

# Public Document Pack



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

Dr Gwynne Jones  
Prif Weithredwr – Chief Executive

CYNGOR SIR YNYS MÔN  
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<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>	
<b>PWYLLGOR CYNLLUNIO A GORCHMYNION</b>	<b>PLANNING AND ORDERS COMMITTEE</b>	
<b>Dydd Mercher, 6 Ebrill, 2016 am 1 y prynhawn</b>	<b>WEDNESDAY, 6 APRIL 2016 at 1:00 p.m.</b>	
<b>SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGFNI</b>	<b>COUNCIL CHAMBER, COUNCIL OFFICES, LLANGFNI</b>	
Swyddog Pwyllgor	<b>Ann Holmes</b> <b>01248 752518</b>	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.

### **Index**

#### **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 2ND MARCH, 2016 MEETING\_(Pages 1 - 8)**

To present the minutes of the previous meeting of the Planning and Orders Committee held on 2<sup>nd</sup> March, 2016.

#### **4 SITE VISITS**

No site visits took place.

#### **5 PUBLIC SPEAKING**

#### **6 APPLICATIONS THAT WILL BE DEFERRED\_(Pages 9 - 12)**

6.1 20C102L/EIA/RE – Rhyd y Groes Wind Farm, Rhosgoch

6.2 39C561/FR – The Lodge, Holyhead Road, Menai Bridge

#### **7 APPLICATIONS ARISING\_(Pages 13 - 18)**

7.1 44C320 – Gorslwyd Fawr, Rhosybol

7.2 45LPA605A/CC – Dwyrhyd, Newborough

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## **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

## **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

## **10 DEPARTURE APPLICATIONS**

None to be considered by this meeting.

## **11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS\_(Pages 19 - 30)**

11.1 28C186C – Ty Newydd, Llanfaelog

11.2 45C83E – Tre Wen, Pen Lôn, Newborough

## **12 REMAINDER OF APPLICATIONS\_(Pages 31 - 44)**

12.1 16C202 – Capel Salem, Bryngwran

12.2 31C210H – Graig, Lôn Graig, Llanfairpwll

## **13 OTHER MATTERS**

None to be considered by this meeting.

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## Planning and Orders Committee

### Minutes of the meeting held on 2 March 2016

- PRESENT:** Councillor William Thomas Hughes (Chair)  
Councillor Ann Griffith (Vice-Chair)
- Councillors Lewis Davies, John Griffith, K P Hughes, Vaughan Hughes, Victor Hughes, Raymond Jones and Nicola Roberts
- IN ATTENDANCE:** Planning Development Manager,  
Planning Assistants,  
Senior Engineer (Highways & Development Control) (EDJ),  
Legal Services Manager (RJ),  
Committee Officer (MEH).
- APOLOGIES:** Councillor Richard Owain Jones
- ALSO PRESENT:** Local Members: Councillors R.A. Dew (application 7.2); Llinos M. Huws (application 10.1); Bob Parry OBE (application 7.1).
- Councillors Jim Evans, Aled M. Jones, R. Meirion Jones, Alun Mummery.
- 

#### 1 APOLOGIES

Apologies as noted above.

#### 2 DECLARATION OF INTEREST

Councillor W.T. Hughes declared a personal and prejudicial interest with regard to application 6.1 and left the meeting during discussion and voting thereon.

Councillors Lewis Davies, Ann Griffith, John Griffith, Vaughan Hughes and Nicola Roberts declared personal interests in respect of application 6.1 on account of the reference to wind turbines in the Plaid Cymru manifesto. The Members said that they would be keeping an open mind and would determine each application on its own merits.

Councillor Ann Griffith declared a personal interest with regard to application 6.2.

Councillor Nicola Roberts declared a prejudicial interest with regard to application 6.2. She said that she had contacted the Legal Section for legal advice as she was

lobbied by a Local Member and left the meeting during discussion and voting thereon.

### **3 MINUTES**

The minutes of the previous meeting of the Planning and Orders Committee held on 3 February, 2016 were submitted and confirmed as correct, subject to the inclusion that the Vice-Chair, Councillor Ann Griffith had objected to a Local Member gesticulating when the Committee were discussing application 7.5 – Gorslwyd Fawr, Rhosybol.

### **4 SITE VISITS**

The minutes of the Planning Site Visits held on 17 February, 2016 were submitted and confirmed as correct.

### **5 PUBLIC SPEAKING**

The Chair announced there would be no Public Speakers.

### **6 APPLICATIONS THAT WILL BE DEFERRED**

**6.1 20C102L/EIA/RE – Full application for the erection of 13 wind turbines comprising of 9 900kW wind turbines with a maximum hub height of up to 55m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 79m, and 4 900kW wind turbines with a maximum hub height of up to 45m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 70m, together with the creation of crane pads, foundations, underground electricity cables, improvements to parts of the existing track, works to the highways, the creation of new access tracks, and extension to the existing 33kV substation, the erection of a new 11kV substation, the erection of an anemometer and temporary construction and storage compounds and batching plant (which would also entail the de-commissioning of the existing wind farm) at Rhyd y Groes Wind Farm, Rhosgoch**

**It was RESOLVED that a site visit be undertaken in accordance with the Officer's recommendation for the reason given in the written report.**

**6.2 44C320 – Outline application for the erection of a dwelling with all matters reserved on land near Gorslwyd Fawr, Rhosybol**

**It was RESOLVED to defer consideration of the application at the request of the applicant as they wish to consider matters raised in the Planning and Orders Committee on the 3<sup>rd</sup> February, 2016.**

### **7 APPLICATIONS ARISING**

**7.1 14C171H/ENF – Retrospective application for the erection of a new build holiday accommodation at Stryttwn Farm, Ty'n Lon**

The application is reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 3<sup>rd</sup> February, 2016 the Committee resolved to approve the application contrary to the Officer's recommendation for the reasons that it was considered that the existing consent on the site to create a residential unit to the same footprint and appearance as the current proposal outweighs the specific policies and guidelines which officers have used to assess the application. The effect upon the environment would be no greater than would have been the case had the existing building been converted and extended as previously approved.

Councillor Bob Parry OBE, as a Local Member said that as he reported at the previous meeting the applicant acted upon the advice of a professional officer to carry on with the work following the stable wall collapsing during building work. He referred that he considered that the application is no different to what has been previously granted permission.

Councillor Lewis Davies proposed that the application be refused in accordance with the Officer's recommendation and Councillor K.P. Hughes seconded the proposal.

Councillor Nicola Roberts proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

Following the subsequent vote it was **RESOLVED to refuse the application in accordance with the Officer's recommendation.**

**7.2 28C116U – Application under Section 73A to vary pre-conditions (05), (06), (11), (12), (13), (14), (15) on appeal decision reference no. APP/6806/A/07/2053627 so as to allow for their discharge following commencement of works on site together with the deletion of condition (16) at Maelog Garden Centre, Llanfaelog**

The application is reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 3<sup>rd</sup> February, 2016 the Committee resolved to refuse the application contrary to officer recommendation for the reasons given that there is a demonstrable need for affordable housing in the locality and that the case put forward by the applicant does not outweigh this need.

The Planning Development Manager reported that correspondence had been received by the applicant's agent stating that they would appeal the decision if the application was refused. He further stated that the Affordable Housing Advisor has confirmed that based upon the information provided in the Viability Appraisal that it has been satisfactorily demonstrated that the development would not be viable if the requirement to provide 30% affordable housing remains.

Councillor R.A. Dew, a Local Member said that he did not object to the variation of pre-conditions (05), (06), (11), (12), (13), (14), (15) on appeal

decision reference no. APP/6806/A/07/2053627 being deleted. However he was objecting to the removal of the condition providing 30% affordable housing. He emphasised that there is a dire need for affordable housing within the area.

Members of the Committee agreed that the affordable housing element of the application should remain but agreed that the other pre-conditions should not be contested if the applicant was to appeal against the decision.

Councillor Lewis Davies proposed that the application be refused and Councillor T.V. Hughes seconded the proposal.

Councillor Nicola Roberts abstained from voting.

**It was RESOLVED to re-affirm the previous decision to refuse the application insofar as it related to the affordable housing condition contrary to the Officer's decision.**

### **7.3 39C561/FR – 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, Holyhead Road, Menai Bridge**

The application is reported to the Planning and Orders Committee at the request of the Vice-Chair and a Local Member. At its meeting held on 3<sup>rd</sup> February, 2016 the Committee resolved to defer determination of the application in order to carry out a site visit which was subsequently undertaken on the 17<sup>th</sup> February, 2016.

The Planning Development Manager reported that correspondence had been received by Welsh Government issuing a direction which stated that the application should not be approved as additional information is sought so that appropriate highways observations can be made. He stated that since completing the report for the Committee the Welsh Government response received last week may affect the recommendation to the Committee. The Officer further stated that he was given to understand that the applicant and Welsh Government have been discussing issues raised but that no agreement has been reached up to now. He further noted that an email had been received by the applicant requesting the Committee to deal with the application at today's meeting.

The Planning Development Manager further reported that as Officer's they considered that the application should be deferred so that issues raised by the Welsh Government can be addressed.

Councillor K.P. Hughes proposed that the application be deferred and Councillor Nicola Roberts seconded the proposal.

**It was RESOLVED to defer consideration of the application in accordance with the recommendation of the Officers.**



## **8 ECONOMIC APPLICATIONS**

None were considered by this meeting.

## **9 AFFORDABLE HOUSING APPLICATIONS**

None were considered by this meeting.

## **10 DEPARTURE APPLICATIONS**

### **10.1 38C223A – Full application for the erection of 21 dwellings on land adjacent to Pen y Bont, Mountain Road, Llanfechell**

The application was presented to the Planning and Orders Committee as the application is a departure which the Local Planning Authority is minded to approve and is also submitted to the Committee at the request of a Local Member.

The Planning Development Manager reported that the site forms part of the field that was previously granted planning permission for 19 dwellings. The remaining part of the field will be developed for 7 dwellings as previously approved. The current application site for 21 units will be on land granted planning permission and which would have accommodated 12 units as part of the previous scheme. The scheme therefore will have 28 units on the whole site with a provision for 9 affordable units required. The applicant has afforded parking area for 5 cars along the highway to help congestion at the school and a footpath will also be constructed.

Councillor Llinos M. Huws, a Local Member stated that there were profound concerns within the local community with regard to this application in 2008 when the first application was submitted as they considered that there was no requirement for such a development within the village of Llanfechell. The application now is for 28 dwellings and it is considered that it will be a harmful extension to a small village as Llanfechell. The Community Council has deep concerns on the effect on the village school as the site is on the boundary of the school; concerns have also been expressed on the impact on the Welsh language.

Councillor John Griffith, a Local Member referred to the concerns of the Community Council to this application and the application in 2008 due to the need in the area for such a development. The Planning Development Manager responded that the Authority has identified the site as potential development for housing.

Councillor K.P. Hughes proposed that the application be approved and Councillor Lewis Davies 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 41C132/RUR – Full application for the erection of two agricultural dwellings, the installation of a package treatment plant together with the construction of a vehicular access on land at Cae Isaf, Pentraeth**

The Planning Development Manager reported that the application had been withdrawn by the applicant.

**It was noted that the application had been withdrawn.**

**11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS**

**11.1 19C1175 – Full application for alterations and extensions at 17 Lon Newydd, Llaingoch, Holyhead**

The application is reported to the Planning and Orders Committee as the applicant is a relevant person as defined by paragraph 4.6.10.2 of the Council's Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4.

The Planning Development Manager reported that the public consultation period does not come to an end until the 3<sup>rd</sup> March, 2016. No representations had been received to date by the department.

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

**It was RESOLVED to approve the application and to grant the Officer's power to act following the statutory public consultation period coming to an end.**

**12 REMAINDER OF APPLICATIONS**

**12.1 12C390G – Full application for demolition of the existing rear building together with the erection of a production room in its place at 34 Castle Street, Beaumaris**

The application was presented to the Planning and Orders Committee as the works involves demolishing a building which adjoins the boundary of Council owned land.

Councillor Lewis Davies proposed that the application be approved and Councillor Vaughan 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.**

**12.2 12C390H/LB – Listed building consent for demolition of the existing rear building together with the erection of a production room in its place at 34 Castle Street, Beaumaris**

The application was presented to the Planning and Orders Committee as the works involve demolishing a building which adjoins the boundary of Council owned land.

Councillor Lewis Davies proposed that the application be approved and Councillor Vaughan 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.**

**12.3 19C608R – Full application to amend the layout of plots 8-17, 29, 31,37, 38, 44-45, 52-56, 72-74, 78, 82-83, 85-87, 89, 92, 96, 101-122 together with the parking layout of previously approved application 19C608K/DA (Detailed application for the erection of 123 houses together with the construction of a new vehicular and pedestrian access) on land at Tyddyn Bach, South Stack Road, Holyhead**

The application was presented to the Planning and Orders Committee at the request of a Local Member.

The Planning Development Manager reported that the application is made for an amended design and slight plot layout changes for 59 of those units.

Councillor Vaughan Hughes 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.**

**12.4 34LPA982B/CC – Application for change of use from vacant land to five parking spaces at Station Yard Car Park, Llangefni**

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

Councillor Lewis Davies 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.**

**13 OTHER MATTERS**

**13.1 21C162 – Outline application with some matters reserved for the erection of two dwellings together with full details of the access in lieu of the lawful use of land as a Coal Yard granted under full planning application reference A/2792 at Parciau, Llanddaniel**

**It was RESOLVED to note the report for information.**

**COUNCILLOR W.T. HUGHES  
CHAIR**

6.1

Gweddill y Ceisiadau

Remainder Applications

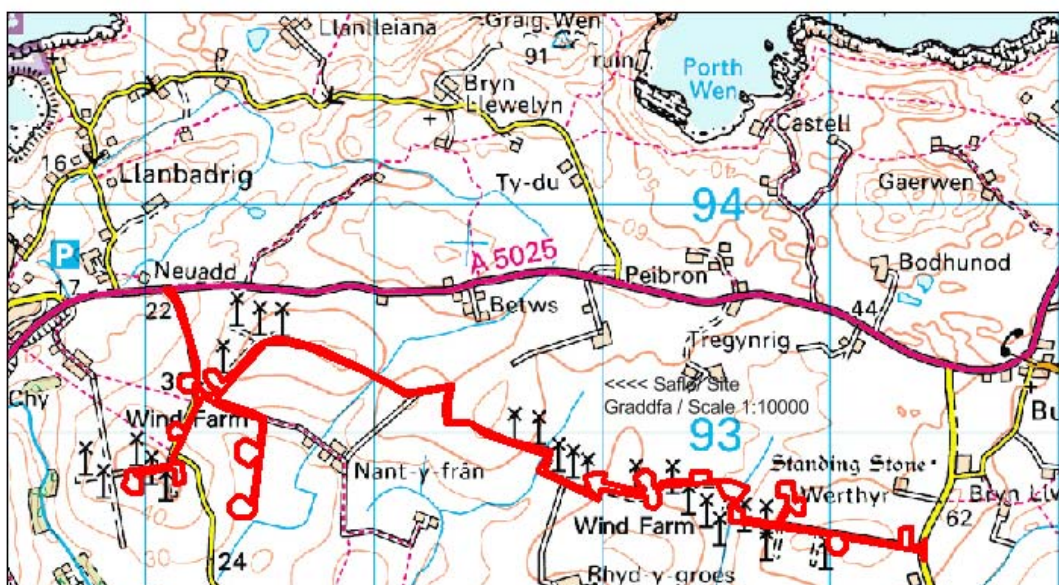
Rhif y Cais: **20C102L/EIA/RE** Application Number

Ymgeisydd Applicant

**TPG Wind Ltd**

Cais llawn i godi 13 o dyrbinau gwynt gyda 9 tyrbin gwynt 900kw gydag uchafswm uchder hwb o hyd at 55m, diametr rotor o hyd at 52m, ac uchafswm uchder i ben y llafn o 79m a 4 tyrbin gwynt 900kw gydag uchder hwb o hyd at 45m, diametr rotor o hyd at 52m, ac uchder mwyaf i flaen y llafn o hyd at 70m, ynghyd â chreu padiau craen, sylfeini, ceblau trydan o dan ddaear, gwelliannau i rannau o'r trac presennol, creu traciau mynediad newydd, gwneud gwaith i'r briffordd, estyniad i'r is-orsaf 33kv bresennol, codi is-orsaf 11kv newydd, codi anemometr a chompownd adeiladu a storio dros dro a ardal gwaith concrete (fydd yn cynnwys cael gwared ar y fferm wynt presennol) yn / Full application for the erection of 13 wind turbines comprising of 9 900kW wind turbines with a maximum hub height of up to 55m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 79m, and 4 900kW wind turbines with a maximum hub height of up to 45m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 70m, together with the creation of crane pads, foundations, underground electricity cables, improvements to parts of the existing track, works to the highway, the creation of new access tracks, an extension to the existing 33kV substation, the erection of a new 11kV substation, the erection of an anemometer and temporary construction and storage compounds and batching plant (which would also entail the de-commissioning of the existing wind farm) at

**Rhyd y Groes Wind Farm, Rhosgoch**



**Planning Committee: 06/04/2016**

**Report of Head of Planning Service (DFJ)**

**Recommendation:**

Defer in order to re arrange a site visit

The site visit scheduled for the 16<sup>th</sup> March was deferred at the request of the applicant as discussions regarding the scheme are continuing at present with Natural Resources Wales with a view to agreeing possible measures aimed at mitigating impacts on the nearby Area of Outstanding Natural Beauty. As this may lead to material changes to the application it is considered sensible to defer the site visit at this time

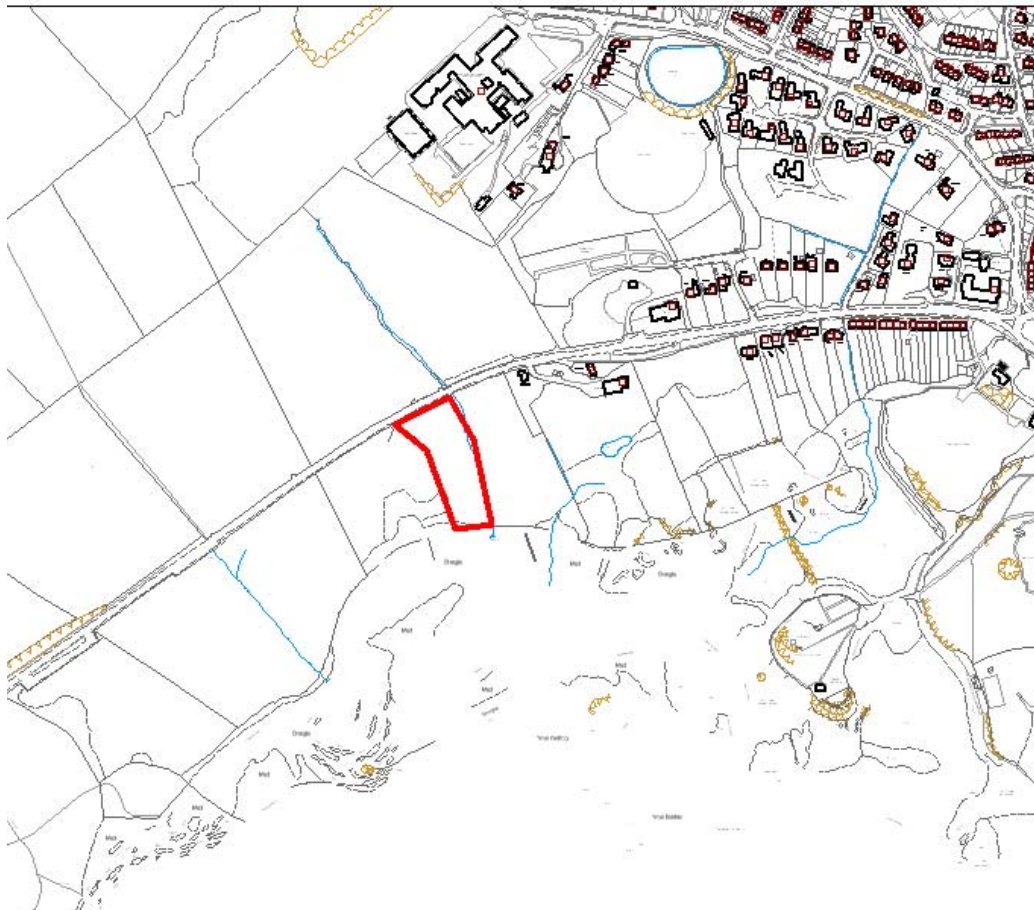
Rhif y Cais: **39C561/FR/TR** Application Number

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: 06/04/2016**

**Report of Head of Planning Service (GJ)**

**Recommendation:**

**Defer**

The applicant has requested that the application is deferred due to ongoing negotiation with the Welsh Government regarding highway issues. It is considered suitable to defer the application as the outcome of discussions may influence the recommendation of the Local Planning Authority.



7.1

Gweddill y Ceisiadau

Remainder Applications

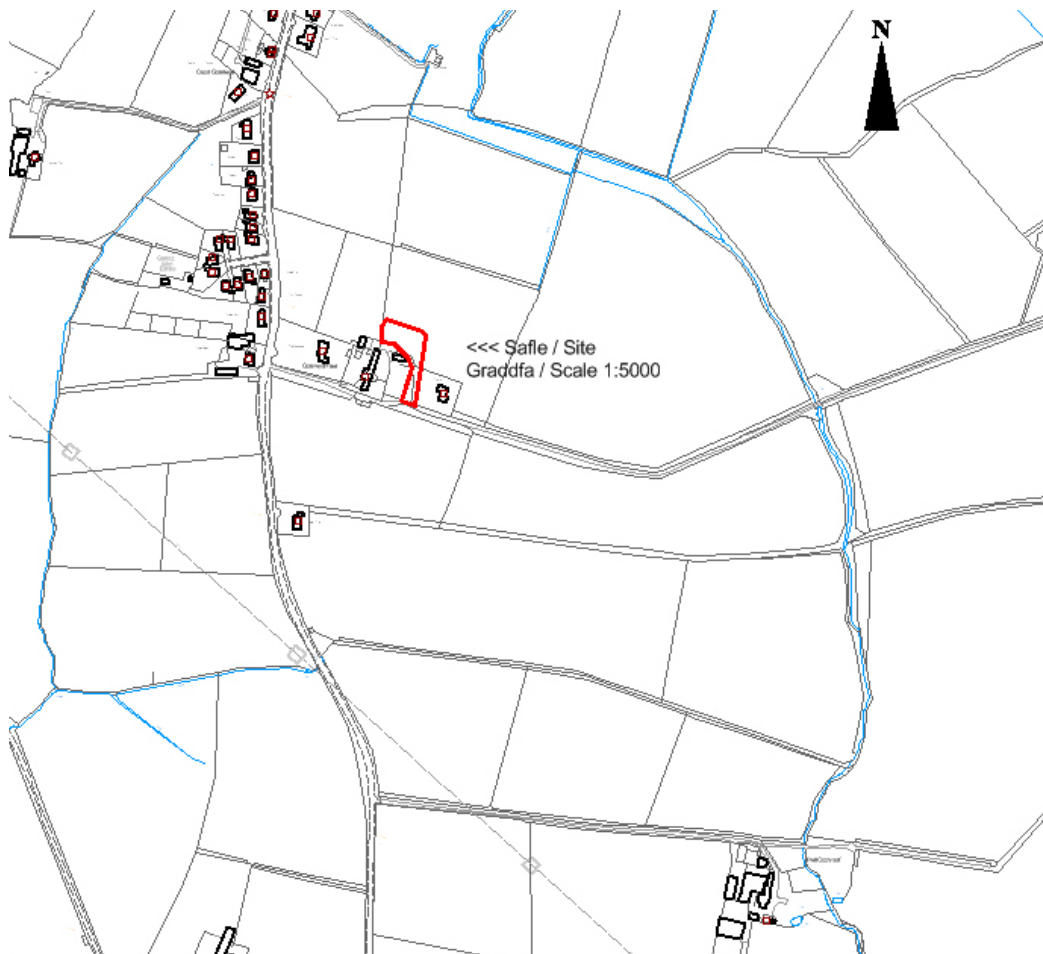
Rhif y Cais: **44C320** Application Number

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: 06/04/2016**

**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 2nd March, 2016 the Committee resolved to defer the application at the request of the applicant, in order to give them further time to address issues raised by committee members. The applicant has now confirmed that the reason for deferring was in order to fully investigate the issues raised by the planning department and members of the committee in regards to connection to existing public sewers, before proceeding.

They have confirmed that the finding of the investigation is that connection to the existing public sewers is not a feasible option. The position of the proposed dwelling is not immediately adjacent to an area served by a public sewer system and access/easement would be required through two separate properties and ownerships to facilitate a connection to the public sewer system. Furthermore the point of connection has been fully reviewed, and due to differences in levels, a gravity connection to the public sewer system is not feasible. The invert level is too high therefore a fall cannot be achieved.

The additional information received by the applicant does not change the recommendation put forward.

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).

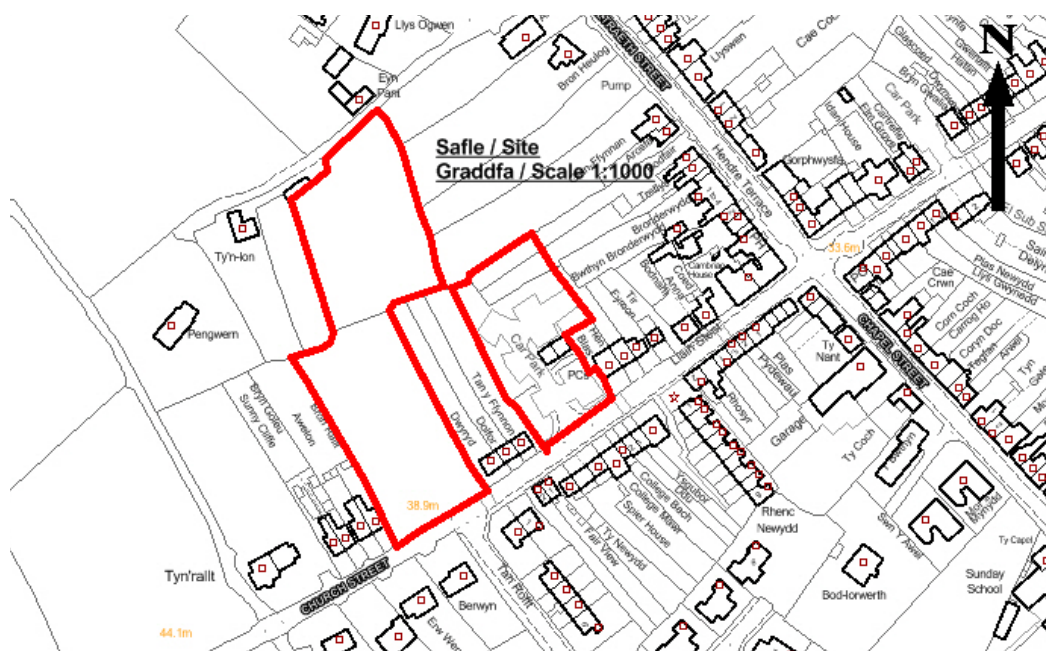
Rhif y Cais: 45LPA605A/CC Application Number

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: 06/04/2016**

**Report of Head of Planning Service (NJ)**

**Recommendation:**

Withdrawn

**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 2<sup>nd</sup> September 2015 the Members resolved to undertake a site visit prior to determining the application. The site was visited on 16<sup>th</sup> September.

At its meeting held on 7<sup>th</sup> 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 2<sup>nd</sup> 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 3<sup>rd</sup> February the members requested that the application be removed from the agenda until such time as a response was received from the applicant.

The applicant has now confirmed that the application is withdrawn.

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11.1

Gweddill y Ceisiadau

Remainder Applications

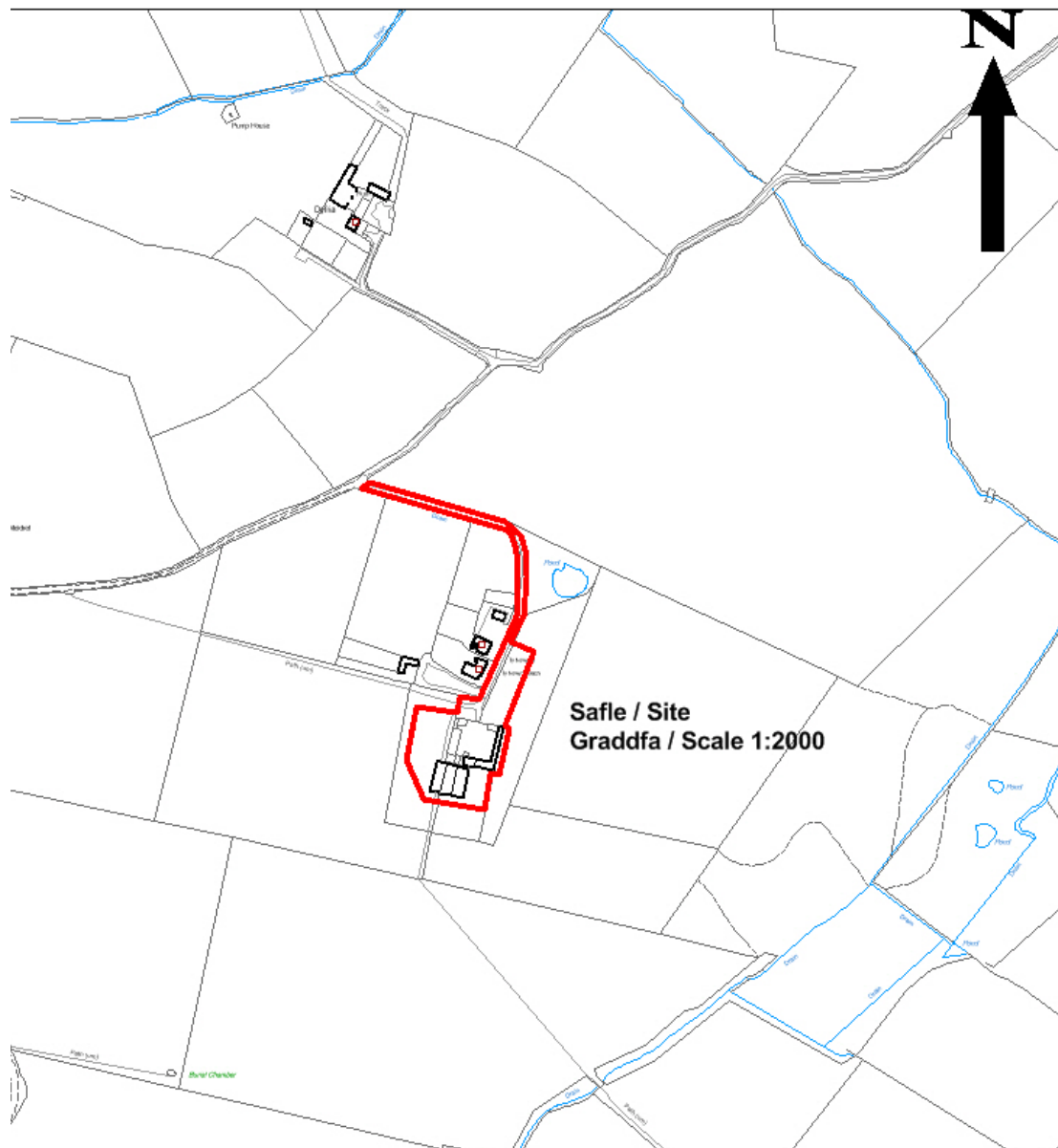
Rhif y Cais: **28C186C** Application Number

Ymgeisydd Applicant

**Mr Philip Molyneux**

**Cais llawn i newid defnydd yr adeilad allanol i dri annedd yn / Full application for change of use of the existing outbuildings into three dwellings at**

**Ty Newydd, Llanfaelog**



**Planning Committee: 06/04/2016**

**Report of Head of Planning Service (SCR)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The applicant is related to a 'relevant officer' as defined within paragraph 4.6.10.2 of the Constitution.

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

### **1. Proposal and Site**

The application is a full application for the change of use of the existing outbuilding to form three dwellings together with the installation of a septic tank. Access to the site is afforded via the existing access that serves the neighbouring properties.

The outbuildings are shaped in a courtyard style. The site is situated on the outskirts of the village of Llanfaelog. The outbuilding lie next to the properties known as known as Tŷ Newydd and Ty Newydd Bach.

### **2. Key Issue(s)**

The applications key issues are whether the proposal complies with Policy 55 of the Ynys Môn Local Plan and Policy HP8 of the stopped Unitary Development Plan, and whether the proposal will have a detrimental effect on the amenities of the neighbouring properties and surrounding landscape which is designated as a Special Landscape Area and whether the proposal will have an effect on Highway Safety.

### **3. Main Policies**

#### **Ynys Môn Local Plan**

Policy 1 – General Policy

Policy 31 – Landscape

Policy 42 - Design

Policy 55 - Conversions

#### **Gwynedd Structure Plan**

Policy D4 – Location, siting and design

Policy D28 – Design

Policy D29 – Design

#### **Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP8 – Rural Conversions

Policy EN1 – Landscape Character



**Planning Policy Wales, 8<sup>th</sup> Edition, 2016**

**Technical Advice Note 5: Nature Conservation**

**Technical Advice Note 12: Design**

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

**4. Response to Consultation and Publicity**

**Local Member, Cllr. G O Jones** – No response to date

**Local Member, Cllr.R Dew** – No response to date

**Community Council** – No observations

**Welsh Water** – Standard comments

**Highways** – As per recommendation on planning application reference 28C186B

**Drainage** – No response to date

**Natural Resource Wales** - Comments

**Footpath Officer** – No objection

**Gwynedd Archaeological Planning Service** - No response to date

The application was afforded three means of publicity. These were by the posting of a notice near the site, the serving of personal notifications on neighbouring properties and the publication of a notice in the local press. The latest date for the receipt of representations was the 23<sup>rd</sup> February, 2016 and at the time of writing this report no letters of representation had been received at the department.

## **5. Relevant Planning History**

28C186 – Erection of a garage at Ty Newydd, Llanfaelog – Approved 03/06/92

28C186A - Conversion of farm buildings to 3 dwellings together with the installation of a new septic tank at Ty Newydd Farm, Llanfaelog – Refused 16/09/04

28C186B - Conversion of outbuildings into three residential units, alterations and extensions thereto together with the creation of passing bays at Ty Newydd, Llanfaelog – Approved 07/12/09

## **6. Main Planning Considerations**

**Policy Context** – Policy 55 of the Ynys Mon Local Plan and Policy HP8 of the stopped Unitary Development Plan allow the conversion of existing outbuildings into holiday or residential use provided the criteria of the policies are met. Planning Policy Wales identifies a preference of the re-use of land in preference to greenfield sites but recognises that ‘not all previously developed land is suitable for development’.

A Structural Report has been submitted as part of the application and confirms that the buildings can

be converted into residential units with some repair and re-building works proposed. Due to the scale of the development it is considered that the amount of repair/rebuilding works proposed area acceptable.

As stated above planning permission has been granted for the conversion of the outbuildings into three residential units in 2009, reference 28C186B, however this permission has now lapsed. There has been no material change in local or national policies in regards to conversions since the approval of the previous planning application.

Due to the above the building is considered suitable for its conversion into a residential dwelling and complies with current policies and guidelines.

**Affect on surrounding landscape** – The design of the proposal respects the character and appearance of the existing building. The re-use of the redundant buildings will ensure that the buildings will not fall into a state of disrepair which would have a detrimental visual impact on the surrounding area.

**Affect of proposal on amenities of neighbouring properties** –The property known as Ty Newydd Bach lies between the application site and the neighbouring property known as Ty Newydd, Whilst it is acknowledged that the proposal will generate additional traffic passing the front of Ty Newydd it is not considered that this will have a detrimental impact on the amenities currently enjoyed by the occupants of Ty Newydd.

There is a distance of more than 30 metres between the front of the proposal and Ty Newydd Bach, which is also within the applicants ownership, and therefore the proposal will not affect the amenities currently enjoyed by the occupants of the neighbouring properties to such a degree as to warrant the refusal of the application.

**Highway Safety** – The Highway Authority have raised no objection to the proposal subject to the inclusion of the highway conditions imposed on planning permission 28C186B.

## **7. Conclusion**

The proposal complies with current local and national policies and will not have a detrimental impact on the amenities of the neighbouring properties, surrounding area or highway safety. Having considered the above and all other material considerations my recommendation is one of approval subject to conditions.

## **8. Recommendation**

### **Permit**

**(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 and E of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interests of the amenity of the designated landscape.

**(03) No works shall be carried out to the re-roofing of the building or re-pointing of the masonry between 1st April and 30th September in any year.**

Reason - To safeguard protected species - bats and birds

**(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.

**(05) The access shall be constructed with 2.4 metre by 43.0 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.**

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

**(06) 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 before the use hereby permitted is commenced.**

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

**(07) No development shall commence until full details of the means of site enclosure together with details of all hard and soft landscape proposed have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented during the first planting season following the occupation of the building or the completion of the development, whichever is the sooner.**

Reason: In the interests of the amenity of the designated landscape.

**(08) Any further structural alterations which may be required to be carried out to the building, and which would be likely to affect its external appearance, consequent upon the implementation of this permission, shall form the subject of an application which shall be submitted to and approved by the local planning authority before any work is commenced on such alterations.**

Reason: For the avoidance of doubt.

**(09) The development shall take place in accordance with the 'Evaluation and Recommendation' section outlined in the Protected Species Survey that was carried out by Yorke Associates Ecological Consultants and submitted under planning reference 28C186C.**

Reason: To ensure that any protected species which may be present are safeguarded.

**(10) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below:**

Drawing / Document number	Date Received	Plan Description
Datrys Structural Report –	20/01/2016	Structural Report

<b>August 2015</b>		
<b>“Yorke Associates Ecological Consultants” - Report</b>	<b>20/01/2016</b>	<b>Protected Species Survey</b>
<b>1233-A1-01</b>	<b>20/01/2016</b>	<b>Existing Elevations</b>
<b>1233-A1-02</b>	<b>20/01/2016</b>	<b>Existing floor plan</b>
<b>325/01</b>	<b>20/01/2016</b>	<b>Location plan</b>
<b>1233-A1-04</b>	<b>20/01/2016</b>	<b>Proposed Floor Plan – Ground and first floor</b>
<b>1233-A3-04</b>	<b>20/01/2016</b>	<b>Proposed Elevations</b>
<b>1233-A1-01A</b>	<b>01/03/2016</b>	<b>Plan illustrating areas of re-building</b>

**under planning application reference 28C186C.**

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.

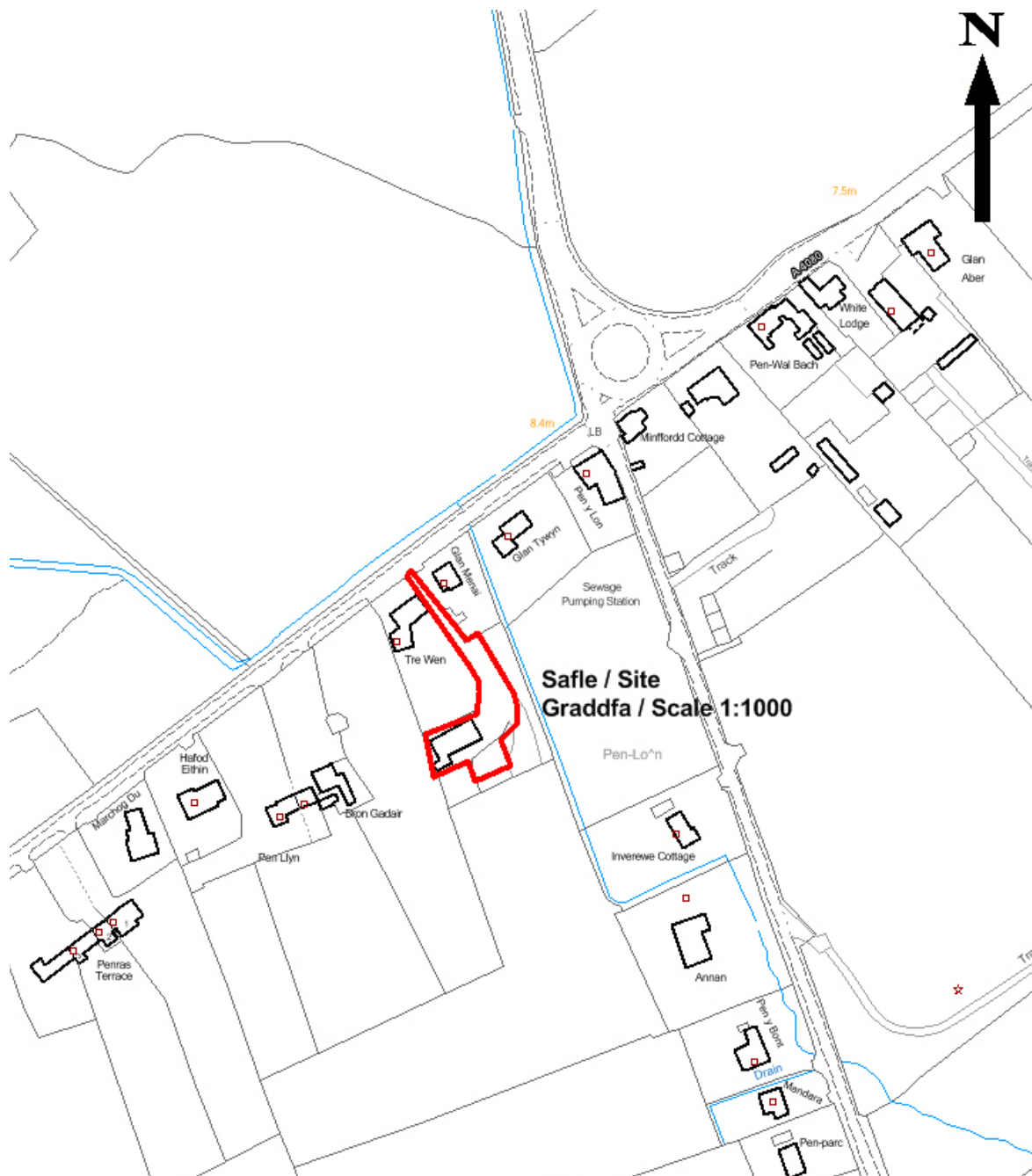
Rhif y Cais: **45C83E** Application Number

Ymgeisydd Applicant

**Mr T.W & Mrs Y Owen**

**Cais llawn i newid defnydd y gweithdy presennol i dri annedd ar dir yn / Full application for conversion of the existing workshop into three dwellings at**

**Tre Wen, Pen Lôn, Niwbwrch / Newborough**



**Planning Committee: 06/04/2016**

**Report of Head of Planning Service (NJ)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The applicant is related to a relevant officer. The application has been scrutinised by the Council's Monitoring Officer.

### **1. Proposal and Site**

The application site is occupied by a brick and clad building measuring 18m x 9.5m approximately on plan and with a ridge height of just over 6m, which currently houses a joinery business.

The application is made to convert the workshop into three dwellings, two on the ground floor and a single unit on the first floor with external access. Garden, bin storage and parking areas are provided as part of the proposal whilst the existing access will be utilised for the development. Foul drainage will connect into the existing public sewerage system.

### **2. Key Issue(s)**

Compliance with current planning policies in relation to conversion and impacts on the designated Area of Outstanding Natural Beauty as well as amenity impacts.

### **3. Main Policies**

#### **Ynys Mon Local Plan**

Policy 1 General Policy

Policy 7 Rural Buildings

Policy 30 Landscape

Policy 35 Nature Conservation

#### **Gwynedd Structure Plan**

Policy D1 AONB

Policy D4 Location siting and design

Policy D9 Environmentally sensitive areas

Policy D10 Flora and Fauna

#### **Ynys Mon Stopped Unitary Development Plan**

Policy GP1 Development Control Guidance

Policy GP2 Design

Policy EN1 Landscape Character

Policy EN2 AONB

Policy EN4 Biodiversity

#### **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**

#### **4. Response to Consultation and Publicity**

**Councillor Ann Griffith:** No response at the time of writing

**Rhosyr Community Council:** Objection, but no reason specified

**Ecological and Environmental Advisor:** No evidence of bats was found, and the building is thought to be of low potential for use by bats. The section 6.2 recommendation should be followed in the (unlikely) event that bats are found during work (this gives instructions for contacts to seek advice).

#### **Built Environment and Landscape Section:**

1. The subject workshop is located on land to the rear of Tre Wen which is inside the AONB.
2. From a Built Conservation perspective I don't have any issues or concerns as the property is not within the setting of any know cultural heritage receptors.
3. The workshop does appear to be well built and structurally capable of the proposed conversion in line with Council policy and guidance.

4. The proposed external alterations to the workshop appear to me to be in principal reasonably justified and again in line with council policy and guidance. However and mainly due to the fact that the workshop is located in the AONB I would recommend that you consider imposing a condition on the details of the proposed roof windows, gable end windows doors and external staircase, seeking; large scale annotated architectural drawings of a scale not less than 1:25 including cut sections, materials and finishes.

**Natural Resources Wales:** No objection in relation to protected species or impacts on the AONB.

**Highway Authority:** Suggested condition regarding car parking

**Drainage Section:** Comments

Response to neighbour notification: The application was publicised by site notice and personal notification to adjoining occupiers with an expiry date of 4<sup>th</sup> March. No representations were received.

#### **5. Relevant Planning History**

45C83 Erection of a joinery workshop together with the formation of a vehicular access at Trewen, Penlon, Newborough – Refused 07/09/88

45C83A Erection of a workshop at Tre Wen, Penlon, Newborough – Approved 02/08/89 Section 52

45C83B Erection of a shed for the storage of machinery at Tre Wen, Penlon – Approved 04/02/10

45C83C/DEL Application under Section 73 for the removal of condition (05) (workshop shall be used for the benefit of Mr T. W. Owen and when no longer required by him shall be used for the purposes of agriculture) from planning permission reference 45C83A (erection of a workshop) at Tre Wen, Pen Lon – Approved 04/06/15

45C83D/SCR Screening opinion for the conversion of the existing workshop into three dwellings on land at Tre Wen, Pen Lon – EIA not required

#### **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 scheme retains the character and form of the existing building, introducing minor changes such as an external access stair and some fenestration, in order to facilitate the proposed new use. The site is set within a large curtilage within which there is ample room for parking and amenity space provision.

**AONB:** The site is located to the rear of a handful of dwellings forming part of the hamlet of Pen Lon which is situated within the designated AONB. The site is well screened and enclosed and it is not considered that unacceptable impacts will occur to the designated landscape.

**Highway Impacts:** The site is served by an existing access. It is not considered that the conversion would lead to a significant increase in traffic or other highway issues. The Highway Authority raises no concerns.

**Ecology:** The application is supported by an ecology report the conclusions of which are accepted by Natural Resources Wales and the Council's Ecological and Environmental Advisor.

**Amenity impacts:** The building is located to the rear of existing housing. There is ample space within the site to accommodate the proposal without harm to existing amenities. Distances and boundary treatments are such that overlooking and loss of privacy are unlikely to occur.

## 7. Conclusion

The scheme is considered to comply with the principles of Policy 55 on conversions. It is not considered that unacceptable impacts will occur as a result of the development.

## 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) 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) The car parking accommodation shall be made available for use before the dwellings hereby approved are occupied.**

Reason: In the interests of amenity.

**(04) The development shall proceed in accordance with the recommendations contained within the Visual protected Species Report prepared by Alison Johnson Ecology in June 2015.**

Reason: To safeguard any protected species which may be present on the site.

**(05) No development shall commence until the details and materials of the proposed roof windows, gable end windows and doors and external staircase, to be shown on large scale annotated architectural drawings of a scale not less than 1:25 including cut sections, have been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in**



**accordance with the approved details.**

Reason: To ensure a satisfactory appearance of the development

**(06) The development shall take place in accordance with the following plans and details, as amended by the condition 05 above:**

**Proposed Block Plan January 2016**

**Detailed Block Plan January 2016**

**Roof Plan Identifying Location of 8 no Rooflights January 2016**

**Proposed Ground Floor Plan January 2016**

**Proposed First Floor Plan January 2016**

**Proposed Front and Rear Elevations January 2016**

**Visual Protected Species Survey Alison Johnson Ecology June 2015**

**Structural Engineer's Report received 3/2/16**

**Access Statement received 3/2/16**

Reason: To define the scope of the planning permission.

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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12.1

Gweddill y Ceisiadau

Remainder Applications

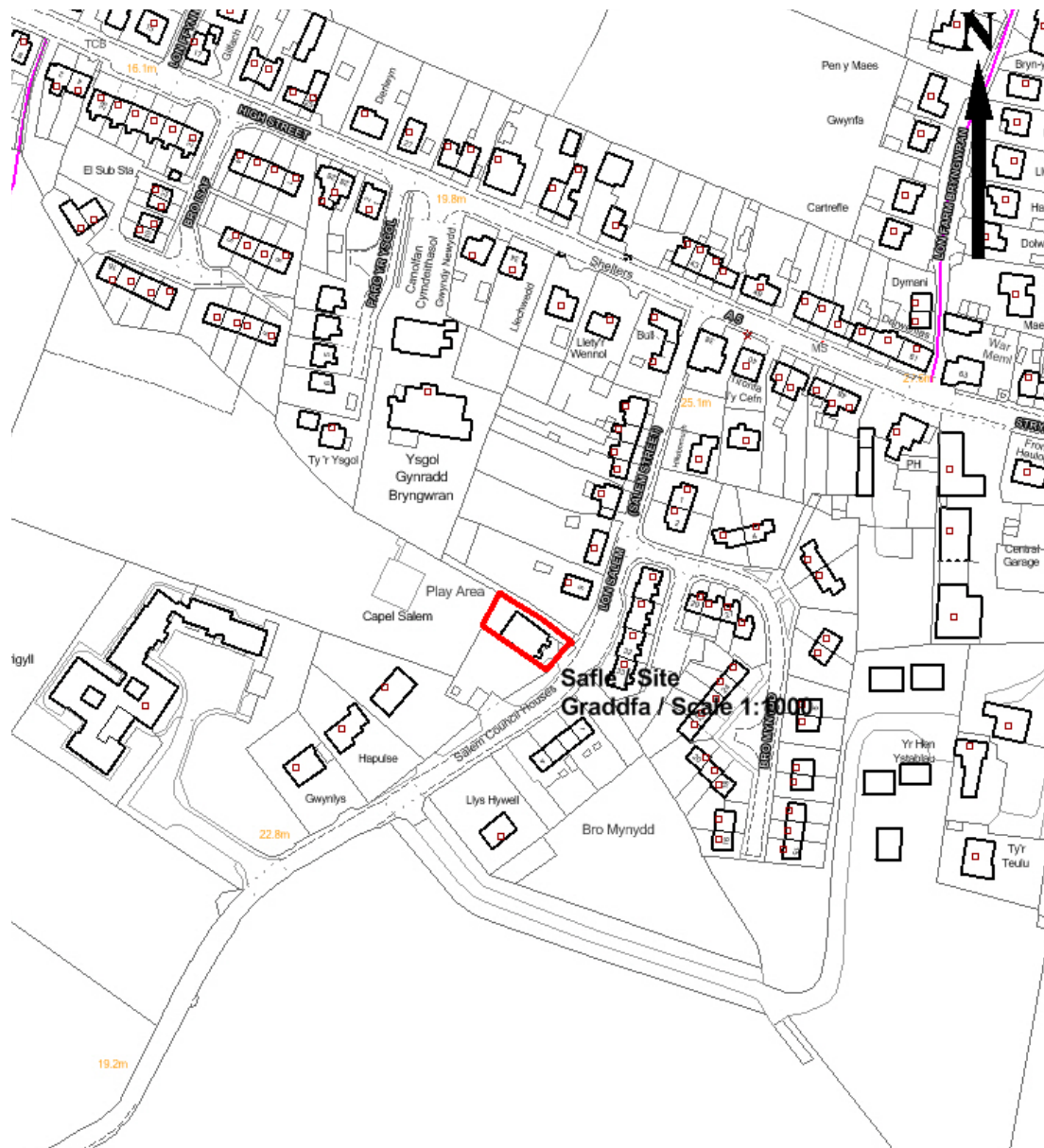
Rhif y Cais: 16C202 Application Number

Ymgeisydd Applicant

Mrs Amanda Southam

Cais llawn i newid defnydd capel i dau annedd sydd yn cynnwys balconi yn / Full application for change of use of chapel into two dwellings which include a balcony at

Capel Salem, Bryngwran



**Planning Committee: 06/04/2016**

**Report of Head of Planning Service (SCR)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

At the request of the Local Member.

### **1. Proposal and Site**

The application is a full application for the change of use of the former Capel Salem Chapel into two residential units.

The application site lies within the settlement of Bryngwran and lies between the children's playground which lies to the rear of the building and Lon Salem which lies to the front.

### **2. Key Issue(s)**

The applications key issues are whether the proposal complies with Policy 55 of the Ynys Môn Local Plan and Policy HP8 of the stopped Unitary Development Plan, and whether the proposal will have a detrimental effect on the amenities of the neighbouring properties and surrounding area and whether the proposal will have an effect on Highway Safety.

### **3. Main Policies**

#### **Ynys Môn Local Plan**

Policy 1 – General Policy

Policy 42 - Design

Policy 55 - Conversions

#### **Gwynedd Structure Plan**

Policy D4 – Location, siting and design

Policy D28 – Design

Policy D29 – Design

#### **Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP8 – Rural Conversions

**Planning Policy Wales, 8<sup>th</sup> Edition, 2016**

**Technical Advice Note 5: Nature Conservation**

**Technical Advice Note 12: Design**

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

#### **4. Response to Consultation and Publicity**

**Local Member, Cllr. D Rees** – No response to date

**Local Member, Cllr. N Roberts** – No response to date

**Local Member, Cllr. B Parry** – Call-in due to highway safety concerns.

**Community Council** – No observations

**Welsh Water** – Standard comments

**Highways** – Approve

**Drainage** – Drainage details acceptable

**Natural Resource Wales** - Recommended conditional approval

The application was afforded two means of publicity. These were by the posting of a notice near the site and the serving of personal notifications on neighbouring properties. The latest date for the receipt of representations was the 30<sup>th</sup> March, 2016 and at the time of writing this report no letters of representation had been received at the department.

#### **5. Relevant Planning History**

None

#### **6. Main Planning Considerations**

**Policy Context** – Policy 55 of the Ynys Mon Local Plan and Policy HP8 of the stopped Unitary Development Plan allow the conversion of existing outbuildings into holiday or residential use provided the criteria of the policies are met. Planning Policy Wales identifies a preference of the re-use of land in preference to greenfield sites but recognises that ‘not all previously developed land is suitable for development’.

A Structural Report has been submitted in support of the application which confirms that the building is suitable for conversion without the need for major re-building works.

The proposal involves the demolition of the existing lean to extension that is located to the rear of the site and a new first floor balcony is proposed on the rear of the building. The windows located on the side elevations are to be amended in order to accommodate the first floor accommodation.

The existing timber windows and slate plaque which is located on the front elevation were to be removed as part of the scheme, however following discussions; the applicant has agreed to retain the timber windows and slate plaque on the front elevation. Although this does not strictly comply with current guidance in terms of conversion of buildings, due to site being located within the settlement of Bryngwran, where new residential developments could be supported, the replacement of the side and rear windows to upvc is considered acceptable.

Due to the above the building is considered suitable for its conversion into a residential dwelling and complies with current policies and guidelines.

**Effect on surrounding landscape** – The design of the proposal respects the character and appearance of the existing building. The re-use of the vacant chapel will ensure that the buildings will not fall into a state of disrepair which would have a detrimental visual impact on the surrounding area.

**Effect of proposal on amenities of neighbouring properties** – There is a distance of 16.5 metres between the side of the existing Chapel and the neighbouring property known as Coedlys. Due to the previous use of the site and its proposed use it is not considered that the change of use of the building into two residential units will have a detrimental impact on the amenities of the existing property to such a degree as to warrant the refusal of the application.

**Highway Safety** – Concern has been raised by the Local Member in regards to the public footpath which provides pedestrian access to the local primary school which runs along the side of the building and close to the vehicular access and parking facilities.

Originally the Highway Authority raised concerns in regards to the visibility splay from the proposed access. Due to the previous use of the site and following a speed survey being undertaken the Highway Authority have confirmed that the proposal is acceptable.

## **7. Conclusion**

The proposal complies with current local and national policies and will not have a detrimental impact on the amenities of the neighbouring properties, surrounding area or highway safety. Having considered the above and all other material considerations my recommendation is one of approval subject to conditions.

## **8. Recommendation**

### **Permit**

**(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 and E of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interest of residential amenity

**(03) Any further structural alterations which may be required to be carried out to the building, and which would be likely to affect its external appearance, consequent upon the implementation of this permission, shall form the subject of an application which shall be submitted to and approved by the local planning authority before any work is commenced on such alterations.**

Reason: For the avoidance of doubt.

**(04) The development shall take place in accordance with the mitigation measures outlined in Section 6, Conclusions and Recommendations, of the Protected Species Survey which was carried out by A Johnston, Ecological Consultant and submitted under planning reference 16C202,**

Reason: To ensure that any protected species which may be present are safeguarded.

**(05) No surface water and / or land drainage 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) 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.

**(07) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below:**

<b>Drawing / Document number</b>	<b>Date Received</b>	<b>Plan Description</b>
16C202 - 001	06/11/2015	Existing location plan / block plan
Dogfen Rhif 14096/E/02	06/11/2016	Structural Report
“Alison Johnston Ecological Consultant” Report	06/11/2015	Protected Species Survey
Design and Access Statement	06/11/2015	Design and Access Statement
2A	06/11/2015	Existing Elevations - Front and rear
1A	06/11/2015	Existing floor plan – ground floor and basement
3	06/11/2015	Existing Elevations – Side
5A	09/12/2015	Proposed Elevations – Front and rear
4A	06/11/2015	Proposed floor plans – Ground and first

		<b>floor</b>
<b>6</b>	<b>06/11/2015</b>	<b>Proposed Elevations – Side</b>

**under planning application reference 16C202.**

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.



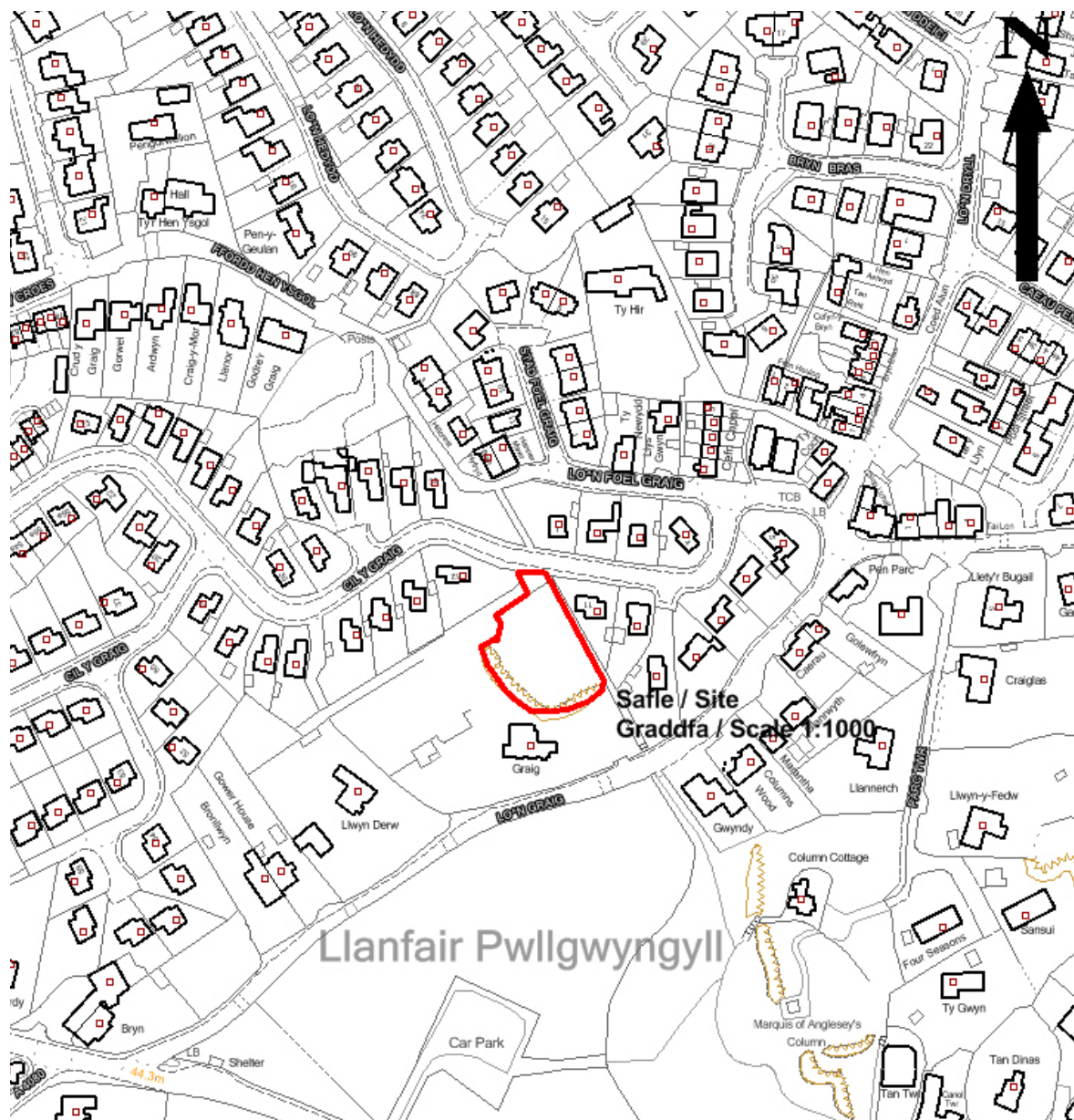
Rhif y Cais: **31C210H** Application Number

Ymgeisydd Applicant

**Mrs & Mrs Madkour**

**Cais llawn ar gyfer codi annedd sydd yn cynnwys balconi, codi modurdy ar wahân ynghyd a chreu mynedfa i gerbydau ar dir yn / Full application for the erection of a dwelling which includes a balcony, erection of a detached garage together with the construction of a vehicular access on land at**

**Graig, Lon Graig, Llanfairpwllgwyngyll**



**Planning Committee: 06/04/2016**

**Report of Head of Planning Service (SCR)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

On request of the vice-chairperson of the Planning and Orders Committee.

### **1. Proposal and Site**

The proposal is a full application for the erection of one dwelling. The access to the site is afforded via the residential estate known as Cil y Graig.

The site lies within the curtilage of the dwelling known as Graig, which is a large detached property which is afforded access via Lon Y Graig. The site lies within the settlement of Llanfairpwll. The proposed dwelling will be located on a rocky outcrop. A public footpath runs alongside the boundary of the site which separates the application site and adjoining properties. There is a mixture of house types and scale in the locality.

### **2. Key Issue(s)**

The applications main issues are whether the proposal complies with current policies, whether the proposal will have a detrimental impact on the amenities of the surrounding properties, surrounding area or have a detrimental impact on highway safety.

### **3. Main Policies**

#### **Gwynedd Structure Plan**

Policy A2 - Location of Housing Land  
Policy A3 - Scale and Phasing of Housing  
Policy D4 - Siting and Design  
Policy D28 – Design  
Policy D29 - Design

#### **Ynys Mon Local Plan**

Policy 1 - General Policy  
Policy 26 - Parking  
Policy 41 - Conservation of Buildings  
Policy 48 - Housing Development Criteria  
Policy 49 - Defined Settlement

#### **Stopped Unitary Development Plan**

Policy GP1 - General Policy  
Policy GP2 - Design  
Policy EN12 - Archaeological Sites and Historic Environment  
Policy HP3 - New Housing Development – Main and Secondary Centres

**TAN 18 - Highways**

**TAN 12 - Design**

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

**4. Response to Consultation and Publicity**

**Local Member, Cllr. A W Mummery** – No response to date

**Local Member, Cllr. M Jones** – Asked the vice chairperson to call-in the application

**Local Member, Cllr. J Evans** – No response to date

**Community Council** – No response to date

**Highway Authority** – Recommended conditional approval

**Drainage Section** – Drainage details acceptable

**Welsh Water** – Recommended conditional approval

**Footpath Officer** – Development will have no impact on Public Footpath no. 04

**Natural Resource Wales - 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. Following the receipt of amended drawings the publicity process was carried out twice. The latest date for the receipt of representations was the 4<sup>th</sup> March, 2016 and at the time of writing this report 57 letters of representation had been received at the department. The main issues raised can be summarised as follows:

- i) Loss of amenity / open space
- ii) Visual impact – proposal is out of character with surrounding area, proposed garage is out of character as the surrounding properties have flat roof garages
- iii) Highway Safety - proposal will have an impact on highway safety for pedestrians and vehicular traffic
- iv) Affect on Grade II Listed Building which is located to the rear of Graig
- v) Due to the difference in ground levels, and due to the distances between the existing and proposed dwellings the development will have an adverse effect on the amenities of neighbouring properties, by way of overlooking, overshadowing and noise disturbance during rock excavation
- vi) Environment and ecology
- vii) Conditions imposed on planning permission 31C210G should be imposed on current application.

viii) Drainage – will not be allowed to connect to mains sewer via the garden of neighbouring properties

ix) Damage could occur to neighbouring properties during the rock excavation works

x) Due to the above concerns proposal does not comply with current policy

In response to these comments I would state:

i) The site benefits from outline permission. The plot of land is a rocky outcrop which lies to the rear of Graig and is not used as the garden area of Graig due to the site's constraint. The development of this site is considered acceptable as it lies within the development of Llanfairpwll.

ii) There is a mixture of house types in the immediate locality. There is a similar type of dwelling which is located in an elevated position in Llwyn Derw which is situated next to the application site.

iii) The Highway Authority have been consulted and have raised no concerns with the proposal and have recommended a conditional approval. The access which will serve the site has been approved planning to be used to serve the three plots on the neighbouring land under planning application reference 31C210. (to date these properties have not been developed)

iv) The Authority's Conservation/Built Environment Section has no objection to the scheme and in addition does not consider that there would be harm to the setting of the nearby Listed Building.

v) This matter has been addressed in Section 6 'Effect on amenities of Neighbouring properties' below.

vi) A Habitat Survey has been submitted as part of the application. The Council's Ecological and Environmental Advisor and Natural Resource Wales have been consulted with the application and have raised no objection to the development.

vii) The current application is a full application and therefore not all of the conditions imposed on the outline application have been complied with. Conditions in regards to no removal of the trees, without the benefit of planning permission will be duplicated on this permission. The details submitted as part of the current application states that a 1.8 metre high fence will be located along the boundary of the site with the adjoining public footpath. However due to the difference in site levels it is considered necessary that a fence be erected along the boundary of the whole site and this condition will be imposed on the permission.

viii) The drawings submitted as part of the application site illustrates that the connection point to the mains sewer will be via the application site to the sewer in the road at the rear of the site and will not be via neighbouring gardens. The Drainage Section and Welsh Water have been consulted and have raised no objection to the scheme.

ix) Whilst it is accepted that machinery will be used in the pecking of the rocky outcrop if damage should occur to neighbouring properties this will be a private matter.

x) The development will not have a detrimental impact on the amenities currently enjoyed by the occupants of the neighbouring properties. Have an adverse effect on the surrounding landscape or have a detrimental impact on highway safety. Due to the above the scheme complies with current policies and guidance.

## 5. Relevant Planning History

31C210 - Demolition of existing buildings together with the erection of 3 dwellings on the site and alterations to the existing access on land to the rear of Graig, Llanfairpwll – Refused 17/04/1998 - Appeal allowed 06/11/98

31C210A/LB – Listed building consent for the erection of three dwellings on land to the rear of Graig, Llanfairpwll - Approved 03/04/1998

31C210B - Erection of a private double garage at Graig, Llanfairpwll - Approved 22/09/1999

31C210C – Renewal of planning permission 31C210 for the demolition of existing buildings together with the erection of 3 dwellings on the site and alterations to the existing access on land to the rear of Graig, Llanfairpwll - Approved 06/06/2003

31C210D - Renewal of planning permission 31C210B for the erection of a private double garage on land at Graig, Llanfairpwll - Approved 01/11/2004

31C210E/LB- Listed Building Consent for alterations the stone garden wall at Graig, Llanfairpwll – Approved 28/05/2009

31C201F – Renewal of planning permission 31C210D for the erection of a private double garage at Graig, Llanfairpwll – Approved 22/09/2009

31C210G – Outline application for the erection of a dwelling on land at Graig, Llanfairpwll – Approved 12/04/2011

## 6. Main Planning Considerations

**Policy** – The site lies within the development boundary of Llanfairpwll which is a defined settlement under Policy 49 of the Ynys Mon Local Plan and as a Secondary Centre under Policy HP4 of the stopped Unitary Development Plan. Policy 40 of the Ynys Mon Local Plan allows residential development on sites within the development boundary. This is re-iterated in Policy HP4 of the stopped Unitary Development Plan.

**Effect on surrounding properties** – The proposal involves the erection of one dwelling which will be located on a rocky outcrop to the rear of Graig. Following discussions between the applicants representative the scheme was amended by reducing the existing ground level by way of excavating the rocky outcrop. The height of the proposed dwelling has also been reduced from 6.9 metres high to 6.2 metres high. The overall reduction in the height of the dwelling is therefore 1.5 metres to that originally submitted. This reduction in the proposed ground level and in the height of the proposed dwelling reduces the impact of the proposed dwelling on the surrounding properties and surrounding area.

Concern has been raised by members of the public that the proposed dwelling will result in overlooking and overshadowing to the neighbouring properties and will have a detrimental impact upon their amenities. There is a distance of 16 metres between the proposed dwelling and 11 Cil y Graig. The owners of 11 Cil y Graig have raised concerns that the occupants of the proposed new dwelling will be overlooking the rear of their dwelling from their lounge area. However the lounge of the proposed dwelling is situated to the front of the property which overlooks Column Woods. The distances between the rear of the proposed dwelling and rear of 11 Cil y Graig complies with the

guidance contained within Supplementary Planning Guidance – Section 8 in terms of proximity between developments.

There is a distance of 30 metres between the proposal and 9 Cil y Graig who have raised concerns that the development will result in overlooking and overshadowing to their property. Due to these distances and the fact that a public footpath separates the application site and neighbouring property the proposal will not have a detrimental impact on the amenities currently enjoyed by the occupants of the dwelling.

The proposed dwelling will be situated 25 metres away from the rear of 10 Cil y Griag and 10 metres away from their garden area. These distances comply with the requirements of Supplementary Planning Guidance in terms of distances between development and therefore will not harm the amenities of the existing property.

The neighbouring properties are also screened by way of the existing trees and bushes that is located along the boundary of the application site and neighbouring properties. Due to the above and to the fact that a public footpath lies between the boundary of the application site and boundary of the adjoining properties it is not considered that a the development will harm the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application.

**Landscape Impact** – Concern has been raised by members of the public that the development will be out of character with the pattern of development in the locality and will have a visual impact on the surrounding area. During the course of determining the outline application it was considered necessary to impose a condition to restrict the dwelling to be of a single storey construction.

Whilst it is acknowledged that the site is situated within an elevated position, the scheme, as stated above, has been amended to that originally submitted by way of reducing the existing ground level and finished floor level by excavating the existing rock outcrop. The reduction in the ground level will reduce the impact of the dwelling on the surrounding area. The height of the proposed dwelling has also been reduced from 6.9 metres to 6.2 metres, which overall reduces the height of the dwelling by 1.5 metres to that originally proposed.

Concern has been raised by members of the public in regards to the impact of the development on the surrounding area and that the dwelling will be a prominent building in the skyline when seen from Holyhead Road. There is a mixture of house types, design and scale in the immediate locality. The ridge height of the existing properties which are located on Lon Graig raise dramatically due to the difference in levels of the land. There is a similar type of development in terms of position and type in Llwyn Derw and it is therefore considered that the current application will not be out of character with the surrounding area.

Due to the above it is considered that the development will not have such a detrimental affect on the visual appearance on the surrounding area to such a degree as to warrant the refusal of the application.

**Highways Safety** – Concern has been raised by members of the public in regards to highway safety as the road serving the site is a busy road which is used be cars, buses and pedestrians and it is considered that vehicles slowing to enter the site, or parking in front of the site will result in road traffic accidents. The access is also to be used to serve the adjoining development of four dwellings which has not yet been constructed.

The application has been forwarded to the Highway Authority and the Officer has been aware of the local objection to the scheme, however the proposal is considered acceptable by the Highway

Authority and will not have a detrimental impact on highway safety.

## **7. Conclusion**

The site is located within the settlement boundary of Llanfairpwll and its development would not give rise to conditions prejudicial to visual or residential amenity or highway safety.

## **8. Recommendation**

### **Permit**

**(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 surface water and / or land drainage 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.

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

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

**(04) A 1.8m high fence shall be erected around the site in locations to be agreed in writing with the local planning authority. The fence shall be erected prior to the occupation of the dwelling and retained and maintained. If the fence needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position.**

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

**(05) The removal of the vegetation shall not take place between the 1<sup>st</sup> March and 30<sup>th</sup> August in any year unless the site has been checked for the presence of nesting birds by a suitably qualified ecologist and certified as being free of nesting birds. Should nesting birds be found to be present, no development shall take place until the chicks have fledged.**

Reason: To safeguard any nesting birds which may be present on the site.

**(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 comply with the requirements of the Highway Authority in the interests of road safety.

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

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

**(08) The access shall be constructed with 2.4 meter by 43 meter splays on either side. Within the vision splay lines nothing exceeding 1 meter in height above the level of the adjoining carriageway shall be permitted at any time.**

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

**(09) 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: To comply with the requirements of the Highway Authority in the interests of road safety.

**(10) No surface water from the 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.

**(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 in the interests of road safety.

**(12) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below:**

Drawing / Document number	Date Received	Plan Description
Sam Dyer Ecological Consultatnt Report	22/01/2016	Extended Phase 1 Habitat Survey
E0476	22/01/2016	Cofnod Public Records – Protected Species
31C210H - 002	26/11/2015	Proposed site Plan
31C210H - 003	12/01/2016	Location Plan
31C210H - 004	08-02-2016	Design and Access Statement
007	08-02-2016	Photomontage
Ali Building Design Ltd Report	26/11/2015	Drainage Report
006A	08/02/2016	Proposed Site Sections
005A	08/02/2015	Proposed Garage – Elevations
004D	08/02/2015	Proposed Dwelling Elevations
003D	08/02/2015	Proposed Site Plan
002E	08/02/2015	Proposed Floor Plans – Dwelling and Garage

**under planning application reference 31C210H.**

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.