

# Public Document Pack



CYNGOR SIR  
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ISLE OF ANGLESEY  
COUNTY COUNCIL

Dr Gwynne Jones  
Prif Weithredwr – Chief Executive

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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, 11 MAI, 2016 ➔ 1.00 o'r gloch y.p.</b>	<b>WEDNESDAY, 11 MAY 2016 ➔ 1.00 pm ←</b>
<b>SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGEFNI</b>	<b>COUNCIL CHAMBER, COUNCIL OFFICES, LLANGEFNI</b>
Swyddog Pwyllgor	<b>Mrs. Mairwen Hughes</b> 01248 752516 Committee Officer

## **AELODAU / MEMBERS**

Cynghorwyr / Councillors:

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

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

#### **4 SITE VISITS\_(Pages 7 - 8)**

To submit the minutes of the Planning Site Visits held on 20 April, 2016.

#### **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 - 28)**

7.1 16C202 – Capel Salem, Bryngwran

7.2 31C210H – Graig, Lôn Graig, Llanfairpwll

#### **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

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## **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

## **10 DEPARTURE APPLICATIONS\_(Pages 29 - 50)**

- 10.1 13C190 – Sarn Gannau, Bodedern
- 10.2 31C170D – Hen Lôn Dyfnia, Llanfairpwll
- 10.3 35C313A/ENF – Carreg Wen, Penmon

## **11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS\_(Pages 51 - 58)**

- 11.1 36C294A – Llain Wen, Llangristiolus

## **12 REMAINDER OF APPLICATIONS\_(Pages 59 - 80)**

- 12.1 22C228 – Llanddona Primary School, Llanddona
- 12.2 34C694 – Plas Arthur Leisure Centre, Llangefni
- 12.3 43C77G/VAR/ENF – Gerlan, Four Mile Bridge
- 12.4 45C432C – Graig Fawr, Dwyran

## **13 OTHER MATTERS\_(Pages 81 - 88)**

- 13.1 38C219H/LB – Cae Mawr, Llanfechell

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## Planning and Orders Committee

### Minutes of the meeting held on 6 April, 2016

- PRESENT:** Councillor W.T. Hughes (Chair)  
Councillor Ann Griffith (Vice-Chair)
- Councillors Lewis Davies, Jeff Evans, John Griffith, Kenneth Hughes, Vaughan Hughes, Victor Hughes, Richard Owain Jones, Nicola Roberts
- IN ATTENDANCE:** Planning Development Manager  
Planning Assistant  
Highways Officer (JAR)  
Development Control Engineer (Major Projects) (GG)  
Committee Officer (ATH)
- APOLOGIES:** None
- ALSO PRESENT:** Local Members: Councillor R.G. Parry, OBE (application 12.1), Councillor R. Meirion Jones (application 12.2)
- Councillors Richard Dew (Portfolio Member for Planning), Jim Evans, Llinos Medi Huws, H. Eifion Jones, Ieuan Williams
- 

#### 1 APOLOGIES

No apology for absence was received.

#### 2 DECLARATION OF INTEREST

Declarations of interest were made as follows –

Councillor W.T. Hughes declared a prejudicial interest with regard to application 6.1

Councillor Ann Griffith declared an interest with regard to application 6.1 on the basis of the reference made to wind turbines in the Plaid Cymru Manifesto. She also declared a personal interest with regard to application 7.1 and a personal and prejudicial interest with regard to application 7.2

Councillor Nicola Roberts declared an interest with regard to application 6.1 on the basis of the reference made to wind turbines in the Plaid Cymru Manifesto and also a personal and prejudicial interest with regard to application 7.1

Councillors Lewis Davies, John Griffith, and Vaughan Hughes declared an interest with regard to application 6.1 on the basis of the reference made to wind turbines in the Plaid Cymru Manifesto.

#### 3 MINUTES 2 MARCH, 2016 MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 2 March, 2016 were presented and confirmed as correct subject to noting that the Vice-Chair had requested that the minutes of the previous meeting (i.e. the 2<sup>nd</sup> February meeting) be amended under application 7.5 - Gorslwyd Fawr, Rhosybol - to include fully her comments that she was unhappy that a Local Member was “gesticulating, shouting out and putting pressure” on the Committee’s Members when the application was under consideration.

#### 4 SITE VISITS

No site visits took place.

## 5 PUBLIC SPEAKING

The Chair announced there would be Public Speakers in respect of application 11.2.

## 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 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 decommissioning of the existing wind farm) at Rhyd y Groes Wind Farm, Rhosgoch**

*Having declared a prejudicial interest in this application, Councillor W.T. Hughes, the Chair, withdrew from the meeting for the consideration and determination thereof. Councillor Ann Griffith, the Vice-Chair chaired the item.*

The Planning Development Manager reported that the site visit scheduled for 16 March, 2016 was deferred at the request of the applicant pending the outcome of discussions with Natural Resources Wales to agree possible measures aimed at mitigating impacts on the nearby Area of Outstanding Natural Beauty. The discussions are ongoing and it is not foreseen they will reach a conclusion in time to allow a site visit to be scheduled in April. As those discussions may lead to material changes to the application it is considered sensible therefore to defer a site visit at this time.

**It was resolved to defer the application in accordance with the Officer's recommendation in order to rearrange a site visit.**

**6.2 39C561/FR/TR – 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**

**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 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.

*Having declared a prejudicial interest in this application, Councillor Nicola Roberts withdrew from the meeting for the discussion and determination thereof.*

The Planning Development Manager reported that when the application was originally considered by the Committee at its January, 2016, meeting the Officer's recommendation was to refuse the application because of the location of the proposal. The Committee resolved to approve the application contrary to the Officer's recommendation and when under the terms of the Council's Constitution the application was re-presented at the following month's meeting it was deferred to allow a site visit to be undertaken as resolved by the Committee, and was deferred again at the March, 2016 meeting at the request of the applicants in order to give them further time to address issues raised by the Committee's Members. The applicants have now confirmed that the reason for deferring was in order to fully investigate issues in relation to a connection to the existing public sewers before proceeding. The Officer said that the applicants have since confirmed that the investigations have found that a connection to the existing public sewers is not a feasible option for the reasons outlined in the written report. The additional information provided by the applicants does not change the Officer's recommendation of refusal on the basis that the

application 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.

Councillor Richard Owain Jones, speaking as a Local Member said that he did not believe the proposed development would be especially visible and that it would not add to the existing effect already created by the two dwellings in the vicinity. He said that he was therefore supportive of the proposal. Councillor Jeff Evans agreed with the Local Member and said that assessing whether the proposed development forms a reasonable minor extension to the village is a matter of judgement and that it was his opinion that in this instance the proposal is capable of being so considered and would not constitute an undesirable intrusion into the landscape. Given that Planning Policy Wales states that each application should be considered on its merits, he did not believe the proposal would necessarily set a precedent for further future proposals. He proposed that the Committee's original decision to approve the application contrary to the Officer's recommendation be reaffirmed.

Councillor Kenneth Hughes was also in favour of the proposal for the same reasons and because he deemed it would not be detrimental to the character of the area, nor would it make it difficult to reject future development proposals in that area. He said that as far as planning policy allows, and in this case he believed it does, there is a duty on councillors to support young families wishing to settle within their community. Arriving at a decision on the application is a matter of judgement and in his opinion there was no reason to refuse the application. He therefore supported the proposal of approval.

Councillors Lewis Davies, Ann Griffith, John Griffith and Victor Hughes took the opposite view and were against the application due to the following issues which they had noted during the site visit –

- The application site is situated on a hillock and is surrounded by open countryside
- Potential drainage/sewerage issues requiring further investigation
- A less than ideal access to the application site along a single, unlit farm track
- Imperfect visibility caused by overgrown hedges above a stone wall on the one side and four utility poles on the other side thus making the access to the highway potentially hazardous. The access also connects with the main highway at a point where there are sharp bends.
- The proposed development in addition to the two relatively new dwellings in the vicinity (approved contrary to the Officer's recommendation in 2008 and 2010) will lead to increased usage of the track thus raising issues of highway safety.
- The proposal will extend the village beyond the developed part of the settlement in an inappropriate way up a farm track and into the countryside and is likely to set a precedent for further future development in this area.

Councillor Victor Hughes said he strongly opposed the application and proposed refusal in accordance with the Officer's recommendation. Councillor Lewis Davies supported the proposal.

In response to a request by the Committee for clarification of the Highways Department's view, the Highways Officer said that it was a condition of the approval of the application in 2010 that the applicant should improve the access so as to ensure the maximum possible visibility under current standards which the applicant undertook. Ensuring that the hedges are managed and cut back regularly so that the optimum visibility level is maintained is a matter for the Enforcement Section. That being done, then the access is compliant with standards. The proposal cannot be refused on those grounds because the visibility was accepted as part of the approval given in 2010. The first 5m of the access is sufficient to accommodate two vehicles. As the road is a private road the Highways Authority is not able to insist that improvements are made to it. The Highways Department is not in possession of any information to indicate the occurrence of accidents or near misses on the highway, so on that basis the access cannot be said to be hazardous. Should an accident occur then it would not be the responsibility of the Council as the access has been designed in accordance with rural standards which form part of Planning Policy Wales.

In response to clarification whether approving the proposal would set a precedent for possible future development, the Planning Development Manager said that the proposed development reinforces development within the countryside thereby undermining the application of Policy

50. There are two existing dwellings in the area which in themselves have led to a change in the character of the area which forms a consideration; should this application be approved and were a further proposal to be submitted in future then the existence of another dwelling would be a factor to be assessed at that time.

In the ensuing vote on the matter, Councillors Jeff Evans, Kenneth Hughes, Richard Owain Jones and W.T. Hughes voted to reaffirm the Committee's approval of the application contrary to the Officer's recommendation. Councillors Lewis Davies, John Griffith, Victor Hughes and Ann Griffith voted to refuse the application. Councillor Vaughan Hughes abstained because he had not been present on the site visit. The proposal to reaffirm approval of the application contrary to the Officer's recommendation was carried on the casting vote of the Chair.

**It was resolved to reaffirm the previous decision to approve the application contrary to the Officer's recommendation.**

**7.2 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**

The application is presented to the Planning and Orders Committee as it is made by the Council on Council owned land. Both Local Members have indicated that they wish to call in the application for determination by the Committee.

*Having declared a prejudicial interest in this application, Councillor Ann Griffith withdrew from the meeting for the consideration thereof.*

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

**8 ECONOMIC APPLICATIONS**

None were considered by this meeting.

**9 AFFORDABLE HOUSING APPLICATIONS**

None were considered by this meeting.

**10 DEPARTURE APPLICATIONS**

None were considered by this meeting.

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

**11.1 28C186C – Full application for change of use of existing outbuildings into three dwellings at Ty Newydd, Llanfaelog**

The application is presented to the Planning and Orders Committee as the applicant is related to a relevant officer 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 the said paragraph.

The Planning Development Manager reported that the proposed conversion of the existing outbuildings into three dwellings is supported by policy and planning permission has already been granted for the proposal in 2009 but has now lapsed. There have been no material changes in the local and national policies governing this type of development in the intervening period and it is the Officer's opinion that the design of the proposal respects the character and appearance of the existing building and will not have a detrimental impact on the amenities of the neighbouring properties, surrounding area or highway safety.

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

**It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions listed in the written report. (Councillor Ann Griffith abstained from voting)**



## **11.2 45C83E – Full application for conversion of the existing workshop into three dwellings at Tre Wen, Pen Lôn, Newborough**

The application is presented to the Planning and Orders Committee as the applicant is related to a relevant officer. The application has been scrutinised by the Council's Monitoring Officer.

Mr Gwyndaf Rowlands, a Public Speaker addressed the Committee in opposition to the application and cited impacts on the character of the area which is an Area of Outstanding Natural Beauty; the setting of a new precedent for this area; overdevelopment and access issues as grounds for objection.

Mr Richard Owen spoke on behalf of his parents, the applicants in favour of the proposal and he said that the proposal complies with policy and that every effort will be made to ensure it blends in with its surroundings by making as few changes as possible to the appearance of the existing building. There are no objections by the Landscape Section and there will be no amenity impacts as regards existing housing. In response to a question by the Committee as regards whom the three proposed dwellings would cater for, Mr Owen clarified that whilst they would enable future generations of the family to remain within the community, they could also in the meantime be utilised as holiday lets.

The Planning Development Manager reported that no written objections to the proposal had been received apart from an unspecified objection by the Community Council. In terms of the principle of development this type of development is supported by policy which does not place any restriction on usage. The scheme retains the character and form of the existing building and it is not considered it will lead to any unacceptable impact on the designated landscape of the AONB; neither is it considered it will result in any amenity impacts. There are no technical or highway issues arising and the recommendation is therefore one of approval.

The Highways Officer said that the car parking condition suggested by the Highways Department relates to the need for the site to comply with parking standards; the Officer confirmed that the plan sets out the spaces available and the condition serves to ensure that the parking arrangements are in line with the details submitted as part of the application.

The Committee noted that as Rhosyr Community Council had not made explicit its objection to the proposal it was difficult to give weight to it.

Councillor Ann Griffith speaking as a Local Member said that she had not received any representations either way regarding the proposal but was disappointed that the Community Council had not put forward a planning reason for objecting to it. She referred to the number of newly built properties in the village which become holiday homes and are empty for most of the year and said that Newborough is fast becoming a form of Rhosneigr by the sea. These are properties which are beyond the financial reach of local people and she saw no local need for this further development which she believed to be overdevelopment in an Area of Outstanding Natural Beauty. She proposed that the application be refused. There was no seconder to the proposal.

Councillor Jeff Evans proposed that the application be approved and the proposal was seconded by Councillor Kenneth Hughes.

**It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions listed in the written report. (Councillors Nicola Roberts and Victor Hughes abstained from voting)**

## **12 REMAINDER OF APPLICATIONS**

### **12.1 16C201 – Full application for change of use of chapel into two dwellings which include a balcony at Capel Salem, Bryngwran**

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

Councillor R.G. Parry, OBE, a Local Member requested that the application site be visited by the Committee because of parking and highway safety concerns.

Councillor Lewis Davies proposed that a site visit be undertaken and his proposal was seconded by Councillor John Griffith.

**It was resolved to visit the application site in accordance with the Local Member's request for the reason given.**

**12.2 21C210H – 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, Lôn Graig, Llanfairpwllgwyngyll**

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

Councillor R. Meirion Jones, a Local Member requested that the application site be visited by the Committee so that Members could better appreciate the local concerns with regard to visual and amenity impacts, and highway safety.

Councillor Lewis Davies proposed that a site visit be undertaken and his proposal was seconded by Councillor Victor Hughes.

**It was resolved to visit the application site in accordance with the Local Member's request for the reason given.**

**13 OTHER MATTERS**

None were considered by this meeting.

**Councillor W.T. Hughes  
Chair**

## PLANNING SITE VISITS

### Minutes of the meeting held on 20 April, 2016

- PRESENT:** Councillor W.T. Hughes – Chair  
Councillors Lewis Davies, Jeff M. Evans, Ann Griffith, John Griffith, T. Victor Hughes.
- IN ATTENDANCE:** Team Leader Planning (NJ),  
Highways Officers.
- APOLOGIES:** Councillors K.P. Hughes, Vaughan Hughes, R.O. Jones.
- ALSO PRESENT:** Councillors Jim Evans, R. Meirion Jones, Alun Mummery (application 1);  
Councillor Bob Parry OBE (application 2)
- 

1. **31C210H – 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, Llanfairpwll**

The site was viewed at Cil y Graig at the proposed access to the plot and the members viewed the surroundings and adjacent dwellings in relation to the proposal. The Members walked past the proposed plot down the adjoining public footpath, viewing properties adjoining the site, before entering the garden area of Graig and viewing the plot from within the site itself. The Officer explained the details of the application and pointed out a listed building on the site. The Members viewed the plot in relation to its surroundings and neighbouring dwellings.

2. **16C202 – Full application for change of use of chapel into two dwellings which include a balcony at Salem Chapel, Bryngwran**

The site was viewed by the Members who considered the proposal and parking space allocation and the nature of the public highway. The position of the footpath leading to the primary school relative to the site was pointed out to the Members.

**COUNCILLOR W.T. HUGHES  
CHAIR**

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6.1

Gweddill y Ceisiadau

Remainder Applications

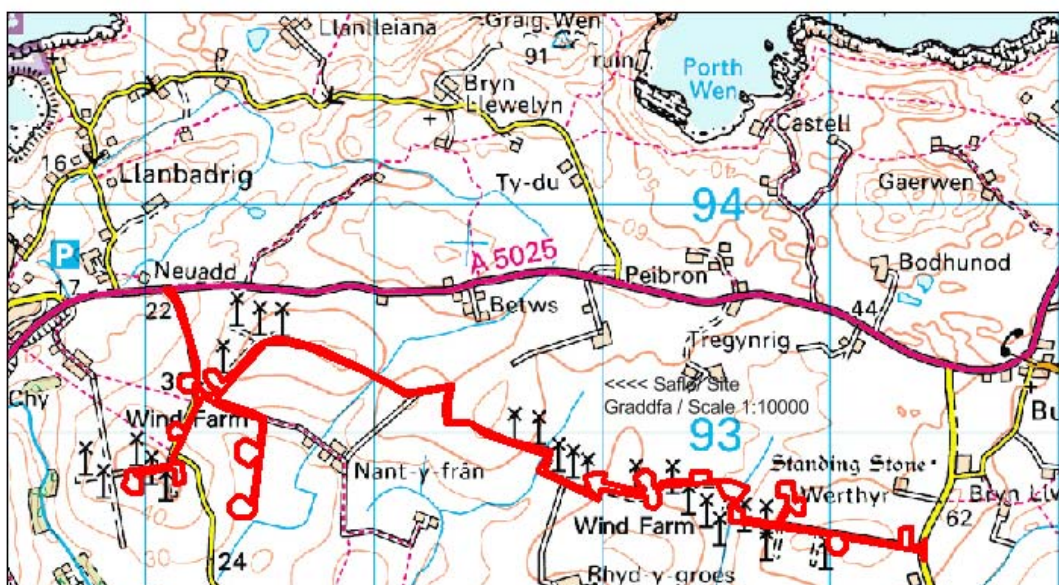
Rhif y Cais: **20C102L/EIA/RE** Application Number

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: 11/05/2016**

**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

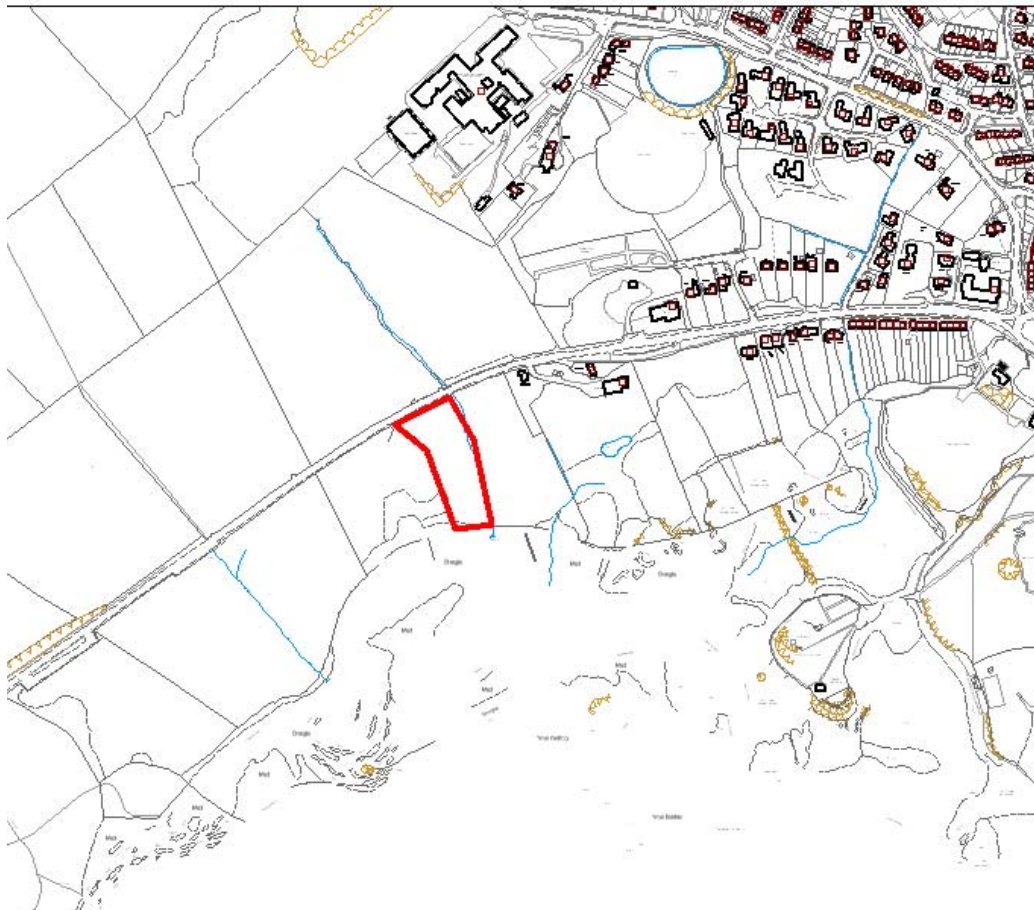
Rhif y Cais: **39C561/FR/TR** Application Number

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: 11/05/2016**

**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

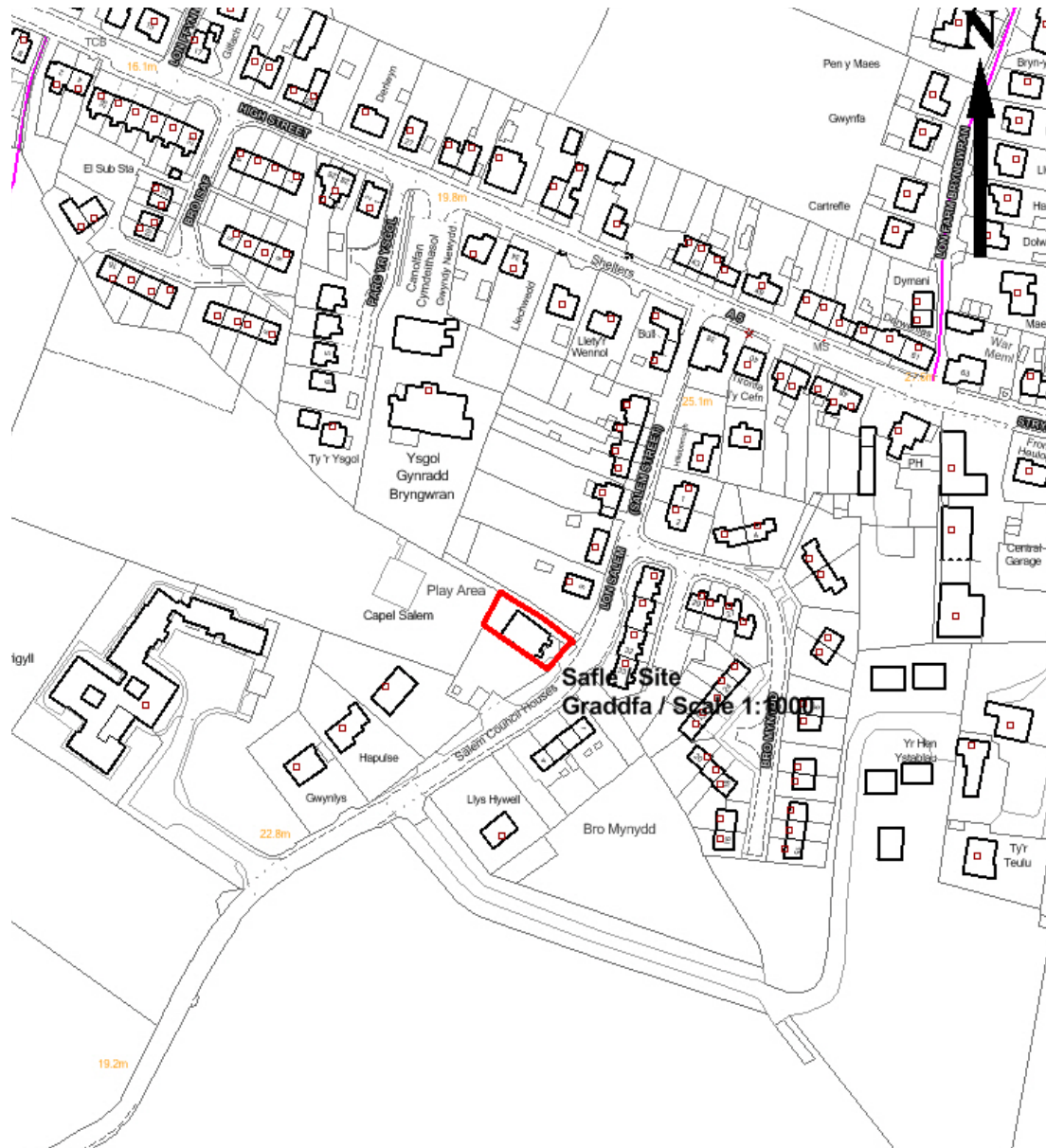
Rhif y Cais: 16C202 Application Number

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: 11/05/2016**

**Report of Head of Regulation and Economic Development Service (SCR)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

At the request of the Local Member.

At its meeting held on 6<sup>th</sup> April, 2016 the Members resolved to undertake a site visit prior to the determination of the application.

The site was visited on 20<sup>th</sup> April and Members are now aware of the site and its setting.

**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** – Object on highway safety grounds. A copy of the Community Councils comments has been forwarded to the Highway Authority for consideration. At the time of writing this report no further comments had been received from the Highway Officer.

**Welsh Water** – Standard comments

**Highways** – Concerns were raised in the Planning and Orders Committee Meeting that was held on the 6<sup>th</sup> April in regards to the proposed parking facilities at the site. Following the meeting the Highway Authority requested additional information from the applicant. A scaled drawing illustrating the measurements for the two parking bays were submitted and the Highway Authority have confirmed that there is sufficient space for two vehicles to park on the site in accordance with the Authority's Parking standard.

**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**

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 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:**

Drawing / Document number	Date Received	Plan Description
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

<b>4A</b>	<b>06/11/2015</b>	<b>Proposed floor plans – Ground and first 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.

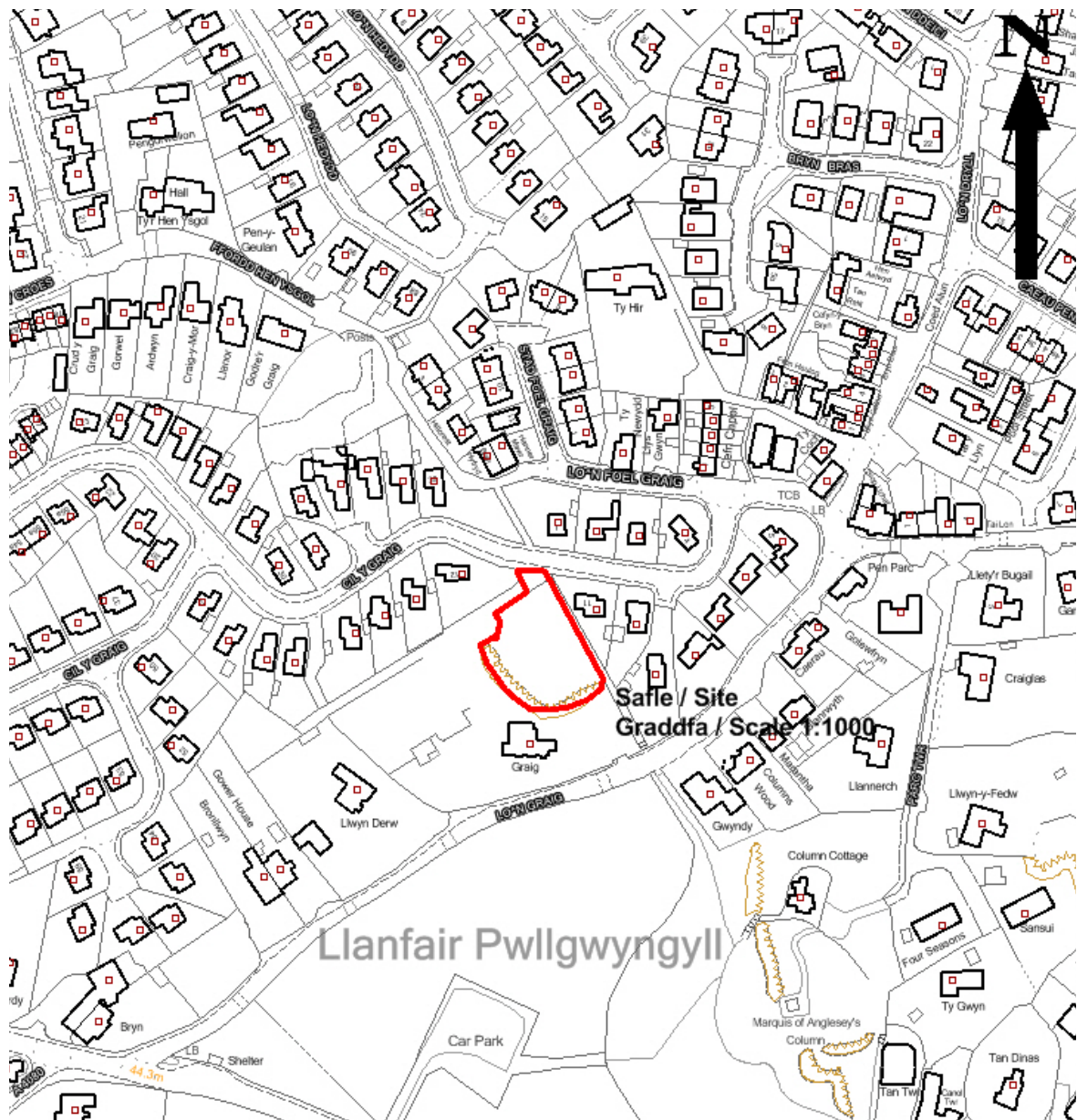
Rhif y Cais: **31C210H** Application Number

Ymgeisydd Applicant

**Mr & 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: 11/05/2016**

**Report of Head of Regulation and Economic Development Service (SCR)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

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

At its meeting held on 6 April 2016 the Members resolved to undertake a site visit prior to the determination of the application.

The site was visited on 20 April and members are now aware of the site and its settings.

**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 Môn 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

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

**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** – Noted that a number of local residents are objecting to the proposal due to the effect on the landscape.

**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. Following receipt of further correspondence from the Local Member stating that there is no main sewer in the centre of the estate road we have requested confirmation from Welsh Water of the exact location of the main sewer in the locality. At the time of writing this report no further communication has been received from Welsh Water. However, the fact

that a landowner may not allow the applicant to gain access onto their land to connect to the main sewer is not a planning matter. As the statutory sewerage undertaker Welsh Water have a duty under Sections 98-101 of the WIA91 to comply with a requisition notice served on them for the provision of a public sewer/lateral drain and/or associated apparatus, which is required for the drainage of domestic sewerage purposes only.

ix) Whilst it 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 HP3 of the stopped Unitary Development Plan. Policy 49 of the Ynys Mon Local Plan allows residential development on sites within the development boundary. This is re-iterated in Policy HP3 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 nearest windows proposed in the new dwelling are situated within the ground and first floor bedrooms. The first floor bedroom (bedroom 3) has two openings which are Juliette balconies, however due to the distances between the proposal and 11 Cil y Graig it is not considered that the installation of Juliet balconies will have a detrimental impact on the amenities of the neighbouring property to such a degree as to warrant the refusal of the application. 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 developments 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 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 by 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 3 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**

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) 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:**

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

<b>005A</b>	<b>08/02/2015</b>	<b>Proposed Garage – Elevations</b>
<b>004D</b>	<b>08/02/2015</b>	<b>Proposed Dwelling Elevations</b>
<b>003D</b>	<b>08/02/2015</b>	<b>Proposed Site Plan</b>
<b>002E</b>	<b>08/02/2015</b>	<b>Proposed Floor Plans – Dwelling and Garage</b>

**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.

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10.1

Ceisiadau'n Tynnu'n Groes

Departure Applications

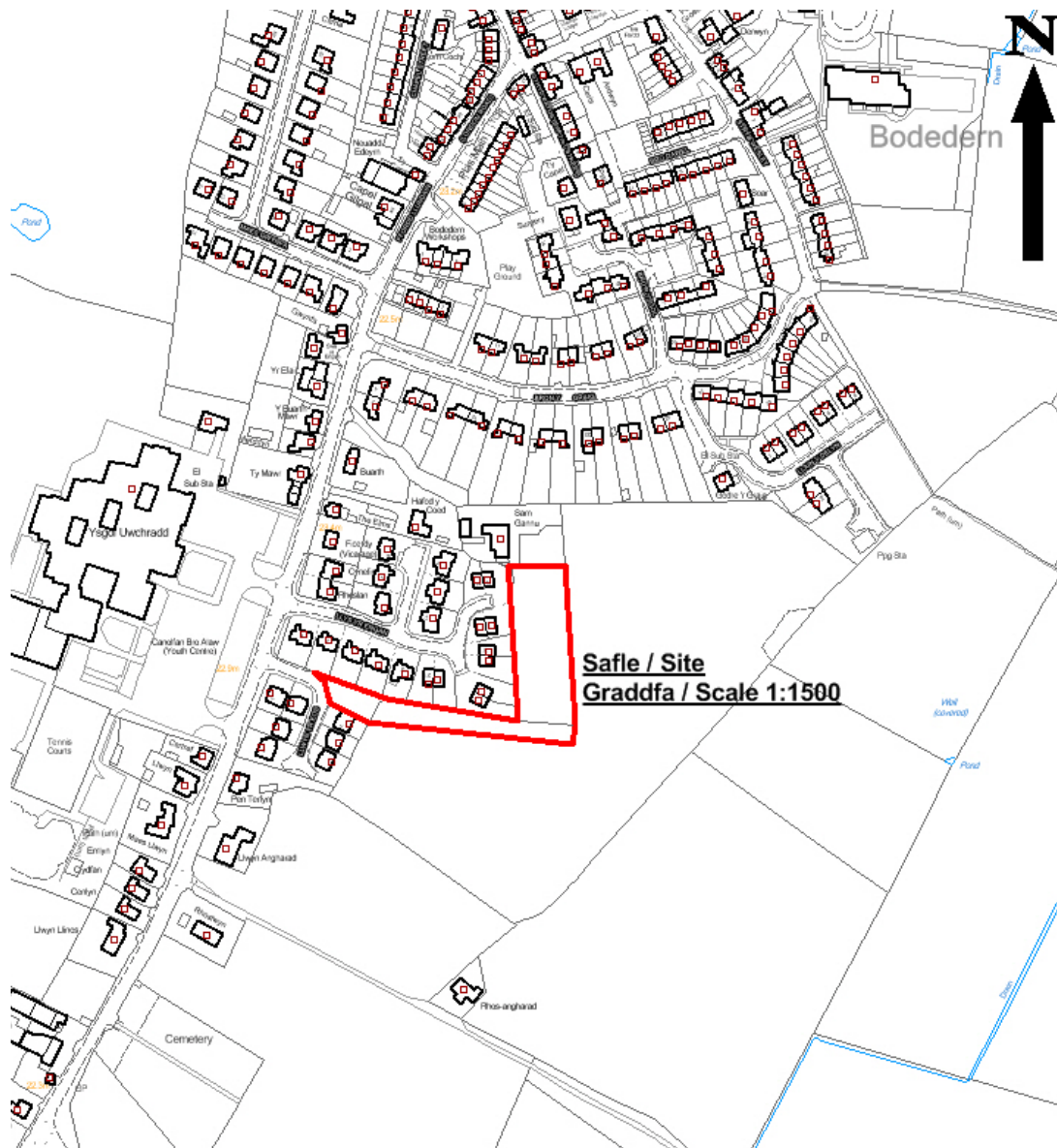
Rhif y Cais: **13C190** Application Number

Ymgeisydd Applicant

**Dr C., Mrs M P, Mr R R & Mrs I A Hughes**

**Cais amlinellol ar gyfer codi 5 annedd yn cynnwys manylion llawn am fynediad i gerbydau ar dir ger / Outline application for the erection of 5 dwellings together with full details of a vehicular access on land adjacent to**

**Sarn Gannau, Bodedern**



**Planning Committee: 11/05/2016**

**Report of Head of Regulation and Economic Development Service (SCR)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

The application is presented to the Committee as an application which is contrary to the adopted Ynys Môn Local Plan but that can be supported under the Stopped Unitary Development Plan.

**1. Proposal and Site**

The application site lies on land to the rear of the residential estate known as Llys yr Engan, in the village of Bodedern. Access to the site is afforded via the existing access that serves the residential estate known as Llwyn yr Eos, and a new road will be constructed along the boundary of the site with Llys yr Engan estate.

The proposal is in outline form for the erection of 3 detached dwellings and 2 semi-detached units, with only the means of access to the site being considered as part of the current application.

**2. Key Issue(s)**

The key issue is whether the proposal is acceptable in terms of policy, impact on the locality and amenities of nearby residential properties and whether the development will have a detrimental impact on highway safety.

**3. Main Policies**

**Ynys Môn Local Plan**

Policy 1 – General Policy  
Policy 31 - Landscape  
Policy 48 – Housing Development Criteria  
Policy 49 – Defined Settlement  
Policy 53 – Housing in the Countryside.

**Gwynedd Structure Plan**

Policy A2 – Housing Land  
Policy A3 – New Housing Development  
Policy A6 – New Dwellings in the Open Countryside

Policy D4 – Location, Siting and Design  
Policy D29 – Design

**Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance  
Policy GP2 – Design  
Policy HP4 – Villages  
Policy HP7 – Affordable Housing

Policy EN1 – Landscape

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

**Technical Advice Note 12: Design**

**Technical Advice Note 18: Transport**

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

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

**Community Council** – No response to date at the time of writing this report.

**Local Member, Cllr LI M Huws** – No response at the time of writing this report.

**Local Member, Cllr J Griffith** – No response at the time of writing this report.

**Local Member, Cllr K P Hughes** – No response at the time of writing this report.

**Welsh Water** – Recommend conditional approval

**Highways** – Recommend conditional approval

**Drainage** – Recommend conditional approval

The application was afforded three means of publicity these were; the posting of a site notice near the site and the serving of personal notifications on neighbouring properties representations and the publication of a notice in the local press. The latest date for the receipt of representations was the 6th January, 2016 and at the time of writing this report seven letters of representation had been received at the department. The main issues raised can be summarised as follows:

- i) Highway Safety – the road that runs through the village is a busy road. One resident has carried out a personal traffic survey to illustrate the number of vehicles that pass through the village between the hours of 7am and 6 pm.
- ii) Affect on wildlife
- iii) Refuse collection will not be collected from the site if the estate road is not adopted
- iv) Increase in population will put an increase on local services
- v) Proposal may lead to future residential developments on the neighbouring land
- vi) Drainage issues in the locality

Other issues have been raised that are not considered to be material planning considerations. Queries raised in regards to any future applications on the neighbouring land are not relevant to the current application. Other matters raised have been addressed within this report.

In response to these comments I would state:

- i) The Highway Authority have been consulted and raised no objection to the proposal subject to the inclusion of standard highway conditions on the permission.
- ii) The site is located on the edge of the settlement and on land that is currently used for agricultural purposes. The proposal will not result in the loss of trees or hedgerows and therefore should not have a detrimental impact on any wildlife.
- iii) The scheme has now been amended and the road leading to the estate will be constructed to an adoptable standard.
- iv) There is a local primary and secondary school, village shop and doctors surgery in the village. The site is also located on the public transport network. The proposal is for the erection of five residential dwellings only and it is not considered that this would put a strain on the current village facilities.
- v) We are currently dealing with an application for five residential units. Any future applications for residential developments will be considered in line with current local and national policies at that time.
- vi) The scheme has been forwarded to Welsh Water and the Authority's Drainage Section. A meeting was held between the applicants' representatives and Officers from the Drainage Section and further drainage details were submitted in support of the application. Both Welsh Water and the Drainage Section have confirmed that the scheme is acceptable subject to the inclusion of standard conditions being included on the permission.

## **5. Relevant Planning History**

None

### **Site history of neighbouring land**

13C36D – Full application for the erection of four dwellings on plot 5 and 6 Llwyn yr Eos, London Road, Bodedern – Approved 25/08/05

Only three of these units have been constructed to date. The access to the current application site will be via the plot that has not been developed.

## **6. Main Planning Considerations**

**Principle of Development** - The application site lies outside the development boundary of Bodedern as defined under Policy 49 of the Ynys Mon Local Plan and is therefore considered as being in the countryside under the provisions of Policy 53 of the Ynys Mon Local Plan.

However under Policy HP4 of the Stopped Unitary Development Plan the majority of the site lies within the development boundary of Bodedern, with only the access track being located outside the boundary.

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

The principle of the development is therefore acceptable under the provisions of Policy HP4 of the Stopped Unitary Development Plan and this is a material consideration of significant weight.

**Affordable Housing** – As the proposal is for the erection of five residential dwellings it triggers the need for affordable housing. Policy HP7 of the stopped Unitary Development Plan states that for residential development comprising of 5 or more units in villages 30% of the units will need to be affordable. The scheme as submitted provides one affordable unit (unit 4) and the applicant will be required to enter into a legal obligation to ensure that the property remains as an affordable unit in perpetuity.

**Affect on surrounding properties** – The proposal complies with the guidance contained within the document titled Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment in terms of distances between existing and proposed dwellings.

**Effect on surrounding landscape** – The site lies on the edge of the settlement of Bodedern and in order to reduce its visual impact on the surrounding area a condition will be imposed to provide screening along the boundary of the site with the adjoining agricultural land.

**Highway Safety** – Concerns have been raised by members of the public in regards to Highway Safety. Following receipt of a copy of the objection letter with the Traffic Survey results the Highway Authority confirmed that the access onto Llwyn yr Eos estate from London Road meets the national requirements with regards to visibility and design and will be able to accommodate the additional 5 dwellings proposed under this current application. There is sufficient parking provision within the sites boundary to accommodate the vehicles associated with the development, therefore there should be no additional vehicles parked on the adopted public highway as a result of the development.

## **7. Conclusion**

Whilst the proposal is contrary to policy 49 and 53 of the Ynys Mon Local Plan and policy A6 of the Gwynedd Structure Plan, the proposal is acceptable under the provision of policy HP4 of the Stopped Unitary Development Plan.

The proposal will not have an adverse impact on the amenities of the neighboring properties or on the locality and will not have a detrimental impact on highway safety.

My recommendation is therefore one of approval subject to the signing of a Section 106 Agreement for the provision of one affordable unit.

## **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 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 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

**(06) No surface water and/or land drainage shall be allowed to connect either directly or indirectly to the public sewerage network.**

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.

**(07) The access shall be laid out and constructed strictly in accordance with the submitted plans 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.

**(08) The vehicle driveways shall be constructed with its gradient not exceeding 1 in 20 for the first 5 metres back from the nearside edge of the adjoining footway.**

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

**(09) 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.

**(10) Before any development commences, plans shall be submitted and approved by the Planning Authority in consultation with the Highway Authority showing details of the following reserved matters:**

**(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.

**(11) The estate road(s) and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey' (copies of this document are available free on request from the Local Planning Authority).**

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

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

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

**(13) The turning area 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.

**(14) 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.

**(15) 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.

**(16) 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.**

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

**(17) No development shall commence until measures are in place to secure future maintenance and 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.

**(18) 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.

**(19) 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.

**(20) The development permitted by this consent shall be carried out strictly in accordance with**

the plan(s) and documents submitted below:

<b>Drawing / Document number</b>	<b>Date Received</b>	<b>Plan Description</b>
A.05.1	27/11/2015	Location Plan
Design and Access Statement	27/11/2015	Design and Access Statement
Drainage Design	10/03/2016	Drainage Pack
A.05.4 – Revision A	23/03/2016	Proposed site plan

under planning application reference 13C190 and the drawings 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.



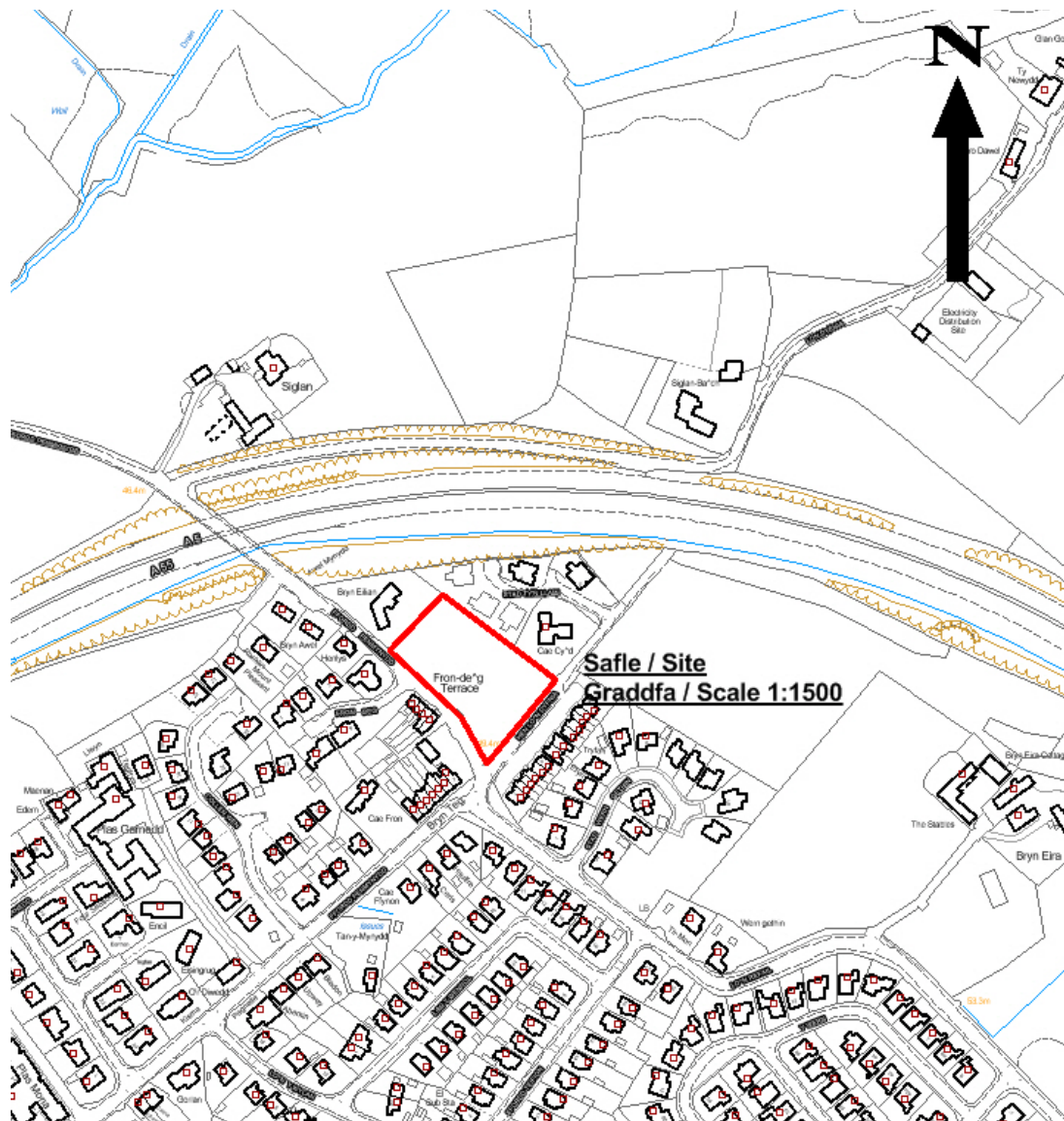
Rhif y Cais: 31C170D Application Number

Ymgeisydd Applicant

Rectory Developments Anglesey Ltd

Cais llawn i godi 17 annedd (12 gyda 2 ystafell wely, 4 gyda 3 ystafell wely a 1 byngalo gyda 3 ystafell wely) ynghyd a chreu mynedfa newydd i gerbydau ac i gerddwyr ar dir ger / Full application for the erection of 17 dwellings (12 with 2 bedrooms, 4 with 3 bedrooms and 1 bungalow with 3 bedrooms) together with the construction of a new vehicular and pedestrian access on land adjacent to

Hen Lon Dyfnia, Llanfairpwll



**Planning Committee: 11/05/2016**

**Report of Head of Regulation and Economic Development Service (NJ)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

The application site is located outside, albeit adjoining the Local Plan development boundary for Llanfair and the application has been advertised as a departure from the Local Plan.

Cllr Meirion Jones and Alun Mummery have also requested that the Committee determine the application.

**1. Proposal and Site**

The site is located on the junction of Hen Lôn Dyfnia with Ffordd Penmynydd and comprises a field enclosure. It is located outside but adjoining the development boundary of the village under the Ynys Môn Local Plan but within the boundary under the stopped UDP.

The application as submitted is a full application for the erection of 17 dwellings arranged around a central estate road off Lôn Dyfnia. The scheme comprises 12 2-bedroom dwellings, 4 3-bedroom dwellings and 1 3-bedroom bungalow and includes creation of a vehicular and pedestrian access (an access has been opened onto the site and some hardcore has been laid but works have since ceased). The scheme has been amended from that originally submitted to provide an external to the site footway – the plan as originally submitted provided a footway on Ffordd Penmynydd, part of which led into the estate. A footway is provided within the estate and which is linked to the external footway.

**2. Key Issue(s)**

The principle of developing the site has been accepted in the issuing of outline planning consent for 11 dwellings under reference 31C170A. The main issue is the acceptability of the proposed layout for 17 dwellings and highways and drainage issues.

**3. Main Policies**

**Gwynedd Structure Plan**

Policy D4: Location, Siting and Design

Policy D28: Natural Slate

Policy D29: Standard of Design

Policy D32: Landscaping

Policy FF12: Car Parking Standards

**Ynys Môn Local Plan**

Policy 26: Car Parking

Policy 32: Landscape

Policy 42: Design

Policy 48: Housing Development Criteria

## **Stopped Unitary Development Plan**

Policy GP2: Design

Policy TR10; Parking Standards

Policy HP2: Housing Density

Policy HP3: Main and Secondary Centres

## **Planning Policy Wales Edition 8**

**TAN 12: Design**

**TAN 17: Transport**

## **SPG Affordable Housing**

### **SPG Design Guide for the Urban and Rural Environment**

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

**Councillor Meirion Jones:** Requests that the matter be determined by the Planning and Orders Committee due to residents' concerns, road safety implications, drainage concerns and the density and number of dwellings proposed. A site visit will be requested.

**Councillor Alun Mummery:** Concerns expressed by the Community Council and local residents regarding connection to Lôn Penmynydd and a site visit will be requested.

**Councillor Jim Evans:** No response at the time of writing

**Community Council:** In relation to the originally submitted scheme, concern was expressed regarding the effect the application will have on the traffic levels on the corner of the site on Ffordd Penmynydd which is already a hazard due to its layout and configuration and on-street parking- the proposed number of new dwellings will exaggerate the problem. This should be taken into account in deciding the application and in terms to be included in any decision – it is believed a previous application was allowed on condition that improvement works were carried out to the corner. There is also concern regarding the width of Lôn Dyfnia and whether it is sufficient for the proposed traffic levels of the new development.

In relation to the amended drawings received in late 2015, the Community Council accept the improvements to the scheme but concerns remain regarding drainage for the site and the need to ensure that there is no risk of flooding. No response received at the time of writing in relation to drawings amended on 30<sup>th</sup> March 2016.

**Highways:** The original scheme is deficient in terms of visibility and provides no improvements as agreed in dealing with the previous application and, for a greater number of dwellings, the scheme as submitted is unacceptable. Discussions are being undertaken with the agent. No written response to recent consultation received but the amended drawings received are the result of discussions between the Highway Authority and applicant's agents.

**Drainage:** Requested greater detail of surface water disposal in response to the original scheme. Additional details have also been requested in relation to the amended scheme and were awaited at the time of writing.

**Welsh Water:** Standard conditions in relation to surface water disposal.

**Housing Service:** There is a high demand for affordable housing in Llanfairpwll and the provision of

30% of the development as affordable units is requested,

**Joint Planning Policy Unit:** Material weight afforded to the UDP – the site is part of land recommended by the UDP Inspector to be included within the development boundary for the village. The application should be considered against policy guidance notes; affordable housing as part of the development is required.

**Public response:**

17 letters of objection have been received in response to the publicity undertaken.–Objections are based on:

Increased traffic and highway safety impacts;  
Proposed road improvements do not address the concerns raised;  
Visibility requirements under TAN 18 are not met;  
A footpath up to the A55 bridge, as required under a previous application, is not now provided despite the increase in numbers;  
Insufficient parking provided where on-street parking is already an issue;  
Highway improvements should be required as soon as possible;  
Forward thinking and forward planning is required in relation to highway improvements as other land in the area is allocated for additional housing development;  
Privacy issues;  
Unauthorised access to dwelling already built;

Amended plans on the same application is misleading and should not be allowed;  
Drainage and flooding concerns;  
Insufficient school places to deal with additional children;  
The scheme is an overdevelopment of the site and contrary to adopted guidance;  
Affordable housing provision should be prioritised;  
Policies regulating affordable housing do not work.

The scheme has been considered by the statutory consultees in relation to highway impacts and is considered acceptable. Albeit additional housing allocations may follow in the locality under plans currently under consideration, no obligation can be placed on the applicant of this site to provide or fund any works other than what are required to serve the development under consideration in this application. In relation to drainage matters, additional details had been requested at the time of writing but conditions for any approval were also suggested by the consultee.

The scheme is considered acceptable on balance in terms of layout and design as well as the density of the development.

Policies require the provision of affordable housing which is regulated by a standard legal agreement used for most relevant sites. A response was awaited at the time of writing from the Education Department in relation to schools places. The dwelling which has already been built has the benefit of a stand-alone planning permission. Issues in relation to an alleged access have been investigated previously.

The submission of amended drawings under a single application is standard practice and one which has recently been formalised by the Welsh Government in legislative changes which came into effect in March 2016.

Correspondence in support of the application has been received from the agent.

## 5. Relevant Planning History

31C170: Application for residential development consisting of the erection of 24 affordable dwellings on part of OS 1426 Frondeg Terrace, Penmynydd Road, Llanfairpwll: Appeal against non-determination - Dismissed 01/11/94.

31C170A: Outline application for residential development on OS 1426 Ffordd Penmynydd, Llanfairpwll. Approved 05/02/07

31C170B/DA: Detailed application for the erection of 11 dwellings. Approved 09/02/10

31C170C: Erection of a dwelling on OS 1429. Approved 30/11/10

## 6. Main Planning Considerations

**Principle of the Development:** The site is out-with but adjoins the development boundary of the village under the Ynys Môn Local Plan but is within the defined boundary of the stopped Unitary Development Plan. The principle of development has been accepted in the outline and reserved matters approvals for 11 dwellings on the enclosure. Other housing units have since been built further outside the development boundary as defined by the Local Plan, but within the UDP. In addition, Ynys Môn does not at present achieve a 5 year housing land supply. In terms of meeting this obligation, the development of housing, including much needed affordable housing, in a sustainable location on the edge of one of the largest villages on the Island and which is defined as a secondary centre under Policy HP3, in accordance with UDP policies which carry significant weight, will contribute to the housing supply.

**Layout, Density and Design:** The previously approved scheme was for 11 units whereas the scheme as presented seeks permission for 17 units. Concerns have been expressed regarding the density, layout and non-compliance with supplementary planning guidance documents in relation to the submitted scheme. Policy HP2 of the UDP advocates an average figure of 30 dwelling per hectare. The average is a figure that takes into account towns like Holyhead and Llangefni for example where very dense developments occur through to rural villages which are more spacious in layout and design. At 0.4 hectares, the site would expect to accommodate 12 units as an average figure whereas the scheme seeks to deliver 17 units. Although concerns are expressed that the scheme does not meet supplementary planning guidance in relation to garden sizes, proximity and density, the scheme is not dissimilar to other developments in the locality. Given the pressing need for affordable housing units and the need for housing units in general to meet the 5 year land supply requirement, it is considered that on balance, the scheme is acceptable.

**Highways Impacts:** As originally submitted, the scheme was considered unacceptable by the Highway Authority. The proposal now under consideration is for a 2m wide footway within the site fronting plots 3 to 7 inclusive adjoining a 5m wide estate road. The footway will continue along the frontage of the site on Hen Lôn Dyfnia and Ffordd Penmynydd along the site's boundary. Hen Lôn Dyfnia will retain a carriageway width of 5m. The junctions are proposed to be realigned to give priority to traffic on Hen Lôn Dyfnia with a junction on the corner of Lôn Penmynydd. A pedestrian tactile crossing point is proposed to the south of the vehicular access to properties on Hen Lôn Dyfnia. Objectors raise concerns regarding the possibility of increased on street parking and the width and length of the proposed footway and in relation to visibility splay requirements. The sachem is however considered acceptable in its context.

**Drainage Impacts:** The scheme as originally submitted has been amended to provide on-site

emergency storage in the event of flooding with connection being provided to a soakaway system of nearby land (also serving the Cae Gethin site nearby) with an overflow to an existing land drain. The Drainage Section has confirmed that the scheme is acceptable in principle and porosity test details requested were being considered at the time of writing. The Drainage Section, subject to acceptability of the porosity tests, has suggested conditions.

**Affordable Housing and School Places:** The development as submitted triggers the need for affordable housing and 5 units are sought as 30% of the development in accordance with current policies. A Section 106 agreement is proposed to secure the provision. Concern has been expressed at the increased number of children likely to require school places as a result of the development and a response was awaited from the Education Department at the time of writing. If required, a contribution towards school places could be secured as part of a legal agreement.

**Amenity Impacts:** The scheme of 17 dwellings is higher than the average density for development referred to under Policy HP2 of the UDP but given the site context, the promotion in national planning policy of locating developments in sustainable locations and maximising the use of land and given a shortfall in housing supply and affordable housing provision, the scheme is considered acceptable in terms of wider amenity. There is a distance of 20m between houses on the site and the adjoining property at Cae Cyd. The occupier of that dwelling had requested that the existing hedge be retained for privacy but to deal with drainage issues, fencing is proposed. A condition is included to ensure the height of any fence preserves privacy. There is a distance of 20m between the first plots on entering the site and dwellings at Hen Lôn Dyfnia on the opposite side of the road. Some 13m separate the bungalow proposed on the site from Frondeg Terrace but given the single storey nature of the dwelling, the provision of fencing and the intervening public road, it is not considered that unacceptable impacts will occur. There is just short of 20m between plots 10 and 11 as proposed with the recently constructed dwelling on Ffordd Penmynydd; at closest, plot 9 is within 13m of the closest corner (garage) of this dwelling but again it is not considered that unacceptable overlooking or loss of privacy will occur such as to warrant refusal. Plot to plot distances across the estate road itself are between 13 to 15m.

**Welsh Language Impact:** The scheme is supported by a report. On the impact of the development on the Welsh Language. Part of the development will be set aside as affordable housing for local needs. It is not considered that the development will have any detrimental effect on the linguistic character of the area.

## **7. Conclusion**

The principle of residential development has been accepted in the granting of outline consent. The originally submitted layout has been revised in order to address the concerns raised by the Highway Authority. Subject to receipt of detailed comments from the Highways Section and Education Department and resolution of drainage matters, the proposed design, layout and highways improvements are considered acceptable.

## **8. Recommendation**

To **permit** the scheme subject to the following conditions and subject to a section 106 agreement to deliver 5 units of affordable housing and any contribution required for school places:

**(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) Any boundary structure to be erected fronting the estate road shall at no time be higher than 600mm above the level of the adjoining estate road carriageway and nothing exceeding this height shall be erected within 2m of the said boundary.**

Reason: In the interests of highway safety to ensure that visibility is not obstructed.

**(03) No surface water from within the curtilage of the site shall be permitted to discharge onto the estate road or public highway.**

Reason: In the interests of highway safety.

**(04) The car parking and turning spaces shown on the submitted plans shall be completed to the satisfaction of the local planning authority before the dwellings which they serve are occupied and thereafter they shall be retained solely for those purposes.**

Reason: In the interests of highway safety.

**(05) The approved surface water drainage scheme shown on Richard Broun Associates drawing 4035 03 revision B shall be completed before any of the dwellings are occupied.**

Reason: In the interests of the amenity of the area and highway safety.

**(06) Notwithstanding condition 05 above, no development shall commence until detailed designs and construction details of the proposed foul and surface water drainage systems have been submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the approved details.**

Reason To ensure a satisfactory drainage scheme for the site

**(07) No development shall commence until a management and maintenance plan for the surface water drainage system and the estate road have been submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the approved details.**

Reason: In the interests of amenity

**(08) No development shall commence until a scheme for the provision of street lighting 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.**

Reason: In the interests of the amenity of the area and highway safety.

**(09) No development shall commence until the highway works shown on Richard Broun Associates drawings 4035 03 revision B and 4035 05 have been completed and made available for use.**

Reason: In the interests of highway safety

**(10) No development shall commence until details of boundary fencing for the site has been submitted to and approved in writing by the local planning authority. The scheme shall include fencing to ensure the privacy on neighbouring occupiers to the rear of plots 1, 2, 8, 9, 10, 11,**

**12, 13, 14, 15, 16 and 17.**

Reason: To ensure a satisfactory form of development and in the interests of neighbouring privacy.

**(11) The development shall take place in accordance with the following drawings except as required to be approved under the condition imposed:**

**WM Design SH1326 AL.0.2 Site Location Plan**

**WM Design SH1326 AL.0.1 Proposed Site Layout**

**WM Design SH1326 AL.1.1 3 Bed House Layout**

**WM Design SH1326 AL.2.1 2 Bed House**

**WM Design SH1326 AL.3.1 Bungalow**

**Broun Associates 4035 03 revision B Proposed Highway and Drainage Layout**

**Broun Associates 4035 05 Proposed Highway Layout**

Reason: To define the scope of this 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.



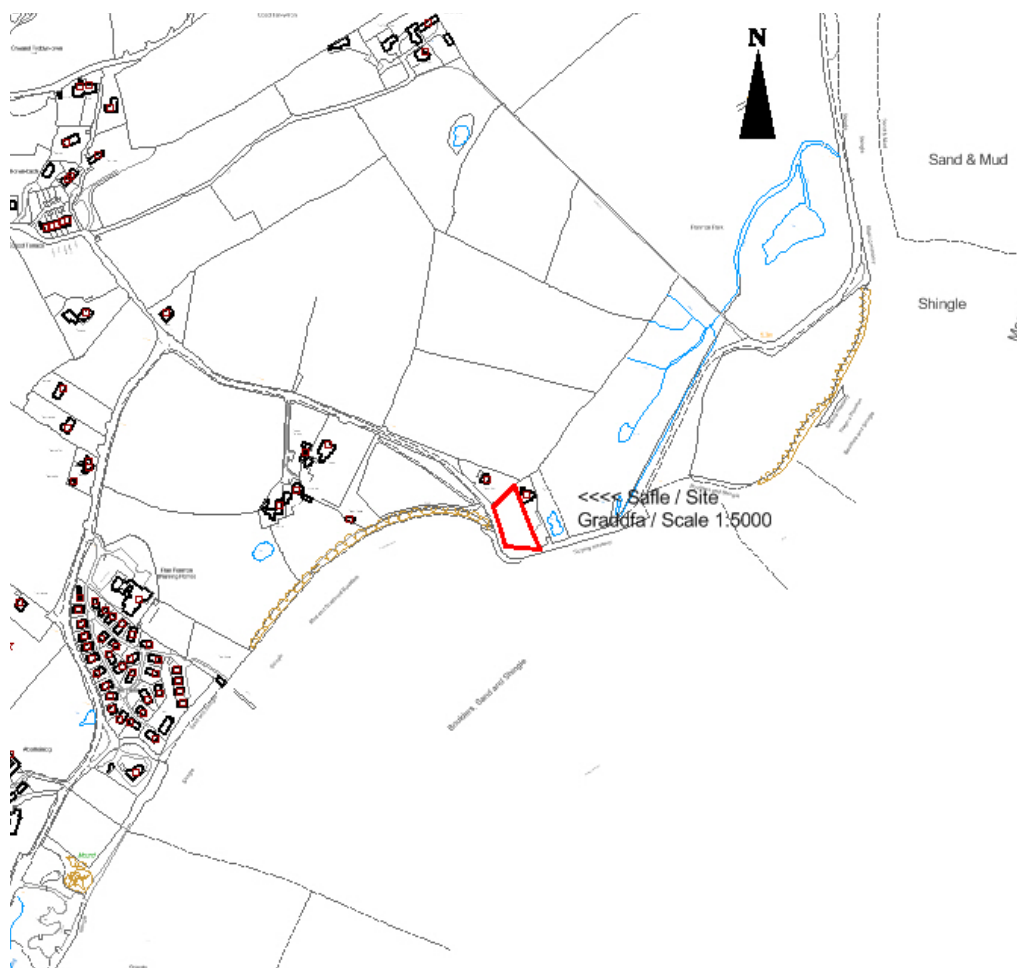
Rhif y Cais: **35C313A/ENF** Application Number

Ymgeisydd Applicant

**Mr & Mrs P Airey**

**Cais ol-weithredol i godi annedd newydd yn lle yr un hen ynghyd a chreu mynedfa i gerbydau yn / Retrospective application for the erection of a replacement dwelling together with the construction of a new access at**

**Carreg Wen, Penmon**



**Planning Committee: 11/05/2016**

**Report of Head of Regulation and Economic Development Service (JBR)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

The application is presented to the Planning and Orders Committee as an application which is contrary to the provisions of the adopted Ynys Môn Local Plan and the Stopped Unitary Development Plan but which the Local Planning Authority are minded to approve,

**1. Proposal and Site**

The proposal is a retrospective application for the erection of a replacement dwelling together with the construction of a new vehicular access at Carreg Wen, Penmon.

The application site is located on the outskirts of Penmon on the road leading to Penmon Point within the designated Area of Outstanding Natural Beauty.

**2. Key Issue(s)**

The key issue is whether or not the proposed replacement dwelling is acceptable in terms of siting and design and policy considerations.

**3. Main Policies**

**Ynys Môn Local Plan**

Policy 1 – General Policy

Policy 26 – Car Parking

Policy 30 – Landscape

Policy 42 – Design

Policy 53 – Housing in the Countryside

Policy 54 – Replacement Dwellings

**Gwynedd Structure Plan**

Policy A6 – New Dwellings in the Open Countryside

Policy D1 – Ynys Môn AONB

Policy D4 – Location, Siting and Design

Policy D28 – Natural Slates

Policy D29 – Design

Policy FF12 – Parking Provision

**Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy TR10 – Parking Standards

Policy EN2 – Areas of Outstanding Natural Beauty

Policy HP6 – Dwellings in the Open Countryside

Policy HP9 – Rural Replacement Dwellings

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

**Councillor Alwyn Rowlands** – No response at time of writing report.

**Councillor Lewis Davies** – No problem is granting permission as there has been a dwelling on the site for many years. The original dwelling was erected on unstable sand many years ago without proper foundations.

**Councillor Carwyn Jones** – Support

**Highways** – Recommend conditional approval

**Drainage** – Drainage details satisfactory

**Welsh Water** – Recommend conditional approval

**Natural Resources Wales** – No objection

**Community Council** – Comments

#### **Response to Publicity**

One letter received from the neighbouring dwelling confirming that they have no objection to the proposal.

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

35C313 – Full application for demolition, alterations and extension together with the construction of a new vehicular access at Carreg Wen, Penmon.

Granted – 13/03/2014

35C313B/SCR - Screening opinion for erection of a replacement dwelling together with the construction of a vehicular access at Carreg Wen, Penmon.

EIA Not Required – 05/04/2016

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

Planning permission was granted on the 13<sup>th</sup> March 2014 for demolition, alterations and extensions together with the construction of a new access at the property under planning permission reference 35C313.

In December 2015, it was brought to the attention of the Enforcement Section that the dwelling had been almost entirely demolished contrary to that which had been granted planning permission.

Following investigation into the matter and discussions with the owners it was explained that upon commencing works, issues with the structural integrity of the dwelling had become apparent as a result of inadequate underlying ground conditions and the absence of appropriate foundations. As a result, retention of the existing walls was not feasible, consequently the owners were advised to make an application for the re-building of the dwelling in an effort to regularise matters.

In March 2016 a retrospective application for the erection of a replacement dwelling together with the construction of a new vehicular access was received and reference was made within submitted documentation to policy 54 of the Ynys Mon Local Plan and policy HP9 of the Stopped Unitary Development Plan relating to replacement dwellings.

The above mentioned policies relating to replacement dwellings require there to be an existing permanent dwelling with an established use right as a permanent dwelling.

Notwithstanding that it is accepted that there had been an established residential dwelling on the site, the dwelling had been demolished prior to the submission of the application and no longer existed, consequently it is not considered that the application can be considered solely under the replacement dwellings policies but is rather an application for the rebuilding of the dwelling where policies relating to the erection of new dwellings in the countryside also have relevance, the application has therefore been dealt with as such and has been advertised as a departure.

Notwithstanding that the application is contrary to policy A6 of the Gwynedd Structure Plan, policy 53 of the Ynys Mon Local Plan and policy HP6 of the Stopped Unitary Development Plan relating to new dwellings in the open countryside it is considered that there are mitigating circumstances in this matter which override policy objections and which are summarised below:

- Prior to its demolition an established residential dwelling existed on the site.
- It is probable that had an application for a replacement dwelling been applied for at the outset that planning permission would have been granted.
  
- Subsequent issues identified in relation to the condition of the former dwelling and inadequate underlying ground conditions demonstrate that retention of parts of the original dwelling was not feasible.
  
- The appearance of the resultant dwelling will be identical to that granted planning permission in March 2014 for demolition alterations and extensions under planning permission reference 35C313.

In light of the above and in particular that the visual appearance of the proposed dwelling will be visually identical to the scheme initially approved for demolition, alterations and extensions which was deemed to be acceptable and not detrimental to the amenities of nearby residential properties or the character and appearance of the designated Area of Outstanding Natural Beauty it is therefore considered that the proposal is acceptable and that sufficient justification exists to override policy objections.

## **7. Conclusion**

Despite the fact that the application is contrary to development plan policies relating to the erection of dwellings in the open countryside it is considered that there are overriding mitigating circumstances in this particular instance which justify the grant of planning permission.

## **8. Recommendation**

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

**(01) 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

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

Reason: To comply with the requirements of the Highway Authority

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

Reason: To comply with the requirements of the Highway Authority

**(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 development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below under planning application reference 35C313A/ENF:**

<b>Drawing/ Document Number</b>	<b>Date Received</b>	<b>Plan Description</b>
-	15/03/2016	<b>Design &amp; Access Statement</b>
-	15/03/2016	<b>Location Plan</b>
<b>SHA-121-02(C)</b>	15/03/2016	<b>Ground Floor Plan</b>
<b>SHA-121-03(A)</b>	15/03/2016	<b>First Floor Plan</b>
<b>SHA-121-07(D)</b>	15/03/2016	<b>Elevations</b>
<b>SHA-121-08(A)</b>	15/03/2016	<b>Site Layout Plan</b>

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.

## **9. Other Relevant Policies**

### **Planning Policy Wales (Edition 8)**

**SPG: Design Guide for the Urban and Rural Environment.**

**Technical Advice Note 9: Enforcement of Planning Control.**

**Technical Advice Note 12: Design.**

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11.1

Gweddill y Ceisiadau

Remainder Applications

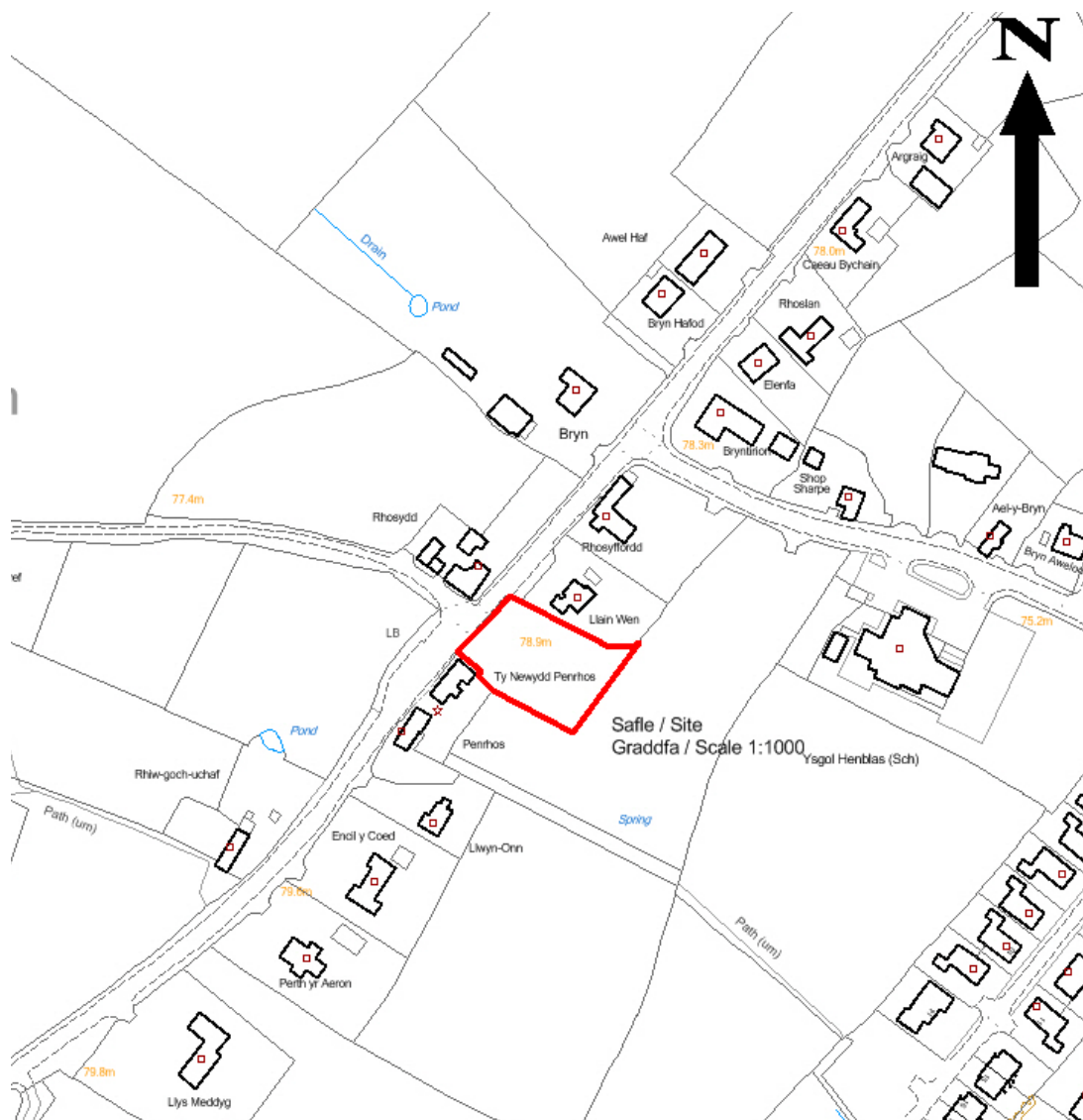
Rhif y Cais: **36C294A** Application Number

Ymgeisydd Applicant

**M R Construction Ltd**

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

**Llain Wen, Llangristiolus**



**Planning Committee: 11/05/2016**

**Report of Head of Regulation and Economic Development 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 site is situated within the settlement of Llangristiolus on a parcel of land which fronts the B4422 and lies between the residential properties known as Llain Wen and Ty Newydd Penrhos which are two storey properties. Access to the site is afforded directly off the B4422.

The application is a full application for the erection of two detached two storey properties.

**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 or have a detrimental impact on highway safety.

**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**

D4 – Location, Siting and Design

D29 – Design

**Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP4 – Villages

**Planning Policy Wales, 2016, 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** – No response to date

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

**Highways Authority** – Recommended conditional approval

**Drainage Section** – Recommended conditional approval requiring the provision of a management and maintenance plan for the communal drainage network.

**Welsh Water** – Recommended conditional approval

### **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 18th April, 2016 and at the time of writing this report one letter of representation had been received at the department, The main issue raised was in regards to the possible damage to the neighbouring property during excavation works and the relocation of the existing telegraph pole.

In response to these concerns I would state that any damage occurring to third party property during construction works are a private civil matter between individuals and not a material planning issue.

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

36C294 – Outline application for the erection of two dwellings on land adjacent to Llain Wen, Llangristiolus – Approved 21/04/10

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

**Policy Context** – Llangristiolus is a listed settlement under Policy 50 of the Ynys Mon Local Plan which allows the development of single plots within or on the edge of the settlement.

Llangristiolus is a village in the stopped Unitary Development Plan and Policy HP4 allows the development of dwellings within the village irrespective of numbers. The frontage of the site is within the defined boundary of the village under the stopped Unitary Development Plan albeit the plots extend back into the site.

There is ample room to accommodate 2 dwellings within the plot. The proposal is considered as an infill respecting the pattern of frontage development. Whilst not strictly in compliance with the single plots policy 50 (although it would be had the plots been submitted separately) and not strictly in compliance with the boundary defined under the stopped Unitary Development Plan, it is not considered that material harm will arise in approving the development of 2 dwellings as an infill in this location.

Part of the site lies outside but adjoins the Llangristiolus Stopped UDP development boundary. A

judgement should be made on whether the site is a reasonable minor extension to the existing built form of the surrounding area.

**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

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 neighbouring properties** – There is a distance of more than 13 metres between the front of unit 2 and the side of Ty Newydd Penrhos which has no windows in its side elevation. As the proposed dwellings are set back further in the plot than the adjoining property it is considered necessary that a condition be imposed on the permission requesting screening along the boundary of the site with the adjoining properties and adjoining field.

There is a distance of more than 6 metres between the side of plot 1 and the side of the adjoining property known as Llain Wen. As stated above a condition will be imposed on the permission to provide screening along the boundary of the site with the adjoining properties which will ensure that the amenities currently enjoyed by the occupants of the neighbouring properties are safeguarded

**Effect on highway safety** – The proposal involves the construction of new vehicular accesses to serve the two new dwellings off the B4422. The Highway Authority have confirmed that the scheme is acceptable subject to the inclusion of standard highway conditions.

**7. Conclusion**

The erection of two dwellings is considered acceptable in this location as the site lies within the

settlement of Llangristiolus and respects the pattern of development of the surrounding area. The proposal will not harm the amenities currently enjoyed by the occupants of neighbouring properties or 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) No surface water and / or land drainage shall be allowed to connect either directly or indirectly to the public sewerage network.**

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) Screening shall be provided from point A – B, B – C and C – D, as delineated in green on the attached drawing (drawing reference 2380:16:4). No development shall commence until details of the proposed screening has been submitted to and approved in writing by the local planning authority. The screening shall be erected in accordance with the approved scheme prior to the occupation of the dwellings hereby approved. If the screening 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.

**(04) A 2.0m wide pedestrian footway shall be constructed along the whole frontage of the site adjacent the public highway. No development shall commence until full details for the design and construction of the footway has been submitted to and approved in writing by the Local Planning Authority.**

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

**(05) 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.

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

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

**(07) The access shall be constructed with 2.4 metre by 120 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.

**(08) 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.

**(09) 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.

**(10) 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.

**(11) A management and maintenance plan for the communal surface water system, which will secure its operation for the lifetime of the development, shall be submitted as part of any full or detailed application. This scheme shall be implemented as submitted and retained throughout the lifetime of the development.**

Reason: To ensure that the site can be adequately drained.

**(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
2380:16:2a	04/04/2016	Existing site plan
2380:16:3b	05/04/2016	Proposed site plan
Design and Access Statement	15/03/2016	Design and Access Statement
Percolation Tests	04/04/2016	Results of Percolation Test
2380:16:6a	04/04/2016	Proposed Elevations – Unit 1
2380:16:8a	04/04/2016	Proposed Elevations – Unit 2
2380:16:5	15/03/2016	Proposed Floor Plans – Unit 1
2380:16:7	15/03/2016	Proposed Floor Plan – Unit 2
2380:16:4	15/03/2016	Access and Visibility splay

**under planning application reference 36C294A.**

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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12.1

Gweddill y Ceisiadau

Remainder Applications

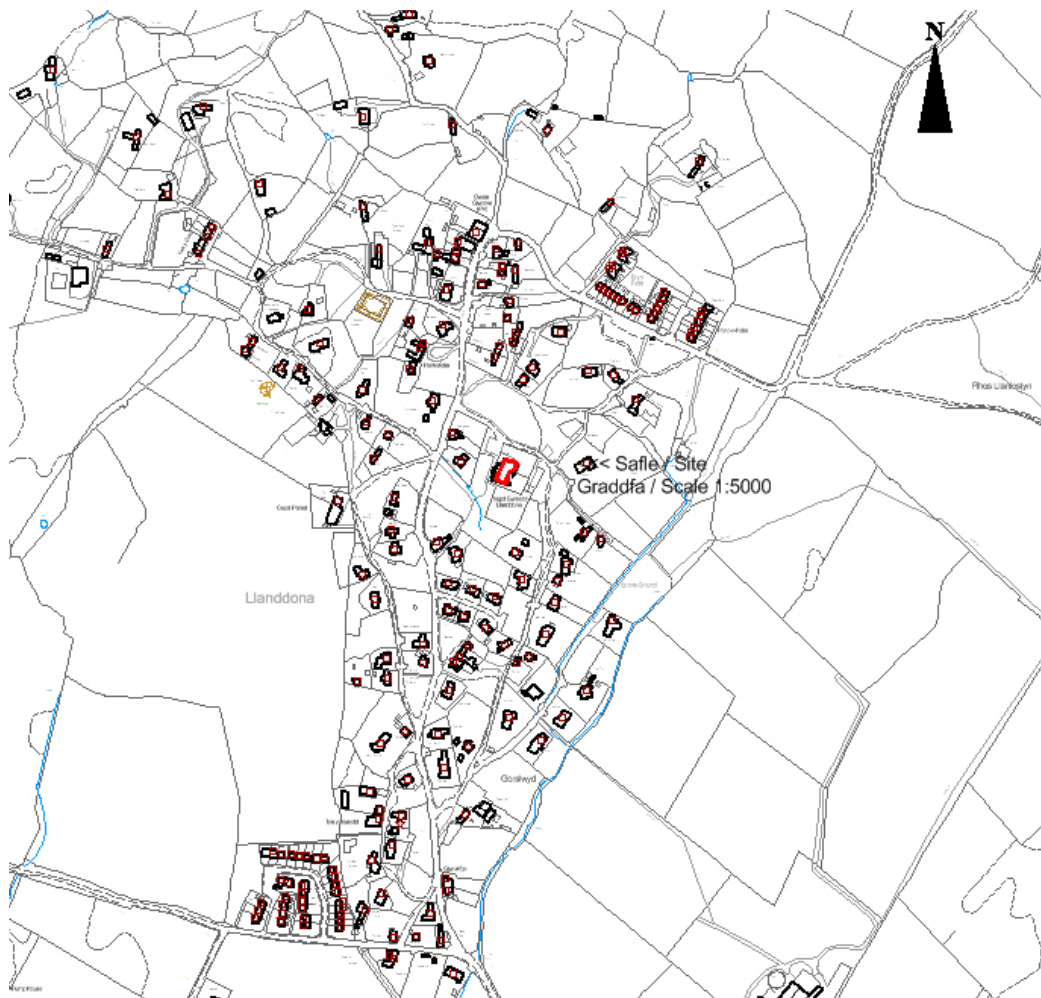
Rhif y Cais: **22C228** Application Number

Ymgeisydd Applicant

**Llanddona Community Council**

**Cais llawn i newid defnydd yr adeilad o gyn ysgol gynradd i neuadd i'r gymuned, dymchwel rhan o'r adeilad presennol ynghyd a addasu ac ehangu yn/ Full application for change of use of building from former primary school to community hall, demolition of part of the existing building together with alterations and extensions at**

**Ysgol Gynradd Llanddona, Llanddona**



**Planning Committee: 11/05/2016**

**Report of Head of Regulation and Economic Development Service (GJ)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

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

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

This is a full application for change of use of building from former primary school to community hall, demolition of part of the existing building together with alterations and extensions.

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

The key issue is whether the proposal complies with current policies, whether it fits in with the special landscape area, the effect on neighbouring properties and highway considerations.

### **3. Main Policies**

#### **Ynys Môn Local Plan**

Policy 1 – General Policy

Policy 17 – Recreation & Community Facilities

Policy 31 – Landscape

Policy 42 – Design

Policy 58 - Extensions

#### **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 EN1 - Landscape

Policy CC1 – Community Facilities

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

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

**Local Member (Councillor Alwyn Rowlands)** – Supports application.

**Local Member (Councillor Carwyn Jones)** - No response at the time of writing the report.

**Local Member (Councillor Lewis Davies)** - No response at the time of writing the report

**Highways** - No response at the time of writing the report



**Drainage** – Comments.

**Welsh Water** – No response at the time of writing the report.

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 16<sup>th</sup> May, 2016. At the time of writing the report no letters had been received objecting to the proposal.

## **5. Relevant Planning History**

None.

## **6. Main Planning Considerations**

**Main planning considerations:** The application is for the change of use of the former primary school to a community hall for the village. The proposal involves slight changes to the external appearance i.e removal and addition of some windows and doors. The application includes demolition of a small part of the building together with the erection of a small extension to the East elevation.

Policy 1 of the Ynys Môn Local Plan and GP1 of the Stopped Unitary Development Plan states that the council will determine planning applications in accordance with policies and proposals in the plan. In considering planning applications the Council will take into account the listed criteria. Policy D4 of the Gwynedd Structure plan states that careful siting, location and design will be a material consideration in the determination of planning applications.

Policy 17 of the Ynys Môn Local Plan and CC1 of the Stopped Unitary Development Plan states that the Council will permit the development of community facilities on suitable sites within the development boundaries or within or on the edge of other settlements.

**Affect on the amenities of adjacent residential properties:** It is not considered that the change of use from a former primary school to a village hall will have a negative impact upon adjacent residential properties. The nearest property being approximately 30 metres away from the building.

## **7. Conclusion**

The proposal complies with all relevant policies as listed above and will not harm the special landscape area or cause a negative impact on adjacent residential properties.

## **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 development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 22C228.**

<b>Drawing / Document number</b>	<b>Plan Description</b>	<b>Date Received</b>
<b>LLNDS.02 1000</b>	<b>Site Location Plan and Site Plan as Existing</b>	<b>15/04/16</b>
<b>LLNDS.02 2000</b>	<b>Site Plan as Proposed</b>	<b>15/04/16</b>
<b>LLNDS.02 1001</b>	<b>Ground Floor Plan as Existing</b>	<b>15/04/16</b>
<b>LLNDS.02 1100</b>	<b>East and West Elevations as Existing</b>	<b>15/04/16</b>
<b>LLNDS.02 1002</b>	<b>Roof Plan as Existing</b>	<b>15/04/16</b>
<b>LLNDS.02 2001</b>	<b>Ground Floor Plan as Proposed</b>	<b>15/04/16</b>
<b>LLNDS.02 2100</b>	<b>Elevations as Proposed</b>	<b>15/04/16</b>
<b>LLNDS.02 2101</b>	<b>Elevations as Proposed</b>	<b>15/04/16</b>
<b>LLNDS.02 1101</b>	<b>North and South Elevations as Existing</b>	<b>15/04/16</b>
<b>LLNDS.02 2001</b>	<b>Floor Plan as Proposed</b>	<b>15/04/16</b>

Reason: For the avoidance of doubt.

In addition the Head of Service be authorised to add to, remove or amend 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.

#### **9. Other Relevant Policies**

##### **Technical Advice Note 12: Design**

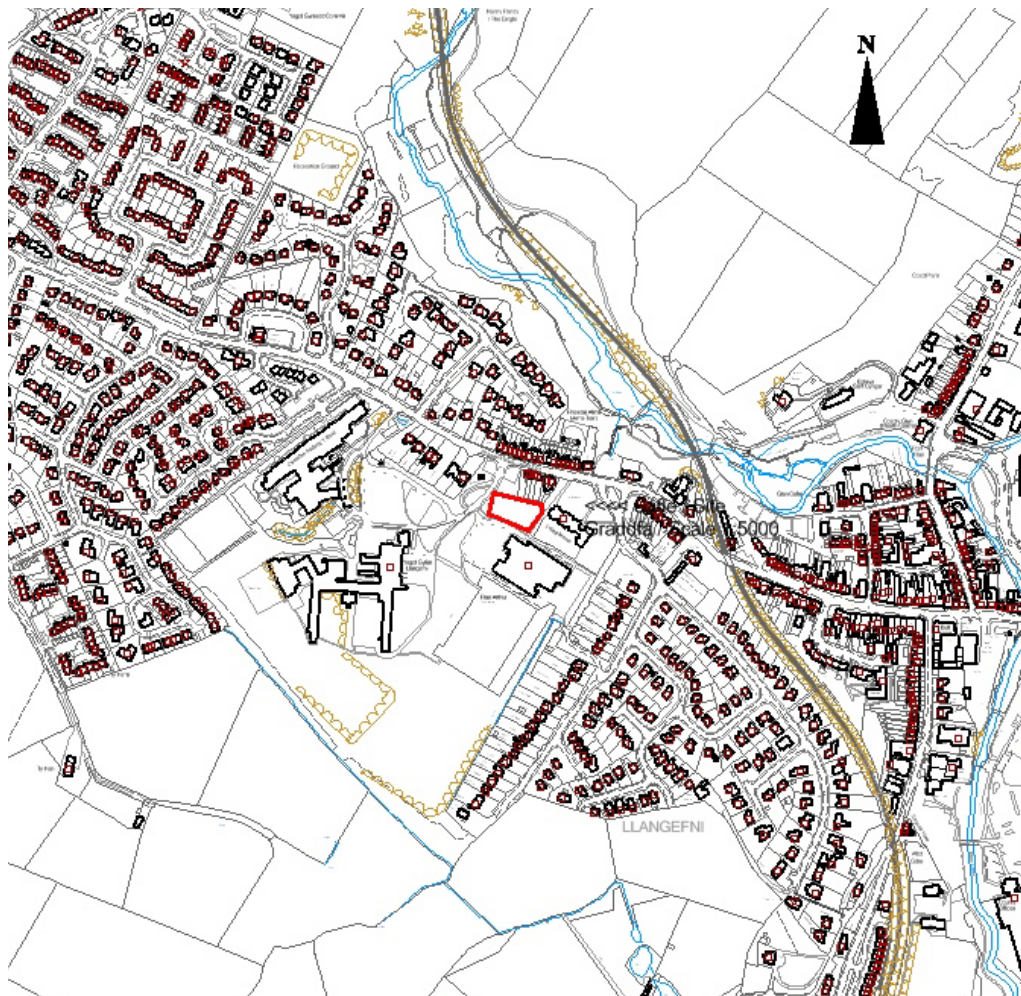
Rhif y Cais: **34C694** Application Number

Ymgeisydd Applicant

**Mr Peter Davies**

**Cais llawn i greu parc chwaraeon trefol ar dir ger / Full application for the creation of an urban sports park on land adjoining**

**Canolfan Hamdden Plas Arthur Leisure Centre, Llangefni**



**Planning Committee: 11/05/2016**

**Report of Head of Regulation and Economic Development Service (MTD)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

This is development which involves Council owned land.

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

The site is located alongside Plas Arthur Leisure Centre and was previously in use as a skate park.

It is proposed to construct a new skate park, outdoor gym and games area.

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

Is the site appropriate for the proposed development?

### **3. Main Policies**

#### **Gwynedd Structure Plan**

Policy CH1: Recreation and tourism development

#### **Ynys Môn Local Plan**

Policy 1: General Policy

Policy 14: Recreation and Leisure facilities

Policy 42: Design

#### **Ynys Môn Unitary Development Plan (Stopped 2005)**

Policy GP1: Development Control Guidance

Policy GP2: Design

Policy CC1: Community Facilities

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

**Local Members:** No comments received

**Town Council:** Questions asked but no formal response at time of writing this report.

**Highways:** Recommend conditions

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

34LPA471/CC - Provision of a skateboarding park at Plas Arthur Leisure Centre, Llangefni. Approved 06/03/2003

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

The proposals will replace the previous skate park which was removed as it had become old and unsafe.

The development is suited to this location and it is considered will not harm the amenities of nearby residential occupiers.

## **7. Conclusion**

This is an appropriate use in this location.

## **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) Full details of any lighting proposed shall be submitted to the Local Planning Authority prior to the commencement of those works.**

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.

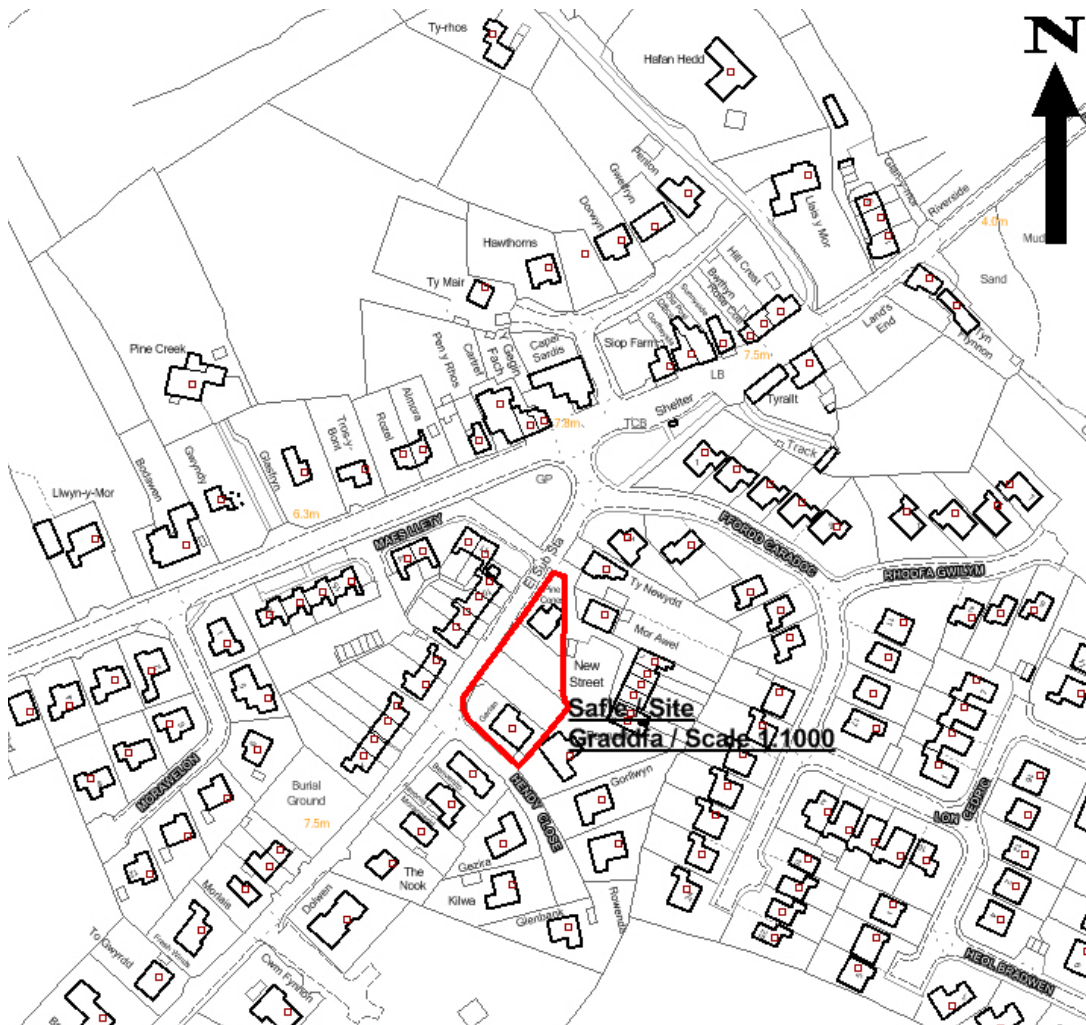
Rhif y Cais: 43C77G/VAR/ENF Application Number

Ymgeisydd Applicant

BC Services Anglesey Ltd

Cais o dan Adran 73A i amrywio amodau (06) tirwedd, coed a llwyni, (07) gwrych yng nghefn plotiau 1-3, (15) gwarchod yr anheddau a gymeradwywyd rhag swm ynghyd â dileu amod (05) coed, neu wrych sydd wedi cael eu tocio neu eu torri i lawr o gais cynllunio 43C77D yn / Application under Section 73A for the variation of conditions (06) landscaping, trees and shrubs, (07) hedgerow at the rear of plots 1-3, (15) protecting the approved dwellings from noise together with the deletion of condition (05) trees, or hedge lopped or felled on planning permission reference 43C77D at

Gerlan, Four Mile Bridge



**Planning Committee: 11/05/2016**

**Report of Head of Regulation and Economic Development Service (IWJ)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

At the request of the Local Member – Councillor Trevor Lloyd Hughes

**1. Proposal and Site**

The application is seeking approval for the variation of conditions (06), (07) (15) and the deletion of condition (05) imposed upon planning decision reference 43C77D. The application was approved for the erection of 3 detached dwellings, alterations and extensions to the existing dwelling together with alterations and construction of a new vehicular access.

The application site is located within the village of Four Mile Bridge which is a listed settlement under Policy 50 of the Ynys Môn Local Plan. The site is located within the development boundary of the stopped Unitary Development Plan.

**2. Key Issue(s)**

The key issues are whether or not the proposed variation and deletion of conditions would have a material effect upon the approved development.

**3. Main Policies**

**Ynys Môn Local Plan**

Policy 1 – General Policy

Policy 30 – Landscape – Area of Outstanding Natural Beauty

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 D1 – Landscape - Area of Outstanding Natural Beauty

Policy D29 – Design

**Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP4 – Villages

Policy HP7 – Affordable Housing

Policy SG6 – Surface Water Run Off

Policy SG7 – Noise

**4. Response to Consultation and Publicity**

**Councillor Trevor Lloyd Hughes** – Request that the application be referred to the Planning Committee for determination.

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

**Councillor Dafydd Rhys Thomas** - No response at time of writing report.

**Community Council** – No response at time of writing report.

**Built Environment** – Satisfied that the conditions can be varied and deleted as proposed.

#### **Response to publicity:**

Two letters received, the main points raised are summarised below:

- The developer must have known the requirements of the conditions prior commencing works.
- Work has already been carried out contrary to conditions attached to the planning permission.
- For what reason has the developer applied to have the conditions removed.
- Roots of trees impede upon the development.
- The felling of trees on site has resulted in the reduction of wildlife.
- Planning inspectorate has confirmed that the trees on site are for the enjoyment of everyone in the vicinity which shall not be felled.
- Two large trees have already been removed from the hedgerow at the rear boundary of the approved dwellinghouses for safety reasons.
- Replacement vegetation will take a long time to establish.
- Higher vegetation should be planted in order to reduce the effects of overlooking.
- As a result of the felling of trees on site, dwelling houses to the rear of the application site is now overshadowed by the development. The removal of trees has also resulted in a loss of privacy.
- Planning conditions are put in place for a reason. In this case to safeguard the environment and prevent the development from impeding upon the surrounding area.
- If the application is granted it will go against all the principles and reasons for which these conditions were put in place.
- Concerns regarding conditions being varied / removed retrospectively.

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

43C77 - Erection of a dwelling on land adjacent to Gerlan, Pontrhydbont - Refused 02/07/1992

43C77A - Erection of a dwelling on land adjacent to Gerlan, Four Mile Bridge – Refused 08/12/1992

43C77B - Outline application for the erection of a dwelling on land adjacent to Gerlan, Four Mile Bridge – Withdrawn 22/10/2003

43C77C - Demolition of existing dwelling and the erection of 6 detached dwellings together with the construction of a new vehicular access at Gerlan, Four Mile Bridge – Refused 05/11/2004 – Appeal Dismissed (Ref No APP/L6805/A/05/1173158) 08/06/2005

43C77D - Full plans for the erection of 3 detached dwellings, alterations and extensions to the existing dwelling together with alterations and construction of a new vehicular access at Gerlan, Four Mile Bridge – Approved 08/09/2006



43C77E - Application for the deletion of condition (16) (CCTV survey of surface water drain) on planning permission 43C77D at Gerlan, Four Mile Bridge – Refused 17/06/2010 / Approved on Appeal (APP/L805/A/10/2133247) 24/02/2011

43C77F - Full application for the erection of two dwellings on land at Gerlan, Four Mile Bridge – Return to Applicant 02/08/2011

## **6. Main Planning Considerations**

Planning permission (4C77D) was granted by the Local Authority on the 8th September, 2006 for the erection of 3 detached dwellings, alterations and extensions to the existing dwelling together with alterations and construction of a new vehicular access.

Condition (16) relating to surface water drainage was subsequently removed at appeal under application reference number 43C77E.

The development of the site has commenced in breach of a number of pre-commencement conditions.

The extent of the development carried out at the time of writing this report is the erection of one dwelling house (currently occupied), whilst the remaining two are currently being constructed.

It was brought to the Council's attention that the development had commenced in breach of conditions of the planning permission. In accordance with the advice provided within Technical Advice Note 9 (Enforcement) the developer promptly submitted an application in an effort to regularise matters.

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

This application is requesting the removal of one condition and that the requirements of the remainder of the outstanding conditions be varied to enable the required information be submitted following the commencement of works.

The development is currently in breach of conditions 05, 06, 07 and 15 of planning decision 43C77D which are listed as follows:

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

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

(07) The hedgerow to the rear of plots 1 to 3 and demarcated in red on the attached plan shall be

retained and thereafter managed in accordance with a scheme to be submitted to and approved in writing by the local planning authority prior to the commencement of the development.

(15) Construction work shall not begin until a scheme for protecting the proposed dwellings from noise from the RAF base at Valley has been submitted to and approved in writing by the local planning authority; all works which form part of the scheme shall be completed before any of the dwellings hereby approved are occupied.

The application entails the variation of conditions 06, 07 and 15 which relate to trees, hedgerows, landscaping and noise protection from nearby RAF Base at Valley.

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.

The Local Planning Authority therefore considers that the variation of the above conditions are reasonable and acceptable.

The Local Planning Authority considers that the relevant information be submitted within 4 months from the date of an approval.

The application also entails the deletion of condition 05 which states:

The prior agreement of the Local Planning Authority 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.

To enable the local planning authority to support the deletion of the condition, it must be considered what would be the effect of deleting the condition, whether there is a need for the condition and does it meet the test listed within circular 016/2014.

The Welsh Government considers that conditions should be necessary, precise and enforceable, ensuring that they are effective and do not make unjustifiable demands of applicants. Conditions should only be imposed where they satisfy all of the tests. In summary, conditions should be:

- (i) necessary;
- (ii) relevant to planning;
- (iii) relevant to the development to be permitted;
- (iv) enforceable;
- (v) precise; and
- (vi) reasonable in all other respects.

It states within circular 016/2014 that .... A condition should not be retained unless there are sound and clear reasons for doing so .... Conditions should be designed to tackle specific problems rather than impose unjustifiable controls. If a condition is wider in its scope than is necessary to achieve the desired objective, it will fail the test of necessity .... Conditions should not repeat the provisions of other conditions or duplicate controls under other legislation unless there is a planning reason for doing so.

Condition (05) ensures that any trees / hedges on the site or boundaries of the site are not lopped, topped or felled without the prior agreement of the Local Planning Authority. The condition also requires that if any trees or hedges are felled they are subsequently replaced.

Condition (06) states that the site shall be landscaped in accordance with a scheme agreed with the Local Planning Authority. The condition also ensures that the trees and shrubs are retained. In addition, condition (07) requires that the hedgerow to the rear of plot 1 to 3 (which has been subject of recent replanting) shall be retained and thereafter managed in accordance with scheme approved by the Local Planning Authority.

It is considered that the requirements of condition (05) are covered and duplicated under conditions (06) and (07), therefore deemed unnecessary. In the event that condition (05) was not imposed upon planning application 43C77D it is considered that planning permission would not have been refused given that the requirements are replicated within other imposed conditions.

It is therefore considered that the removal of the condition will not have an unacceptable material effect upon the development.

The variation of conditions (06) and (07) will allow the Local Planning Authority to agree an adequate and appropriate landscaping scheme which shall be retained thereafter for the entire site.

## **7. Conclusion**

Having regard to all material facts and planning considerations it is considered that the variation of conditions (06), (07), and (15) and the deletion of condition 05 of planning approval reference number 43C77D is reasonable and acceptable.

## **8. Recommendation**

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

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

Reason: To ensure a satisfactory appearance of the development.

**(02) All stonework proposed to be used in the construction of the dwelling(s) shall be natural local stone of uniform colour.**

Reason: To ensure a satisfactory appearance of the development.

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

Reason: In the interests of residential and visual amenity.

**(04) The site shall be landscaped and trees and shrubs shall be planted in accordance with a scheme to be agreed in writing with the local planning authority within 4 months from the date of this permission, unless otherwise agreed in writing with the local planning authority. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season following the scheme being approved. The said trees and shrubs shall be maintained for a period of five years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation.**

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

**(05) The hedgerow to the rear of plots 1 to 3 and demarcated in red on the attached plan shall be retained in perpetuity. In the event that any part of the hedgerow dies, becomes severely damaged or seriously diseased the hedgerow shall be replanted in accordance with a scheme submitted and approved in writing by the Local Planning Authority.**

Reason: In the interests of residential and visual amenity.

**(06) Notwithstanding the details contained on site plan no. 04.07 dated 24 January 2006, any boundary walls or fences erected on the site shall not exceed a height of 1m above ground level between points A and B as indicated in green on the plan attached to this permission.**

Reason: In the interests of residential and visual amenity.

**(07) A 1.8 metre wide footway shall be provided along the whole length of the vision splay lines adjacent to the County Highway before all the dwellinghouse approved by this permission are occupied.**

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

**(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 comply with the requirements of the Highway Authority.

**(09) The turning area shall be completed in full accordance with the details as submitted before the dwelling is occupied and thereafter retained solely for those purposes.**

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

**(10) 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.

**(11) 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.

**(12) 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.

**(13) Within 4 months from the date of this permission a scheme for protecting the proposed dwellings from noise from the RAF base at Valley shall be submitted and approved in writing by the local planning authority. All works which form part of the scheme shall be carried out before all the dwelling house approved by this permission are occupied in accordance with the approved details.**

Reason: In the interests of residential amenity.

(14) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below under planning application reference 43C77D

<b>Drawing / Document Number</b>	<b>Date Received</b>	<b>Plan Description</b>
<b>04.07</b>	<b>24/01/2006</b>	<b>Site Plan</b>
<b>BFSS</b>	<b>24/01/2006</b>	<b>Plot Survey</b>
<b>04.10 /12</b>	<b>24/01/2006</b>	<b>Existing Dwelling Elevations</b>
<b>House Type A 04:08</b>	<b>24/01/2006</b>	<b>Proposed elevations</b>
<b>House Type B 04:09</b>	<b>24/01/2006</b>	<b>Proposed Elevations</b>
<b>04:02A</b>	<b>24/01/2006</b>	<b>Floor Plans</b>
<b>04.11</b>	<b>24/01/2006</b>	<b>Existing Dwelling Floor Plans</b>
<b>04.13</b>	<b>24/01/2006</b>	<b>Existing Dwelling Floor Plans As Altered</b>
<b>Dwg no – 01-0</b>	<b>05/07/2006</b>	<b>Proposed Layout Details of Foul &amp; Surface Water Drains</b>
<b>-</b>	<b>24/04/2006</b>	<b>Surface Water Plan &amp; Details</b>

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 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**



**Planning Committee: 11/05/2016**

**Report of Head of Regulation and Economic Development Service (SCR)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

At the request of the Vice-Chairperson.

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

The parcel of land is currently used for agricultural/grazing purposes and lies within the settlement of Dwyran. The site lies next to two dwellings which are currently under construction which were granted planning permission in September 2013. The site lies fronting the road known as Lon Fain. There is a mixture of single storey, dormer bungalows and two storey properties in the locality.

The application is a full application for the erection of two number two storey, semi-detached dwellings.

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

The applications main issues are whether the development complies with current policies, the effect of the development on neighbouring properties and surrounding area and whether the development will affect highway safety.

### **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**

D4 – Location, Siting and Design

D29 – Design

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

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP4 – Villages

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

**Local Member, Cllr A Griffith** – Call-in due to the development being out of character with the area and highway safety.

**Highways Authority** – Recommended conditional approval.

**Drainage Section** – No response at the time of writing this report.

**Welsh Water** – Recommended conditional approval.

#### **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 7<sup>th</sup> April, 2016 and at the time of writing this report four letters of objection and a petition containing 36 names had been received at the department, The main issue raised can be summarised as follows:

- i) Highway Safety
- ii) Site has formed part of a flood plain and the raising of the levels of the land will exacerbate the situation and result in flooding to neighbouring properties.
- iii) Out of character with the surrounding area
- iv) Conflicts with current policies
- v) No need for dwellings in the locality as a number of new properties are not selling in the village

In response to the issues raised I would respond as follows;

- i) The Highway Authority have been consulted and raised no objection to the development subject to the inclusion of standard highway condition on the permission.
- ii) The site is not situated within a flood zone. The levels of the land have been raised on the adjoining site and for the proposed development as the site slopes downwards from the highway to the rear of the agricultural field. At the time of writing this report we are awaiting further drainage information and upon their receipt the information will be forwarded to the Drainage Section for consideration.
- iii) As stated above the site is located fronting Lon Fain. There is a mixture of house types located along Lon Fain with two storey cottages, bungalows, dormer bungalows and the new two storey semi-detached units which are nearly completed. Due to the above and as the bungalow to the north of the site are more than 30 metres away from the application site and therefore the proposal is considered acceptable and will not be out of character with the existing pattern of development to the detriment of the surrounding area.
- iv) See policy context paragraph of the main planning considerations section 6 below.



v) The site lies within the village of Dwyran and is situated on land that is located between the developed part of the village and can be considered as an 'infill' plot. Although Policy 50 of the Ynys Môn Local Plan states that 'usually single plots' can be supported on infill sites as the proposal involves the erection of a pair of semi-detached dwellings – in order to encourage more 'affordable by design' dwellings within settlements a semi-detached unit can also be supported and therefore the proposal as submitted is considered acceptable. The village has a local primary school and doctors surgery and is located on the public transport network route.

## 5. Relevant Planning History

45C432 – Full application for the erection of two new dwellings together with the formation of a vehicular access on land opposite Graig Fawr, Dwyran – Approved 06/09/13

45C432A/VAR – Application to vary condition (11) on planning permission reference 45C432 so as to complete the estate road prior to occupation of the dwellings on land opposite Graig Fawr, Dwyran – Approved 09/01/14

45C432B/DEL - Application under Section 73 for the removal of conditions (05), (06) and (07) (code for sustainable homes) from planning permission reference 45C432A/VAR (erection of two dwellings and the creation of a vehicular access) on land opposite Graig Fawr, Dwyran – Approved 28/10/15

## 6. Main Planning Considerations

**Policy Context** - Dwyran 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 Unitary Development Plan. As the application is for semi-detached dwellings the proposal is considered acceptable and in compliance with Policy 50 as it provides two dwellings that are affordable by design.

The application site is located immediately next to residential dwellings and lies opposite residential properties and is therefore considered acceptable as an 'infill' application which is acceptable under Policy 50 of the Ynys Môn Local Plan.

**Effect on neighbouring properties** – There are no windows proposed in the side elevation of the proposed units. The proposed dwellings will be located more than 30 metres away from the boundary of the adjoining property to the north of the site (1 Lôn Fain). The proposed dwellings will be situated 11 metres away from the gable of the units that are currently under construction and 22 metres away from the front of Penhenlli which lies on the opposite side of the road. Due to these distances the proposal is considered acceptable and complies with the requirements of Supplementary Planning Guidance in terms of distances between developments.

**Effect on surrounding area** – Concern has been raised by the Local Member and members of the public that the development will be out of character with the surrounding area. There is a mixture of house types situated along Lôn Fain and the design of the proposed dwellings is the same as the dwellings currently under construction and therefore the scheme will not harm the surrounding area.

**Effect on highway safety** – The proposed dwellings will be served by the existing vehicular access that was approved under planning application reference 45C432 when dealing with the residential development of the adjoining land. The Highway Authority have confirmed that the scheme is acceptable subject to the inclusion of standard highway conditions.

## 7. Conclusion

The erection of two semi-detached dwellings is considered acceptable in this location as the site lies within the settlement of Dwyran and located next to residential properties. The proposal will not harm the amenities currently enjoyed by the occupants of neighbouring properties or have a detrimental impact on the surrounding area or on highway safety.

Due to the above my recommendation is one of approval subject to the receipt of satisfactory drainage details in regards to the proposed soakaway.

## 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) No surface water and / or land drainage shall be allowed to connect either directly or indirectly to the public sewerage network.**

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) 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.

**(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 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>
<b>2083:16:2</b>	<b>25/02/2016</b>	<b>Existing site plan</b>
<b>2083:16:1</b>	<b>25/02/2016</b>	<b>Location Plan</b>

<b>Design and Access Statement</b>	<b>25/02/2016</b>	<b>Design and Access Statement</b>
<b>2083:16:3</b>	<b>25/02/2016</b>	<b>Proposed site plan</b>
<b>2083:16:4</b>	<b>25/02/2016</b>	<b>Proposed elevation, floor plans and sections</b>

**under planning application reference 45C432C.**

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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Other Matters

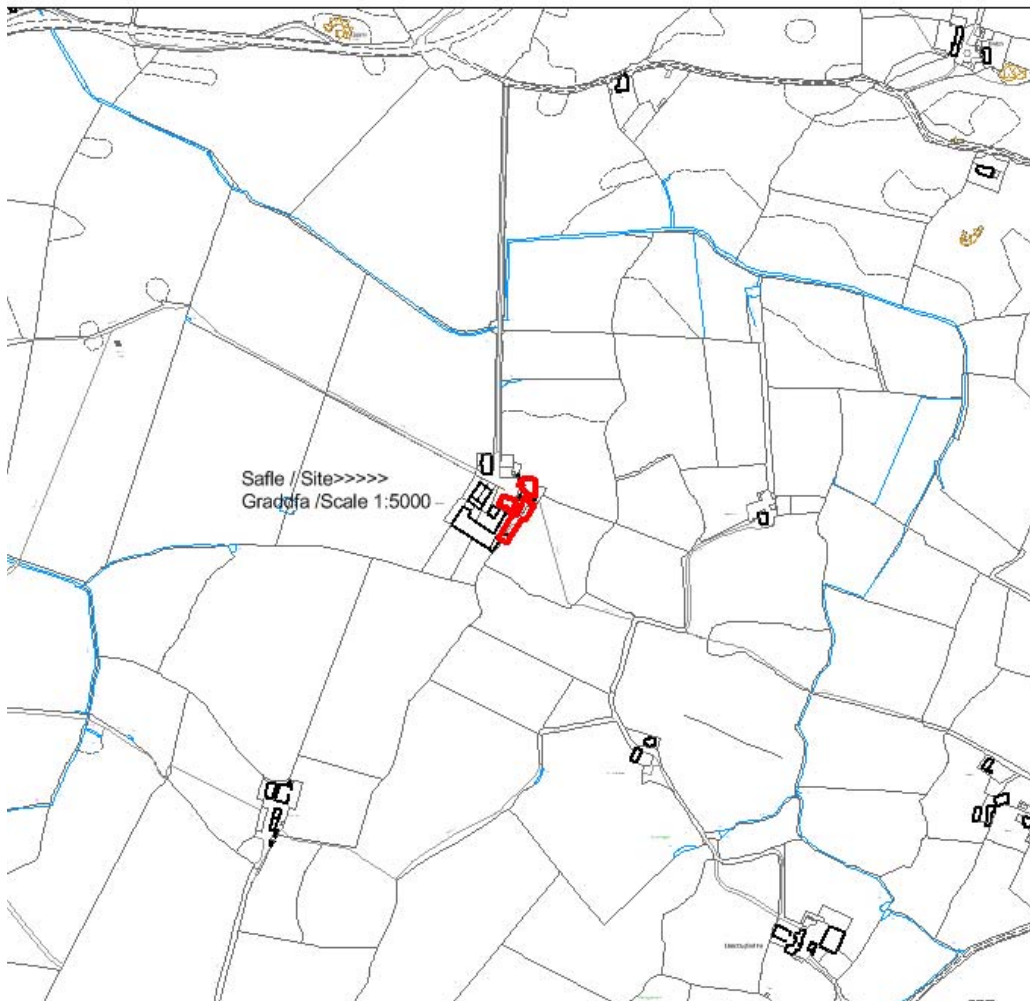
Rhif y Cais: **38C219H/LB** Application Number

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: 11/05/2016**

**Report of Head of Regulation and Economic Development 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.

Members may recall consideration of this application in February 2016, since which time discussions regarding an amended design have been undertaken and amended drawings have been received.

**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 drawings have been amended in relation to three existing arched openings to the front elevation of the existing building. Rather than block off the lower part of two of these openings to create windows, the scheme as now amended seeks to retain some works which have commenced and to retain the openings and insert French doors.

**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 Môn 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:** In relation to the original scheme, the following comments were made: "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 18<sup>th</sup> century vernacular farmhouse. The outbuilding proposed for conversion is not separately listed and is a three door traditional range with a 19<sup>th</sup> 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". No response received at the time of writing in relation to the amended drawings.

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

**Built Environment and Landscape Section:** Dealing with the external changes as found on drawing D514.05 Rev A. The proposed front elevation; Due to the very high stone built courtyard walls it is viewed from two separate perspectives. The first being blinkered directly from within the walled courtyard looking at the three symmetrical openings. The treatment of modern double glazed doors matching those granted Listed Building Consent on Cae Mawr clearly does maintain the special character of the outbuilding while providing maximum natural daylight and ventilation into the dwelling all in accordance with Cadw's Good Practice Guide to Converting Historic Farm Buildings in Wales 2004. ISBN 1 85760 211 0.

The other two views or perspectives are taken from the field on the opposite side of the wall to the courtyard. These views currently see the very high stone courtyard wall butting up to the corner of the outbuilding. They see the bland stone gable end of the outbuilding and some of the slate covered pitched roof and they also take into account the relatively modern farm buildings adjoining and abutting the outbuilding. The proposed extension is modern in materials and form. There is unlikely to be very much impact on the view or perspective on the principal elevation taken from within the courtyard due to the screening provided by the courtyard wall. The view and perspective of the extension from the field will soften and mellow over time once the cedar boarding ages and turns grey and the modern slate roof harmonises with the pattern and colour of the surrounding slate roofs. The only detail I find to be slightly incongruous is the triangular / greenhouse style of the glazed unit in the gable end of the extension. This is very much subjective and could if needs be conditioned subject to large scaled detailed architectural drawings of a scale not less than 1: 25 including cut section for the approval of the LPA.

Internally the proposed conversion retains the only architectural features the roof trusses, purlins and rafters while maximising the internal space in a modern style and design. Importantly and element of the full height space is retained in the main central bay looking up from the kitchen to the walkway

above with the two Kingpost Trusses and the purlins in full view and character.

**Gwynedd Archaeological Planning Service:** No archaeological implications

**Response to Publicity:** No representations had been received at the time of writing. The notification period expires on 25<sup>th</sup> May.

## **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 08/10/15

38C219G: Full application for the change of use , alterations and extensions of an existing outbuilding into a dwelling at Cae Mawr – approved 04/02/16

38C219J/MIN An application has been lodged, but was undetermined at the time of writing, for a non-material amendment to the planning consent granted under 38C219G in order to reflect the design changes in the application for listed building consent currently under consideration .

## **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 proposed 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 drawings have been amended in relation to two existing arched openings to the front elevation of the existing building. Rather than block off the lower part of these openings to create windows, the scheme as now amended seeks to retain the openings and insert French doors. Albeit no objection was raised to the previous proposal, the scheme as now submitted retains the existing openings as full height openings and similarly is considered acceptable.

The Built Environment and Landscape Section has pointed to fenestration in the gable end of the proposed extension as being 'slightly incongruous' and advises that its comments are subjective. Given that the extension will clearly be read as a new build extension and given that the Built Environment and Landscape Section accepts that the extension will be screened behind high courtyard walls when viewed from the listed farmhouse and yard, being only fully visible from the field behind the stone walls, it is not considered that the feature is unacceptable but a condition, as suggested, has been imposed regarding the details.

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. Provided no representations are received by the 25th May raising issues not considered in this report, it is recommended that the application be referred to Cadw.

## **8. Recommendation**

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

**(01) No development shall commence until large scaled detailed architectural drawings of a scale not less than 1: 25 including cut section to show the fenestration in the gable end of the proposed extension 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.

**(02) The development to which this permission related shall be carried out in accordance with the following documents and drawings, and as required to be approved under condition (02) above:**

**Cadarn Consulting Engineers Structural Condition Survey December 2015;**

**Dewis Architecture Design and Access Statement Revision A November 2015;**

**Drawing Number D514.03 Revision A Block Plan;**

**Drawing Number D514.04 Revision A Proposed Floor Plan and Section;**

**Drawing Number D515.05 Revision A Proposed Elevations.**

Reason: To define the scope of this 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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