factors that the site cannot be described as being an acceptable minor extension to the developed part of the settlement.

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 above and ultimately determined in its planning merits and upon the facts of the particular case existing at that time.

1. Conclusion

It is accepted that 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;

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

2. Recommendation

Refusal

(01) The proposal in this form would prejudice the implementation of Policy 50 of the Ynys Môn Local Plan by creating a set of circumstances which make it difficult to resist further development on this field which could purport to be a logical extension of the settlement

(02) The local planning authority considers that the proposal would be harmful to the character and appearance of the area bringing about the unacceptable erosion of an attractive rural field in this Special Landscape Area and would therefore be contrary to Policy A2, A3 and D4 of the Gwynedd Structure Plan, Policies 1, 31, 42, 48 and 50 of the Ynys Môn Local Plan, Policies GP1, GP2, EN1 and HP5 of the Stopped Unitary Development Plan and the provisions of Planning Policy Wales (Edition 8, January 2016).

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10.1

Ceisiadau'n Tynnu'n Groes

Departure Applications

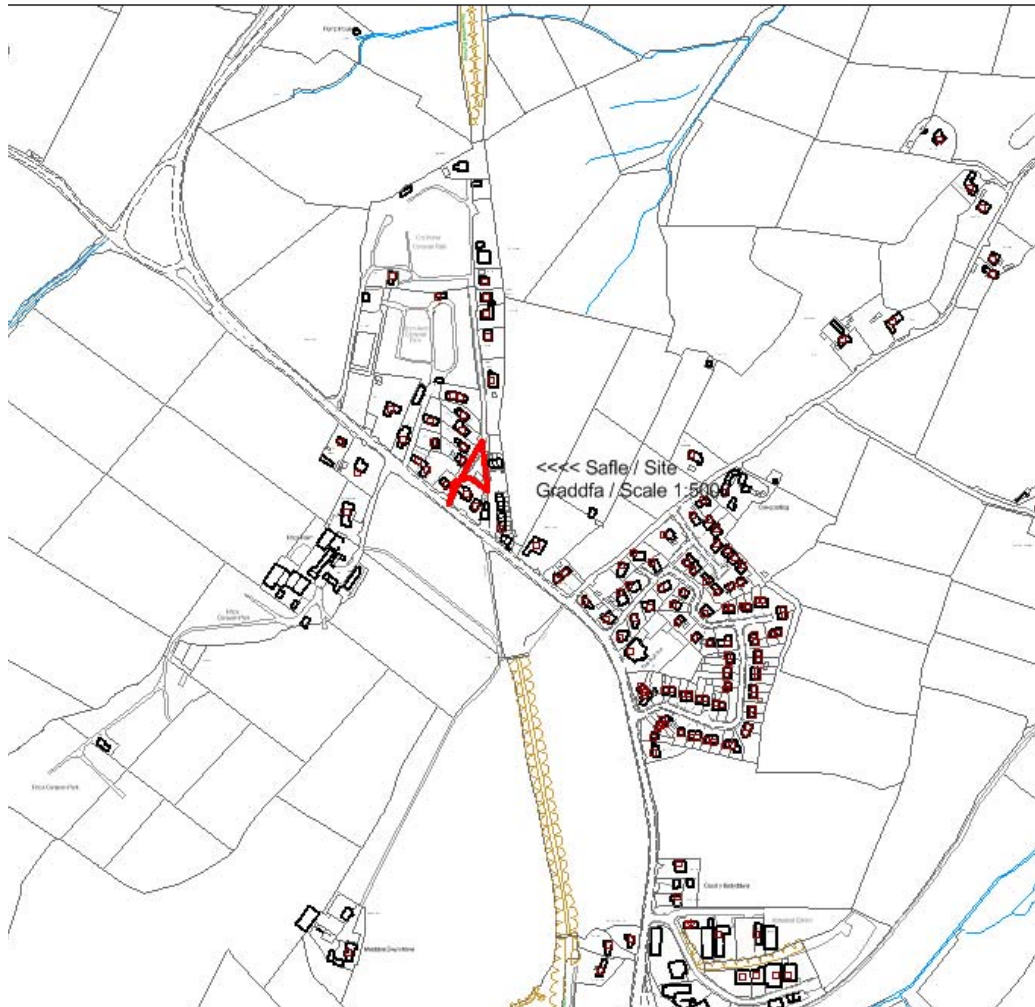
Rhif y Cais: **42C247** Application Number

Ymgeisydd Applicant

Mr E O Riley Walsh + Mr H Riley-Walsh

Cais llawn ar gyfer codi annedd ynghyd a creu mynedfa i gerbydau ar dir yn / Full application for the erection of a dwelling together with the construction of a vehicular access on land at

Iard Gwel y Don Yard, Pentraeth



Planning Committee: 03/02/2016

Report of Head of Planning Service (GJ)

Recommendation:

Permit

Reason for Reporting to Committee:

This is a departure application for which the recommendation is to permit.

1. Proposal and Site

It is proposed to erect a two storey dwelling.

The site is located adjacent to the recently constructed "Sidings" development in Pentraeth. Access is onto Helens Crescent.

2. Key Issue(s)

- Policy
- Highways
- Amenity

3. Main Policies

Gwynedd Structure Plan

Policy A2 - Location of Housing Land
Policy A3 - Scale and Phasing of Housing

Policy D4 - Siting and Design

Ynys Môn Local Plan

Policy 1 - General Policy
Policy 31 - Landscape
Policy 42 - Design
Policy 48 - Housing Development Criteria

Ynys Môn Unitary Development Plan (Stopped)

Policy GP1 - Development Control Guidance
Policy GP2 - Design
Policy EN1 - Landscape Character
Policy HP4 - Villages

SPG Design Guide for the Urban and Rural Environment

4. Response to Consultation and Publicity

Local Member (Cllr Vaughan Hughes) – No response at the time of writing the report

Local Member (Cllr Ieuan Williams) - No response at the time of writing the report

Local Member (Cllr Derlwyn Hughes) - No response at the time of writing the report

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

Highways – Conditional approval

Drainage - Standard comments

Welsh Water – Conditional approval

Footpath Officer – Standard comments

Natural Resources Wales – Standard advice

Response to Publicity

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The application was also advertised in the local newspaper as the development is contrary to the Ynys Mon Local Plan policies. The latest date for the receipt of representations was the 25th November, 2015. At the time of writing the report no letters were received.

5. Relevant Planning History

None

6. Main Planning Considerations

The site is located outside the settlement boundary in the Ynys Mon Local Plan but within it in the Unitary Development Plan. Given the weight that can be attributed to the UDP it is considered that the proposals are acceptable in land use terms.

The site is located adjacent to a new development and there are dwellings on the opposite side of the access road. However, given the distances from the surrounding dwellings it is considered that the new dwelling will not impose any harm on the amenities of the occupiers thereof.

Furthermore, a dwelling in this location is not considered to harm the visual appearance/character of the locality.

In terms of access and traffic generation, a certificate of lawfulness has been granted to the rear of the site for a storage/builders yard. Given this it is accepted that the dwelling approved on the plot to the rear together with the plot currently under consideration would not generate any additional vehicular movements over the use that the land could be used for. The Highways Department have therefore confirmed that they are satisfied with the development for this reason.

7. Conclusion

The proposals are acceptable in terms of land use policy, amenity and traffic generation/access.

8. Recommendation

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

(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) 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: In the interests of amenity.

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

Reason: In the interests of amenity.

(04) 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 in the interests of road safety.

(05) 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 overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

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

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

(07) The balcony screen on the East elevation on the 1st floor shall be of an obscured material. No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of a screen for the balcony noted A-B on the attached plan. The said scheme shall include details of the timing of the work. The screen shall thereafter be erected in accordance with the details as agreed and any replacement shall be of the same design as that approved, and shall be retained in perpetuity. If the privacy screen requires to be changed for whatever reasons, the replacement shall be of the same height and design in the same position unless otherwise approved in writing by the Local Planning Authority.

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

(08) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 26/06/2015 under planning application reference 42C247.

Reason: For the avoidance of doubt.

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.

11.1

Gweddill y Ceisiadau

Remainder Applications

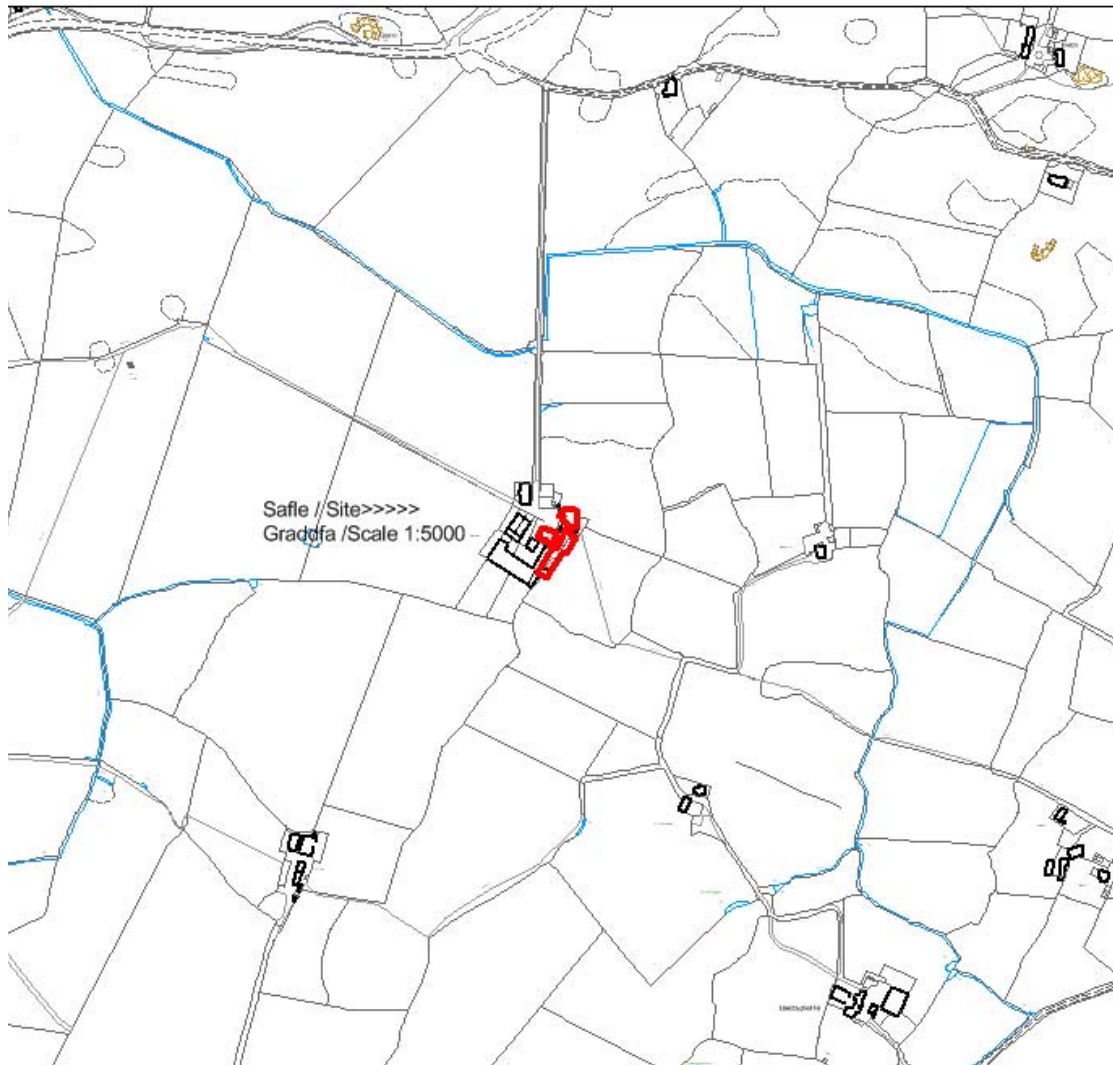
Rhif y Cais: **38C219G** Application Number

Ymgeisydd Applicant

Mr and Mrs M Camara

Cais llawn i newid defnydd ac addau ac ehangu yr adeilad allannol i greu annedd yn / Full application for change of use and alterations and extensions to the existing outbuilding to create a dwelling at

Cae Mawr, Llanfechell



Planning Committee: 03/02/2016

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is made by a relevant officer under the Council's constitution as a joint applicant. The application has been scrutinised as required by the Monitoring Officer.

1. Proposal and Site

The application made is for conversion of an existing outbuilding into a dwelling together with the erection of a small bedroom extension onto its gable end to create a three bedroom unit. The site is part of a complex of farm buildings and the original farmhouse at Cae Mawr which is located east of the A5025 and approximately just over a mile south of Tregle and a similar distance west of Llanfechell.

2. Key Issue(s)

Principle of the development and its impacts on amenities and protected species.

3. Main Policies

Ynys Môn Local Plan

Policy 1 General Policy

Policy 7 Rural Buildings

Policy 31 Landscape

Policy 35 Nature Conservation

Policy 41 Conservation of Buildings

Gwynedd Structure Plan

Policy D4 Location siting and design

Policy D10 Flora and Fauna

Policy D21 Listed Buildings

Policy D22 Listed Buildings

Policy D27 Listed Building conversion

Stopped Unitary Development Plan

Policy GP1 Development control guidance

Policy GP2 Design

Policy EN1 Landscape Character

Policy EN4 Biodiversity

Policy EN13 Conservation of Buildings

Policy SG5 Private Sewage Treatment facilities, Policy SG6 Surface water run-off

Supplementary Planning Guidance- Design in the Urban and Rural Built Environment

Planning Policy Wales – Edition 8

TAN 5 – Nature Conservation and Planning

TAN 12 – Design

TAN 18 – Transport

Circular 10/99: Planning requirements in respect of the use of non-mains sewerage incorporating septic tanks in new development.

Circular 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas

4. Response to Consultation and Publicity

Community Council – no response at the time of writing

Cllr Ken Hughes– no response at the time of writing

Cllr John Griffith – no response at the time of writing

Cllr LI M Huws – no response at the time of writing

Footpaths – the proposed development will not have any effect on Public Footpath no 29.

Natural Resources Wales – does not object to the application. Bat and protected species survey has been completed to an appropriate standard and there is no evidence that the structure is being used as a bat roost and they have low potential as a roost. It is unlikely that bats or their roosts will be impacted by the proposed works. Comments on drainage requirements.

Drainage – comments for development stage

Highway Authority – No response at the time of writing

Built Environment and Landscape Section – No response at the time of writing

Ecological and Environmental Advisor – no evidence of bats or other protected species was found and due to the nature of the outbuilding no mitigation has been recommended.

Welsh Water - standard comments

No response was received to the publicity undertaken.

5. Relevant Planning History

38C219/LB Listed building consent for alterations and extension to the dwelling at Cae Mawr – approved 26/7/05

38C219A/LB Listed Building Consent for alterations and extensions to the existing building together with conversion of an outbuilding into a store / workshop at Cae Mawr – approved 26/6/07

38C219B Alterations and extensions to the existing building together with conversion of an outbuilding into a store / workshop at Cae Mawr – approved 26/6/07

38C219C Full application for the erection of one 10kw wind turbine with a maximum hub height of 15m, a rotor diameter of 9.7m and a maximum vertical upright height of 19.5m on land at Cae Mawr – approved 10/10/13

38C219D/SCR Screening opinion for the erection of one 10kw wind turbine with a maximum hub height of 15m, a rotor diameter of 9.7m and a maximum vertical upright height of 19.5m on land at Cae Mawr – EIA not required 22/11/12

38C219E returned to applicant

38C219F Full application for the erection of traditional agricultural barns at Cae Mawr – approved 8/10/15

38C219H/LB Application for listed building consent for the change of use, alterations and extensions of an existing outbuilding into a dwelling at Cae Mawr – concurrent application with planning application before this Committee

6. Main Planning Considerations

Principle of the Development – Policies contained in the development plan and in the stopped UDP support conversion schemes for rural buildings for residential use. Such schemes must be balanced with a consideration of their effects on interests of acknowledged importance including ecology, landscape impact, residential and local amenities and highway impacts.

Design - The submitted drawings show a conversion scheme which retains the scale and character of the existing building. There is very little intervention with the existing form. The proposed extension to create an additional bedroom is subservient to the original building and the use of contrasting finishing materials helps to emphasise the form of the existing building. The proposal is considered compliant with Policy 55 requirements.

Ecology - The application is supported by a protected species survey and the results are considered acceptable. No protected species were found and no mitigation is required.

Landscape Impact - The site is located in a countryside location set back some distance from the road. The building is part of a complex of buildings including larger more contemporary agricultural sheds. The proposed curtilage is to the front of the building facing the farmyard. A public footpath traverses fields in close proximity but it is not considered that the proposal would give rise to any unacceptable landscape impacts.

Residential and Local Amenities - A dwelling is located on the access track which is in separate ownership to the original farmhouse at Cae Mawr. Whilst some additional vehicular and pedestrian movements will occur as a consequence of the development it is not considered that any unacceptable amenity impacts will occur and there is no impact on privacy. As previously stated, the building is located amongst a series of agricultural sheds and set back from the public highway. Although a public footpath runs in close proximity, it is not considered that unacceptable wider amenity concerns will arise.

Traffic Impacts - The public highway leading to the site is a typical narrow country lane. The access to the farm off the highway has good visibility and it is not considered that an additional unit would lead to unacceptable traffic volumes on the lane.

7. Conclusion

The scheme is considered to comply with Policy 55 requirements and is not considered to give rise to ecological, amenity, landscape impact or traffic impact concerns.

8. Recommendation

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

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

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

(02) The provisions of Classes A, B, C, D, E and F of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any Order re-voking or re-enacting that Order) are hereby excluded.

Reason: In the interests of amenity.

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

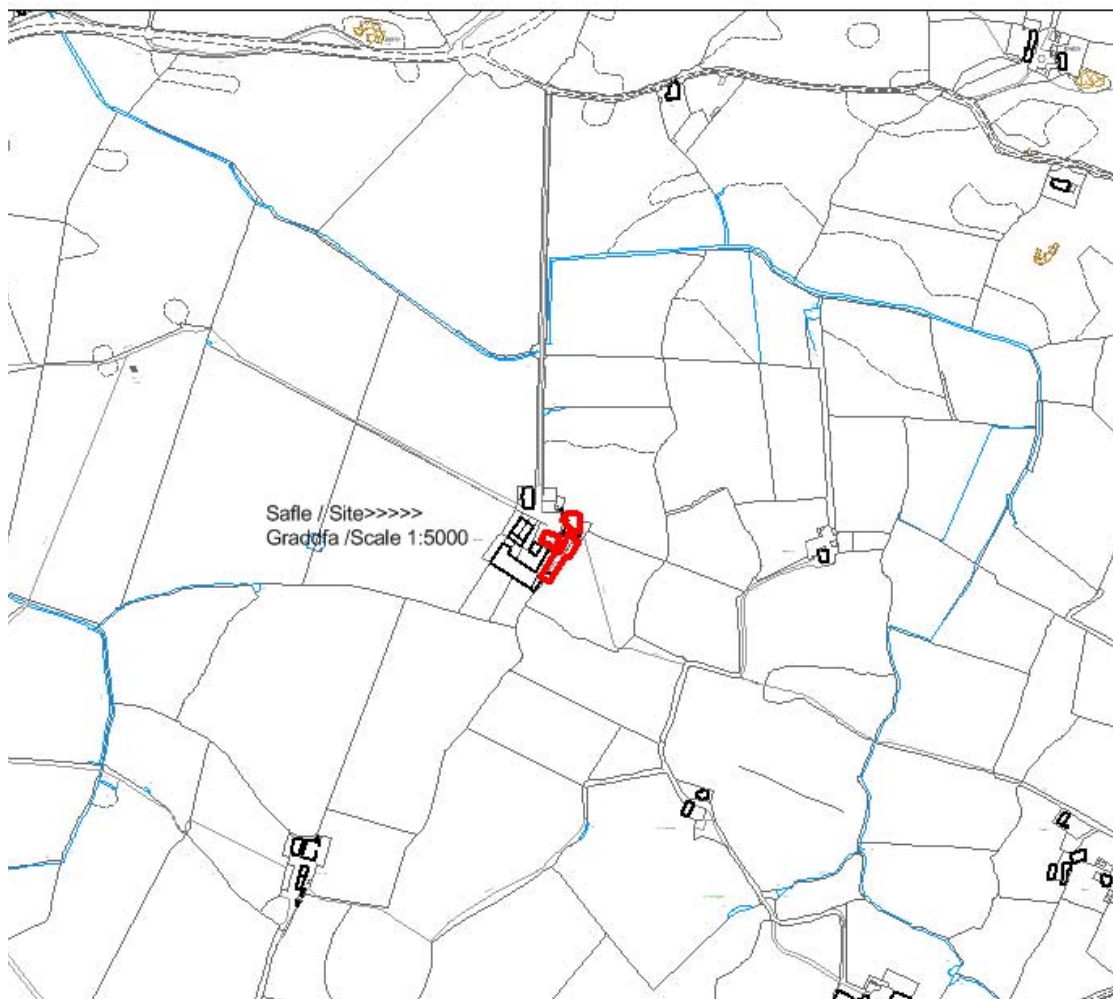
Rhif y Cais: **38C219H/LB** Application Number

Ymgeisydd Applicant

Mr and Mrs Camara

**Cais adeilad rhestredig ar gyfer newid defnydd ac addasu ac ehangu yr adeilad allannol
presennol i greu annedd yn / Listed building application for the change of use and alteration
and extension to the existing outbuilding to create a dwelling at**

Cae Mawr, Llanfechell



Planning Committee: 03/02/2016

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is made by a relevant officer under the Council's constitution as a joint applicant. The application has been scrutinised as required by the Monitoring officer.

1. Proposal and Site

The application made is for conversion of an existing outbuilding into a dwelling together with the erection of a small bedroom extension onto its gable end to create a three bedroom unit.

2. Key Issue(s)

Meeting the statutory requirement to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

3. Main Policies

Ynys Mon Local Plan

Policy 41 – listed buildings

Gwynedd Structure Plan

Policy D21 – listed buildings

Policy D22 – listed buildings

Stopped Unitary Development Plan

EN13 – conservation of buildings

Planning Policy Wales, Edition 8

TAN 12 – Design

Circular 61/96 – Planning and the Historic Environment: Historic Buildings and Conservation Areas

4. Response to Consultation and Publicity

Community Council: No response at the time of writing

Councillor Ken Hughes: No response at the time of writing

Councillor John Griffith: No response at the time of writing

Councillor LI M Huws: No response at the time of writing

The Society for the Protection of Ancient Buildings: No response at the time of writing

The Council for British Archaeology: No response at the time of writing

The Georgian Group: No response at the time of writing

The Royal Commission on the Ancient and Historic Monuments of Wales: The remit of the Royal Commission permits us to comment only on the historical significance and context of a monument or structure and on the adequacy or otherwise of the record. Cae Mawr was listed for its special interest as a late 18th century vernacular farmhouse. The outbuilding proposed for conversion is not separately listed and is a three door traditional range with a 19th century king post roof. The proposed alterations to this range, as set out in the application, appear to respect the low-key architectural interest of this range.

The Ancient Monuments Society: No response at the time of writing

Built Environment and Landscape Section: No response at the time of writing

Gwynedd Archaeological Planning Service: No response at the time of writing

Response to Publicity: No representations were received as a result of the publicity undertaken.

5. Relevant Planning History

38C219/LB: Listed building consent for alterations and extension to the dwelling at Cae Mawr – approved 26/7/05

38C219A/LB: Listed Building Consent for alterations and extensions to the existing building together with conversion of an outbuilding into a store / workshop at Cae Mawr – approved 26/6/07

38C219B: Alterations and extensions to the existing building together with conversion of an outbuilding into a store / workshop at Cae Mawr – approved 26/6/07

38C219C: Full application for the erection of one 10kw wind turbine with a maximum hub height of 15m, a rotor diameter of 9.7m and a maximum vertical upright height of 19.5m on land at Cae Mawr – approved 10/10/13

38C219D/SCR: Screening opinion for the erection of one 10kw wind turbine with a maximum hub height of 15m, a rotor diameter of 9.7m and a maximum vertical upright height of 19.5m on land at Cae Mawr – EIA not required 22/11/12

38C219E: Returned to applicant

38C219F: Full application for the erection of traditional agricultural barns at Cae Mawr – approved 8/10/15

38C219G: Full application for the change of use , alterations and extensions of an existing outbuilding into a dwelling at Cae Mawr – concurrent application with application for listed building consent before this Committee

6. Main Planning Considerations

Principle of the Development: In relation to legislative and policy requirements, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that

‘(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.

National guidance for the determination of applications for listed building consent is contained within Circular 61/96. Paragraph 70 of the Circular sets out the General Criteria against which such applications should be judged:

- (i) the importance of the building, its intrinsic architectural and historic interest and rarity, in both national and local terms;
- (ii) the particular physical features of the building (which may include its design, plan, materials or location) which justify inclusion in the list; list descriptions may draw attention to features of particular interest or value, but they are not exhaustive and other features of importance (e.g. interiors) may come to light after the building’s inclusion in the list;
- (iii) the building’s setting and its contribution to the local scene, which may be very important, e.g. where it forms an element in a group, park, garden or other townscape or landscape, or where it shares particular architectural forms or details with other buildings nearby; and
- (iv) the extent to which the propose works would bring substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment (including other listed buildings).

Planning policy in respect of applications for listed building consent as contained within the Gwynedd Structure Plan, the Ynys Mon Local Plan and the Stopped Unitary Development Plan are listed above. Policy 41 of the YMLP and Policy EN13 of the stopped UDP both state that:

‘Buildings of special architectural and historic interest and their settings will be protected from unsympathetic development, alterations or demolition. Appropriate uses which help to preserve their character and fabric will be permitted’.

Paragraph 6.1.2 of Planning Policy Wales states that

“Local planning authorities have an important role in securing the conservation of the historic environment while ensuring that it accommodates and remains responsive to present day needs”.

Paragraph 6.5.8 of Planning Policy Wales states that

“6.5.8 There should be a general presumption in favour of the preservation of listed buildings. The continuation or reinstatement of the original use should generally be the first option when the future of a listed building is considered. However, not all original uses will now be viable or necessarily appropriate. The application of development and listed building controls should recognise the need for flexibility where new uses have to be considered to secure a building’s survival. The aim should be to identify the optimum viable use that is compatible with the character and setting of an historic building”

Paragraph 6.5.9 of Planning Policy Wales states that

“Where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses”

Policy 40 of the YMLP states:

“40. The character and appearance of all designated conservation areas will be protected from unsympathetic development. Enhancement of their characters will be achieved by carrying out improvements and permitting high quality new development. The Council will define and designate additional Conservation Areas within other areas of special architectural or historic interest where it is considered necessary to preserve and enhance the character and appearance of those areas”.

Policy 41 of the YMLP states:

“41. Buildings of special architectural and historic interest and their settings will be protected from unsympathetic development, alterations or demolition. Appropriate uses which help to preserve their character and fabric will be permitted”.

Similar policies are contained within the Gwynedd Structure Plan and within the Stopped Ynys Mon Local Plan. In accordance with statutory requirements, policies in relation to listed buildings seek to preserve the special characteristics of listed buildings and their settings and seek to ensure that inappropriate developments do not occur.

Impact on the Listed Building: The building which is the subject of the proposed conversion is not itself a listed building but is within the curtilage of Cae Mawr farmhouse which is listed as a vernacular farmhouse.

The building faces the gable end of what were originally outbuildings but which have more recently been incorporated as part of the main dwelling's accommodation. To the west of the proposed conversion and partially adjoining it to the south are a range of more contemporary agricultural buildings in separate ownership.

The scheme respects the character and form of the existing building and the extension as proposed is clearly identifiable and subservient to the main building. The proposal is a sympathetic conversion which is considered to have a neutral impact on the listed building. There is no detrimental impact and the character and the preservation of the listed building, its setting, and any features of special architectural or historic interest which it possesses are consequently preserved.

7. Conclusion

The scheme is a sympathetic conversion of an existing building which is not itself listed. The proposal is considered to meet the statutory requirement of preserving the building and features of special architectural or historic interest which the listed farmhouse adjoining possesses.

8. Recommendation

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

(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 Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

12.1

Gweddill y Ceisiadau

Remainder Applications

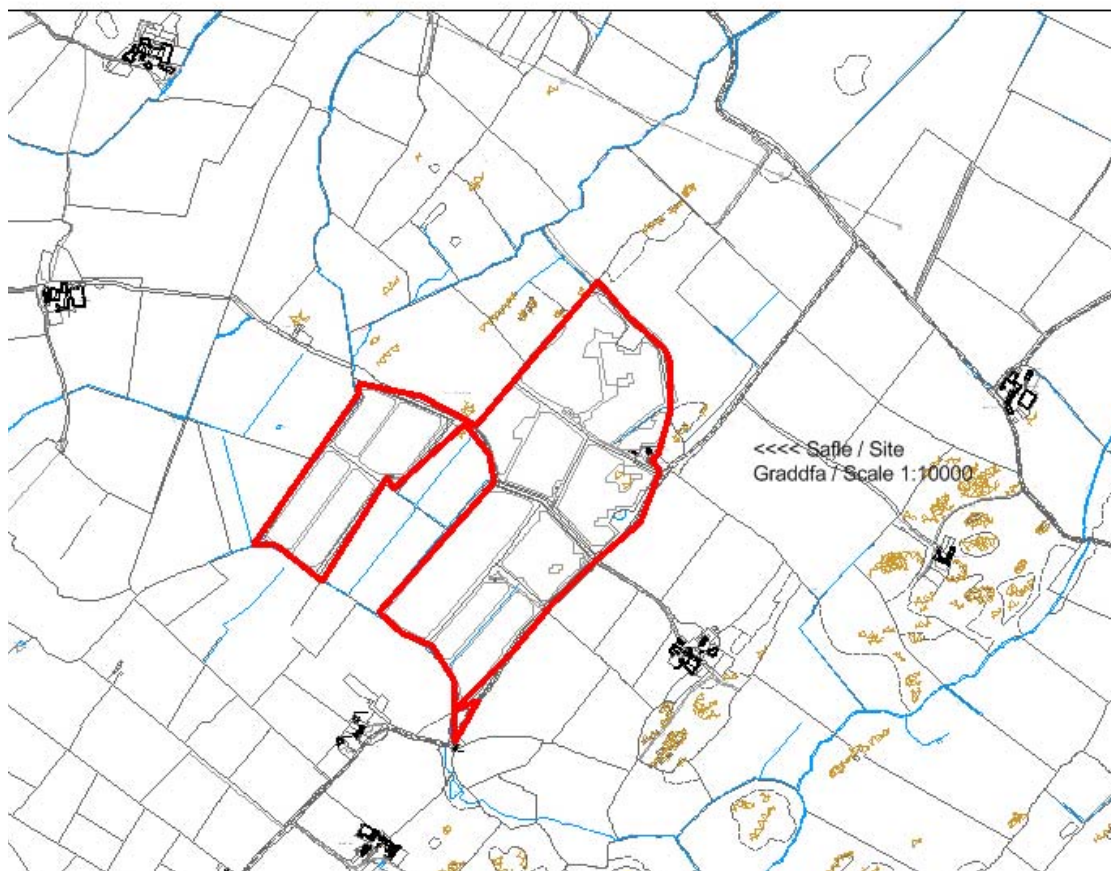
Rhif y Cais: **10C118J/VAR** Application Number

Ymgeisydd Applicant

Lightsource SPV 150 Limited

Cais dan Adran 73 i newid amod roddwyd dan rif cais 10C118HMIN sy'n manylu y cynlluniau a gymeradwywyd i ymgorffori newidiadau i ganiatad cynllunio roddwyd yn flaenorol dan rif cais 10C118A\RE sy'n cynnwys newidiadau i is-orsafoedd, adeilad monitro offer, gwrthdroyddion, trawsyrion, adeilad 'switchgear', mesuriadau diogelwch i gynnwys CCTV a newidiadau i ffensys diogelwch ar dir ger / Application under Section 73 to vary the condition specifying the approved plans under permission 10C118HMIN in order to make amendments to the scheme previously approved under planning permission 10C118A\RE to incorporate changes to substations, equipment monitoring house, inverters, transformers, switchgear building, security measure including CCTV cameras and changes to security fencing on land adjacent to

Bryn yr Odyn, Soar



Planning Committee: 03/02/2016

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called in to Committee by Cllr Ann Griffith as Vice Chair of the Committee.

1. Proposal and Site

The application is made under Section 73 of the Act to vary a condition requiring the development to be implemented in accordance with the approved drawings in order to now retrospectively approve the development as built.

Planning permission was granted in 2013 for a 15MW solar array development on a site extending to some 30 ha in total, at Bryn yr Odyn, that lies in an isolated location 1.5km north west of the village of Soar.

The proposal generates up to 15MW of electricity and connects into pre-existing 33kv overhead lines. It surrounds on three sides the proposed 2.5KW solar development at Tyn Dryfol, approved in January 2016 by the Committee.

The development as built differs from the approved plans in terms of the following:

CCTV cameras mounted on poles (66 in number to monitor the entire site perimeter, each pole measuring some 10cm in diameter and with a height of 2.65m;

Communications building which allows 24 hour remote monitoring for any faults and also relays security camera footage; dimensions being 6x2.45m on plan with a height of 2.75m excluding antennae which project some 80cm above the building and which is located near the site entrance next to other buildings;

Client substation which shuts off the solar farm from the grid (as opposed to the already approved DNO substation which switches the grid off from the solar farm), located near the site entrance in a cluster of buildings and measuring 3.7m x 3.3m on plan and with a height of 3m;

Waterless toilet facility for the welfare of any personnel needing to be on site and for use during tours of the site by schools or community groups for example; the chemical free composting facility measures 2.4 x 1.1m on plan and has a height of 3m and is sited next to the communications building; the arising odour free compost is collected annually for off-site processing;

Two external emergency lights have been installed on the DNO substation building for health and safety reasons should staff need to access the site after dark;

An altered solar panel layout reduces the overall height of panels from 2.4m to 2.23 m and reduces the gap between panels by 1.4cm, within the confines of the approved red line boundary and avoiding the area of archaeological interest to the northeast of the site;

Additional internal access tracks between existing field gates have been laid to facilitate access and maintenance, surfaced in crushed stone;

Inverters, switchgear and transformers have been installed as separate cabinets rather than combined in single larger buildings with a communication box installed by each group to transmit information to the

communications building;

In addition, the security fencing detail follows a slightly different alignment to that approved and is 2m high deer fencing as opposed to the 1.9m deer fencing approved; constructed to allow mammal access to and from the site as required under the planning conditions; 2m high wire mesh fencing has been installed around each transformer for health and safety reasons and which ensures that stock can continue to graze safely in between panels.

2. Key Issue(s)

The principle of the development is established in the previous grant of planning permission and the site is operational.

The application made is to regularise the development as built by varying a condition of the planning permission requiring the development to be implemented in accordance with the approved plans. The request is in effect to substitute the approved plans for the as built plans.

An application under S73 of the Act for a variation of a condition results, if approved, in the granting of a wholly new planning permission. Consideration should therefore be given to the whole scheme not just the condition requested to be varied.

3. Main Policies

Gwynedd Structure Plan

C7 Renewable Energy
D1 Area of Outstanding Natural Beauty
D3 Landscape Conservation Area
D4 Environment D9 Environment
D15 Archaeology

Ynys Mon Local Plan

1 General
31 Landscape
32 Landscape
45 Renewable Energy

Stopped Ynys Mon Unitary Development Plan P08b Energy Developments

GP1 Development Control Guidance
GP2 Design
EN4 Biodiversity
EP 18 Renewable Energy
EN1 Landscape Character
EN14 TPOs and Hedgerows
EN16 Landscape Features.

Planning Policy Wales Edition 8

Technical Advice Note 5: Nature Conservation and Planning (2009)

Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010).

Technical Advice Note 8: Planning for Renewable Energy (2005)

Technical Advice Note 18: Transport (2007)

Practice Guidance: Planning for Renewable and Low Carbon Energy - A Toolkit for Planners, Welsh Assembly Government (2010)

Practice Guidance Planning Implications of Renewable and Low Energy (February 2011)

Solar Farms in Wales 2015 – Research Note

4. Response to Consultation and Publicity

In response to consultations carried out replies from the following have been received and are summarised as follows:

Cllr Ann Griffith: Requests a Committee determination in her capacity as Vice Chair of this Committee

Cllr Peter Rogers: No reply at the time of writing

Community Council: No reply at the time of writing

Natural Resources Wales: Does not object to the proposal. Comments in relation to biodiversity, species and habitats.

Environmental Health Officer: Comments for construction phase

Councils Ecological Advisor: No ecological comments.

Highway Authority: No recommendation

Built Environment and Landscape Section:

The majority of the changes are not readily visible. There is some scope to reduce views of the CCTV cameras from the highway but the proposed variations are not considered significant.

MOD: No safeguarding objections

The application has also been publicised by the local planning authority in accordance with statutory requirements. The closing date for receipt of representations was 6th January 2016.

No representations have been received as a result of the publicity undertaken.

5. Relevant Planning History

10C118/SCR Screening opinion for the siting of a solar array farm - EIA not required 17/10/13.

10C118A/RE Full application for the siting of a 15mw solar array farm on land adjacent to Bryn yr Odyn, Soar – approved 15/12/13

10C118B/DIS Applications to discharge condition 5 (landscaping) and condition 6 (habitat management) on land at Bryn yr Odyn – discharged 08/09/14 & 17/09/14

10C118C/DIS Application to discharge condition 8 (fencing) and condition 9 (transformer building) on land at Bryn yr Odyn – discharged 23/10/14 & 30/10/14

10C118D/MIN Application for a non-material amendment to 10C118A/RE to amend condition 2 (time limit for lifetime of development to 30 years) – approved 11/11/14

10C118E/DIS Application to discharge condition 4 (programme of archaeological work) on land at Bryn yr Odyn – discharged 07/11/14

10C118H/MIN Non-material amendment to permission 10C118A/RE to include condition detailing the approved plans – approved 25/09/15

On adjoining land, the following site history is relevant:

10C118G/SCR Screening opinion for the construction of a 2.5MW solar array farm on land adjacent to Tyn Dryfol – EIA not required

10C118F/RE Full application for the construction of a 2.5MW solar array farm on land adjacent to Tyn Dryfol – approved 06/01/16

6. Main Planning Considerations

Whether the principle of development is acceptable in planning policy terms: Policy C7 of the Gwynedd Structure Plan states: “There will be a presumption in favour of renewable energy projects provided that the impacts upon the locality are acceptable to the local planning authority. Where applicable, the proposals should be supported by an environmental assessment.”

Policy 45 of the Ynys Mon Local Plan states: “Renewable energy projects will be permitted where it can be clearly demonstrated that there will not be any unacceptable impact on

- i. Landscape character,
- ii. Sites of international, national or local importance for nature conservation,
- iii. species which are of nature conservation importance
- iv. the standard of amenity enjoyed by the resident and tourist population and
- vi. Essential public services and communications.

Policy 8B - Energy Developments of the Stopped Ynys Mon Unitary Development Plan states: “Applications for the development of renewable and non-renewable energy resources will be permitted where it can be demonstrated that there will be no unacceptable adverse impact upon the environment. Preference will be given to the development of clean and renewable energy sources, but proposals for non-renewable energy projects will be permitted if they encourage the maximum use of energy efficiency within their design”.

The updated version of Planning Policy Wales clarifies and strengthens the presumption in favour of sustainable development. Section 12.8.1 (Renewable and Low Carbon Energy) of Planning Policy Wales (8th Edition) sets out targets and gives strong support for renewable energy projects in line with the Welsh Assembly Government's Energy Policy Statement (2010). Planning Policy Wales at paragraph 12.8.15 states the impacts from renewable energy developments will also vary depending on their location and scale and require different policy and development management considerations.

Paragraph 12.9.2 of Planning Policy Wales states that ‘local planning authorities should guide appropriate renewable and low carbon energy development by undertaking an assessment of the potential of all renewable energy resources and renewable and low carbon energy opportunities within their area and include appropriate policies in development plans’. Although there is no statutory requirement to do so, a Renewable Energy Capacity Study was commissioned to inform the Joint Local Development Plan. The Study adopted methodology developed by the Welsh Government but as commercial solar PV arrays are an emerging technology, current guidance (Welsh Government or DECC) does not contain information on how to assess their potential. Nonetheless, development plan policies exist against which such schemes can be examined.

At 15MW the solar farm subject to this report is categorised as “Local Authority-wide” in Planning Policy Wales which includes developments of between 5MW & 50 MW according to figure 12.3. As a “Local Authority-wide” installation the scale of the solar farm is acceptable in principle in policy terms in this location but there are also detailed considerations within the policy considerations as detailed below. Section 12.10.1 reproduced below highlights matters that should be taken into account in dealing with renewable and low carbon energy development and associated infrastructure by the local planning authority. This covers the positive aspects such as contribution to meeting national, UK and European targets and wider environmental, social and economic benefits. It also highlights the need to consider impact on the natural heritage, the coast and the historic environment and the need to minimise impacts on local communities. Other matters such as mitigation and infrastructure matters i.e. grid connection and transportation network are also highlighted within this section as follows:

“12.10.1 In determining applications for renewable and low carbon energy development and associated infrastructure local planning authorities should take into account:

- the contribution a proposal will play in meeting identified national, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gas emissions;
- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development;
- the impact on the natural heritage (see 5.5), the Coast (see 5.6) and the Historic Environment (see 6.5);
- the need to minimise impacts on local communities to safeguard quality of life for existing and future generations;
- ways to avoid, mitigate or compensate identified adverse impacts;
- the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so consider whether measures to adapt to climate change impacts give rise to additional impacts (see 4.5);
- grid connection issues where renewable (electricity) energy developments are proposed;
- the capacity of and effects on the transportation network relating to the construction and operation of the proposal”

Technical Advice Note 8 Renewables (2005) (paragraph 1.4) states the Assembly Government has a target of 4TWh of electricity per annum to be produced by renewable energy by 2010 and 7TWh by 2020. Paragraph 3.15 of TAN 8 states that “other than in circumstances where visual impact is critically damaging to a listed building, ancient monument or a conservation area vista, proposals for appropriately designed solar thermal and PV systems should be supported”. In its Policy Clarification letter of July 2011 in relation to TAN 8, the Welsh Government Minister for Environment and Sustainable Development stated that “for the avoidance of any future doubt, when determining planning applications under town and country planning legislation on energy related projects within Wales (other than certain energy installations), the key planning policy comprises the local authority’s adopted development plan, and where it is more recent, the Welsh Government’s Planning Policy Wales and TAN 8”.

Section 2 of Technical Advice Note 6: Planning for Sustainable Rural Communities contains the following guidance:

“2.1.1 The planning system has a key role to play in supporting the delivery of sustainable rural communities. It can help to ensure that appropriate development takes place in the right place at the right time by making sufficient land available to provide homes and employment opportunities for local people, helping to sustain rural services. Simultaneously, the planning system must respond to the challenges posed by climate

change, for example by accommodating the need for renewable energy generation. It must also protect and enhance the natural and historic environment and safeguard the countryside and open spaces. The overall goal for the planning system is to support living and working rural communities in order that they are economically, socially and environmentally sustainable. Planning authorities should seek to strengthen rural communities by helping to ensure that existing residents can work and access services locally using low carbon travel and obtain a higher proportion of their energy needs from local renewable sources.”

In relation to farm diversification Technical Advice Note 6: Planning for Sustainable Rural Communities contains the following guidance:

“3.7.2 Many economic activities can be sustainably located on farms. Small on-farm operations such as food and timber processing and food packing, together with services (e.g. offices, workshop facilities, equipment hire and maintenance), sports and recreation services, and the production of non-food crops and renewable energy, are likely to be appropriate uses.”

It is evident that the policies listed above provide a presumption in favour of renewable energy developments in meeting the identified targets for low carbon energy generation.

Having considered all material issues, planning permission was originally granted for the development of the site in 2013. The principle of the development is established in the granting of planning permission and the site has been developed as a solar farm.

There has been some variation however, as detailed above, between the as approved and as built schemes. Consideration is therefore given to whether the changes made are acceptable in terms of the main planning considerations as detailed below:

Landscape and Visual Impact: The nature and location of new structures on the site are such that they are not readily visible or discernible in the wider public view. Colouration and the grouping of buildings are such that impacts are reduced. It is not considered that the changes made are unacceptable in this context. Changes to the solar panel layout and additional internal access tracks are similarly considered acceptable, as is the security fencing. CCTV cameras are acceptable in themselves and overall it is not considered that any additional mitigation is required. It is important however that the approved landscaping proposals for the site are maintained and given that the effect of a permission under Section 73 is that of a wholly new permission, a condition is proposed to link the landscaping works to the retrospective consent.

Ecology: A condition was imposed on the original grant of planning consent that any security fencing should be designed to allow easy access to mammals. Although the height and alignment of the fencing has been altered the scheme continues to allow mammal access resulting in a neutral ecological impact. Emergency lighting is not considered to give rise to unacceptable impacts.

Cultural Heritage: The site has been the subject of archaeological works and it is not considered that the proposals give rise to any new issues.

Transport issues and amenity: There are no transport issues arising. General maintenance and repair as well as periodic monitoring are relatively unaffected by the proposals.

Amenity: The Chief Environmental Health Officer has no specific observations to make and the local planning authority consider that there will be no significantly adverse impact on the amenity of nearby residents through the operational lifetime of the development. Concern by some residents has been raised in dealing with the adjoining site at Tyn Dryfol in relation to glint and glare arising from the existing Bryn yr Odyn development and likely impacts from the adjoining proposal. A Glint and Glare assessment was requested from the applicant for the Tyn Dryfol site and an objector to the scheme also submitted a Glint and Glare assessment, both of which were assessed. The MOD raised no safeguarding concerns and raise none in relation to this development. Albeit that no specific representations have been received on this application, it is considered that a scheme of mitigation should be included as part of any permission to

ensure that should issues occur, they can be appropriately managed and addressed.

7. Conclusion

Both national and local planning policy provides a presumption in favour of renewable energy development as a means of contributing positively to the wider sustainability agenda. The proposal has previously been considered acceptable in landscape and visual terms, does not harm biodiversity or cultural heritage and does not cause unacceptable detriment to amenity.

Mitigation was sought to ensure that over the operational lifetime of the development any longer term impacts will lessen. Planning permission is for a temporary period and reversible; returning the land to full agricultural use will be possible. The variations made to the scheme as built are considered acceptable within the context of the development and the surrounding area. Where necessary conditions are proposed to ensure that the development continues to operate in compliance with agreed mitigation proposals. In addition, a condition is proposed in relation to any potential glint and glare impacts.

8. Recommendation

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

(01) The development hereby approved shall be removed from the land no later than 30 years from the date of the first generation of electricity from it or when the production of electricity has ceased for a continuous period of 6 months, whichever is the sooner, upon which the site shall be reinstated in accordance with a written scheme of restoration which shall be submitted to and approved in writing by the local planning authority. The restoration of the site shall be completed in accordance with the agreed details within 6 months of the written approval of the local planning authority.

Reason: To define the scope of the permission and to ensure a satisfactory appearance upon cessation of the development.

(02) All cabling within the site required in connection with the development hereby approved shall be installed underground.

Reason: In the interests of visual amenity.

(03) The landscaping of the site detailed on Tirlun Barr Associates drawing 14/05/PP/01 Revision A approved under application reference 10C118B/DIS 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. The landscaping scheme shall be retained for the lifetime of the development.

Reason; To ensure that the development is satisfactorily integrated into the landscape.

(04) The site shall be operated at all times in accordance with the Habitat Management Plan (Etive Ecology Ltd 21 May 2014) approved under application 10C118B/DIS.

Reason; To ensure that the development does not have a detrimental impact on biodiversity.

(05) Except as required to light the DNO substation building in an emergency, the site shall not be illuminated by artificial lighting during hours of darkness.

Reason: To ensure that the development does not have a detrimental impact on the character of the locality.

(06) Should any complaint of glint and glare arising from the development be received by the local planning authority, the developer shall, within 1 month of being notified of the complaint, submit a method statement to assess the incidence of glint and glare at the complainant's property together with proposals for mitigation measures, together with a timetable for the works and onward monitoring, to be agreed in writing by the local planning authority. The mitigation measures as approved shall be implemented in accordance with the agreed timetable.

Reason: In the interests of amenity

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.

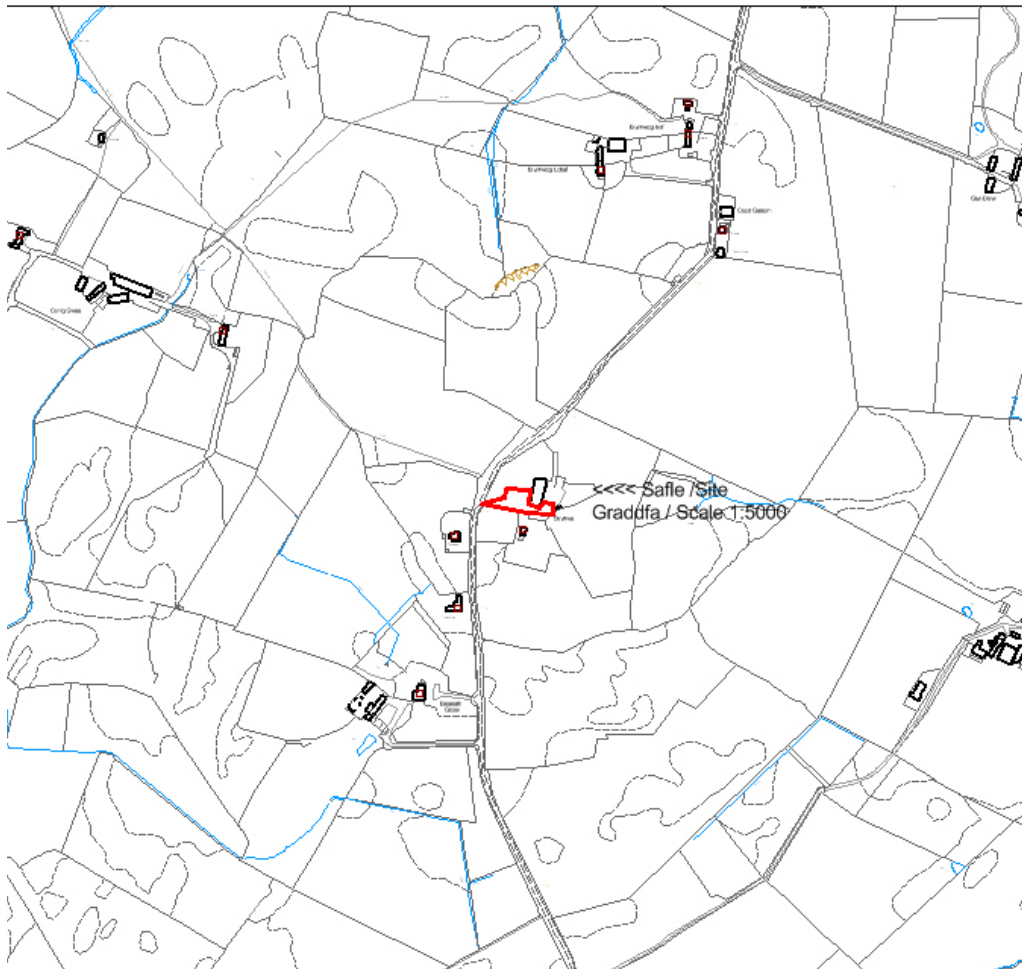
Rhif y Cais: **14C171H/ENF** Application Number

Ymgeisydd Applicant

Mr & Mrs Peter Jones

Cais ôl-weithredol ar gyfer codi llety gwyliau newydd yn / Retrospective application for the erection of a new build holiday accommodation at

Stryttwn Farm, Ty'n Lon



Planning Committee: 03/02/2016

Report of Head of Planning Service (JBR)

Recommendation:

Refuse

Reason for Reporting to Committee:

At the request of the Local Member – Councillor Robert G Parry OBE

1. Proposal and Site

The proposal is for retrospective planning permission for the erection of a new build holiday accommodation at Stryttwn Farm, Tyn Lon.

The application site is located within the farm yard of Stryttwn Farm located in the open countryside some 1.6km from the nearby settlement of Llynfaes.

2. Key Issue(s)

The key issues are whether or not the development complies with local and national policies relating to the development of new holiday accommodation and the proposals effect upon the character and appearance of the area.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy
Policy 8 – Holiday Accommodation
Policy 26 – Car Parking
Policy 31 – Landscape
Policy 42 – Design

Gwynedd Structure Plan

Policy CH2 – High Quality Holiday Accommodation

Policy D3 – Landscape Conservation Areas
Policy D4 – Location, siting and design
Policy D29 – Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance
Policy GP2 – Design
Policy TR10 – Parking Standards
Policy TO2 – Holiday Accommodation
Policy EN1 – Landscape Character

4. Response to Consultation and Publicity

Councillor Dylan Rees – No response at time of writing report.

Councillor Nicola Roberts - No response at time of writing report.

Councillor Robert G Parry OBE – Request that the application be referred to the Planning Committee for determination.

Highways – Recommend conditional approval.

Drainage – Drainage satisfactory

Footpath Officer – Public footpath unaffected.

Welsh Water - No response at time of writing report.

Community Council - No response at time of writing report.

Response to publicity.

None received at time of writing report.

5. Relevant Planning History

14C171F – Full application for the conversion of a stable into a dwelling at Stryttwn Farm, Tyn Lon.
Refused – 14/11/2013

14C171G - Full application for the conversion of a stable into a dwelling at Stryttwn Farm, Tyn Lon –
Granted – 09/04/2014

6. Main Planning Considerations

Planning permission was granted on the 9th April 2014 for the conversion and extension of an existing stable into a dwelling.

In March 2014 it came to the Council's attention that rather than convert and extend the existing building in accordance with that which had been granted planning permission the building had been almost entirely demolished and was in the process of being rebuilt.

A visit to the site on 10/03/2015 revealed that all but part of the eastern gable wall and a small section of the front wall had been demolished and was in the process of being rebuilt in breeze block construction. At the time of the visit the building was constructed to wall plate level and works were being undertaken to clad the front elevation with natural stone.

Whilst the matter is in clear breach of that which was granted planning permission and could be the subject of formal enforcement action, following discussions between officers and the applicant to explore the options available and in accordance with Assembly Government advice the current application has been submitted for the retention and completion of the development as new build holiday accommodation in an effort to regularise matters.

Guidance in Planning Policy Wales (Edition 8) (PPW) affords protection to the open countryside with paragraph 4.7.8 clearly stating that development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access and habitat and landscape conservation....new buildings in the open countryside away from existing

settlements or areas allocated for development in development plans must be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design.

Paragraph 11.1.7 of PPW acknowledges that in rural areas tourist related development is an essential element in providing for a healthy, diverse local and national economy. It can contribute to the provision and maintenance of facilities for local communities. Here too development should be sympathetic in scale and nature to the local environment and the needs of visitors and the local community.

Paragraph 11.1.8 of PPW states that tourism development should be accessible by a variety of sustainable means of travel, particularly, walking, cycling and public transport.

Policy CH2 of the Gwynedd Structure Plan, policy 8 of the Ynys Mon Local Plan and policy TO2 of the Stopped Unitary Development Plan are permissive policies relating to the development of high quality holiday accommodation. They state that applications for high quality holiday accommodation will be permitted provided that they do not conflict with other policies in the plans and where they do not cause unacceptable harm to the environment. In particular the Council will favourably consider proposals which form an integral part of an overall scheme which adds to tourism and recreation facilities in the area.

The Councils Supplementary Planning Guidance (SPG) on Holiday Accommodation states there are challenging judgements to be made in determining what provides a high quality of development. At the time of making a planning application the land use judgement required about the 'quality' of the development does not refer to a recognised accommodation grading scheme by the tourism industry but to the quality of the development in terms of land use considerations.

Criteria which help define high quality development in terms of land use considerations according to the SPG are:

- Sites normally not lying in open countryside or are visually intrusive,
- Sites that do not cause adverse harm to protected landscapes (e.g. the AONB) – which would suggest that they have existing landscape cover and no major visual impact,
- Protecting undeveloped coast,
- Protecting and promoting biodiversity interest,
- Respect for the historic and natural environment,
- Make better use of land by consolidating areas of existing tourism activity (tourist attractions, marina etc.)
- Well located in relation to existing transport network
- Enhancing previously developed (brownfield) land
- Part of a scheme for agricultural diversification and supporting the rural economy
- Projects which enhance biodiversity interest
- Helps reinforce and strengthen an existing tourism centre.

Paragraph 5.7 of the SPG sets out criteria for assessing the location of holiday accommodation. This proposal is categorised as being on a Brownfield site in the Open Countryside and states that the justification required to support a proposal at this location are as follows:

- Whilst being preferable to greenfield locations, such sites should still need justification above alternative locations within or on the edge of settlements in the vicinity.
- Schemes at such locations would be expected to have on-site provision of tourist facilities other than simply the accommodation itself.

The above guidance and policies are designed to encourage the development of high quality visitor accommodation in the right place. In considering proposals for holiday accommodation, the impact on the local economy, landscape, environment and the character of the area will be important considerations. The Council will not support proposals for badly sited development in unsustainable locations.

As previously stated the application is seeking permission for the retention of the unauthorised works already carried out and the completion of the development for use as holiday accommodation.

The siting and design of the proposal is virtually identical the conversion scheme granted planning permission in April 2014, consequently there is no objection to the proposal from siting and design point of view.

However, the nature of the application currently under consideration is fundamentally different than that previously granted permission and different material planning and policy considerations apply.

The application proposes the erection of a new build holiday unit in the open countryside unrelated to and far removed from any settlement or other facilities. In addition there are no existing on site facilities such as a shop or restaurant etc. as required by the relevant policies.

In addition the proposal is located approximately 1.2km from the nearest bus stop (Tyn Lon), 3.5km from the nearest shop/post office (Bodffordd), 5km from the nearest public house (Gwalchmai) and 7km from the nearest town (Llangefni).

It is therefore apparent that the site is not well located in terms of accessibility to public transport and facilities and consequently users would be reliant upon the use of private motor vehicles, this is contrary to the sustainability principles of Planning Policy Wales and guidance contained with the Council's Supplementary Planning Guidance.

7. Conclusion

It is therefore considered that the proposal is unacceptable, being located in the open countryside unrelated to and far removed from any settlement or other facilities and amenities and would lead to users being reliant upon the use of private vehicles contrary to relevant local and national policies and guidance.

8. Recommendation

To **refuse** the application for the reasons below:

(01) The application site is located within a designated Special Landscape Area. The proposal would constitute the erection of a new holiday unit in the open countryside in an isolated rural location unrelated to and far removed from any settlement and/or other facilities and which is not justified as being part of an overall scheme which would add to tourism and recreation facilities in the area. This is contrary to policies 1, 8 and 31 of the Ynys Mon Local Plan, policies CH2 and D4 of the Gwynedd Structure Plan, policies GP1, TO2 and EN1 of the Stopped Unitary Development Plan, advice contained with Supplementary Planning Guidance: Holiday Accommodation and the sustainability principles and advice contained within Planning Policy Wales (Edition 8).

9. Other Relevant Policies

Planning Policy Wales (Edition 8)

Technical Advice Note 13 – Tourism

Technical Advice Note 9 - Enforcement of Planning Control

SPG: Design Guide for the Urban and Rural Environment

SPG: Holiday Accommodation

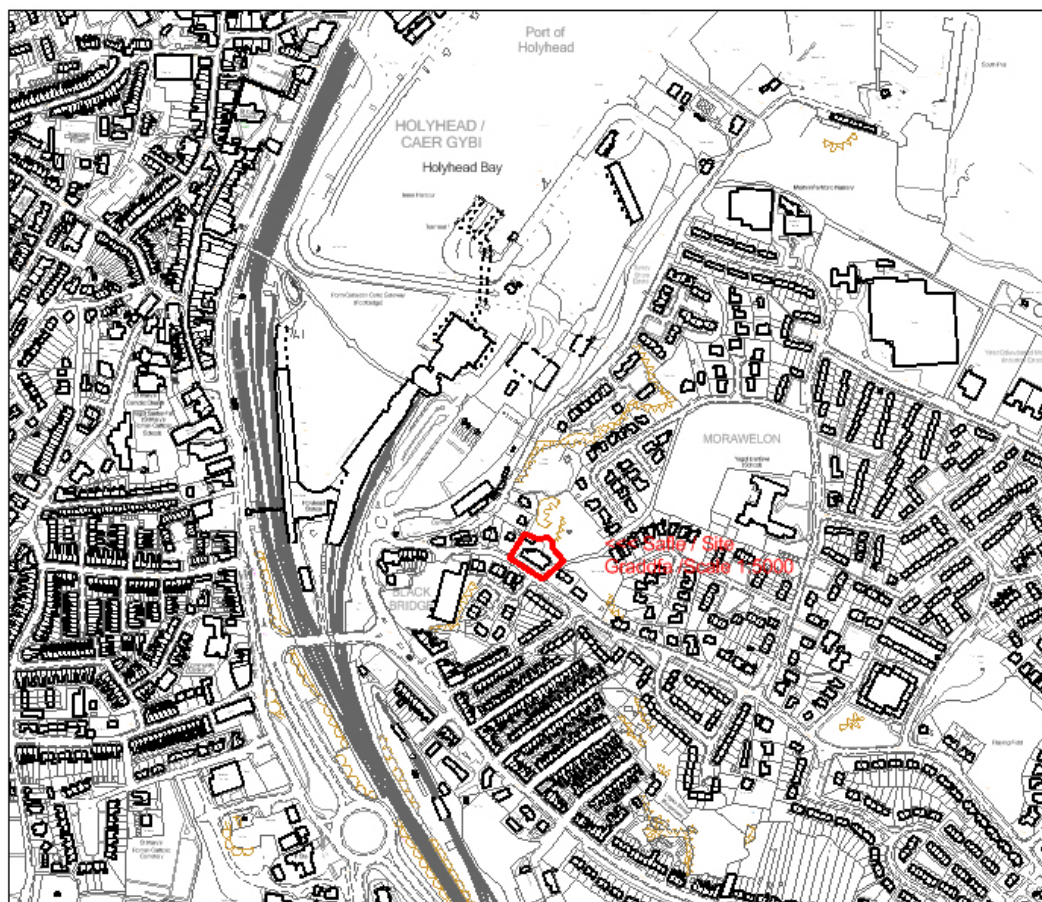
Rhif y Cais: 19C1147A Application Number

Ymgeisydd Applicant

B C Services (Anglesey) Ltd

Cais llawn ar gyfer dymchwel adeilad presennol ynghyd a chodi chwech annedd a chreu mynedfa i gerbydau a maes parcio ar dir yn / Full application for the demolition of the existing building together with the erection of six dwellings with the construction of a vehicular access and car park on land at

St David's Priory, Ffordd Llanfawr / Llanfawr Road, Caergybi / Holyhead



Planning Committee: 03/02/2016

Report of Head of Planning Service (SCR)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is on Council owned land

1. Proposal and Site

The site lies within the development boundary of Holyhead. The property is flanked by residential properties. To the rear of the property and within its grounds lies a grade II listed Pillbox.

The proposal involves the demolition of the former Council Offices together with the erection of 6 dwellings and the construction of a new vehicular access.

2. Key Issue(s)

The applications key issues are whether the proposal complies with current policies and whether the proposal will harm the amenities of surrounding properties, whether the proposal will harm the setting of the grade II, World War II, listed Pillbox or whether the development will be detrimental to Highway Safety.

3. Main Policies

Ynys Mon Local Plan

Policy 1 : General Policy

Policy 40: Conservation of Buildings

Policy 42 : Design

Policy 48 : Housing Development Criteria

Policy 49 : Defined Settlements

Gwynedd Structure Plan

Policy A2 : Housing Land

Policy A3: Scale and Phasing

Policy D4 : Location, Siting & Design

Policy D26 : Development in Proximity to a Conservation Area

Policy D29 : Standard of Design

Policy D32 : Site Configuration and Landscaping

Policy FF12 : Parking Standards

Stopped Unitary Development Plan

Policy GP1: Development Control Guidance

Policy GP2 : Design

Policy EN1 : Landscape Character

Policy EN13 : Conservation of Buildings

Policy HP2 : Housing Density

Policy HP3 : Main and Secondary Centres

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

4. Response to Consultation and Publicity

Town Council – No objection - comments

Cllr R Jones – No response to date

Cllr R LI Jones – No response to date

Cllr. A Roberts – No response to date

Highways – Recommended conditional approval

Drainage – Requested further information in regards to the disposal of surface water, however the applicant has come to an agreement with Welsh Water that surface water shall be discharged via the public sewer

Welsh Water – Comments

Natural Resource Wales – Standard comments

The application was afforded three means of publicity these were; the posting of a site notice near the site, the publication of a notice in the local press and the serving of personal notifications on neighbouring properties. The latest date for the receipt of representations was the 9th December, 2015 and at the time of writing this report no letters of representation had been received at the department.

5. Relevant Planning History

19C1147 – Full application for the change of use of the former priory into a dwelling at The St David's Priory, Llanfawr Road, Holyhead – Approved 05/02/2015

6. Main Planning Considerations

Policy – The site lies within the development boundary of Holyhead as defined Policy 49 of the Ynys Mon Local Plan and Policy HP3 of the stopped Unitary Development Plan. The site is considered to be a brownfield site and is suitable for residential development. Planning Policy Wales encourages the development of brownfield sites and underutilised vacant urban sites.

Effect on surrounding properties - There is ample space within the site to provide a private amenity for the occupants of the proposed dwellings without affecting the amenities of the occupants of surrounding properties. There is adequate space within the site to provide car parking and turning facilities within the site.

The neighbouring properties known as Tan Alltran and Soolaimon are set further back in the site than the building line of the proposed dwellings and therefore it is not considered that the development will have a detrimental impact on the amenities currently enjoyed by the occupants of the dwellings to such a degree as to warrant the refusal of the application.

The parking facilities will be provided to the rear of the site. The proposal involves the erection of two three number terraced units and the vehicular access to the rear of the site will be located between both terraces. There are no windows proposed in the gables of the proposed units. Due to the former use of the site and due to the above it is not considered that the development will harm the amenities

Effect on Listed Pillbox – The grade II, World War II listed Pillbox is situated on a higher level than the proposed dwellings and due to the difference in levels it is not considered that the proposal will harm the setting of the grade II structure.

In order to protect the amenities of the neighbouring properties, the surrounding area and to protect the setting of the listed Pillbox a condition will be imposed on the permission to remove the permitted development rights of the dwelling.

Highway Safety – The proposal involves the construction of a vehicular access to the centre of the site. The Highway Authority have been consulted and have raised no objection to the proposal subject to the inclusion of standard highway conditions.

7. Conclusion

The site lies within a residential area and complies with current local and national policies. The proposal will not harm the amenities of the occupants of the neighboring properties, or affect the setting of the grade II listed World War II listed Pillbox and the scheme will not have a detrimental impact on highway safety.

8. Recommendation

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

(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 provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order re-voking or re-enacting that Order) are hereby excluded.

Reason: In the interests of residential and visual amenity and safeguard the setting of the grade II listed pillbox.

(03) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans and contained in the form of application 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

(04) 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.

(05) 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.

(06) 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 sites boundary with the adjoining highway and nothing exceeding this height erected within 2 metre of the said wall/hedge/fence or any new boundary.

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

(07) 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.

(08) No development shall commence until, plans have been submitted and approved by the Planning Authority in consultation with the Highway Authority showing details of the following:

(a) the proposed road layout and typical construction details based on ground investigation information to verify its adequacy.

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

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

(d) the location and the type of street lighting furniture.

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

(09) The estate road(s) and its access shall be designed and constructed in accordance with 'Residential Road Adoption Specification Requirements' (copies of this document are available free on request from the Local Planning Authority).

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

(10) 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.

(11) No surface water from within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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

(12) No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted and approved in writing by the local planning authority.

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

(13) The developer must provide a management and maintenance plan for the lifetime of the development which shall include the arrangements to secure the operation of the scheme throughout its lifetime.

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

(14) No development shall commence until the written approval of the local planning authority has been obtained in relation to a full comprehensive traffic management scheme including:

- i. The parking of vehicles for site operatives and visitors**
- ii. Loading and unloading of plant and materials**
- iii. Storage of plant and materials used in constructing the development**
- iv. Wheel washing facilities (if appropriate)**
- v. Hours and days of operation and the management and operation of construction and delivery vehicles.**

The works shall be carried out strictly in accordance with the approved details.

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

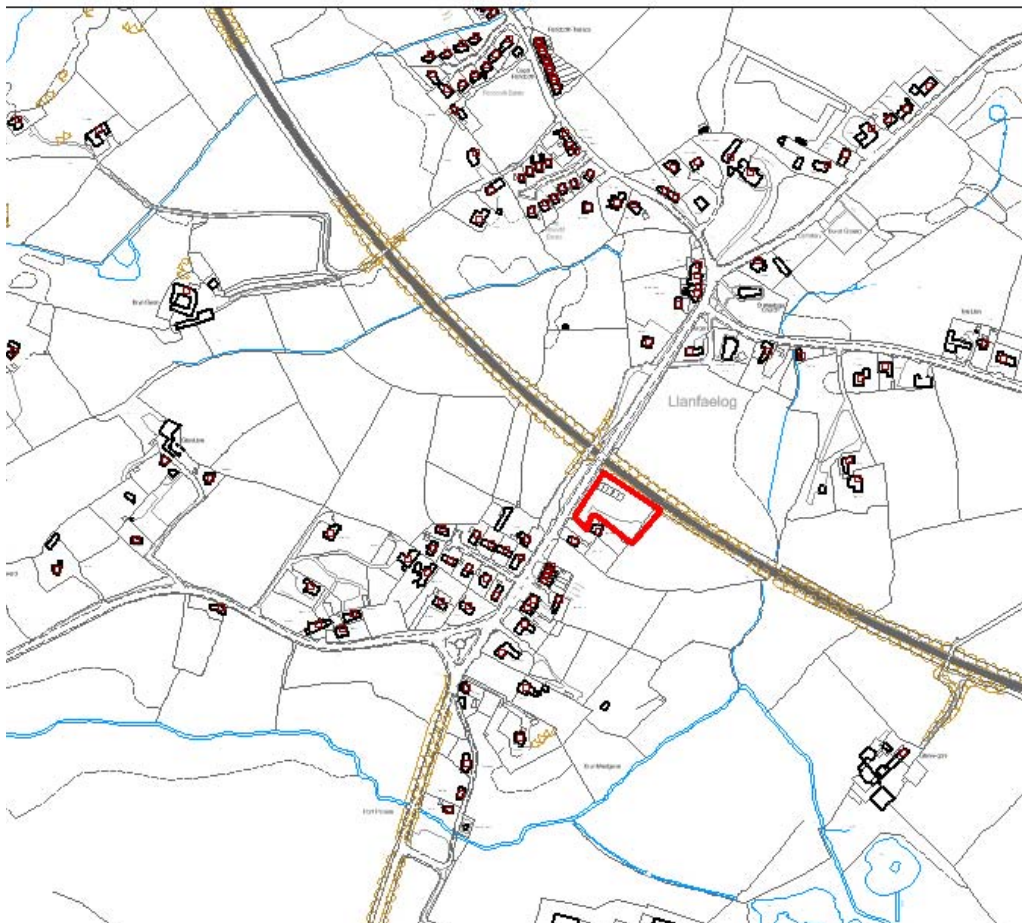
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

Rhif y Cais: **28C116U** Application Number

Ymgeisydd Applicant

Cais dan Adran 73 i ddiwygio cyn-amodau (05), (06), (11), (12), (13), (14), (15) ar penderfyniad apel cyfeirnod rhif APP\6805\A\07\2053627 er mwyn ganiatáu eu rhyddhau wedi i gwaith cychwyn ar y safle ynghyd a dileu amod (16) yn / Application under Section 73 to vary pre-conditions (05), (06), (11), (12), (13), (14), (15) on appeal decision reference no. APP\6805\A\07\2053627 so as to allow for their discharge following commencement of works on site together with the deletion of condition (16) at

Ganolfan Arddio Maelog / Maelog Garden Centre, Llanfaelog



Planning Committee: 03/02/2016

Report of Head of Planning Service (JBR)

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the Local Member – Councillor Richard Dew

1. Proposal and Site

The application is seeking approval for the variation of a number of pre-commencement conditions and the deletion of the affordable housing condition imposed upon appeal decision reference APP/L6805/A/07/2053627 for the development of 9 dwellings at the former Maelog Garden Centre,

The application site is located immediately adjacent to the railway line in the village of Llanfaelog.

2. Key Issue(s)

The key issues are whether or not the proposed variation of conditions would have a material effect upon the development approved and whether or not sufficient justification has been demonstrated for the deletion of the affordable housing condition.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 26 – Car Parking

Policy 31 – Landscape

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 50 – Listed Settlements

Gwynedd Structure Plan

Policy A2 – Housing Land

Policy A3 – New Housing Development

Policy D3 – Landscape Conservation Areas

Policy D4 – Location, Siting and Design

Policy D29 - Design

Policy FF12 – Parking

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy TR10 – Parking Standards

Policy EN1 – Landscape Character

Policy HP4 – Villages

Policy SG4 – Foul Sewage Disposal

Policy SG6 – Surface Water Run-Off

4. Response to Consultation and Publicity

Councillor Richard Dew – Request that the application be referred to the Planning Committee for determination.

Councillor Gwilym O Jones - No response at time of writing report.

Highways – No response at time of writing report.

Drainage – No objection to variation of conditions, provided that the stated requirements of these conditions being included in any subsequent permission.

Welsh Water - No objection to variation of conditions, provided that the stated requirements of these conditions being included in any subsequent permission.

Community Council – that the existing conditions be retained.

Environmental Health – No observations.

Housing – No objection to the deletion of condition 16 – affordable housing.

Response to publicity.

One anonymous letter received, the main points raised are summarised below:

- If a planning application was submitted and restrictions placed upon by the Council, why then, can they then be taken off?

These restrictions were put in place because an inspector of high authority decided conditions needed to be put in place and planning was only granted if these conditions were followed and implemented.

It was important that the parking, access and drainage of water off site, that the development was in keeping with the village of Llanfaelog and that the development was affordable housing. All these conditions are to be varied? This is not what was agreed upon.

- Why is the council now considering overriding this decision, many local people are against this development for many reasons and many came to the meeting with the inspector.

The issues raised above are addressed in section 6 of this report.

5. Relevant Planning History

28C116K – Outline application for residential development at Maelog Garden Centre, Llanfaelog.
Refused – 10.05.07
Appeal Allowed – 21.01.08

28C116P/DA – Detailed application for the erection of 9 dwellings together with alterations to the existing vehicular access and construction of a new pedestrian access on land at former Maelog Garden Centre, Llanfaelog.
Granted – 18.08.09

28C116V - Application under Section 73 for the variation of condition (1) so as to provide the car parking accommodation in phases and variation of condition (2) so as to allow for the completion of the access prior to the occupation of the last dwelling on the site on application 28C116P\DA at former Maelog Garden Centre – Llanfaelog
Granted – 16.11.15

6. Main Planning Considerations

Planning permission was granted on appeal to the Planning Inspectorate on the 21st January 2008 for outline planning permission for residential development of the former Maelog Garden Centre site under planning reference 28C116K and appeal reference APP/L6805/A/07/2053627 subject to a number of pre-commencement conditions.

Approval of the reserved matters was subsequently granted on the 18th August 2009 under reference 28C116P/DA.

The development of the site was commenced in April 2010 in breach of a number of pre-commencement conditions on both the outline and reserved matters permissions.

A separate application for variation of conditions of the reserved matters approval has been dealt with and determined on the 16th November 2015 under reference 28C116V

The extent of the development carried out to date comprises the shell of the terraced dwellings on plots 1 – 3 including the installation of the roof trusses.

It was brought to the Council's attention that the development had commenced in breach of conditions of the appeal decision in January 2011, works were ceased shortly thereafter at the request of the Local Planning Authority.

Since that time there has been ongoing dialogue with the developers in an effort to resolve matters.

The application approved on appeal in 2008 was subject to several conditions, a number of which required the submission of information for the Local Planning Authority's written approval prior to the commencement of works.

Where works are commenced without first having any pre-commencement conditions discharged they represent a breach of conditions and which cannot then be discharged retrospectively.

This application is therefore requesting that the requirements of the relevant conditions be varied so as to enable the required information to be submitted following the commencement of works so as to allow for the development to be re-commenced and subsequently completed.

In addition the application seeks to have the affordable housing condition deleted.

The site has remained in its current partially developed condition for a number of years and the Local Planning Authority are keen to resolve any outstanding issues in an effort to bring about an end to this undesirable situation.

The development is currently in breach of conditions 05, 06, 11,12, 13, 14, 15 and 16 of appeal decision reference APP/L6805/A/07/2053627 which are listed below:

5) No development shall take place until samples of the roofing materials to be used in the development hereby approved have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

6) No development shall take place until trade descriptions of the materials to be used on the external surfaces of the development hereby approved have been submitted to and approved in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

11) The estate road shall be kerbed and the carriageway and footways surfaced and lit before the last dwelling is occupied or within 2 years of the commencement of the development whichever is the sooner.

12) No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted to and approved in writing with the local planning authority.

13) Construction work shall not be begun until a scheme for protecting the dwellings from noise has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied.

14) No development shall commence until a scheme for the drainage of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied. The scheme to be submitted shall show foul drainage being connected to the public sewerage system.

15) Prior to the submission of the details required by Condition 14 above, an assessment shall be carried out into the potential for disposing of surface water by means of sustainable drainage systems (SuDS) in accordance with the principles set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment provided to the local planning authority. If the assessment demonstrates that there is potential for disposing of surface water by means of SuDS, the details submitted pursuant to Condition 14 above shall incorporate such provision. Where a SuDS scheme is to be implemented, the submitted details shall:

- i) Provide information about the design storm period and intensity, the method employed to delay and control surface water discharged from the site and the measures to be taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and
- iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or other arrangements to secure the operation of the scheme throughout its lifetime.

16) The development shall not begin until details of the arrangements for the provision of 30% of the dwellings on the site as affordable housing have been submitted to and approved in writing with the local planning authority. The affordable housing shall be provided in accordance with the approved details. Such details shall include:

- iv) The type and location on the site of the affordable housing provision to be made;
- v) the timing of the construction of the affordable housing
- vi) The arrangement to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- vii) The occupancy criteria to be used in determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be

enforced.

With the exception of the deletion of the affordable housing condition, which will be dealt with separately later in the report, as can be noted from the above, the breached conditions relate to finishing materials, estate road, access, noise, and drainage and an agreement to the variation of these conditions will not remove the need for the information required by the conditions to be submitted for the local planning authorities written approval but will merely enable the information to be submitted following the commencement of the development which will in turn enable the development to thereafter be completed.

The Local Planning Authority therefore considers that the variations of the above conditions are reasonable and acceptable. Furthermore it is considered to be the most sensible and logical way forward since the development may not lawfully or legitimately proceed as things stand and if matters are not resolved may lead to the site remaining in its current state indefinitely.

The developer's agent in the application form has requested that the conditions be varied so as to allow a period of 12 months for the submission of the relevant information.

The Local Planning Authority considers this to be excessive, particularly as the developers have expressed their desire to complete the development sooner rather than later.

Furthermore the variations required to the conditions will vary depending on the requirements of the individual conditions, whilst it may be appropriate and reasonable to require information such as finishing materials to be submitted within a set timescale, information regarding drainage on the other hand should be provided prior to any further works being undertaken on the development in order to ensure that the drainage arrangements are satisfactory.

The application is also seeking the deletion of condition 16 of the appeal decision relating to the provision of 30% affordable housing on the site.

To enable the local planning authority to support the deletion of the condition, it must be demonstrated that the development with the requirement to provide 30% affordable housing is not viable. Since works were halted there have been intermittent discussions between the developers and the Council on the affordable housing position and a Viability Appraisal has been submitted as part of the application.

The Affordable Housing Advisor has been consulted as part of the application and has provided an assessment of the Viability Appraisal.

Condition 16 of the appeal decision required that 30% of the dwellings approved be affordable, equating to 3 of the 9 dwellings.

The Council's position on determining planning appeals on grounds of viability are set out in the document 'Meeting the Need for Affordable Homes' published in 2012. The developer has supplied the information set out and which allows a decision on viability to be made.

Analysis of the figures provided in the Development Viability Appraisal shows a profit margin of 7% whereas acceptable profit return in viability calculations are circa 20%.

This convention has been accepted and supported by colleagues in the Housing Department.

Feedback from Registered Social Landlords (RSLs) who have looked at the site is that the projected

income estimates may be optimistic based upon the location, history and comparative valuations.

The figures provided therefore support the case that the scheme cannot be completed and an acceptable profit made while the requirement to provide affordable housing remains in place.

In addition the background and history of the site provide grounds for supporting variations to the original planning consent which will enable the scheme to be completed. The current state of the site in its partially completed condition has a very negative impact upon the area.

Construction works were halted when the first phase of the development was in progress. The site now consists of a terraced block of 3 houses. The block shell has been constructed to roof level with the roof trusses fitted. The block is closely located to the main Rhosneigr to Aberffraw road and has been left in this partially constructed state for over 4 years. The gable wall collapsed in strong winds and has had to be rebuilt to maintain the structural integrity of the block.

There have been intermittent discussions with the Council on the affordable housing position and to help the developer resolve the issues on the site. Attempts were made to involve local RSL's, however, this proved impossible following a site survey. This concluded that the weather exposure had severely affected the roof trusses and the cavity wall insulation and that correcting these issues would be cost prohibitive.

On the basis of the above it is therefore considered that sufficient justification has been provided to demonstrate that the development is unviable and that it may therefore be highly unlikely that the developer would proceed with the development if the requirement for 30% affordable housing remains in place.

In reaching the above decision, regard has been had to the fact that a significant contribution to the affordable housing needs of the area will be met by the completion in the next few months of 12 social rented homes in nearby Ty Croes. It is considered that this development will mitigate the absence of affordable homes at the Maelog Garden Centre site.

7. Conclusion

Having regard to all material facts and planning considerations it is considered that the variation of conditions 5, 6, 11, 12, 13, 14 and 15 and the deletion of condition 16 of appeal decision reference APP/L6805/A/07/2053627 is reasonable and acceptable.

8. Recommendation

To **permit** the application for the reasons below:

(01) Within 3 months of the date of this permission samples of the roofing materials to be used in the development hereby approved shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development

(02) Within 3 months of the date of this permission samples or trade descriptions of the materials to be used on the external surfaces of the development hereby approved shall be submitted to and approved in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development

(03) 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 their installation.

Reason: In the interests of visual amenity.

(04) The access shall be completed with a bitumen bound surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 metres back from the nearside edge of the A4080 before any dwelling is occupied.

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

(05) The access shall be constructed so that the gradient of the first 5 metres back from the nearside edge of the A4080 does not exceed 1 in 20.

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

(06) The estate road shall be kerbed and the carriageway and footways surfaced and lit before the last dwelling is occupied.

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

(07) Within 6 months of the date of this permission details of the measures to secure the future maintenance of the access and estate roads in accordance with details previously submitted to and approved in writing with the local planning authority.

Reason: For the avoidance of doubt.

(08) Within 3 months of the date of this permission a scheme for protecting the dwellings from noise shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied.

Reason: In the interests of residential amenity

(09) No further development shall take place until a scheme for the drainage of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied. The scheme to be submitted shall show foul drainage being connected to the public sewerage system.

Reason: To ensure that the development is adequately drained.

(10) Prior to the submission of the details required by Condition (09) above, an assessment shall be carried out into the potential for disposing of surface water by means of sustainable drainage systems (SuDS) in accordance with the principles set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment provided to the local planning authority. If the assessment demonstrates that there is potential for disposing of surface water by means of SuDS, the details submitted pursuant to Condition (09) above shall incorporate such provision. Where a SuDS scheme is to be implemented, the submitted details shall:

i) Provide information about the design storm period and intensity, the method employed to delay and control surface water discharged from the site and the measures to be taken to

prevent pollution of the receiving groundwater and/or surface waters;
ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and
iii) Provided a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure that the development is adequately drained.

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

9. Other Relevant Policies

Planning Policy Wales (Edition 8)

TAN 9: Enforcement of Planning Control

SPG: Design Guide for the Urban and Rural Environment

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Other Matters

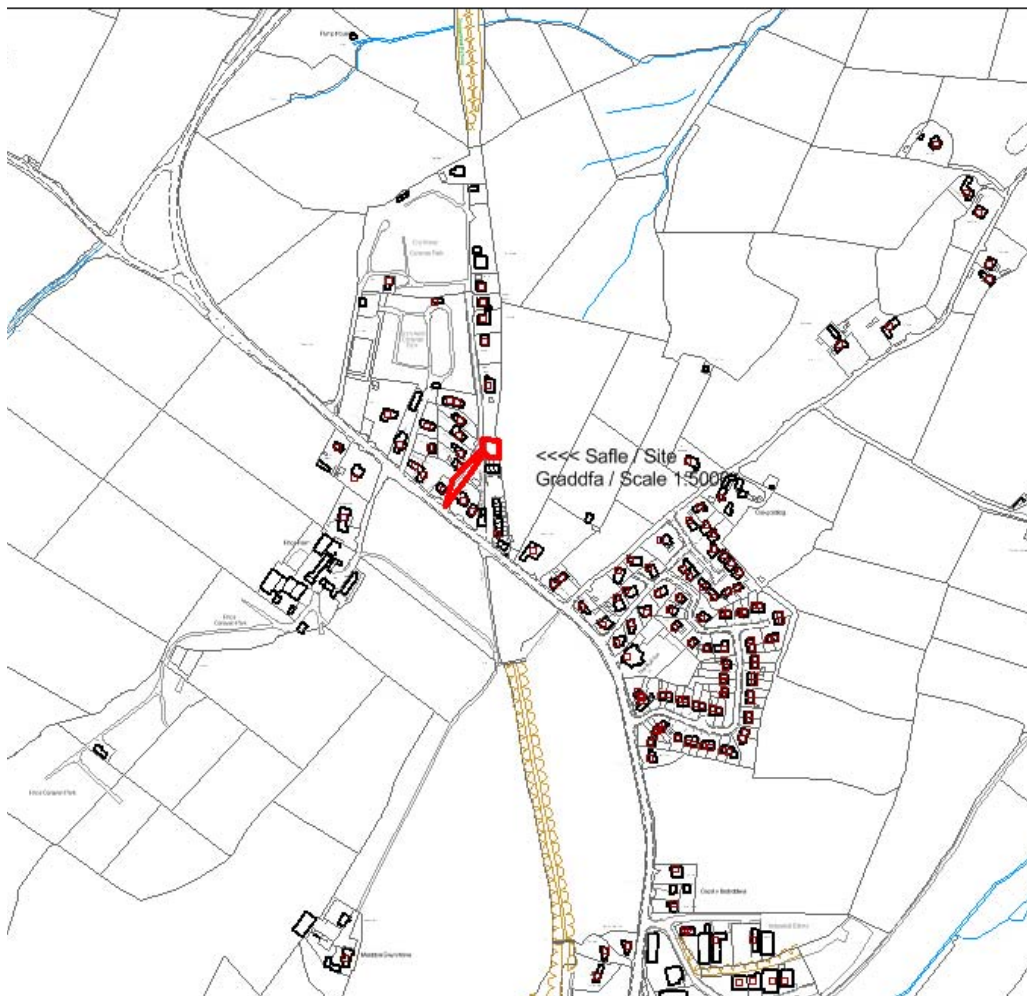
Rhif y Cais: 42C237D/VAR Application Number

Ymgeisydd Applicant

Mr Alan Foster

Cais dan Adran 73 i amrywio amod (07) (yn unol a'r cynlluniau a gymeradwywyd) o ganiatâd cynllunio 42C237 i alluogi newid i osodiad y safle ar dir gyferbyn a / Application under Section 73 to vary condition (07) (in accordance with approved plans) from planning permission 42C237 so as to amend the layout scheme at

Plas Tirion, Clai Mawr / Helens Crescent, Pentraeth



Planning Committee: 03/02/2016

Report of Head of Planning Service (GJ)

Recommendation:

Permit

Reason for Reporting to Committee:

This is a departure application for which the recommendation is to permit

1. Proposal and Site

The application is a Section 73 application to vary condition (07) (in accordance with approved plans) from planning application 42C237 so as to amend the layout scheme.

The site is located adjacent to the recently constructed "Sidings" development in Pentraeth. Access is onto Helens Crescent.

2. Key Issue(s)

The key issue is whether the proposal complies with current policies and whether the proposal will affect the amenities of surrounding properties.

3. Main Policies

Gwynedd Structure Plan

Policy A2 - Location of Housing Land

Policy A3 - Scale and Phasing of housing

Policy D4 - Siting and Design

Ynys Mon Local Plan

Policy 1 - General Policy

Policy 31 - Landscape

Policy 42 - Design

Policy 48 - Housing Development Criteria

Ynys Mon Unitary Development Plan (Stopped)

GP1 - Development Control Guidance

GP2 - Design

EN1 - Landscape Character

HP4 - Villages

SPG Design Guide for the Urban and Rural Environment

4. Response to Consultation and Publicity

Local Member (Cllr Vaughan Hughes) – No response at the time of writing the report

Local Member (Ieuan Williams) – No response at the time of writing the report

Local Member (Derlwyn Hughes) – No response at the time of writing the report

Community Council - Comments

Highways - Comments

Drainage – No Objection

Dwr Cymru - Comments

Natural Resources Wales - Comments

Response to Publicity

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The application was also advertised in the local newspaper as the development is contrary to the Ynys Mon Local Plan Policy. The latest date for the receipt of representations was the 14/1/16. At the time of writing the report 2 letters of objection had been received.

The main reasons for objecting as follows:-

- The application should not be approved until satisfactory completion of the road and groundworks at Y Bont/The Sidings has been satisfactorily completed.
- Loss of views
- Capability of completing the development in a timely and tidy fashion
- Noise, dust and disruption
- Loss of light

In response to the objections raised:-

- The application at 'Y Bont/The Sidings' is a different application that can't be taken into consideration
- Loss of view is not a planning consideration
- This is not a planning consideration.
- It is acknowledged that noise, dust and some disruption is an integral consequence of any development, however impacts will be shortlived and it is not reasonable to refuse the application on this basis
- It is not considered that this single storey cottage will cause any loss of light to neighbouring properties

5. Relevant Planning History

The adjacent site "The Sidings" was granted permission for 13 dwellings on 29/10/13 under ref 42C231

42C237 - Full application for the erection of a dwelling on land opposite – Granted – 5/11/15

42C237A/SCR - Screening Opinion for the erection of a dwelling on land opposite – EIA not required 16/10/15

42C237B/LUC Certificate of Lawful Use for the use as a storage/builders yard – Lawful Use Approved

– 28/09/15

42C237C/DIS - Application to discharge condition (03) (surface water) from planning permission 42C237 on land opposite – Undetermined

6. Main Planning Considerations

The site is located outside the settlement boundary in the Ynys Mon Local Plan but within it in the Unitary Development Plan. Given the weight that can be attributed to the UDP it is considered that the proposals are acceptable in land use terms.

Application reference 42C327 has already been granted permission for the erection of a dwellinghouse. This is an amended application to the design and layout. The amendments are as follows:-

- Raising the overall height of the dwelling from 4.8 metres to 5.7 metres to incorporate roof space to cater an additional bedroom
- Amended design of the dwelling
- Amended internal layout
- The insertion of a chimney

The application has been submitted to improve the design from the scheme already approved. The footprint of the building remains unchanged.

The site is located adjacent to a new development and there are dwellings on the opposite side of the access road. However, given the distances from the surrounding dwellings it is considered that the new dwelling will not impose any harm on the amenities of the occupiers thereof.

Furthermore, a bungalow in this location is not considered to harm the visual appearance/character of the locality and the amended design fits into the area without causing any harm on the amenities of the occupiers nearby.

In terms of access and traffic generation, a certificate of lawfulness has been granted establishing that there is a lawful use of the site for a storage/builders yard. Given this it is accepted that the proposed use would not generate any additional vehicular movements over the use that the land could be used for.

7. Conclusion

The proposals are acceptable in terms of land use policy, amenity and traffic generation/access.

2 letters of objection has been received after the Planning Committee had taken place in January, therefore the application is presented back to the committee to consider the objection received. The comments have been taken into account but do not alter the recommendation.

8. Recommendation Permit

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

(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 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 in the interests of road safety.

(03) No surface water from within the curtilage of the site to discharge onto the county Highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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

(04) The car parking accommodation shall be completed to the satisfaction of the Local Planning Authority before the use hereby permitted is commenced.

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

(05) 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: In the interests of amenity.

(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) The development permitted by this consent shall be carried out strictly in accordance with the plans, sections and elevations required to be approved by the local planning authority under the conditions imposed.

Reason: For the avoidance of doubt.

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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