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**CYNGOR SIR
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ISLE OF ANGLESEY
COUNTY COUNCIL**

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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 5 GORFFENNAF, 2017 am 1.00 o'r gloch yp	WEDNESDAY, 5 JULY 2017 at 1.00 pm
SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGEFNI	COUNCIL CHAMBER, COUNCIL OFFICES, LLANGEFNI
Swyddog Pwyllgor	Mrs. Mairwen Hughes 01248 752516 Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

**John Griffith
Glyn Haynes
T LI Hughes MBE
K P Hughes
Vaughan Hughes
Richard Owain Jones (Is-Gadeirydd/Vice-Chair)
Eric Wyn Jones
Shaun James Redmond
Dafydd Roberts
Nicola Roberts (Cadeirydd/Chair)
Robin Williams**

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

A g e n d a

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

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

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

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1 APOLOGIES

2 DECLARATION OF INTEREST

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

3 MINUTES_(Pages 1 - 10)

To submit, for confirmation and signature, the minutes of the Planning and Orders Committee held on 3rd May, 2017.

4 SITE VISITS_(Pages 11 - 12)

To submit the minutes of the Site Visits held on 21 June, 2017.

5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED

7 APPLICATIONS ARISING_(Pages 13 - 90)

7.1 20C310B/EIA/RE – Rhyd y Groes, Rhosgoch

7.2 31C170E – Hen Lôn Dyfnia, Llanfairpwll

7.3 34C304K/1/EIA/ECON – Coleg Menai, College Road, Llangefni

7.4 36C351 – Ty Llwyd, Rhostrehwfa

7.5 45LPA1029A/ECON – Morawelon, Newborough

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

None to be considered by this meeting.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

None to be considered by this meeting.

12 REMAINDER OF APPLICATIONS_(Pages 91 - 110)

12.1 15C224/AD – Lay-by at Hermon

12.2 34C694B – Plas Arthur Leisure Centre, Llangefni

12.3 46C137F – The Old Cricket Ground, Trearddur Bay

13 OTHER MATTERS_(Pages 111 - 112)

13.1 21C58H – Plas Eurach, Llanddaniel Fab

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Planning and Orders Committee

Minutes of the meeting held on 14 June 2017

- PRESENT:** Councillor Nicola Roberts (Chair)
Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, T LI Hughes MBE, K P Hughes, Eric Wyn Jones, Shaun James Redmond, Dafydd Roberts and Robin Williams
- IN ATTENDANCE:** Planning Development Manager (NJ),
Planning Assistants.
Senior Engineer (Highways Development Control) (EJ),
Highways Officer (JAR),
Committee Officer (MEH).
- APOLOGIES:** Councillors Glyn Haynes and Vaughan Hughes.
- ALSO PRESENT:** Local Members : Councillors Alun Mummery (for application 12.2);
Peter Rogers (for application 7.3).
- Councillors R.A. Dew, Aled M. Jones, Bob Parry OBE FRAGS.
-

1 APOLOGIES

As noted above.

2 DECLARATION OF INTEREST

Declarations of interest were made as follows :-

Councillor K.P. Hughes declared a personal and prejudicial interest with regard to application 6.1 on the agenda.

Councillor R.O. Jones declared a personal and prejudicial interest with regard to application 7.2 on the agenda.

Councillor Robin Williams declared a personal and prejudicial interest with regard to application 10.1 on the agenda.

Councillor John Griffith declared a personal and prejudicial interest with regard to applications 11.3 and 13.3 on the agenda.

3 MINUTES

The minutes of the following meetings of the Planning and Orders Committee were presented and confirmed as correct :-

- Minutes of the Planning and Orders Committee held on 26 April, 2017
- Minutes of the Planning and Orders Committee held on 31 May, 2017

4 **SITE VISITS**

The minutes of the planning site visits held on 9 June, 2017 were presented and confirmed as correct

5 **PUBLIC SPEAKING**

There was a public speaker with regard to application 7.1.

6 **APPLICATIONS THAT WILL BE DEFERRED**

6.1 34C304K/1/EIA/ECON – Hybrid application applying for full planning permission for the creation of a new engineering centre, car parking, children’s play area and associated works and applying for outline planning permission with some matters reserved for a residential development of 157 dwellings, a hotel and food and beverage facility along with associated car parking and works on land at Coleg Menai, College Road, Llangefni

Councillor K.P. Hughes declared a personal and prejudicial interest in this application and took no part in discussion and voting thereon.

At its meeting held on 1st March, 2017, the Committee resolved to visit the site. The site was subsequently visited on 15th March, 2017. In addition, for the benefit of the newly elected members of the Committee the site was visited on 9th June, 2017.

The Planning Development Manager reported that additional information has been received as part of the application and consultations are now being undertaken.

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 12C479B – Full application for the erection of a dwelling on the former garden market on land to the rear of Rose Hill, Beaumaris

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

At its meeting held on 26 April, 2017 the Committee resolved to visit the site. The site was subsequently visited on the 9th June, 2017.

Mr. Berwyn Owen (**a supporter of the proposal**) said that he considered that the Officer’s report to the Committee was incorrect; he wished the Committee to be aware that there has been extensive consultation with the Conservation Officer of the Council in respect of this application. He noted that a Heritage Impact Assessment Report had been compiled and has been assess by the Conservation Officer. The Conservation Officer has expressed his support of the application. Mr. Owen further said that the proposed dwelling will be a home for a local young family and was worthy of support.

The Planning Development Officer said that 5 letters of objection had been received with regard to this application and an objection has been received by the Town Council due to parking issues and the development would lead to an uncharacteristic intrusion into the locality. 2 letters of support have been received which state that such a development would enhance the site and the surrounding area. She noted that the Conservation Officer supports the application and that the Gwynedd Archaeological Planning Service has expressed that an archaeological condition be attached to any approval of the application. However, it was noted that the Planning Officer was of the opinion that the development does not comply with distances from neighbouring properties as set out in the Supplementary Planning Guidance on Proximity of Development. The guidance states that ground floor main windows should be located a minimum of 10.5m from the boundary.

Councillor Dafydd Roberts proposed that the application be refused and Councillor John Griffith seconded the proposal.

It was RESOLVED to refuse the application in accordance with the Officer's recommendation as set out in the written report.

7.2 20C310B/EIA/RE – Full application for the construction of a 49.99MW solar array farm together with associated equipment, infrastructure and ancillary works on land adjacent to Rhyd y Groes, Rhosgoch

Having declared a personal and prejudicial interest in this application, Councillor Richard O. Jones withdrew from the meeting during the determination thereof.

At its meeting held on 27 July, 2016, the Committee resolved to visit the site. The site was subsequently visited on 17 August, 2016. The Committee further resolved at its meeting held on 1st March, 2017 to visit the site and the site visit took place on 15th March, 2016. In addition, for the benefit of the newly elected members of the Committee the site was revisited on 9th June, 2017.

The Planning Development Manager said that a request has been received by 2 public speakers, who are objecting to this application, to address the meeting. She noted that within the Constitution the protocol allows discretion to the Chair to allow more than one speaker to address the meeting if it is deemed appropriate where a major application of significance is being considered. It was noted that due to the nature and size of the development of a solar array farm the Chair has agreed to the request. However, one of the public speakers has expressed that he has not had adequate time to prepare his address to the Committee. It was therefore considered appropriate to defer consideration of the application until the next meeting of the Planning and Orders Committee.

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

It was RESOLVED to defer consideration of the application for the reasons given.

7.3 45C480 – Outline application for the erection of a dwelling with all matters reserved on land to the rear of Morannedd, Chapel Street, Newborough

The application was presented to the Planning and Orders Committee at the request of a previous Local Member. At its meeting on 26 April, 2017 the Committee resolved to approve the application contrary to the Officer's recommendation as it

was deemed that the proposal to be justified under Policy 49 of the Ynys Môn Local Plan and Policy HP3 of the Stopped Unitary Development Plan and an acceptable infill application.

The Planning Development Manager reported that whilst the proposed dwelling lies within the settlement boundary of Newborough the means of access to the site lies outside the development boundary. The proposed dwelling and its curtilage will lie directly next to the rear gardens of the adjoining properties. The rear of the proposed dwelling will be located only 2 metres away from the boundary of the plot.

Councillor Peter Rogers, speaking as a Local Member said that the applicant wishes to be near her family following the loss of her husband. He noted that the neighbouring properties do not object to the proposal. The site had 5 cottages previously which housed workers on the Malltraeth Viaduct scheme and considered that the site was not a greenfield site.

Councillor K.P. Hughes considered that the application conforms with Policy 49 of the Ynys Môn Local Development Plan and Policy HP3 of the Stopped Unitary Development Plan and if not an insensitive infill to the village of Newborough. He proposed the reaffirm the decision of the previous meeting to approve the application contrary to the Officer's recommendation. Councillor Eric Jones seconded the proposal.

Councillor John Griffith proposed that the application be refused due to the close proximity to neighbouring dwellings. Councillor T.LI. Hughes MBE seconded the proposal.

In the subsequent vote :-

It was RESOLVED to refuse the application in accordance with the Officer's recommendation as set out in the written report.

8 ECONOMIC APPLICATIONS

8.1 34LPA1034/CC/ECON – Outline application with all matters reserved for two plots for business use (Class B1), general industrial use (Class B2) and warehousing and distribution use (Class B8) as an extension to the existing business park on land at Bryn Cefni Industrial Park, Llangefni

The application was presented to the Planning and Orders Committee as the application is made by the Council.

The Planning Development Manager reported that the outline application will be for 7 units contained on 3 parcels of land and which will be crossed by the Llangefni Link Road. She noted that Natural Resources Wales have requested that an additional condition be attached to any approval of the application in relation to the protection of species on the land and that an assessment needs to be undertaken with regard to contamination and drainage of the land.

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

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions set out in the written report together with an additional condition with regard to the protection of species

on the land and that an assessment needs to be undertaken with regard to contaminated and drainage of the land.

8.2 45LPA1029A/CC/ECON – Full application for the erection of a new primary school together with the creation of a new vehicular access on land adjacent to Morawelon, Newborough

The application was presented to the Planning and Orders Committee as the application is made by the Council.

Councillor Eric Jones, as a Local Member proposed that the site be visited as the site lies outside the development boundary and the location site is opposite residential dwellings. Councillor T.LI. Hughes seconded the proposal.

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

10.1 31C170E – Full application for the erection of 16 dwellings (10 dwellings with 2 bedrooms, 4 dwellings with 3 bedrooms and 2 dwellings with 4 bedrooms) together with the construction of a new vehicular and pedestrian access on land adjacent to Hen Lôn Dyfnia, Llanfairpwll

Having declared a personal and prejudicial interest in this application, Councillor Robin Williams withdrew from the meeting during the determination thereof.

The application was presented to the Planning and Orders Committee as the application is a departure from the development plan which the local authority are minded to approve. The application was also referred to the Committee by the Local Members.

The Chair, Councillor Nicola Roberts said that due to local concerns as regard to the application she was proposing that the site be visited. Councillor R.O. Jones seconded the proposal.

It was RESOLVED to visit the site in accordance with the Chair's request for the reason given.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 21C76G – Full application for the re-location of the existing garden shed, alterations and extensions together with the erection of a new boundary fence at 4 Maes y Coed, Llanddaniel

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

Councillor Eric Jones proposed that the application be approved and Councillor Dafydd Roberts seconded the proposal.

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

11.2 36C351 – Full application for the demolition of the existing dwelling together with the erection of a new dwelling in its place, the erection of a garage and implement store, closure of the vehicular access serving the existing dwelling, extension to the curtilage, alterations to the existing agricultural access to serve the proposed dwelling and the creation of a new agricultural access into the adjoining field at Ty Llwyd, Rhostrehwfa

The application was presented to the Planning and Orders Committee as the applicant is a close friend of a relevant officer. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution. The application was also presented to the Committee as the land is owned by the Council.

Councillor Dafydd Roberts as a Local Member proposed that the site be visited to assess the effect of the development on the local amenities. Councillor T.LI. Hughes seconded the proposal.

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

11.3 41C99W/LUC – Application for a Lawful Development Certificate for the erection of an extension which benefits from planning permission under Class A, Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 at Nant y Felin, Bryn Gof, Star

Having declared a personal and prejudicial interest in this application, Councillor John Griffith withdrew from the meeting during the determination thereof.

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

Councillor R.O. Jones proposed that the application be approved and Councillor Robin Williams seconded the proposal.

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

12 REMAINDER OF APPLICATIONS

12.1 19LPA1025E/CC/VAR – Application under Section 73 for the variation of conditions (02) (schedule of works) and (04) (traffic management plan) from planning permission reference 19LPA1025/CC (change of use of former market hall into a library, offices and ancillary coffee shop) so as to allow the details to be submitted at agreed phased stages at Market Hall, Stanley Street, Holyhead

The application was presented to the Planning and Orders Committee as the application is made by the Council.

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

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

12.2 31C79H – Full application for change of use of a shop (use class A1) into a hot food takeaway (use class A3) at 3 Mulcair House, Llanfairpwll

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

The Planning Development Manager said that a Local Member, Councillor R. Meirion Jones was unable to attend to address the Committee but had requested that his comments on the application be considered. Councillor Jones considered that the application should be refused in accordance with the Officer's recommendation. The Planning Development Manager said that the application is for the change of use of the existing Hairdressers into a Pizza Takeaway which lies next to a local convenience Spar store. She noted that 15 letters of objection had been received together with a petition with 30 signature of objection to the application due to highways issues, general disturbances, a number of hot food takeaway facilities already exists within the local area and a sufficient ventilation system should be provided at the facility. The opening hours of the establishment has been stipulated as 4.00 p.m. – 11.00 p.m. and this could be conditioned. The Highways Authority have recommended refusal of the application as it would generate additional loading which would result in vehicles being forced to park on the public highway to the detriment of highway and pedestrian safety.

Councillor K.P. Hughes said that he had reservations as regard to the recommendation of refusal of the application due to parking issues; many other takeaway facilities in Holyhead and other areas on the Island have no adequate parking facilities.

Councillor Alun Mummery, a Local Member said that he had also 'called-in' the application for the determination by the Planning and Orders Committee due to local concerns. He supported the recommendation of the Officer's to refuse the application.

Councillor Robin Williams proposed that the application be refused and Councillor Eric Jones seconded the proposal.

It was RESOLVED to refuse the application in accordance with the Officer's recommendation as set out in the written report.

12.3 37C197B – Full application for conversion of the public conveniences into a café at Public Conveniences, Brynsiencyn

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

The Planning Development Manager reported that the application is for the conversion of the former public convenience into a café with a small extension to the side to accommodate a toilet provision together with external and internal alterations to the building. She noted that if the Committee was minded to approve the

application an additional condition needed to be attached to ensure that the details of the odour extraction facility are in place.

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

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report, together with an additional condition be attached to the approval that details of odour extraction facility be in place before opening of the facility.

12.4 37C198 – Full application for alterations and extensions at Fodol, Llanedwen

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

Councillor R.O. Jones proposed that the application be approved and Councillor John Griffith seconded the proposal.

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

12.5 39LPA1036/CC – Full application to remove the existing fence, erection of a new 2.1m high security fence together with felling and works to trees protected by a Tree Preservation Order at Menai Bridge Reservoir, Menai Bridge

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

The Planning Development Manger reported that existing fence does not provide a sufficient barrier to prevent access to the reservoir and a recommendation has been made that a more solid structured fence be installed. She said that a letter of objection had been received stating that the existing fence is adequate. Correspondence has been further received that if the application is to be approved the security fence needs to be of an open structure so as to allow a view of wildlife and nature at the site. The Senior Landscape & Tree Officer has considered the application and is in agreement with the felling and works to trees on site. Furthermore, the Planning Development Manager referred to information received that great crested newts are present at the site and if the Committee is minded to approve the application an additional condition needs to be attached to protect the newts on the site.

Councillor Robin Williams proposed that the application be approved and Councillor Dafydd Roberts seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report, together with an additional condition to ensure reasonable avoidance measures to protect the great crested newts on site.

12.6 44C340 – Full application for demolition of the existing dwelling together with the erection of a new dwelling at Plas Main, Rhosybol

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

The Planning Development Manager reported that the application has been withdrawn by the applicants.

To note that the application has been withdrawn by the applicants.

13 OTHER MATTERS

13.1 15C30H/FR – Full application for change of use of agricultural land to extend the existing caravan park to site a further 14 touring caravans together with the installation of a septic tank on land at Pen y Bont Farm Touring & Camping, Malltraeth

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

To note that the application had been withdrawn.

13.2 19LPA1025F/CC/LB/VAR – Application under Section 73 for the variation of conditions (03) (details of bronze signage panels), (04) (solar panels) and (06) (stone details) from planning permission reference 19LPA1025A/LB/CC (change of use of former market hall into library, offices and ancillary coffee shop) so as to allow the details to be submitted at agreed phased stages at Market Hall, Stanley Street, Holyhead

The Planning Development Manager reported that the application has been forward to the Welsh Government for determination in accordance with Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

To note that the application will be forwarded to Welsh Government for determination in accordance with Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990

13.3 23C280F – Retrospective application for an agricultural shed and milking parlour together with the construction of a slurry pit, two silos and associated development at Plas Llanfihangel, Capel Coch

Having declared a personal interest in this application, Councillor John Griffith indicated that he would not be participating in this item.

The Planning Development Manager reported that the Planning and Orders Committee at its meeting held on 5 April, 2017 refused the application contrary to Officer's recommendation. An appeal has now been submitted to the Planning Inspectorate and the member who proposed refusal of the application is no longer an elected member and the seconder of the proposal is no longer a member of the Planning and Orders Committee.

Councillor K.P. Hughes proposed that the Chair and Vice-Chair of the Planning and Orders be nominated to represent the Council at the appeal. Councillor Nicola Roberts seconded the proposal.

It was RESOLVED that the Chair and Vice-Chair of the Planning and Orders Committee be nominated to conduct the appeal on behalf of the Council.

**COUNCILLOR NICOLA ROBERTS
CHAIR**

PLANNING SITE VISITS

Minutes of the meeting held on 21 June, 2017

- PRESENT:** Councillor Nicola Roberts - Chair
- Councillors John Griffith, Kenneth P. Hughes, Trefor Ll. Hughes MBE, Eric Jones, R.O. Jones (for site visits 1 & 2 only), Dafydd Roberts.
- IN ATTENDANCE:** Lead Case Officer (DPJ),
Planning Officer (CR),
Senior Engineer (Highways Development Control) (EDJ).
- APOLOGIES:** Councillors Glyn Haynes, Vaughan Hughes, Shaun Redmond, Robin Williams.
- ALSO PRESENT:** Councillors R. Meirion Jones and Alun Mummery (for site visit 2);
Councillors Bryan Owen and Peter S. Rogers (for site visit 3).

1 36C351 – FULL APPLICATION FOR THE DEMOLITION OF THE EXISTING DWELLING TOGETHER WITH THE ERECTION OF A NEW DWELLING IN ITS PLACE, THE ERECTION OF A GARAGE AND IMPLEMENT STORE, CLOSURE OF THE VEHICULAR ACCESS SERVING THE EXISTING DWELLING, EXTENSION TO THE CURTILAGE, ALTERATIONS TO THE EXISTING AGRICULTURAL ACCESS TO SERVE THE PROPOSED DWELLING AND THE CREATION OF A NEW AGRICULTURAL ACCESS INTO THE ADJOINING FIELD AT TY LLWYD, RHOSTREHWFA

Members visited the site and details of the scheme including the position of the new dwelling, the proposed access and the number of outbuildings to be demolished were confirmed. The Case Officer outlined the scale of the proposed dwelling and confirmed the proposed extended curtilage.

2 31C170E – FULL APPLICATION FOR THE ERECTION OF 16 DWELLINGS (10 DWELLINGS WITH 2 BEDROOMS, 4 DWELLINGS WITH 3 BEDROOMS AND 2 DWELLINGS WITH 4 BEDROOMS) TOGETHER WITH THE CONSTRUCTION OF A NEW VEHICULAR AND PEDESTRIAN ACCESS ON LAND ADJOINING TO HEN LÔN DYFNIA, LLANFAIRPWLL

Members visited the site and the Case Officer outlined the proposal including the differences between the previous application and the current scheme. Details of the proposed surface water drainage system were explained.

The Highways Officer explained that the proposed new footpath would be on the highway verge and the applicant's land and that the width of the Penmynydd Road carriageway would not be reduced as a result. Furthermore, whilst the telegraph poles would be within the payment, there would be adequate space to pass.

A Local Member gave a background to the application and outlined issues of concerns. The Case Officer responded to issue of concerns as to whether the Welsh Government Highways had been consulted as operators of the A55 and confirmed that this had occurred and a holding objection requiring further information had been received.

3 45LPA1029A/CC/ECON – FULL APPLICATION FOR THE ERECTION OF A NEW PRIMARY SCHOOL TOGETHER WITH THE CREATION OF A NEW VEHICULAR ACCESS ON LAND ADJACENT TO MORAWELON, NEWBOROUGH

Members visited the site and details of the scheme were confirmed. The Case Officer confirmed that an Archaeological Report had been submitted in support of the application.

Members queried as to the number of pupils that would be attending the new Primary School and the Case Officer responded that details would be included within the report to the Planning and Orders Committee.

**COUNCILLOR NICOLA ROBERTS
CHAIR**

7.1

Gweddill y Ceisiadau

Remainder Applications

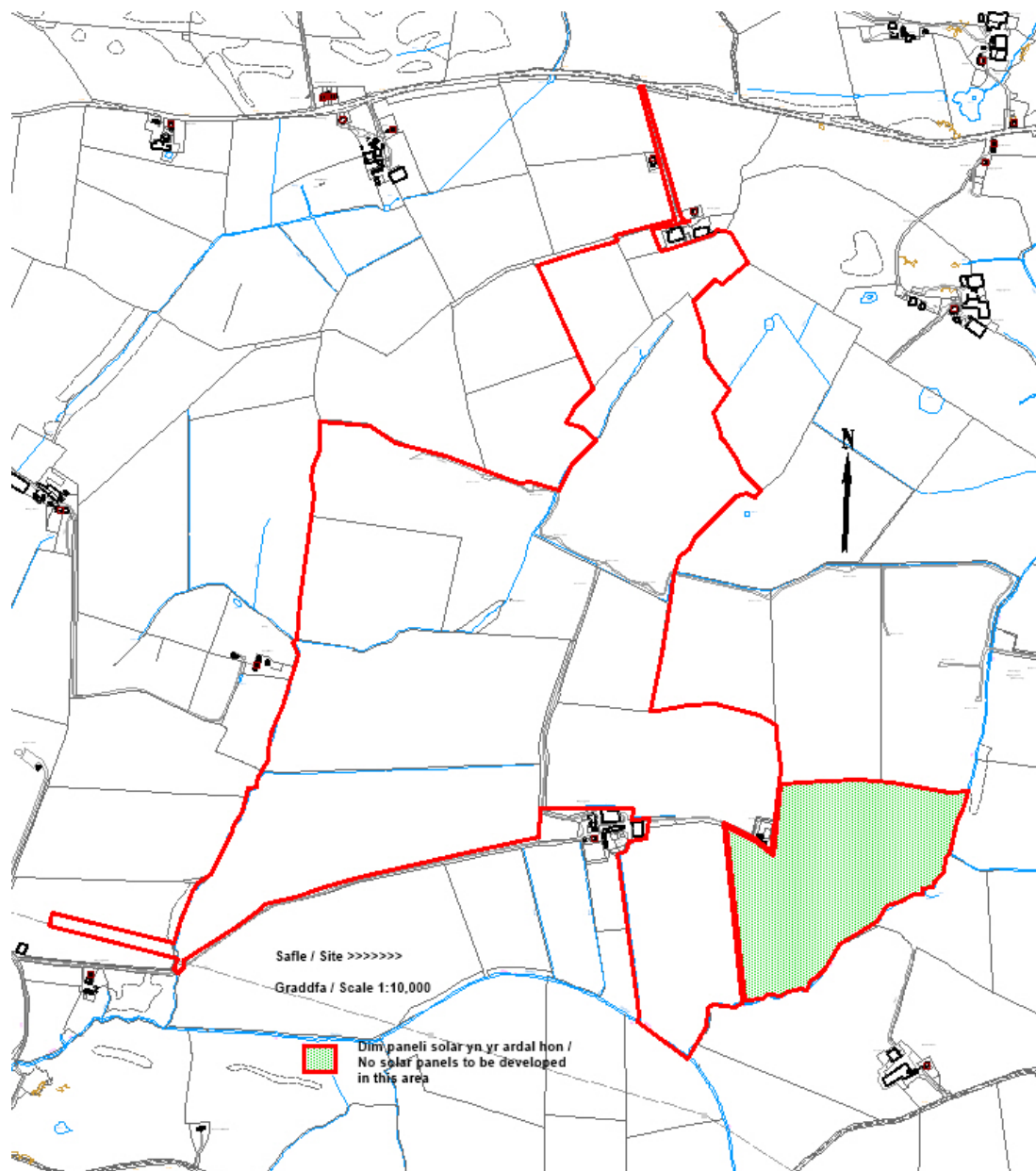
Rhif y Cais: **20C310B/EIA/RE** Application Number

Ymgeisydd Applicant

Countryside Renewables (North Anglesey) Ltd

Cais llawn ar gyfer adeiladu fferm arae solar 49.99MW ynghyd ag offer a isadeiledd cysylltiedig a gwaith ategol ar dir ger / Full application for the construction of a 49.99MW solar array farm together with associated equipment, infrastructure and ancillary works on land adjacent to

Rhyd y Groes, Rhosgoch



Planning Committee: 05/07/2017

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

Recommendation:

Permit.

Reason for Reporting to Committee:

The application is accompanied by an Environmental Impact Assessment (EIA)

The application was first presented to the Planning and Orders Committee on 27th July 2016 with a recommendation that Members visit the site prior to making a determination. The site was visited on the 17th August 2016 but at the subsequent meeting of the Planning and Orders Committee the recommendation made was to defer determination whilst additional information was being considered.

This remained the case in subsequent meetings of the Committee until a report was presented to the Members at the 1st March 2017 Committee meeting with a recommendation that the application be approved. The application was however deferred at that meeting in order to allow a site visit specifically to see the site in relation to the property at Buarth y Foel. At the subsequent two meetings of the Planning and Orders Committee on the 5th and 26th April 2017 the application was deferred during the election period.

Due to local elections and a change in members of this Committee, the site and the property at Buarth y Foel were revisited on 9th June, 2017. The application was deferred at the meeting held on 14th June in exercise of the Chair's discretion in order to allow an additional public speaker to participate.

It should be noted that a request to call-in the application for determination by the Welsh Ministers was rejected in a letter from the Welsh Government dated 7th March 2017.

1. Proposal and Site

The site is located at Rhyd-y-Groes farm, near Llanbadrig, Cemaes Bay in the open countryside on land roughly halfway between the settlements of Cemaes and Amlwch, approximately 1.5 km south-east of Cemaes Bay on the coast of North Anglesey. The land is included within a Special Landscape Area, the AONB lies 245m to the north (Nearest point) on the opposite side of the A5025.

The land surrounding the site predominantly comprises agricultural holdings and a few rural dwellings: Tyn-y-Gors adjoins the western site boundary (and Nant- y-Frân lies 450m northwest of this); Rhyd-y-Groes adjoins the south of the site; Hafodllin Bach and Hafodllin Fawr are close to the south-east of the site; while Buarth-y-Foel and Tregynrig Fawr are close to the most northern part of the site.

The site is currently in use as agricultural grazing land. However, part of the existing Rhyd-y-Groes Wind Farm is within the application site boundary. The wind farm originally comprised 24 turbines installed in 1993 (now 22 operating turbines), each with a tip height of 46m. The Rhyd-y-Groes wind farm is a dominant feature of the landscape surrounding the site.

The application proposes the installation of solar PV arrays measuring 1m x 1.65 at an angle of 15-30 degrees and maximum 3m in height which will connect to the national grid. The application site area is 89.4 hectares, with the solar panels and associated infrastructure occupying approximately 40% of the site area. The footprint of the supporting posts will be less than 1% of the total development area.

It should be noted that since the application was submitted, the applicant has reduced the development area by 11.2ha after taking into account the comments of GAPS on archaeology and Officer concerns in respect of landscape impact.

This is explained in the relevant sections in this report.

The proposed installation will incorporate arrays of free standing, ground-mounted solar PV panels, which will have an estimated maximum installed generating capacity of 49.99MW. The installation will be quiet during operation and will have no moving parts. It will connect to the local electricity distribution network and produce enough electricity to power 15,500 homes on an annual basis, which is the equivalent of half of Anglesey's homes. CO2 savings over the lifetime of the project will be 612,000 tonnes, the equivalent of taking 14,000 cars off the road.

It should be noted that the Anglesey branch of CPRW notes in its objection that:

“Some renewable sources of energy do not deliver a consistent supply of electricity. Their generation varies with the weather so as dependence on them has grown, so has the need for reliable back-up generation to ensure that the lights do not go out. Ensuring this back-up is available has added to consumers' bills.”

They further state that “only supportive statistics have been included in the report, not the basic factual information upon which decisions such as this should be made. This factual information is of paramount importance when there are conflicting planning policies, as there are in this case, between the conservation and enhancement of landscape character and the provision of renewable energy. The lack of basic factual information means the Officer's report is not balanced”.

Operational access for maintenance will be achieved via the new access point near Rhyd-y-Groes Farm (this will be the primary access point during operation) and the access point at Buarth-y-Foel will also be retained for use as required.

Sheep will be allowed to graze in between and beneath the solar panel arrays.

The installation will also include the following associated infrastructure:

Gravel access roads.

Landscaping, bunding and planting.

Post and wire security fencing along the hedgerows.

CCTV cameras.

Solar PV Inverter Substations

A Substation Compound (for grid connection) which comprises:

32 containerised battery stores and 8 inverter units;

Grid connection equipment including transformers and switchgear and ancillary equipment.

Switchgear and ancillary equipment.

Cabling works reaching from the panels/inverters (this will be routed to the substation via a network of shallow trenches which will be back filled)

Electricity will be cabled from the site by statutory undertakers under their permitted development rights.

2. Key Issue(s)

The application is accompanied by an Environmental Statement which informs the proposals. Following a scoping procedure and the issuing of a scoping opinion (July 2015) by the LPA the submitted Environmental Statement included the following matters, landscape and visual impact, ecology and Nature Conservation, Cultural Heritage and Archaeology, floodrisk, hydrology and ground conditions. Other matters were included and are dealt with elsewhere in this report.

The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

3. Main Policies

The Gwynedd Structure Plan (1993)

The Gwynedd Structure Plan (Structure Plan) was adopted in 1993 and provides strategic planning policy and guidance for development in Gwynedd and Anglesey for the period 1991 to 2006. The Structure Plan sets out the key general policies as a framework for the more detailed policies in the Ynys Môn Local Plan. The Structure Plan forms one part of the Development Plan for Anglesey and is therefore a material planning consideration in the determination of this application.

Policy C7 states that there will be a presumption in favour of renewable energy proposals, provided that the impacts upon the locality are acceptable to the local planning authority. Proposals should be supported by an Environment Assessment where applicable.

Policy D4 states that careful location, siting and design will be a material consideration in the determination of all applications for development in order to minimise any adverse impact on the environment. Where appropriate, planning applications should be accompanied by a comprehensive environmental statement in accordance with the relevant legislation.

Policy D10 seeks to ensure that the County's heritage of wild flora and fauna and geological and physiographic features are safeguarded, particularly NNRs, SSSIs, RSPB Reserves, wetlands, Ramsar sites, Special Protection Areas (under EC Bird Directive 74/409), Local Nature Reserves and other areas of high nature conservation interest.

Policy D15 seeks to preserve Scheduled Ancient Monuments, areas of archaeological importance and unscheduled archaeological sites and highlights the need to investigate archaeological sites of unknown importance and areas of high archaeological potential. Provision should be made for an appropriate archaeological response for archaeological sites not meriting preservation.

Policy D22 states that any development in close proximity to a listed building and having a bearing on its setting or character will be carefully controlled.

The Ynys Môn Local Plan (1996)

The Ynys Môn Local Plan (Local Plan) was adopted in 1996 and provides an interpretation of the policies in the Structure Plan in more detail, along with a series of supplementary Proposals Maps. Although the Local Plan remains part of the Development Plan for Anglesey, the plan period has now expired and therefore the provisions of PPW take precedent over the content of the Local Plan where there is considered to be a conflict.

Chapter 2 of the Local Plan outlines the 'General Strategy' for Isle of Anglesey, which is supported by the more detailed policies on jobs, physical infrastructure and the environment, set out in Chapters 3-5 of the Local Plan. The General Strategy identifies renewable energy as a key planning issue to be addressed by the strategy, and paragraph 2.1 states that:

"With Government emphasis now being placed on the generation of energy from safe, alternative sources, pressure for developments exploiting renewable, natural sources (e.g. wind power) are

likely to increase.”

The General Strategy has a presumption in favour of sustainable development, and paragraph 2.5 recognises the need for development to be “sustainable” in order to achieve economic development.

Policy 1 (General Policy) states that, in considering planning applications, the Council will take into account the needs and interests of the Welsh language; energy conservation; the effect on any site or area of ecological, landscape, scientific, archaeological or architectural interest; the extent to which siting, scale, density, layout and appearance fit in with the character of the area; the effect on residential amenities; and protection of the best and most versatile agricultural land. This policy further states that there is a need to ensure that vehicular access, the roads leading to the site, and parking provisions are safe and adequate.

Policy 31 (Landscape) designates the entire Island as a Special Landscape Area, excluding the AONB and land which falls within the settlement boundaries as defined in the Local Plan, and requires proposals to have particular regard to the special character of their surroundings.

Policy 32 (Landscape) seeks to protect trees, hedgerows, stone walls, ‘cloddiau’ and other traditional landscape features from inappropriate development.

Policy 39 (Archaeological Sites) states that the Council will use its planning powers to ensure that Scheduled Ancient Monuments and their settings are retained intact. Unscheduled archaeological sites and their settings of sufficient importance to merit preservation will also be protected. Where proposals affect other unscheduled archaeological remains which do not merit preservation, provision will be made for an appropriate archaeological response.

Policy 41 (Conservation of Buildings) states that buildings of special architectural and historic interest and their settings will be protected from unsympathetic development, alterations or demolition.

Policy 42 (Design) seeks to promote high quality design for development proposals. Development proposals should have particular regard to the surroundings of the site; the quality of layout, design and external finishes; and the provision made for pedestrian access and circulation.

Policy 45 (Renewable Energy) provides a framework for the identification of potential development impacts for renewable energy projects. For a development proposal to be acceptable it should be clearly demonstrated that there will not be any unacceptable impact on:

Landscape character

Sites of international, national or local importance for nature conservation;

Species which are of nature conservation importance;

The standard of amenity enjoyed by the resident and tourist population; and essential public services and communications.

It goes further at paragraph 4.49, which states that projects such as solar schemes can make a valuable contribution to safe energy provision in the future, as well as diversifying the economic base of rural areas. Paragraph 4.49 emphasises that renewable energy developments have a role to play in overall Government energy policy by:

Assisting in the diversification of the sources of electricity supply;

Displacing harmful fossil fuel emission, reducing overall Carbon Dioxide and Sulphur Dioxide emissions to the atmosphere, and thus assisting the Government in meeting its international and European environment obligations; and

Reducing transmission losses in the national grid.

The Stopped Ynys Môn Unitary Development Plan (2005)

The Ynys Môn Unitary Development Plan (Stopped 2005) sets out the IACC's strategic priorities for the development and other use of land on Anglesey as well as the detailed policies and proposals for development. It was intended that the UDP would cover the period from 2001 to 2016.

On 1st December 2005, the IACC resolved to stop work on the Ynys Môn Unitary Development Plan (UDP) and proceed to commence preparation of the Anglesey and Gwynedd Joint Local Development Plan (JLDP). As a result, the UDP was not adopted. Nevertheless, the UDP may be a material planning consideration, given the advanced stage it reached in its preparation; however it does not have the status of a fully adopted plan.

Chapter 5 of the UDP outlines the 'General Strategy' for Anglesey, which is supported by the 'Policies' set out in Chapter 7 of the UDP. The General Strategy and vision has a presumption in favour of sustainable development, and one of the key objectives of the UDP is to:

"Promote and encourage the development and use of renewable and non-renewable sources of energy (where appropriate) and promote energy efficient development and design." (UDP, Chapter 6, Objective 12).

Part 1, Policy 8b (Energy Developments) states:

"Applications for the development of renewable and non-renewable energy resources will be permitted where it can be demonstrated that there will be no unacceptable adverse impact upon the environment. Preference will be given to the development of clean renewable energy sources, but proposals for non-renewable energy projects will be permitted if they encourage the maximum use of energy efficiency within their design."

General Policy GP1 (Development Control Guidance) provides a framework for the control of new development proposals. Development will be permitted where it:

Does not cause significant harm to people, general amenity, residential amenity and the environment;

Protects the best and most versatile agricultural land; and

Safeguards and enhances the integrity and/or continuity of the environment, including archaeological sites, landscape features and corridors such as stone walls, cloddiau, hedgerows, trees, ponds and rivers.

Policy EN1 (Landscape Character) requires development to fit into its surroundings without significantly harming the Landscape Character Areas.

Policy EN4 (Biodiversity) seeks to ensure that development does not cause unacceptable harm to biodiversity on the Isle of Anglesey. Development must be designed to maintain, and where appropriate enhance the biodiversity of the natural environment.

Policy EN14 (Tree Preservation Orders and Hedgerows) requires measures for the protection and retention of existing trees, hedgerows and woodlands to be submitted as part of development proposals. Where trees or hedgerows are removed as part of a development, replacements using the original and indigenous species will normally be required. Hedgerows will be protected from inappropriate development.

Policy ENV16 (Landscape Features of Major Importance for Flora and Fauna) permits development that would adversely affect the integrity or continuity of specific landscape feature (including hedgerows, ditches and bank or habitat mosaics or networks of other locally important habitats) where it can be demonstrated that the need for the development clearly outweighs the need to retain the features. Mitigating measures which would reinstate the integrity or continuity of the features will be required.

Emerging Local Planning Policy

Joint Local Development Plan Anglesey & Gwynedd (2011-2026) Deposit Plan (2015)
Gwynedd Council and IACC have decided to prepare a Joint Local Development Plan (JLDP) for Anglesey and the Gwynedd Local Planning Authority Area. The plan sets out the land use planning policy framework over a 15 year period (2011-2026) and comprises the general strategy and strategic priorities as well as more detailed policies. Once adopted, the JLDP will form the Development Plan for the Anglesey and Gwynedd Local Planning Authority Area.

Chapters 5 and 6 of the Joint Local Development Plan (LDP) outline the 'Vision and Strategic Objectives' and 'The Strategy' for Anglesey and Gwynedd, which are supported by the policies in Chapter 7 of the LDP. The Strategy has a presumption in favour of sustainable development, which is emphasised by the Strategic Objectives and subsequent policies, as set out below.

Strategic Objective 5 seeks to ensure that development supports the principles of sustainable development and creates sustainable communities.

Strategic Objective 6 seeks to minimise, adapt and mitigate the impacts of climate changes. This will be achieved through the promotion of renewable and low carbon energy production within the area.

Strategic Policy PS5 (Sustainable Development) states that proposals will only be permitted where it is demonstrated that they are consistent with the principles of sustainable development. This policy provides a list of criteria which must be adhered to by development proposals.

Strategic Policy SP6 (Alleviating and Adapting to the Effects of Climate Change) states that in order to alleviate the effects of climate change proposals will only be permitted where it is demonstrated that development proposals adhere to the criteria as listed in this policy.

Strategic Policy SP7 (Renewable Energy Technology) states that The Councils will seek to ensure that the Plan area wherever feasible and viable realises its potential as a leading area for initiatives based on renewable or low carbon energy technologies by promoting renewable energy technologies within development proposals which support energy generation from a variety of sources which include solar generation and free-standing renewable energy technology development.

Strategic Policy SP16 (Conserving and Enhancing the Natural Environment) states that the Councils will manage development so as to conserve and enhance the Plan area's distinctive natural environment, countryside and coastline, and proposals that have an adverse effect on them will be refused. Proposals must have regard to the environmental considerations listed in this policy.

Policy PCYFF1 (Development Criteria) sets out a list of criteria which must be adhered to by development proposals. Furthermore, development should not have an unacceptable adverse impact on prominent public views of open countryside, the highway network and vehicular access, the health and safety and amenity of the local residences or other land and property uses, the quality of ground or surface water and the best and most versatile agricultural land.

Policy PCYFF2 (Design and Place Shaping) states that all proposals will be expected to demonstrate high quality design, which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Innovative and energy efficient design will be particularly encouraged. Proposals will only be permitted where they confirm to the relevant criteria as listed in this policy.

Policy PCYFF3 (Design and Landscaping) states that all proposals should integrate into their surroundings. This policy provides a list of criteria which should be met by landscaping schemes.

Policy ADN2 (Other Renewable Energy Technologies) states that large scale proposals located outside development boundaries will be permitted in exceptional circumstances where there is an

overriding need for the scheme which can be satisfactorily justified or there are specific locational circumstances for the siting of the development. In all cases proposals should not cause an unacceptable harm to the landscape, biodiversity, archaeology and areas of historic value or their settings. In addition, the potential effect of cumulative impact of renewable energy technologies should be considered.

Policy AMG2 (Protecting and Enhancing Features and Qualities That Are Unique to the Local Landscape Character) states a proposal will be granted provided that it doesn't have an adverse impact upon features and qualities which are unique to the local landscape in terms of visual, historic, geological, ecological or cultural aspects. Measures should be taken to ensure that the development does not cause significant adverse impact to the character of the built or natural landscape; fails to harmonise with, or enhance the landform and landscape; and lose or fails to incorporate traditional features, patterns, structures and layout of settlements and landscape of both the built and natural environment.

Policy AMG4 (Local Biodiversity Conservation) states that proposals should protect and enhance biodiversity that has been identified as being important to the local area. Proposals should adhere to the criteria listed in this policy. Where necessary, an Ecological Assessment which highlights the relevant biodiversity issues should be included with the planning application.

Planning Policy Wales 9th Edition

Chapter 4 of PPW sets out the Welsh Government's (WG) policy for planning for sustainability across Wales. One of the key aims of this national policy is to:

"Support the need to tackle the causes of climate change by moving towards a low carbon economy. This includes facilitating development that reduces emissions of greenhouse gases in a sustainable manner, provides for renewable and low carbon energy sources at all scales and facilitates low and zero carbon developments." (PPW, paragraph 4.4.3)

Paragraph 4.6.4 highlights that the countryside is a dynamic and multi-purpose resource. PPW recognises that whilst it should be conserved and enhanced, the countryside also plays a role as a sustainable energy source.

Chapter 12 of PPW sets out the Welsh Government's (WG) policy for delivering infrastructure and services across Wales. One of the key aims of this national policy is to:

"Promote the generation and use of energy from renewable and low carbon energy sources at all scales and promote energy efficiency, especially as a means to secure zero or low carbon developments and to tackle the causes of climate change." (PPW, paragraph 12.1.4)

This guidance also confirms the WG's commitment to achieving the UK target of 15% of energy from renewables by 2020 by specifically stating that:

"The Welsh Government is committed to playing its part by delivering an energy programme which contributes to reducing carbon emissions as part of our approach to tackling climate change whilst enhancing the economic, social and environmental wellbeing of the people and communities of Wales in order to achieve a better quality of life for our own and future generations. This is outlined in the Welsh Government's Energy Policy Statement Energy Wales: A Low Carbon Transition (2012)." (PPW, paragraph 12.8.1)

The support for renewable energy is further emphasised in Paragraph 12.8.2 of PPW which confirms that:

"Planning policy at all levels should facilitate delivery of both the ambition set out in Energy Wales: A Low Carbon Transition and UK and European targets on renewable energy."

In addition, the guidance states that Local Planning Authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy and help to tackle the causes of climate change. Specifically, the guidance (paragraph 12.8.9) requires LPAs to

make positive provision by (amongst other matters):

Considering the contribution that their area can make towards developing and facilitating renewable and low carbon energy, and ensuring that development plan policies enable this contribution to be delivered;

Ensuring that development management decisions are consistent with national and international climate change obligations, including contributions to renewable energy targets and aspirations; and

Recognising the environmental, economic and social opportunities that the use of renewable energy resources can make to planning for sustainability.

Paragraph 12.8.10 states that there is a need to ensure that “international and national statutory obligations to protect designated areas, species and habitats and the historic environment are observed”.

Paragraph 12.8.15 states the impacts from renewable energy developments will also vary depending on their location and scale and require different policy and development management considerations.

PPW also contains guidance specifically related to development management decisions for renewable and low carbon energy development. The guidance advises that developers for renewable and low carbon energy developments should seek to avoid, or where possible minimise, adverse impacts through careful consideration of location, scale, design and other measures.

Paragraph 12.10.1 highlights matters that should be taken into account in dealing with renewable and low carbon energy development and associated infrastructure by the local planning authority. This covers the positive aspects such as contribution to meeting national, UK and European targets and wider environmental, social and economic benefits. It also highlights the need to consider impact on the natural heritage, the coast and the historic environment and the need to minimise impacts on local communities. Other matters such as mitigation and infrastructure matters, e.g. grid connection and transportation network are also highlighted within 12.10.1.

The paragraph goes on to state that in determining applications for renewable and low carbon energy development and associated infrastructure, local planning authorities should take into account –

The contribution a proposal will play in meeting identified national, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gas emissions;

Technical Advice Notes (TAN)

TAN 6 – Planning for Sustainable Rural Communities (July 2010)

The purpose of this TAN is to provide practical guidance on the role of the planning system in supporting the delivery of sustainable rural communities. This TAN provides guidance on how the planning system can contribute to sustainable rural economies, sustainable rural services and sustainable agriculture.

It emphasises the need to support working and living in rural communities by helping to ensure that a higher proportion of energy can be obtained from renewable sources. At paragraph 2.1 it states that;

“Simultaneously, the planning system must respond to the challenges posed by climate change, for example by accommodating the need for renewable energy generation.”

It goes further at paragraph 3.7.2 stating that;

“Many economic activities can be sustainably located on farms. Small on-farm operations such as food and timber processing and food packing, together with services (e.g. offices, workshop

facilities, equipment hire and maintenance), sports and recreation services, and the production of non-food crops and renewable energy, are likely to be appropriate uses.”

TAN 8 – Planning for Renewable Energy (2005)

The purpose of this TAN is to provide practical guidance on the land use planning considerations for renewable energy, including onshore renewable energy technologies. This TAN supplements the policy set out in Sections 12.8-12.10 of PPW. The Assembly Government has published additional practice guidance to support of PPW and TAN 8, which comprises Practice Guidance: Planning for Renewable and Low Carbon Energy – A Toolkit for Planners (February 2011) and Practice Guidance: Planning Implications of Renewable and Low Carbon Energy Developments (September 2015).

At paragraph 1.6, TAN 8 states that:

“As well as developing new sources of renewable energy which are essential to meeting the targets set by energy policy, the Assembly Government is fully committed to promoting energy efficiency and energy conservation. The land use planning system is one of a number of mechanisms which can help deliver improved energy efficiency and local planning authorities are expected to consider matters of energy efficiency when considering planning policy and applications.

While TAN 8 does not extend much in the way of prescriptive technical advice regarding solar PV installations, it does add emphasis and favour towards their development. Specifically, it states that:

“Other than in circumstances where visual impact is critically damaging to a listed building, ancient monument or a conservation area vista, proposals for appropriately designed solar thermals and PV systems should be supported.” (TAN 8, paragraph 3.15)

Further than this, no explicit instruction is given regarding the suitable location of solar PV systems. The site itself does not contain any scheduled ancient monuments, and though there is a historic building to the south of the site, it is considered that the combination of its distance away and the screening of the site will ensure that there will be no significant detrimental impact from a landscape and visual perspective on this building or the wider environment. The application proposals are therefore considered to be entirely in accordance with TAN 8.

Practice Guidance

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

This practice guidance was published in February 2011 and provides local authorities with information to consider when determining planning applications for renewable and low carbon developments. The guidance should be read in support of PPW (in particular, Sections 12.8-12.10) and TAN 8.

For each renewable and low carbon energy technology, this guidance provides an overview of the main considerations including technological and financial constraints; environmental, social and economic impacts and benefits; design, mitigation and enhancement measures; the effects of climate change on these technologies; relevant financial drivers and barriers; and the opportunities for community engagement and planning obligations.

The guidance was updated in 2011 to include guidance on the planning implications of solar arrays. Paragraph 8.4 of this guidance states that the design, mitigation and enhancement measures of solar arrays should be considered in terms of the following key impacts: Landscape and Visual; Glint and Glare; Ecology; Historic Environment; Agriculture; Hydrology and Flood Risk; Cumulative Impacts.

Appendix 3 of the Practice Guidance identifies that, where there is likely to be a potential impact on identified features of cultural historical interest, including below ground archaeology, suggested mitigation measures include designing plant layout to avoid impact on archaeological remains, such

as the use of surface ducting for cables and concrete shoes for ground anchoring. The Guidance further recommends that trial trenching to confirm the presence / absence of any buried archaeological resource should be undertaken prior to construction with a programme of archaeological monitoring in place during construction.

Practice Guidance: Planning for Renewable and Low Carbon Energy – A Toolkit for Planners (September 2015)

This toolkit was published in September 2015 and provides local authorities with a methodology for developing a robust evidence base to assist in the preparation of renewable energy and low carbon energy assessments in their area. The information collected by such assessments can provide an evidence base to underpin renewable energy and low carbon energy policies in local developments plans. Accordingly, the toolkit provides advice on how to translate renewable energy assessment outcomes into local development plan policies and targets. The guidance should be read in support of PPW (in particular, Sections 12.8-12.10) and TAN 8.

The toolkit includes a section on how to assess the potential for solar farm developments. The toolkit advises that the assessment of the potential capacity and electricity generation potential for solar arrays in the local authority area should consider constraints including woodland, lakes and rivers, flood zones, Special Protection Areas (SPA), Special Area of Conservations (SAC), Candidate Special Area of Conservation (cSAC), RAMSAR sites, National Nature Reserves (NNR), Local Nature Reserves (LNR), Sites of Special Scientific Interest (SSSI), Marine Nature Reserves (MNR), Scheduled Ancient Monuments (SAM) and Areas of Outstanding Natural Beauty (AONB).

The toolkit further advises that more detailed site level issues and constraints may be best assessed at the planning application stage for individual sites. At this stage, assessment could include a landscape sensitivity analysis, identification of the distance to the nearest appropriate electricity grid connection and proximity to public rights of way and bridleways. Furthermore, local authorities are advised to commission work to establish landscape and cumulative impacts to support their assessments if necessary.

4. Response to Consultation and Publicity

Local Members: No comments

Llanbadrig Community Council: Object as too large and will be visible from A5025 and AONB.

Amlwch Town Council: Object consider an overdevelopment on agricultural land and would have a visual impact

Mechell Community Council: Consider too large, will harm tourism and house prices

134 letters have been received from individuals and organisations including the Anglesey Branch of the Campaign for the Protection of Rural Wales of which over 70 are proforma, points raised include:

The figures quoted for power generation are factually incorrect,

Too large

Will harm landscape

Will be visible from residential properties

Could damage archaeological sites

Will be visible for miles

Will distract drivers

Will be seen by walkers

Concerns regarding radio interference

Grazing land lost

Flora and fauna affected

Will produce limited energy

There is no need

Little employment

No provision for decommissioning
Safety issues
Disruption during construction
Harm geology
There will be glare
Not in JLDP
Harm residential amenity
Harm to the tourism industry

Ysgol Sir Thomas Jones Amlwch and Ysgol Gynradd Cemaes have written commenting;

Do not support or oppose but will benefit from £300,000 between them over the life of the array, stating that it is expected that this will improve academic performance and welcomes contribution

In addition, there have been 7 letters of support, including local residents, the Farmer's Union of Wales, the IACC Energy Island Programme, and Friends of the Earth. Points raised include:

Supports the Energy Island
Excellent sunshine
Environmentally friendly
Low aesthetic impact
Benefit local businesses
Substantial merits outweigh other considerations
Natural and valuable part of the Energy Island
Much less visible than a row of pylons

Consultees

Highways - recommend conditions

Welsh Water – conditions

Natural Resources Wales - no objection

Ecological Advisor - no objection

MOD - no objection

Welsh Government - no objection in respect of loss of agricultural land

GAPS have objected to the scheme as they consider further investigation (trenching) should be carried out prior to the determination of the application. However, following the removal of the field to the SE whist still raising concerns suggest a condition to ensure a scheme of archaeological investigation works.

North Wales Police raise concerns regarding traffic at pinch points such as bridges. The applicant is however to instigate discussions to ensure traffic problems are kept to a minimum. This could include timing of vehicles when they approach pinch points and discussing the type and size of vehicles which will be used. This requirement is to be included within the terms of the Traffic Management Plan.

5. Relevant Planning History

20C310/SCR/RE Screening opinion for the siting of a 40 - 50MW solar array farm on land at Rhyd y Groes – EIA required 23/6/2015

20C310A/SCO/RE Scoping opinion for the siting of a 40 - 50MW solar array farm on land at Rhyd y Groes – 23/6/2015

20C102C Formation of a windfarm comprising of 24 wind turbines (46m tip height) together with the erection of a grid connection building and ancillary works at Rhyd y Groes - approved 20/11/92

20C102L/EIA/RE - Full application for the erection of 11 wind turbines comprising of 6, up to 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 3, up to 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, and 2, up to 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 66m above ground 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 – approved 21/10/16

6. Main Planning Considerations

The below are considered the main planning considerations in respect of this case.

Principle of Development

The quoted policies in section 3 of this report show that there is a wealth of policy support for green energy at both local and national level. These policies establish the principle of renewable energy proposals and actively encourage such proposals.

In an oral statement on energy on 6th December 2016, Cabinet Secretary for Environment and Rural Affairs, Lesley Griffiths, commented on the Welsh Government's commitment to support renewable energy projects, as set out in 'Taking Wales Forward' which includes *support for the development of more renewable energy projects*. In her oral statement, Mrs Griffiths commented:

"To deliver secure and affordable low-carbon energy, we need a mix of different technologies and sizes, from community scale to major projects," and "we will maximise the role of renewable generation."

In supporting the UK Government's proposals to phase out unabated coal-fired generation by 2025, Mrs Griffiths stated that *"this includes supporting renewable generation, including least-cost technologies such as solar and wind."*

Landscape and Visual

The application was accompanied by a Landscape and Visual Impact Assessment which demonstrated that, despite its scale, the development is well screened by the existing landform and existing vegetation, and that this would be enhanced through the provision of further landscaping and planting proposed as part of the application.

The assessment work undertaken also demonstrated that the proposal will be difficult to see from the A5025 and will not have a detrimental impact on the AONB. These conclusions are supported by the consultation responses from Natural Resources Wales (NRW) and the Council's Landscape Officers who have not raised any objection to the proposal in relation to the impact on the A5025 or the AONB.

NRW stated:

"...the proposal would appear as a small element of the panoramic inland views, within the middle to far distance. The pattern and tonal colour of the solar farm would assimilate reasonably well with the irregular mosaic pattern of gorse and pasture fields.... We consider the effect upon AONB views and perceptions of the area's natural beauty would therefore not be significant."

Initially there were concerns regarding the impact the scheme would have on the locality furthermore it was considered that the reports submitted with the application did not give a true reflection of the impact of the proposals. However following an extensive analysis of the site and the array proposed along with discussions with the developers agent it was agreed to remove 2 fields from the proposal site.

The consequence of this was to reduce the impact of the scheme from vantage points of concern namely the Copper Trail.

The scheme's impact will now be localized to areas immediately surrounding the site and not farther afield. A proposal of this scale will inevitably generate some detrimental effects and harm. However, these effects are localised and do not extend beyond the immediate area and harm generated would not be across the wider Landscape Character Area of North West Anglesey.

In terms of the impact on the A5025, the applicant has stated that:

"The proposal will not have any significant detrimental impact on motorists. Whilst the development may be fleetingly visible to some motorists, depending on their speed of travel, the development would only be in their field of view momentarily and would be competing with more dominant and readily discernible development in terms of the Rhyd-y-Groes wind farm. Consequently, the glimpses of the solar farm will not be sufficient to detract from the overall character of the area and the experience of travelling through the landscape."

There is agreement that the effects of the array are local and do not extend in the wider landscape proposed SLA's or AONB.

In addition, the scheme has been considered in terms of its cumulative and in-combination impacts with the Rhyd y Groes windfarm and consented repowering scheme. The statutory consultee NRW and the Council's landscape officers have confirmed that unacceptable impacts are unlikely. Enhancements to the site will however be secured through condition in accordance with the Ecological Enhancement and Management Plan for Proposed North Anglesey Solar Project prepared by Adonis Ecology.

Glint and Glare

The PV cells are designed to absorb light and are therefore dark in colour and do not reflect much light. To minimise nuisance from glint effects further additional treatment is commonly added to the surface of PV cells to scatter reflected light in a nonspecular manner.

The applicant has provided a glint and glare study which demonstrates that there will be no unacceptable impacts on residential amenity. The MOD has no safeguarding objections. Nevertheless, a condition is proposed that a strategy to deal with any complaint of glint and glare is prepared and can be implemented.

Ecology

The application is supported by an Extended Phase1 Habitat Survey providing an assessment of habitats and their amounts, species, impact assessment, mitigation and cumulative impacts (with windfarm)

The assessment showed that whilst there were no significant impacts, as part of the scheme additional planting and ecology corridors are proposed. These improvements will enhance biodiversity at the site.

The details have been assessed by NRW and the Councils Ecological Officer and no objections have been raised. In addition, in-combination impacts with the consented Rhyd y Groes repowering scheme have been considered and no unacceptable impacts in principle arise. However, ecological safeguards, mitigation and enhancements to the site are proposed in the Ecological Enhancement and Management Plan for Proposed North Anglesey Solar Project (Adonis Ecology) and additional measures are proposed by NRW in relation to water voles and hares for example which are included in the proposed conditions.

Historic Environment

CADW has identified 2 scheduled monuments which have the potential for being affected by the proposals;

Pen-y-Morwyd Round Barrow 1 km north east
Werthyr Standing stone 1.1km north east

The impact on these they identify as being moderate and slight. Additionally CADW do not consider the impact on Parys Mountain objectionable.

Extensive research has taken place over the site and areas of high potential for the discovery of archaeological assets identified, these are contained in the Southeast area of the site and could include a large enclosure associated with smaller sub enclosures, likely pits and field enclosures these may represent a late prehistoric or Roman settlement.

GAPS have objected to the scheme as they consider further investigation (trenching) should be carried out prior to the determination of the application. Of particular concern is the area of land to the South East of the site.

Mitigation

The applicants propose the following;

Southeast area of the site – in light of the possible archaeological resource (identified by a series of curvilinear anomalies by geophysical survey and which also features as cropmarks on aerial photographs), and the probable date and coherence of the remains, the heritage value of this site is predicted to be high. To mitigate any potential major adverse impact, the southeast area will **be excluded** from the proposed development. Given the likely sensitivity of the remains in the southeast area, trenching should be avoided because the adverse effects of trenching, even if limited, is likely to alter any buried deposits far more significantly than the use of concrete shoe mountings

Northwest area of the site - characterised by possible field systems and enclosures which cannot be dated with any precision, but appear to be agricultural in origin and so represent an archaeological resource of possible medium value. To mitigate any potential minor adverse impact, the area should be subject to an appropriately worded condition on any grant of planning permission to investigate and record any matters of archaeological interest over the areas of highest impact (in line with the approved written scheme of investigation [WSI]). This would reduce any residual archaeological effects to negligible.

The applicants state;

“It is not disputed by the Applicant that further archaeological investigation is required prior to the commencement of development on site.

The question is when this investigation is to take place.

It is however considered that the extensive appraisal work undertaken both pre- and post-submission of the application, provides a sufficiently detailed understanding of the archaeological resource at the site to allow the application to be positively determined subject to a condition requiring the completion of investigation – an entirely appropriate and well-established approach in planning decisions”

A “Written scheme of investigation” (WSI) has been prepared and agreed with GAPS (As a post decision document).

The WSI provides an archaeological management plan designed to ensure the appropriate protection and investigation of archaeological remains in advance of construction works in respect of the installation of the PV-solar array.

The WSI proposes a programme of archaeological works that would consist of a staged approached. In summary, this would consist of:

- i. **Evaluation Phase** – this would be carried out post-determination, but pre-construction, in order to identify, characterise and record the potential archaeological features identified by the geophysical survey, if present. The evaluation phase would also test other areas in order to establish the archaeological potential of these areas. All necessary recording and survey control would be carried out during this phase to provide a record of any archaeological finds and features recovered during this phase
- ii. **Mitigation and Monitoring Phase** – subject to the results of the evaluation phase, areas of archaeological sensitivity could be identified that may be harmed by groundworks associated with the construction of the development. The works associated with this would take place during the preconstruction and construction phase of the development. All necessary recording and survey control would be carried out during this phase to provide a record of any archaeological finds and features identified during this phase and will comply with the standards set out in the WSI.
- iii. **Post-Excavation Phase** – A typescript report would be prepared immediately pre-construction and construction phase works are complete. This would include a full written description and interpretation of the results, including specialist reports and the arrangements for the publication and dissemination of results. The site archive would be lodged with Oriel Ynys Môn.

In respect of conditioning the required works the below planning context is of relevance;

GAPS are commissioned by the Council to provide development management advice. However, it is the LPA who must make the decision on the application in line with Section 38(6) of the 2004 Act. It is not uncommon for planning applications to be approved by an LPA without the full support of all internal Council consultees and departments.

In this instance it must be acknowledged that it will be the LPA which would need to justify why the planning permission could not be issued with an appropriately worded condition. The refusal on the application on this ground could leave the Council in a position where it had acted unreasonably and there would be a case for substantial costs to be paid in respect of this at appeal.

Furthermore, the conditioning approach is justified and supported by Welsh Government Practice Guidance entitled *Planning Implications of Renewable and Low Carbon Energy* (February 2011). This is designed to support LPAs in dealing with applications for renewable and low carbon energy development in Wales. It is a main source of detailed planning guidance on solar farms provided by the Welsh Government.

The Appendix to the Practice Guidance clearly identifies that trial trenching may be required before construction (as opposed to before determination)

Planning Policy Wales Edition 9 states in 3.5.4 that;

3.5.4 Planning permission cannot be granted subject to conditions which specifically require works on land outside the application site and outside the control of the applicant. However, it is possible for local planning authorities to grant permission subject to a condition that development should not be commenced or occupied until some obstacle to the development has been overcome.

Mention has been made of whether a precedent could be set in respect to the approach taken.

However, the notion that each planning application must be considered on its own merits is well-enshrined in case law, for example in *Dunster Properties Ltd v First Secretary of State [2007]*. This is because Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The balancing of material considerations is a delicate exercise, which will be entirely bespoke to each planning application. Equally, no provision is made in planning legislation for decisions to set precedents, which would not be appropriate given the individual characteristics of each site and individual merits of each development proposal.

It is acknowledged that consistency is required as a broad principle of good administration, which can also apply to decision-making in planning, as supported by decisions of the court. The

guidance of *Mann LJ in North Wiltshire DC v Secretary of State for the Environment (1993)* acknowledged that consistency was important for developers and planning authorities, but also that an inspector “must always exercise his own judgment”. Decision-makers are therefore free upon consideration to disagree with the judgment of another but before doing so, there ought to be reasons given. This supports the notion that each planning application must be considered on its own merits.

Additionally Counsels legal opinion has been sought by the applicants and this clearly outlines that conditioning is the appropriate approach and that a refusal would put the LPA in a position where it had acted unreasonably.

Furthermore, it should be noted that in their decision not to call in the application for determination, the Welsh Ministers indicated that

“The call-in request raised concerns the Council’s recommendation to permit the development was a misinterpretation of Planning Policy Wales ...and other legislative guidance relating to the historic environment and particularly archaeological remains which may be present on the site.

The Officer’s Report sets out the national and local planning policies against which the proposal should be determined...Matters relating to archaeological remains on or surrounding the site have been considered in the report and appropriate mitigation and conditions recommended.”

Agriculture

PPW seeks to promote diversification in the rural economy by accommodating both traditional rural industries and new enterprises. National policy requires that the best and most versatile (BMV) agricultural land (i.e. Grades 1, 2 and 3A of the Defra Agricultural Land Classification System) should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable.

As the application site is classed as Grade 3b of the Agricultural Land Classification (ALC) of England and Wales, it is not BMV land and therefore the application site is not of such a quality that any particular weight should be given to preserving the site for arable agricultural use – the site will continue to be used for the grazing of sheep in any event. Furthermore, these proposals would not have any adverse impact upon agricultural activity surrounding the site whilst it is operational. Lastly, it should be remembered that these proposals also do not constitute a permanent loss of agricultural land, since the ground will not be surfaced and nor will any permanent structures be erected upon the site. It will therefore be possible to remediate the land for agricultural purposes after the solar farm is no longer in use.

No objection has been raised by WG in respect of the uptake of agricultural land.

Hydrology and Flood Risk

A site investigation by the applicant’s consultants revealed that the majority of the site lies within Zone A as per the Welsh Government development advice maps, with a small proportion adjacent the river Wygyr in zone C2. It was suggested by the consultants that no panels be placed within the C2 zone or a limited Flood Consequence Assessment (FCA) produced to demonstrate flood risks can be managed and that the proposals do not increase flood risk to third party landowners.

Accordingly, a Flood Consequence Assessment has been prepared to outline the sources of flood risk to the site, measures to manage flood risk and justification for developing the site.

The FCA anticipates that the construction phase is likely to be the main source of potential effects to the current hydrological regime/water quality/flood risk. Construction best practice measures/mitigation will be operation during the period of construction. All details of best practice will be based on current guidance produced by CIRIA and the E.A./NRW which cover good construction techniques and pollution prevent and control measures. The proposed measures will be detailed within the Construction Environmental Management Plan (CEMP), the detail of which can be attached as a condition to planning permission.

The completed development as designed should present minimal risk of impacts to the hydrological environment. The current proposal is to maintain the status quo in terms of site drainage, it is not proposed to install additional drainage infrastructure, so there would be no on-going maintenance requirements. It is understood that currently the landowners/farm managers undertake little if any works in relation to maintaining subterranean field drains and boundary field drains and therefore no active management of the drains is proposed.

Welsh Language

The applicant has commented

“The development of a solar farm at the proposed site is not anticipated to have a significant impact on the Welsh Language. However, the IACC’s SPG on *Planning and the Welsh Language (2007)* requires all major applications to be accompanied by a Language Statement. Guidance on the content of Language Statements is included at Appendix 3 of the SPG. However, energy developments do not sit well within any of these categories. Category 4 relates to ‘Infrastructure’, but appears to be concerned with transport infrastructure, given that it seeks to establish whether the proposal would enhance accessibility to the language sensitive area.

Four questions are provided under the general considerations heading (5.1-5.4) of Appendix 3 of the SPG, which are each addressed below:

5.1 Are there appropriate local services such as shops, residential/community facilities to serve the development?

- Once operational, the site will be monitored remotely through the use of CCTV and only visited for occasional maintenance. Therefore, there will not be any employees requiring local services. Construction will last approximately 6-9 months; during this time workers will make use of facilities in the nearby settlements of Cemaes Bay and Amlwch.

5.2 Will the proposal create new opportunities to promote the language and local initiatives in the community?

- The lack of residents or significant numbers of employees resulting from the development means there is no tangible opportunity to meet this objective. Local employment will be sought during construction wherever possible.

5.3 How will the development promote the use of the language in the community?

- The nature of the development means that there is no opportunity to promote the use of the Welsh language. It is considered that the proposal would have a neutral impact on the use of the language.

5.4 What are the proposed mitigation measures?

- Given that the development would have no impact on the use of the Welsh language, no mitigation measures are required.

Notwithstanding this, the applicant has confirmed that all construction and operational signage associated with the proposed development will be bilingual.

Residential Amenity

A residential impact assessment has been submitted with the application.

It is accepted that there are dwellings near the solar array. However, an assessment has been made and those properties visited. Landscaping is proposed to screen some of the impact and whilst the array will be viewed from parts of the properties effected, it is not considered that the

proposals will cause such undue harm to residential amenity so as to warrant refusing the application.

Highways

Construction is anticipated to be completed in a single construction phase lasting approximately 6 months. A Construction Traffic Management Plan (CTMP) will be provided for the duration of the construction phase detailing routes, signage and controls of traffic etc. Following construction of the proposed development, the site will be monitored remotely. As such, the site will not be tended to on a regular basis, unless repairs/maintenance is required. Consequently, any traffic movements associated with the site will be minimal. Upon completion of the development, the only access to the site will be from maintenance vehicles, which is anticipated to occur twice year. The proposed life of the development is 30 years, after which all apparatus will be removed and the land reinstated and reverted to agriculture, as a single decommissioning operation over a period of 6 months. The proposed development will not result in a significant impact on existing traffic conditions. As such, it is considered that the proposed development is acceptable on highway safety grounds.

Effect on tourism

It is accepted that the scheme covers a large area of land.

However, the impact of this on the appearance and character of the locality can be directly related to the impact on tourism ie if the scheme can be seen from many vantage points, public rights of way etc and have a negative impact on that character, then it could be argued that this impact would have a negative impact on tourists enjoyment of their visit to Anglesey.

It should be noted that as identified in the "Landscape and visual " section of this report views of the array will be limited and localized and not considered to have an unacceptably negative impact on the appearance and character of this part of the Anglesey landscape.

The applicant has provided a copy of a report entitled 'The Impact of Renewable Energy Farms on Visitors to Cornwall', prepared for 'Good Energy' by 'South West Research Company Ltd' in November 2013.

The report documents the results of a research exercise undertaken between the 1st and 30th August 2013. Face to face surveys were conducted with over 1000 people at 6 different holiday locations in Cornwall – these included Padstow, Perranporth, Tintagel/Trebarwith, Widemouth Bay, Newquay and Penzance.

The research found that the vast majority (80%) of visitors to Cornwall had a positive attitude towards renewable energy with just 6% having a negative attitude towards it. In terms of solar farms specifically, the following key findings emerged:

- 75% of respondents were in favour of solar farms as a means of generating power, and only 9% had a negative attitude towards them;
- 71% of those visitors who were aware of the presence solar farms in Cornwall said that their presence had no impact on their visit to the County, 22% said that they had a positive impact, and only 7% said they had a negative impact.

Significantly, 94% of visitors said that the presence of renewable energy generators would make no difference to future visits to the County, and a further 4% said that their presence would make them more likely to visit again in the future.

Objectors however consider this report to carry limited weight, stating that the report "was paid for by Good Energy Ltd., a company that boasts it produces electricity from 100% renewable sources. So the report can hardly be described as independent. Produced in 2013 it surveys just over 1000 visitors to Cornwall regarding the impact of Renewable Energy Farms (i.e. wind and solar) on visitors to the county... however it omits the caveat contained in the Key Findings of the report as follows: "...the survey focused on visitors' attitudes in response to existing wind and solar farms and

therefore no firm conclusions can be drawn as to how these might change with further developments in the future.

In other words attitudes from visitors to further developments, i.e. additional to existing schemes, could turn NEGATIVE”.

The application has been considered by the Tourism Section and it is not considered that on balance, negative impacts will occur. In particular, the visual impacts of the turbines and repowering scheme are likely to extend further afield than the proposed solar array. It is not considered that the landscape will be industrialised to such an extent as to warrant refusal. NRW supports the view in relation to landscape impacts.

7. Conclusion

Planning policies in Wales and the UK as a whole encourage the provision of green energy sources. Whilst the exact rate of generation is challenged, it is accepted that the PV installation will make a substantial contribution towards sustainable energy resources for the whole country.

Whilst acknowledging the general encouragement for renewable energy developments, planning applications must be determined taking into account the potential for harm. In summary;

- **Landscape and visual**

Following the removal of the 2 fields to the south east the impact of the scheme has been reduced and whilst acknowledging that there will be detrimental impacts these will be localized and not widespread.

- **Glint and glare**

Technical solutions ensure that this is not problematic but a condition is proposed.

- **Ecology**

The Extended Phase 1 survey did not identify any significant impact and neither NRW or the Councils Ecological Officer object to the scheme. The scheme is anticipated to enhance biodiversity at the site.

- **Historic Environment**

It is considered that with the contentious field removed from the scheme and the inclusion of a condition requiring investigation prior to the commencement of works (in line with a management plan that GAPS has confirmed as being appropriate), archaeological assets can be protected/ recorded in an appropriate manner.

- **Agriculture**

The site comprises grade 3b land and its use for the solar array has not been objected to by the WG Sheep will continue to graze on the site.

- **Hydrology and Flood Risk**

A flood consequence assessment has been submitted with the application as a small portion of the site is within a C2 zone it should however be noted that this is not high risk development. As such NRW do not object to the scheme.

- **Residential amenity**

A residential impact assessment has been submitted with the application which does not identify undue harm to residential amenities.

Notwithstanding this, properties have been visited and the impact judged, taking into account proposed landscaping/screening, orientation of the dwellings and intervening topography.

Whist dwellings will be able to see some solar panels, and in one instance in close proximity (on boundary) which will change the views and outlook from those properties. It is not considered that this would amount to such harm as to warrant refusing the application.

- **Effect on tourism**

With the impact on the landscape being considered acceptable and impacts localized and not widespread it is considered that the scheme would not harm public viewpoints to such an extent as to render the Island unattractive to tourists

Planning policies in Wales and the UK as a whole encourage the provision of green energy sources. It is accepted that the PV installation will make a substantial contribution towards sustainable energy resources for the whole country

The Welsh Government's Climate Change Strategy for Wales (2010) has set a target for Wales to reduce its emissions of greenhouses gases by 40% by 2020 compared to 1990 data. The latest available figures (Welsh Government Sustainable Development and Climate Change Annual Report 2015) show that only a 11.9% reduction from 1990 levels has been achieved.

It is with the policy support along with the assessment of the interests listed above in mind that it is considered that the application should be approved.

8. Recommendation

Permit

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

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

(02) The development hereby approved shall be removed from the land no later than 30 years from the date of this permission or when the production of electricity has ceased for a continuous period of 6 months, whichever is the sooner, upon which the site shall be reinstated in accordance with a written scheme and timetable for restoration which shall be submitted to and approved in writing by the local planning authority prior to these works being carried out. The restoration of the site shall be completed in accordance with the agreed details

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

(03) The development hereby permitted shall be carried out in accordance with the following approved plans:

North Anglesey Solar Project – RL2 (090217) Application Site Boundary (Ref: BGVA/CRC/NASP/RL3)

'Indicative Layout Plan (14 Feb 17)';

'Landscape & Mitigation Strategy' (Ref: 15035.101 Rev.H);

Ecological Enhancement Management Plan (Adonis Ecology 23 February 2016) as amended by condition 04;

'Ref: FRAMES 01' (17.11.15);

'Ref: TRACK 1' (17.11.15)

unless otherwise required to be approved under the terms of this permission and as thence permitted.

Reason: For the avoidance of doubt.

(04) Notwithstanding the requirements of condition (02), prior to the commencement of the development final details of the layout of the site, including

panel details;

CCTV cameras and their supporting structures;

Lighting and their supporting structures;

Fencing;

The location, construction and reinstatement of site / storage compounds;

shall be submitted to and approved in writing by the local planning authority. The layout of the site shall be informed by the Ecological Enhancement and Management Plan for Proposed North Anglesey Solar Project (Adonis Ecology project no.9736 dated 23rd February 2016). Notwithstanding the said Ecological Enhancement Management Plan, no development shall be located within 10m of any watercourse and any fencing shall be placed a minimum of 30cm above ground level for 5m lengths at field corners. The development shall be carried out in accordance with the details approved under this condition and the site shall be managed in accordance with the Ecological Enhancement and Management Plan for Proposed North Anglesey Solar Project (Adonis Ecology project no.9736 dated 23rd February 2016) for the lifetime of the development.

Reason: To define scope of permission and to safeguard protected species and mitigate the impacts of the development.

(05) The site shall not be illuminated by artificial lighting during hours of darkness.

Reason: To ensure that the development does not have a detrimental impact on the character of the locality and to safeguard protected species.

(06) No development shall take place until details of the materials to be used in the construction of the external surfaces of the structures comprising the primary substation, inverter stations and battery storage units hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity.

(07) Prior to the commencement of any works a site-wide Construction Environmental Management Plan (including a full Construction Traffic Management Plan based on the principles established in the draft Construction Traffic Management Statement (Ref: 16028/Rev B) dated February 2017) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following matters:

- a full signage schedule for the construction traffic, pedestrians and other users of the site,
- hours and days of operation during construction and the management and operation of construction and delivery vehicles
- the parking of vehicles for site operative and visitors
- the loading and unloading of plant and materials
- the routes means of access for construction traffic
- details of the location, design and implementation of two additional passing bays for construction traffic
- Piling methods (if employed)
- Earthworks;
- Hoardings to the site,
- details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated

- Waste management and disposal and material re use,
- Prevention of mud / debris being deposited on public highway / wheel washing facilities;
- Protection of the amenities of nearby residential occupiers
- the storage of plant and materials used in constructing the development and hazardous material storage and removal.
- A system for the management of complaints from local residents
- Emergency Containment Procedures;
- Reasonable Avoidance Measures for Water Voles.

The approved Construction Environmental Management Plan (and Construction Traffic Management Plan) shall be implemented accordingly and adhered to for the duration of the construction of the development.

Reason:

(08) No development shall commence until full details of the location, height, length and breadth of the proposed landscaping bund, including cross section drawings and full details of proposed planting works, timing of works and management and maintenance proposals for the lifetime of the development to mitigate visual impacts on the property known as Buarth Y Foel 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: in the interests of residential amenity

(09) The solar panels hereby approved shall at no time exceed 3m in height.

Reason: To define the scope of this permission.

(10) No development shall commence until a scheme for the alleviation of glint and/ or glare from the development at any affected residential property or highway is submitted to and approved in writing by the local planning authority. The scheme shall detail measures taken to investigate complaints; the assessment methodology to be used to assess incidence of glint and/or glare at the receptor point; the mitigation timetable and reporting mechanism to demonstrate effective alleviation and adherence to he said scheme. The development shall proceed in accordance with the details as approved.

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

(11A) No development shall commence until the programme of archaeological work set out in the Written Scheme of Investigation dated 4th October 2016 (Document Ref: NAS16 v.1.5) has been implemented and completed.

(11B) A detailed report on the archaeological work set out in the Written Scheme of Investigation shall be submitted to and approved in writing by the Local Planning Authority within twelve months of the completion of the archaeological fieldwork or the completion of the development, whichever is the sooner.

Reasons:

(11A) To ensure the implementation of an appropriate programme of archaeological investigation in accordance with the requirements of Planning Policy Wales 2016 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

(11B) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

(12) No structures shall be included on the fields identified as “No solar panels to be developed in this area” on the approved site boundary plan ‘North Anglesey Solar Project - Application Site Boundary (Ref: BGVA/CRC/NASP/RL3)’; ‘Indicative Layout Plan (14 Feb 17).

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.

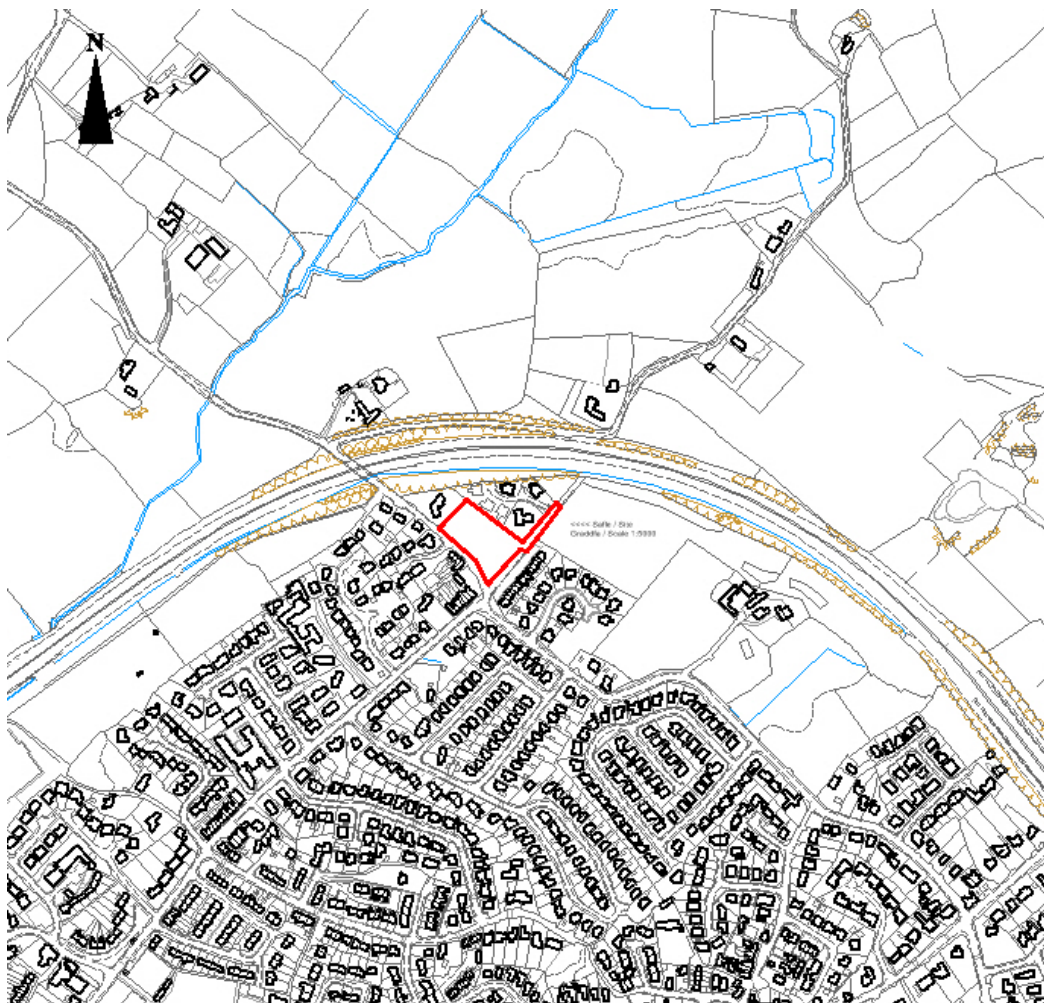
Rhif y Cais: **31C170E** Application Number

Ymgeisydd Applicant

Rectory Developments Anglesey Ltd

Cais llawn i godi 16 annedd (10 annedd gyda 2 ystafell wely, 4 annedd gyda 3 ystafell wely a 2 annedd gyda 4 ystafell wely) ynghyd a chreu mynedfa newydd i gerbydau ac i gerddwyr ar dir ger / Full application for the erection of 16 dwellings (10 dwellings with 2 bedrooms, 4 dwellings with 3 bedrooms and 2 dwellings with 4 bedrooms) together with the construction of a new vehicular and pedestrian access on land adjacent to

Hen Lôn Dyfnia, Llanfairpwll



Planning Committee: 05/07/2017

Report of Head of Regulation and Economic Development Service (DPJ)

Recommendation:

Permit.

Reason for reporting to committee:

The planning application is a departure from the development plan which the local planning authority are minded to approve.

The planning application has also been called in to the planning committee.

At its meeting held on 14th June the members of the Committee resolved to visit the site at the request of Councillor Alun Mummery and Councillor Meirion Jones. The site was visited on 21st June and the members will now be familiar with the site and its context.

1. Proposal and Site

The site is located on the junction of Hen Lon Dyfnia with Ffordd Penmynydd. It is located outside but adjoining the development boundary of the village under the Ynys Mon Local Plan but within the boundary under the stopped UDP. Since determination of the last planning application it appears that a pair of semi-detached dwellings are nearing completion to the south west of the application site on the opposite side of Penmynydd Road. In addition, further residential properties at Stad Tyn Llain to the northeast have been developed on the basis of a planning permission granted in 2014.

The planning application comprises a resubmission of a full planning application 31C170D for 17 dwellings which was dismissed at appeal on in November 2016, and which is considered further in the planning history section of this report. This amended application is submitted for a reduced number of 16 dwellings arranged around the same central estate road off Lon Dyfnia. The scheme now comprises 10 2-bedroom dwellings, 4 3-bedroom dwellings and 2 3-bedroom bungalow and includes creation of a vehicular and pedestrian access onto Hen Lon Dyfnia (an access has been opened onto the site and some hard-core has been laid and footings excavated on plot 3). The following amendments have been made to the proposed development as result of the dismissal of the appeal:

- Plot 4 is provided with a larger garden.
- Plots 5 & 6 have been changed to a single detached dwelling thus resulting in a reduction of one dwelling in the overall scheme.
- Former bungalow on plot 7 has been amended to a smaller footprint single detached house.

The scheme provides a public footway outside the proposed housing site with the public highway along Ffordd Penmynydd and Lôn Dyfnia which links with the footway provided within the estate. In addition a new junction arrangement and realignment is proposed on the public highway between Lon Penmynydd and Hen Lon Dyfnia.

The proposed development provides on-site storage in the event of flooding with connection being provided to an attenuated soakaway system on nearby land (also serving the Cae Gethin site nearby) with an overflow to an existing land drain which thereafter leads to a watercourse adjacent to the A55.

Enforcement complaints have been received by the Council in relation to existing hedgerows being removed on the application site.

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 16 dwellings and highways and drainage issues.
- The appeal decision in relation planning application 31C170D for 17 dwellings is a significant material consideration which should be weighted accordingly in the determination of this amended planning application.

3. Main Policies

Ynys Mon Local Plan

Policy 1: General
Policy 26: Car Parking
Policy 31: Special Landscape Area
Policy 32: Landscape
Policy 42: Design
Policy 48: Housing Development Criteria
Policy 49: Defined Settlements
Policy 53: Housing in the Countryside

Gwynedd Structure Plan

Policy A1: Housing Land Availability
Policy A2: Housing Location
Policy A3: Scale and Phasing of Housing
Policy A6: Dwellings in the Countryside
Policy A7: 5 Year Supply
Policy A9: Affordable Housing
Policy D4: Location, Siting and Design
Policy D28: Natural Slate
Policy D29: Standard of Design
Policy D32: Landscaping
Policy FF12: Car Parking Standards

Stopped Unitary Development Plan

Policy GP1: Development Control Guidance.
Policy GP2: Design
Policy EN1: Landscape Character
Policy TR3: Highway Design
Policy TR10: Parking Standards
Policy HP1: 5 Year Supply
Policy HP2: Housing Density
Policy HP3: Main and Secondary Centres

Policy HP7: Affordable Housing – Housing Need
Policy SG2: Development and Flood Risk
Policy SG6: Surface Water Run Off

Emerging Joint Local Development Plan Anglesey and Gwynedd (2011 – 2026)

PS1: Welsh Language & Culture
PS2: Infrastructure and Developer Contributions
ISA1: Infrastructure Provision
ISA5: Provision of Open Spaces within New Housing Developments
TRA2: Parking Standards
TRA4: Managing Transport Impacts
PS5: Sustainable Development
PCYFF1: Development Criteria
PCYFF2: Design and Place Shaping
PCYFF3: Design and Landscaping

PCYFF5: Water Conservation
PS13: Housing Provision
TAI1: Appropriate Housing Mix
TAI9: Affordable Housing Thresholds & Distribution
TAI15: Housing in Local Service Centres Proposal T37 Land near Penmynydd Road
PS16: Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance “SPG”

Design Guide in the Urban and Rural Built Environment
SPG Affordable Housing
SPG Parking Standards
SPG Planning and the Welsh Language
SPG Planning Obligations

Planning Policy Wales Edition 9

TAN 2: Planning and Affordable Housing
TAN 5: Nature Conservation and Planning
TAN 12: Design
TAN 15: Development and Flood Risk
TAN18 Transport
TAN 20: Planning and the Welsh Language

4. Response to Consultation and Publicity

Cllr Robin Wyn Williams: Refer to committee.

Cllr A Mummery: Refer to committee and in addition indicates that he intends to request a site visit as new members of the planning committee will not be familiar with the site. That site visit took place on 21st June.

Cllr Meirion Jones: Refer to committee and it is considered essential for the planning committee to undertake a site visit (the site was visited on 21st June). These are my comments presently:

1. This application is the latest in a series on this site and I would refer to my comments on previous applications and the appeal.
2. I consider that we should remember fundamental principles on planning as indicated in PPW, “1.2.1 The planning system manages the development and use of land in the public interest,...”, yes the public not individual interest.
3. I reiterate my observation to the agent for the application in the pre application consultation “I am very disappointed that the developer has not accepted the spirit of the of conclusion of the previous application and appeal and does not respect local people’s standpoint that they do not want as many proposed dwellings on the site. The change to the planning application is very small, erroneous and impudent.
4. As stated by the Inspector in the appeal in paragraphs 23 & 24, although his concerns are primarily with plots 1 to 7 the scheme needs to be considered in its entirety, and in that not sufficient. He goes on to describe the overdevelopment.
5. It is stated in the Design and Access Statement “DAS” para. 1.5 that the appeal failed and that this resubmission is intended to address concerns raised by the Inspector. I do not consider that the applicant has achieved this. An example of the failure can be seen in paragraph 16 of the Inspector’s decision (page 30 of the DAS) he refers to matters that would be disadvantageous to amenities a refers to plot 7 (the new plot 6) because the building is single storey (bungalow). In the current application para 2.67 third point it is referred “Former bungalow on Plot 7 changed to a detached house (plot 6).
6. You have received objections and many of the resident s who live nearby have expressed doubts regarding the application including:
 - a. Overdevelopment - The developer has permission to construct 11 units which is accepted by the community as realistic, 16/17 is excessive.

- b. Flooding and standing water – there are several factors.
- c. Footpath on the outside of the site with Penmynydd Road to include 4 poles (BT, SPEN and street lamp) -this is unacceptable.
- d. Highway safety.
- e. The developers actions indicate that he is not complying with regulations such as removing a hedge/clawdd without permission.
- f. Llanfairpwll primary school is more or less full.

Community Council: No comments received at the time of writing.

Highways: In essence, in terms of the highway and proposed highway drainage elements of the application, this current submission is similar to the previous application that went to appeal. There are no material amendments to the highways proposals to alter our previous recommendation of conditional approval therefore.

The proposed new footway alongside Lôn Penmynydd will need to be implemented by way of a Section 278 Agreement. The footway will be located on the existing verge, which will be widened into the application site to accommodate its 2.0m width. Whilst there are existing utility poles in the way, which could prove costly and difficult to move, the applicant has ensured that there is a minimum of 1.2m or 1.5m clearance around the poles to facilitate passage of pedestrians, prams and wheelchairs. Again, this is similar to previously.

Conditional permission recommended.

Drainage: The foul and surface water drainage schemes as detailed on drawing number 4035 rev. E appear acceptable in principle. Conditions recommended requiring detailed construction and design drawings of the foul and surface water system. Any consent granted should also require a management and maintenance plan for the surface water system.

Ecological and Environmental Adviser - From the point of view of bats, opportunities for nesting birds, and overall biodiversity, the simplest way to minimise impacts is to retain/ restore as much of the hedgerows as possible as well as including some planting of native trees within the design. This would be in line with our duty under the Environment Wales Act (2016) to seek to conserve and enhance biodiversity in the carrying out of our functions, as well as being in line with TAN 5. I advise this approach if a suitable amount of retention/ restoration and new planting including within gardens can be agreed, then a bat survey is not required.

Welsh Water: No comments received at the time of writing.

Natural Resources Wales “NRW”: NRW does not object to the proposal but has the following comments:

Protected Species – NRW has records of bats within 500 meters. Due to the distance and our understanding that they are not significant bat roosts NRW concur that the best way of minimising the impact on the bat populations is to maintain/restore hedgerows and secure additional planting.

Flood Risk – Noted that the application site has been subject to historic flooding, and it is recommended that the council’s Drainage Officer is consulted.

Housing Service: On the basis of housing need in the area it is recommended that 4 affordable housing units (30%) are provided in connection with the development.

Joint Planning Policy Unit: In relation to the Welsh Language Statement submitted in connection with the planning application it is not considered that the scale of the proposed development is likely to have an adverse impact on the Welsh language but it should be ensured that the units are genuinely suitable and within reach of the local population. Comments are provided on the basis that 12.5% of the units provided in connection with the development are affordable. 69.8% of the local population are able to speak Welsh and it is very important to keep hold of this group to maintain the language in the area. The provision of houses which are suitable and affordable is one

means to achieve this. The mix of house proposed is likely to be attractive to residents and meet local needs especially young families. The affordability threshold in the ward is higher than the county figure being £189, 000 as opposed to £149, 000. It is noted that the 2-3 bedroom units will cost between £140, 000 and £160, 000. In considering the scale and location of the proposed dwellings it is not expected that the prices will be outside the reach of local residents. The development is therefore likely to provide an opportunity to keep the local population in the community and contribute positively on the Welsh language. Consultation with the Council's Education section is required to establish whether the proposed development will place too much pressure on the local school. It is expected that the development will have a Welsh name and it is suggested that the applicant could explore awareness of adults opportunities to learn Welsh.

Corporate Policy and Strategy Manager In relation to the submitted Welsh Statement: Amendments are requested and a reference is made to key policies in the Welsh Language Strategy 2016-2021 Anglesey Strategic Language Forum which seek to increase the number of Welsh speaker by 2021.

Education Service: No comments received at the time of writing.

Welsh Government Highways: The Welsh Government as highway authority for the A55 trunk road directs that permission be withheld until the applicant provides information on the following matters:

- Noise assessment report which investigates whether the proposal requires mitigation measures to be installed adjacent to the A55 dual carriageway.
- The applicant must also confirm whether the proposed drainage outfalls connects into the trunk road highway drainage system in addition to the proposed discharge rate from the site.

Scottish Power: No comments received at the time of writing.

Public response: 6 letters of objection have been received in response to the publicity undertaken. Objections are based on:

- Little has materially changed to that of the appeal that was dismissed.
- Density excessive in the context of the application site.
- Based on previous developments adjacent it is likely that many of the units will become privately rented and fall into disrepair, this is made more likely by increasing the number of units from 11 to 16
- Capacity of surface water drainage.
- Flooding.
- Use of gardens for flood storage
- Unauthorised hedgerow/"clawdd" removal has been undertaken on the site.
- Fence and gravel boards will be used to retain flood water, what provision will there be to maintain these boards and what if the residents decide to install a non-permeable surface such as a patio.
- Purchasers of the dwellings should be made aware of the likelihood of flooding in their gardens.
- Maintenance arrangements for the surface water system are queried including any liability on public bodies in adopting.
- The operators of the A55 should be consulted as surface water from the proposed development leads to a watercourse adjacent to the A55.
- Have the drainage issues on Hen Dyfina/Stad Wern Gethin been resolved?
- Retaining the BT, SPEN and lamp pole in the footpath will result in an obstruction; the writer indicates that they understood that minimum footpath widths applied.
- No comments from the utility providers or the highway authority in relation to services etc. in the footpath.
- Alleged that a highway warning sign has been removed from the public highway.
- It is not clear how the proposed development will meet local housing needs.
- The previously approved scheme for 11 units would be more appropriate in terms of density, flooding and amenity.

- Adequate car parking areas should be provided.
- During all stages of construction Council inspectors should ensure that regulations are complied with to ensure there is no transgression.
- Since the previous application a pair of semi-detached dwelling have been constructed in proximity and the construction process highlighted highway safety issues.
- Parking spaces are scarce and for this reason the developer should be required to extend the pavement to the bridge over the A55 to avoid accidents double yellow lines should also follow the bend in the road.
- Highways safety issues.
- Capacity of the local school.
- New members of the planning committee should arrange a site visit.
- Holistic view should be taken given that there is a further piece of land at the end of Hen Lon Dyfnia which will become available.
- Given that the officers have previously recommended approval this application should now be determined by the Welsh Government.

One representation received supporting the planning application on the grounds that there is a need for private sector rented accommodation to keep local families in the village and the writer intends to purchase one of the units for these purposes.

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 09/02/2010

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

31C170D: Erection of 17 dwellings to include 12 no. 2 bedroom detached dwellings, 4 no. 3 bedroom semi-detached dwellings and 1 no. 3 bedroom bungalow, together with the construction of a new vehicular access and pedestrian access and the construction of an internal access road. Refused 01.06.16 and thereafter the appeal was dismissed 09.11.16.

6. Main Planning Considerations

Introduction

The planning application comprises a resubmission of planning application 31C170D which was refused in November 2016. The Inspector's decision letter is a significant material consideration in the determination of this amended planning application. The Inspector did not disagree with the Council that the principle of the development was acceptable and considered the main issues in the case to be:

- The effect of the proposal on the living conditions of existing residents and future occupants of the development.
- The effect of the development on surface water drainage, and whether or not any associated risk of flooding could be acceptably managed.

These issues are considered in detail in the relevant section of the report below.

Principle of Development

The site is out-with but adjoins the development boundary of the village under the Ynys Mon Local Plan and this is why it has been advertised as a departure from policies A6 (Dwellings in the

Countryside) of the Gwynedd Structure Plan and 53 (Houses in the Countryside) of the Ynys Mon Local Plan.

The application site is within the defined boundary of the Stopped Unitary Development Plan "UDP". The principle of development has also been accepted in the outline and reserved matters approvals for 11 dwellings on the site. Other housing units (along Ffordd Penmynydd and Stad Tyn Llain) have since been built further outside the development boundary as defined by the Local Plan, but within the settlement boundary of the UDP.

In addition, Ynys Mon does not at present achieve a 5 year housing land supply. In terms of meeting this obligation, 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 16 dwellings and 0.4 hectares the density of the proposed development is considered to accord with the policy requirement of HP2 and would contribute to the development of 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.

Weight can be attributed to the provisions of the LDP in this instance and the site is within the settlement boundary and forms part of a larger residential allocation in this plan.

Layout, density and design & amenity impacts

The Inspector dismissed the appeal in relation to planning application 31C170D on the grounds that the proposed development would amount to overdevelopment in relation to plots 4-7 of the site that it would be unacceptably harmful to the residential amenity of occupants of the proposed dwellings. This amended application is now made for 16 units with changes made to plots 4-7 taking into account the Inspector's decision as described in the introduction to this report. Objections received contend that the proposed development still amounts to overdevelopment and that there is little material change in this resubmitted planning application.

In terms of compliance with the distances or proximity between developments set out in the SPG Design in the Urban and Rural Built Environment the Inspector at paragraph 16. of the appeal decision indicated that the development was broadly compliant and further that existing and proposed residences would not have an unacceptable effect on each other's respective amenities.

The Inspector in paragraph 16. of his decision made clear that his assessment in the preceding paragraph was based on plot 7 being a single storey dwelling, whereas a detached house is now proposed on this plot which is now renumbered as plot 6. It is therefore necessary to assess the acceptability of the two storey dwelling on this plot. The elevation details submitted with the planning application do not illustrate any habitable room windows in the rear elevation at first floor level (only a bathroom window). On this basis it is not considered that there will be unacceptable overlooking of the existing residential properties to the south west on the opposite side of Penmynydd Road. The footprint of the proposed dwelling is much reduced compared to the bungalow formerly proposed on the site and the distance from the existing residential property on the opposite side of Penmynydd Road is increased from around 13 meters to around 14 meters. The separation distances between such main to main elevations in normal circumstances in the SPG Design Guide for the Urban & Rural Environment should be 21 meters and this applies to both bungalows and houses. Given that the existing properties are on the opposite side of the road, and that the proposed development comprises a betterment on the situation that the Planning Inspector found acceptable in the appeal decision the proposal is considered acceptable. The distances between the rear of plots 3 to 5 to the new properties nearing completion are also slightly deficient to that prescribed in the SPG but are again considered acceptable given the separation distances achieved and the fact that properties are on the opposite side.

At paragraph 18 of the Inspector's decision which considers the adequacy of the garden areas in the proposed development in relation to the SPG Design in the Urban and Rural Built Environment it is stated "...I do accept that the majority of the proposed dwellings would not be significantly deficient in terms of the provision of private amenity space as indicated in the SPG and therefore in

broad terms are considered acceptable. However that cannot be said for all of the proposed dwellings; plots 4-7 fall well below that stipulated in the SPG.” On the basis of this statement it is clear that the Inspector’s concerns relate solely to plots 4-7. Representations received in relation to the current application indicate that on the basis of paragraph 23. and 24. of the decision letter that the Inspector’s concerns relate to the size of amenity space in the whole development. It is your officers’ assessment that given the clear statement in paragraph 18. of the decision letter that this is not the case.

Highways Impacts

In highway terms the proposal under consideration is the same as submitted under planning application 31C170D. The proposals include 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 Lon Dyfnia and along Ffordd Penmynydd along the site’s boundary. Hen Lon Dyfnia will retain a carriageway width of 5m. The junctions are proposed to be realigned to give priority to traffic on Hen Lon Dyfnia with a junction on the corner of Lon Penmynydd. A pedestrian tactile crossing point is proposed to the south of the vehicular access to properties on Hen Lon Dyfnia. Objectors raise concerns regarding the scarcity of car parking spaces, that the developer should be required to extend the proposed pavement to the bridge over the A55 and other highway safety matters as detailed in the relevant section of this report.

The Council’s Highways department has confirmed that the proposed highway and drainage elements of the application, in this current submission are similar to the previous application that went to appeal. There are no material amendments to the highways proposals to alter the previous recommendation of conditional approval therefore.

Objections have been received on highway grounds, which amongst other matters refer to telegraph poles remaining in the proposed footway and highway warning sign being removed. These letters have been brought to the attention of the Highways Section who have responded in their consultation response. It is also understood that highway inspectors will investigate the removal of the highway signage.

Welsh Government has issued a holding objection and one of the grounds is that the applicant must provide a Noise Assessment Report, which investigates whether the proposal requires mitigation measures to be installed adjacent to the A55 dual carriageway.

Drainage Impacts

The proposed development provides on-site storage in the event of flooding with connection being provided to an attenuated soakaway system on nearby land (also serving the Cae Gethin site nearby) with an overflow to an existing land drain which thereafter leads to a watercourse adjacent to the A55. This drainage scheme remains the same as that proposed in planning application 31C170D which the Council’s Drainage Officer and Natural Resources Wales considered acceptable. Objections have been received on the grounds of the adequacy of this drainage system, flooding, maintenance arrangements and it is indicated that operators of the A55 should be consulted.

The Inspector in his decision letter considered the Council’s reason for refusal on drainage grounds based on concerns that the proposed system would not operate effectively due to land levels, adequacy of percolation and the capacity of the system. The Inspector’s decision letter concluded that subject to the submission of the detailed design that the proposed development would be effective in managing surface water drainage in relation to the proposed development and would not be unduly detrimental to existing/future residents with any risk of flooding being acceptably managed. Costs were awarded against the Council on the basis that this reason for refusal could not be substantiated. Welsh Government highways have now directed that the planning application should not be determined until the applicant confirms whether the drainage outfall from the development connects into the trunk road highway drainage system in addition to the proposed discharge rates from the site.

Affordable Housing and Schools Places

The development as submitted triggers the need for 30 % affordable housing in accordance with current policies. This was also the position with regard to the previous to planning application 21C170D and was assessed in the committee report and in the subsequent Inspector's decision letter as a material consideration.

A viability assessment has now been submitted with the planning application which details development costs and indicates that there will be a deficit following the completion of the proposed development. The planning application is now submitted on the basis that 2 affordable housing units are being offered as part of the development (which equates to 12.5%) but that this is subject to no other financial contributions being sought in relation to for instance education, which is considered below. These details are currently being assessed by the Council's Housing Services who are seeking a 30% contribution as indicated in their consultation response.

Concern has been expressed at the increased number of children likely to require schools places as a result of the proposed development, comments from the council's Lifelong Learning Service are awaited at the time of writing. These comments will need to be considered in association with the Council's assessment of the viability assessment as described in the preceding paragraph.

Welsh Language Impact

The scheme is supported by a Welsh Language Statement which assesses the impact of the proposed development on the Welsh Language. In relation to planning application 31C170D and in the Inspector's report it was concluded that proposed development will not have any detrimental effect on the linguistic character of the area, but this was partly based on the fact that 30 % affordable housing was being provided in connection with the proposal. Affordable housing is now being provided at 12.5%.

Amendments have been recommend to the Welsh Language Statement as detailed in the consultation section of the report and the applicant has submitted the necessary amendments at the time of writing. It is not considered that the scale of the proposed development is likely to have an adverse impact on the Welsh language.

Other Issues

As explained in the introduction to this report complaints have been received regarding the removal of a hedgerow on the application site. A separate enforcement investigation has been instigated in respect of this issue. In so far as relevant to this planning application a condition has been recommended to be attached to any permission granted to stipulating that a native hedge is planted along this boundary. In addition a general landscaping condition has been recommended on amenity and biodiversity grounds to accord with the comments of NRW and the Council's Ecological and Environmental Adviser.

7. Conclusion

The principle of residential development has been accepted in the granting of the outline consent. The Inspector's decision letter in relation 31C170D is a significant material consideration in the determination of this amended planning application and as explained above it is considered that the amended planning application subject to this report addresses the Inspector's concerns in relation to garden sizes in plots 4-7. It is also clear from the Inspector's decision that surface water drainage proposals in connection with the proposed development are acceptable.

A number of consultation responses remain outstanding but these are not anticipated to have changed since the last planning application 31C170D. Outstanding issues remain as regards the amount of contributions to be for affordable housing and education, Welsh Government Highways comments in relation to noise and surface water, NRW comments in relation to bats.

8. Recommendation

- A. Defer the Planning application in accord with holding objection dated 20.06.17 issued by Welsh Government Highways.
- B. If the Welsh Government holding objection is withdrawn to permit the proposed development subject to the conclusion of the Council's position in relation to affordable housing and education contributions and confirmation of the NRW position as regards bats and subject to the following planning obligations and conditions:

Planning obligation in relation to affordable housing and education, with the amount of the contribution to be confirmed.

(01) No further development on any other part of the development hereby approved shall commence until the highway works shown on Richard Broun Associates drawings 4035 03 revision E and 4035 05 revision F have been fully completed and made available for use and the access has been laid out and constructed strictly in accordance with the submitted plan and it shall thereafter be retained and kept free from permanent obstruction and used only for access purposes.

Reason: In the interests of highway safety

(02) Notwithstanding condition (01) of the planning permission hereby approved, no further development shall commence until detailed designs and construction details of the proposed new footway and highway junction improvement, including a timetable for the works, 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 highway safety.

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

Reason: To ensure adequate visibility.

(04) The estate road shall be completed to a bituminous binder course level with the surface water drainage system completed and operational before the use hereby permitted is commenced.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

(06) The approved surface water drainage scheme shown on Richard Broun Associates drawing 4035 03 revision E shall be completed and fully operational before any of the dwellings are occupied.

Reason: To ensure that the site is adequately drained.

(07) Notwithstanding condition (07) of the planning permission hereby approved, no further 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.

(08) No further 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 and be maintained in accordance with the management and maintenance plan approved under the provisions of this condition.

Reason: To ensure that the site is adequately drained and highway safety.

(09) No further 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.

(10) No further development shall commence until a Construction Traffic Management Plan "Plan" has been submitted to the Local Planning Authority for its written approval. The Plan shall include as a minimum, but not limited to:

- i) The routing to and from the site of construction vehicles, plant and deliveries**
- ii) The parking of vehicles for site operatives and visitors**
- iii) Loading and unloading of plant and materials**
- iv) Storage of plant and materials**
- v) Wheel washing facilities where appropriate**

The applicant shall ensure that the requirements of the approved Plan shall be adhered to throughout the construction of the development.

Reason: To ensure reasonable and proper control is exercised over construction activities in the interests of amenity and highway safety.

(11) No further development shall commence until full details of a scheme indicating all of the proposed means of enclosure around and within the application site "Boundary Scheme" has been submitted to and approved in writing by the local planning authority. The approved Boundary Scheme shall be completed before any of the dwellings are occupied and thereafter retained in accordance with the approved Boundary Scheme approved under the provisions of this condition.

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

(12) No further development shall take place until a scheme of landscaping and tree planting for the site which provides for the retention of existing trees and the planting of an indigenous hedge along the north eastern boundary "Landscaping Scheme" has been submitted to and approved in writing by the Local Planning Authority. The Landscaping Scheme shall show the proposed planting, including species, size and density and distinguish those trees to be retained showing their species, spread and maturity together with measures for their protection in the course of development. The approved Landscaping Scheme shall be implemented no later than the first planting season after the occupation of the buildings or completion of the development, whichever is the sooner.

Reason: In the interests of visual amenities of the locality and biodiversity.

(13) Any trees or shrub which forms part of the approved Landscaping Scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.

Reason: In the interests of visual amenities of the locality.

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

Reason: In the interests of the amenities of the locality and to ensure that the site is adequately drained

(15) No development shall take place until details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall be constructed with the approved slab levels.

Reason: To ensure a satisfactory form of development.

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

Drawing No	Drawing Name
4035 01 rev A	Location Plan & Existing Drainage
4035 03 rev E	Proposed Highway & Drainage Layout
AP072/3	Two Bedroom Semi Detached House Type
AP072/4	Three Bedroom Semi Detached House Type
AP072/5	Four Bedroom Detached House Type – Plot 5
AP072/6	Four Bedroom Detached House Type – Plot 6

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.

Informatives:

- The highway works will need specific consent by way of an Agreement pursuant to S278/38 of the Highways Act 1980.
- The Highway Authority shall not be responsible for any road surface water entering the site as the result of the development. It is the developer's responsibility to ensure that adequate measures are in place to deal with surface water and to drain the site effectively.
- Any adjustments, re-siting and/or protection of any statutory services and/or street furniture within the highway that may be necessary as a consequence of the development hereby approved shall be the applicant's responsibility and shall be carried out at his own expense. Where any apparatus or street furniture is owned by the highway authority, any adjustment, replacement or protection of that apparatus may be carried out by the highway authority at the applicant's expense.
- The applicant advised to apply in writing to the Highway Authority at the earliest opportunity for the necessary consent, as required under Section 278 of the Highways Act 1980, to

carry out the work within the highway for the construction of the off-site works. The Highway Authority shall not be responsible for any delays to the developer's project as a result of a late application. Note : it is a criminal offence to carry out any unlicensed or unauthorized work on the highway. As part of the consenting process, it may be necessary to provide additional detail and/or carry out additional works within the highway over and above that shown on the approved planning permission plans in order to fully comply with the highway authority's requirements.

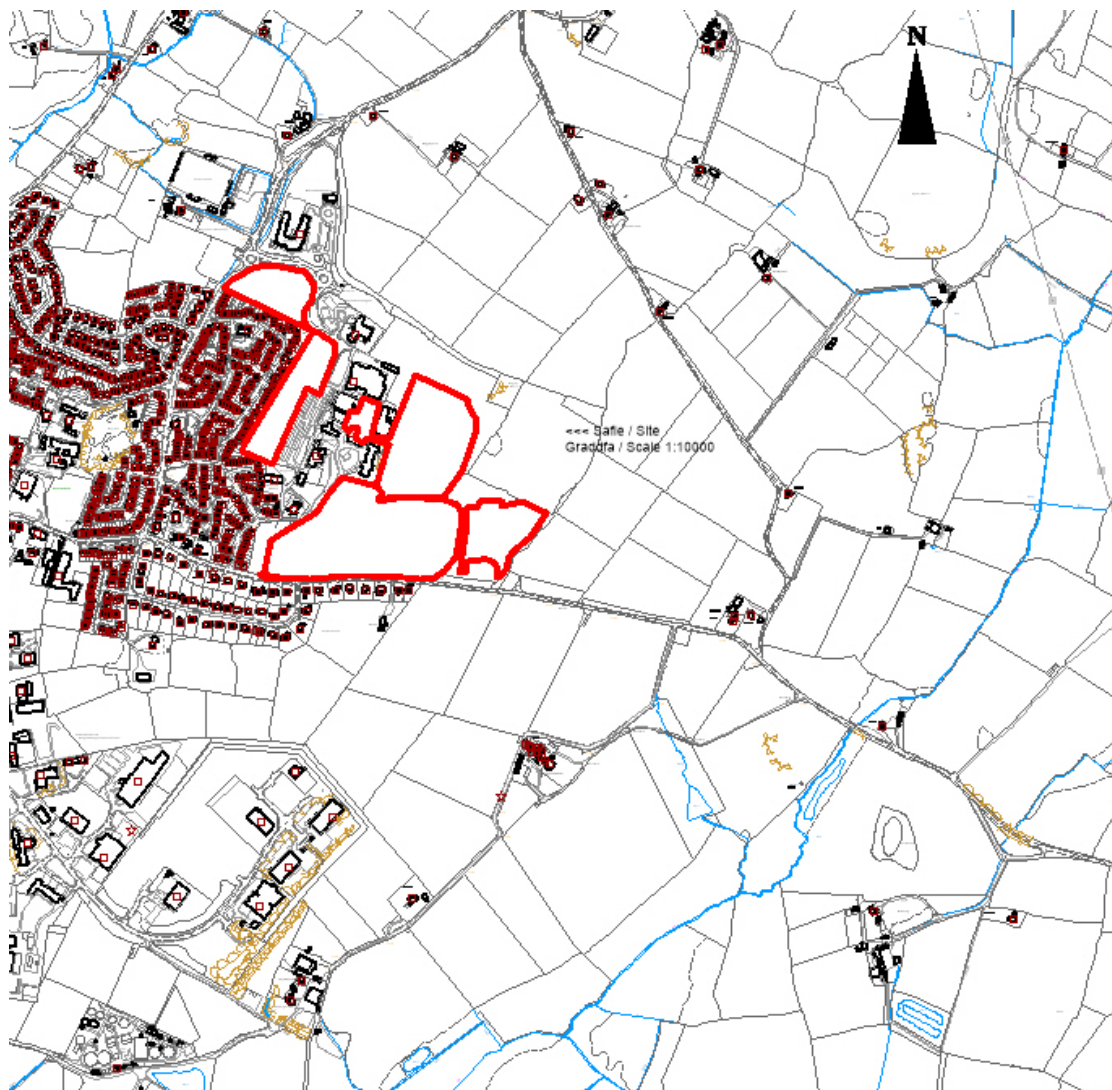
- The granting of planning permission does not absolve the applicant of the requirement to seek any necessary separate agreements or consents from the highway authority under the Highways Act or New Roads & Street Works Act in connection with the development.
- Street naming and numbering is a legal function of the Council to allocate property numbers and road names to new developments and conversions. Information is available on our website to explain the process for requesting postal addresses and street names, which can be accessed via the following link: <http://www.anglesey.gov.uk/transport-and-roads/roads-highways-and-pavements/street-naming-and-property-numbering/>
- The Highway Authority reserves the right to utilise Section 59 of the Highways Act 1980 "Recovery of expenses due to extraordinary traffic" as deemed necessary to recover its costs in connection with any damage done to the public highway as a result of construction of the development.

Rhif y Cais: **34C304K/1/EIA/ECON** Application Number

Ymgeisydd Applicant

Director of Strategic Projects & Funding

Cais hybrid am ganiatâd cynllunio llawn i greu canolfan beirianeg newydd, maes parcio, lle chwarae i blant a gwaith cysylltiedig a chais am ganiatâd cynllunio amlinellol gyda rhai materion wedi eu cadw'n ôl ar gyfer datblygiad preswyl o 153 o anheddau, gwesty a chyfleuster bwyd a diod ynghyd a lle parcio cysylltiedig a gwaith ar dir yn / Hybrid application applying for full planning permission for the creation of a new engineering centre, car parking, children's play area and associated works and applying for outline planning permission with some matters reserved for a residential development of 153 dwellings, a hotel and food and beverage facility along with associated car parking and works on land at

Coleg Menai, Ffordd y Coleg, Llangefni

Planning Committee: 05/07/2017

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

Recommendation:

Permit.

Reason for Reporting to Committee:

This application is the subject of an Environmental Impact Assessment and the proposals represent a departure from Development plan policy for which the recommendation is one of approval.

Members will recall visiting the site on the 15th March and the 9th June 2017.

1. Proposal and Site

This application is hybrid in form as it seeks both full and outline planning permission. Full planning permission is sought for the New Engineering Centre (NEC), which forms part of the expansion of the College campus and children's play area. Outline permission is sought for the proposed residential development and development of a hotel and ancillary food & drink facility

The residential part of the application is made in outline form and is for 153 dwellings spread across 4 sites, 54% of the units will be of an affordable type, these units will be located on sites 1, 2 and 3. These lie to the west and north west of the existing college complex and abut the PenCraig estate. They comprise open grassland and are lined with self-seeded vegetation. Site 4 lies to the south of the complex and to the north of the Penmynydd Road

The hotel development and ancillary food and drink facility proposal located alongside the new link road to the east is again made in outline form. The hotel is primarily intended to provide accommodation for visiting lecturers, businesses, visitors to the College and relatives of students. It will also be available to the general public.

Training courses will also be provided for College students. Access will be off the Llangefni link Road associated car parking will be provided to the north.

The new engineering centre (NEC) seeks full planning permission. It will be located on the site of the existing independent living skills building which is no longer required, as the facility will be moved to the Canolfan Cefni Centre.

The proposed NEC building will extend to 3 storeys and cover a gross floor area of 4,600m². Each storey will extend to approximately 1,540m².

The NEC will house the teaching and other required facilities for the following courses: Electrical Engineering; Electro Mechanical Engineering; Mechanical Engineering Control & Instrumentation; and Plumbing, gas and building services. Some of the students occupying the Engineering Centre will be existing students who have been relocated from the College's Bangor campus.

The Engineering Centre will be accessed via the existing access off Talwrn Road and via the new Llangefni Link Road. The full planning application also includes an area of car parking, to be provided to the east of the proposed NEC. The car parking area will provide 254 no. parking bays, 3 no. and 8 no. bus parking bays.

A play area is also set aside for the proposed development, this is incorporated into site 1.

During the construction period of the development, it is anticipated that 80 Full Time Equivalent (FTE) jobs (gross) / 54 FTE jobs (net) will be created. The operation of the NEC, hotel and associated restaurant/cafe uses are anticipated to generate 77 FTE (gross) / 34 FTE (net) jobs and 16 FTE net indirect jobs, through the multiplier effect associated with using local supply chains.

(Where gross is the number of jobs on site and net excludes those leaving other jobs to take on the jobs identified with the proposal).

As stated, the application is accompanied by an Environmental Impact Assessment (EIA) which informs the proposals including the following matters, landscape and visual impact, ecology and Nature Conservation, Cultural Heritage and Archaeology. Other matters were included and are dealt with elsewhere in this report.

The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process.

In addition, a statutory public consultation process has been carried out and a pre application consultation report submitted as part of the application.

This Pre-Application Consultation (PAC) report provides a review of the stakeholder and community consultation undertaken by Grŵp Llandrillo Menai (GLLM)

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 requires that the developer should undertake pre-application consultation for all planning applications that are classed as 'major' development for both full or outline applications. Major development is defined in article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) as being:

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwelling houses where;
 - (i) the number of dwelling houses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more;
- or
- (e) development carried out on a site having an area of 1 hectare or more;

The proposed development falls within the definition of major development as defined by (c) above. The order also requires that there be a 28 day publicity period prior to submitting a planning application and that the following should be undertaken:

- Display a site notice in at least one place on or near the land to which the proposed application relates for a period of no less than 28 days before submitting an application for the proposed development
- Write to "any owner or occupier of any land adjoining the land to which the proposed application relates"
- Make the draft planning application information available publicly
- Consult community and specialist consultees before applying for planning permission
- Consider if Environmental Impact Assessment (EIA) is required for the project
- Submit a pre-application consultation report (PAC) as part of the planning application

This document records the process of the pre-application consultation process as required above in the form of a PAC report.

The Order requires that the PAC report presents the following information:

- a) A copy of the site notice;
- b) A declaration that the site notice was displayed in accordance with the statutory requirements i.e. in at least one place on or near the development site for no less than 28 days;
- c) A copy of the notice given to owners and occupiers of adjoining land;

- d) Copies of all notices provided to councillors, town and community councils, and specialist consultees
- e) Copies of all responses received from specialist consultees with an explanation of how each response has been addressed by the developer
- f) A summary of all issues raised in response to the statutory publicity – the developer must confirm whether the issues raised have been addressed and if so, how they have been addressed.

Full details are included in the pre-application consultation report. In essence, 2 exhibitions were held in addition to the above requirements. The responses were generally supportive. There were however, 4 objectors along the Penmynydd Road.

As a consequence of this the 4 dwellings alongside the Penmynydd Road were removed from the scheme and replaced with planting.

2. Key Issue(s)

- a) Principle of development
- b) Landscape/built environment
- c) Education
- d) Highways
- e) Archaeology
- f) Welsh Language
- g) Affordable Housing
- h) Ecology
- i) Residential amenity
- j) Use of agricultural land

3. Main Policies

Gwynedd Structure Plan

Strategic Policy 1: Settlements in Gwynedd will be developed at a rate consistent with the needs of their communities for housing, work, leisure and community services within a framework of policies which safeguard community life and help conserve the environment.

Strategic Policy 2: To maintain the role of these focal centres which provide concentrations of employment opportunities, larger leisure facilities and other services.

Strategic Policy 3: To facilitate and promote employment opportunities at a suitable scale and at suitable locations throughout the County taking particular note of the economic development opportunities of the A55 improvements and other improvements in communication the need for integrated development by local authorities and development agencies to find suitable opportunities across the whole County directing attention towards the regeneration of a number of towns and other communities in the County.

Strategic Policy 5: To recognise that the Welsh Language is a material consideration in assessing the implications of development in Gwynedd. This will be implemented in a manner which ensures that the aim of safeguarding and nurturing the use of the Welsh language in Gwynedd is achieved.

Policy A1 - Sufficient Housing Land

Policy A2 - Location of Housing Land

Policy A6 - Housing in the Countryside

Policy A7 - 5 year land supply

Policy B1 - Employment Generating Developments

Policy B9 - Presumption in favour of proposals which expand the number and range of employment opportunities

Policy CH1 - Recreation and Tourism

Policy CH2 - High quality holiday accommodation

Policy D4 - Location, siting and design

Policy D32 - Layout and landscaping

Policy E1 - New retailing developments and redevelopments in existing town centres

Policy E3 - Retailing outside existing town centres
Policy FF11 - Adequacy of highway and
Policy FF12 - Parking provision.

Ynys Môn Local Plan (1996)

Policy 1 - General Policy
Policy 2 - New Jobs
Policy 5 - Design
Policy 8 - Holiday Accommodation
Policy 17 - Recreation and Community facilities
Policy 19 - Shopping
Policy 26 - Car Parking
Policies 31 and 32 - Landscaping
Policy 35 - Nature conservation
Policy 42 - Design
Policy 47 - Housing requirements
Policy 48 - Housing Development Criteria
Policy 49 - Defined settlements
Policy 52 - Exception sites
Policy 53 - Housing in the Countryside

Ynys Môn Unitary Development Plan (Stopped) 2005

Policy GP1 - Development Control Guidance
Policy GP2 - Design
Policy EP8 - Vibrant Town, District and Local Centres
Policy PO1 - Employment
Policy PO3 - Language and Culture
Policy TO2 - High Quality Holiday Accommodation
Policy PO4 - Location
Policy PO7 - Tourism
Policy HP7 - Affordable Housing
Policy EN4 - Biodiversity
Policy TR10 - Parking Standards
Policy EN1 - Landscape Character
Policy EN14 - TPO's & Hedgerows

Policy SG2 - Development and Flooding
Policy SG6 - Surface Water Drainage
Policy EP4 - Other Employment Opportunities and Rural Diversification
Policy EP9 - Retailing outside existing centres

Policy CC1 - Community Facilities

Interim Policy "Large sites" 2011

Emerging Joint Local Development Plan

Strategic Policy PS1 - Welsh Language and Culture [NMC56]
Strategic Policy PS 2 - Infrastructure and Developer Contributions
Strategic Policy PS1 - Infrastructure provision
Strategic Policy PS 4 - Sustainable transport, Development and Accessibility
Policy TRA 2 - Parking Standards [NMC 74]
Policy TRA 4 - Managing Transport Impacts
Strategic Policy PS 5 - Sustainable development [NMC 81]
Strategic Policy PS 6 - Alleviating and adapting to the effects of climate change [NMC82]
New Policy – Development Boundaries
Policy PCYFF 1 - Development Criteria [NMC 87]

Policy PCYFF 2 - Design and Place Shaping [NMC 88]
Policy PCYFF 3 - Design and Landscaping [NMC 89]

Policy PCYFF 4 - Carbon Management [NMC 90]
Policy PCYFF 5 - Water Conservation
Strategic Policy PS 1 - Providing Opportunity for a flourishing economy [NMC147]
Strategic Policy PS 11 - The Visitor Economy
Policy TWR 1 - Visitor Attractions and Facilities [NMC 160]
Policy TWR 2 - Holiday Accommodation
Strategic Policy PS16 - Conserving or enhancing the Natural Environment [NMC 271]

Please note that emerging policies followed by [NMC ____] indicate that these policies are subject to Matters Arising Changes and may not appear in the final plan as drafted

The Joint Local Development Plan (Gwynedd and Anglesey) is in the process of being prepared and is currently subject to a public examination. It is anticipated that the Councils will receive the Inspector's report regarding the public examination in May. In light of the maturity of the process of preparing the JLDP it should be referred to as material planning consideration in accordance with paragraph 3.1.3 of Planning Policy Wales (Edition 9, November 2016).

"Material considerations could include current circumstances, policies in an emerging development plan and planning policies of the Welsh Government. All applications should be considered in relation to up-to-date policies."

Paragraph 2.14.1 of Planning Policy Wales states:

"The weight given to the emerging JLDP (or plan that is being amended) when determining planning applications will generally depend on the stage it has reached, but it does not increase as the plan draws nearer towards being adopted."

Supplementary Planning Guidance

Design Guide for the Urban and Rural Environment

Affordable Housing

Holiday Accommodation (2007)

Planning Policy Wales Edition 9, 2016

Technical Advice Notes (TANs)

TAN1 - Joint Housing and land Availability Studies 2015

TAN 2 - Planning and Affordable housing 2006

TAN4 - Retail and Commercial Development,

TAN 12 - Design (2016)

TAN 13 Tourism 1997

TAN 18 – Transport (2007)

TAN 20 Planning and the Welsh language 2013

TAN 23 (2014) Economic Development 2014

4. Response to Consultation and Publicity

Responses can be summarised as follows:

Local Members N Roberts, B Parry and D Rees: no response

Town Council: welcome the plan but to ensure community benefits for the town of Llangefni following the development, to phase and monitor the developments

Lifelong Learning Department: require financial contribution towards education.(see below)

Natural Resources Wales : Have expressed concerns and confirm that planning permission should only be granted subject to planning conditions requiring:

The submission and implementation of a Biosecurity Risk Assessment.

In respect of Protected Species, a Strategy to demonstrate that connectivity in the area will be maintained.

Connection of foul drainage to the main sewer network.

Welsh Water: No objection require conditions.

Welsh Government Department for Environment and Rural Affairs: With respect to Agricultural Land Classification, has no comments.

Also, confirm that the Local Planning Authority has considered and recognised both local and national planning policy in relation to the proposed development and has come to a reasoned conclusion. It is concluded, that the scale and nature of the proposed development is such that it is not characteristic of a development of more than local importance, nor has the proposal raised substantial controversy beyond the immediate locality or raise novel planning issues or issues of national security.

It is not considered that the application should be called in for determination by the Welsh Ministers and it is a matter for the Authority to determine.

Highways: no objection require conditions

North Wales Police: do not object

North Wales Fire Service: do not object but state that a fire hydrant within 150m of each dwelling are provided.

Health Board: State that: "we have discussed this with representatives of the West Area team and we do not believe there would be any significant issues arising for the Health Board either in terms of local capacity and infrastructure or any impact on property management and access."

Two practices provide General Medical Services (GMS) services in Llangefni, they are Coed y Glyn Surgery and Gerafon Surgery, who have a surgery in Benllech and Llangefni.

Coed y Glyn has 3 full and 2 part time GPs: 4.89 whole time equivalent and 6,900 patients Gerafon have 4 full and 2 part time GPs, 5.38 whole time equivalent and 7,200 patients The Coed y Glyn practice therefore has an average list of 1,411 patients and Gerafon 1,338 patients.

The average for Angelsey is 1,559 patients.

Whilst we cannot assume that the list size is an explicit indicator of capacity, the Health Board was not aware of any other specific GP capacity problems which would be a particular issue for this application."

Drainage Section: no evidence of flooding scheme acceptable

Welsh Government Department for Economy, Science and Transport: Directs that any permission granted by the Authority includes a condition that a Traffic Impact Assessment that includes a review of Junction 6 of the A55 dual carriageway is carried out and that any findings are implemented.

Housing Services: Supports the scheme as it would make a substantial contribution to the need for affordable housing in Llangefni.

Public Rights of Way Officer : Confirms that the development will not effect any Public Rights of Way.

Economic Function: is supportive in principle of the proposed development given that it is an enabler for local employment and skills opportunities.

Gwynedd Archaeological Planning Service: Recommend that the local planning authority require that appropriate archaeological mitigation is undertaken, if planning consent is granted. A condition is suggested to secure such a scheme of work.

CADW : Confirm that there are no scheduled monuments or registered historic parks and gardens within the vicinity of the proposed development and accordingly have no comments to make on the proposed development.

Chief Public Protection Officer: Makes observations relating to compliance with Food Hygiene and Health and Safety regulations.

The statutory publicity period ends on the 5th July 2017 and at the time of writing the report 10 letters have been received points raised include:

- Initial consultation by college unsatisfactory
- Economic benefits doubtful
- College land will be used up limiting expansion
- Will be drainage problems
- Ecological surveys inadequate
- Street lighting will be a problem for wildlife
- There is Japanese knotweed
- Will be light pollution
- Problems with education facilities capacity locally
- Hotel will harm other businesses
- Local surgeries struggle
- Lack of transparency didn't know college was going to develop on this scale
- Will harm the landscape and urbanize area
- There are red squirrels
- Erosion of Welsh language
- There will be loss of important hedges
- Residents were not aware of exhibition
- Site outside JLDP boundaries
- Is there a need for these homes
- There will be additional noise and disturbance
- Will kill off wildlife
- Too many students will make roads worse
- Access will not be safer than existing
- Drainage not sufficient
- Houses are being provided elsewhere nearby
- Hotel will not be cost effective as others have closed down
- Houses will not be bought by locals
- Contrary to policy
- Sites 1 and 2 provide a buffer zone
- The sites provide a pleasant space for students they will now be enclosed by housing.

5. Relevant Planning History

34C304 - Erection of a new agricultural building at – Granted 08/04/93

34C304A - Change of use of land from agricultural to a playing field and car park at – Granted 06/05/94

34C304B - Erection of a manure and slurry store on land at – Granted 15/09/94

34C304C - Extensions to create a boiler room at – Granted 20/01/95

34C304D - Erection of an extension on to the existing workshop at - Granted 06/06/96

34C304E - Erection of new farm buildings along with alterations to the existing buildings at –
Granted 06/03/97

34C304F - Construction of a new teaching building along with alterations and improvements to the
access road serving the site at - Granted 05/12/96

34C304G - Re location of the 3 greenhouses along with the erection of a new potting shed / store
at – Granted 03/02/96

34C304H - Retention of the 6 mobile classrooms on land at – Granted 06/06/97

34C304J - Erection of a food technology unit together with associated car parking on land at –
Granted 23/03/01

34C304K - Erection of new farm buildings together with the re-siting of an existing farm building on
land at – Granted 13/07/99

34C304L - Erection of an extension on the existing brickwork workshop at – Granted 04/08/99

34C304M - Removal of existing temporary building and the erection of 2 temporary classrooms at –
Granted 14/06/00

34C304N - Extension to the food technology unit at - Granted 23/03/01

34C304P - Demolition of the existing buildings and erection of a two storey teaching unit with
associated car parking facilities at – Granted 24/04/02

34C304R -Alterations and Extensions to engineering workshop at – Granted 06/11/02

34C304T - Extension to the existing engineering workshop at – Granted 08/10/03

34C304W - Erection of an aluminium glazed extension to form lobby at – Granted 09/02/07

34C304X - Extension to car park at – Granted 01/08/08

34C304Y - Construction of a new Education Facility building to provide specialist energy and
Fabrication Skills together with the removal of existing temporary tent structure - Granted 23/02/09

34C304Z - Demolition of three existing buildings, erection of a two storey extension to the Energy
and Fabrication Centre together with an extension to the car park – Granted 16/06/10

34C304A/1 - Erection of a temporary modular building to provide training facility – Granted
14/09/11

34C304B/1 - Erection of a two storey extension to the food technology centre - Granted 11/04/12

34C304C/1/SCR - Screening opinion for the provision of heavy plant track ways, construction of
hard standing areas, the erection of a security fence around the vehicle storage and the
construction of a designated area for fire training equipment – EIA Not Required 07/12/12

34C304D/1 Full application for the provision of heavy plant track ways, construction of hard
standing areas, the erection of a security fence around the vehicle storage and the construction of a
designated area for fire training equipment – Granted 14/12/13

34C304E/1/RE - Full application for the erection of one 5.5kw wind turbine with a maximum mast
height of up to 9m, rotor diameter of up to 3.1m, swept area of up to 16 metre square and a
maximum upright vertical tip height of up to 15.24m – Approved 30/03/2016

34C304F/1/ECON - Extension to the existing campus comprising of the erection of three; three-
storey units with 250 no associated car parking, a separate unit comprising of a gym and fitness

studio with 60 no associated car parking together with an all-weather outside football pitch, and sustainable drainage system with all matters reserved- Approved 27/10/15

34C304G/1/SCR - Screening opinion for the an extension to the existing campus comprising of the erection of three; three-storey units with 250 no associated car parking, a separate unit comprising of a gym and fitness studio with 60 no associated car parking together with an all-weather outside football pitch, and sustainable drainage system with all matters reserved – 26/10/15 EIA Not Required

6. Main Planning Considerations

Principle of development (Housing)

Current Development Plans - The housing element of the proposal lies outside the development boundary for Llangefni in both the adopted Ynys Môn Local Plan (1996) and the stopped UDP (2005).

Due to the need to maintain a 5 year housing supply and the age of the development plan on Ynys Môn the Council adopted an Interim Planning Policy – Large Sites (2011) that can be used to consider applications for 50 or more houses within Llangefni, Amlwch or Holyhead on sites within or immediately adjacent to the development boundary.

This interim Planning Policy has a number of criteria within the policy that need to be satisfied to support applications under the policy. The main issues in relation to the interim policy and this proposal are:

Sequential test that demonstrates no suitable, feasible or viable alternative sites are currently available within the settlement;

that it provides 50% affordable housing provision unless it is supported by a viability study justifying a lower level;

Suitable infrastructure is in place or appropriate arrangements are made to ensure adequate provision in a timely manner;

Assessed for its suitability as an extension to the settlement;

Does not cause significant harm to the social, linguistic or cultural cohesion of the local community;

That the mix and type of housing proposed reflects the needs of the community.

Emerging Joint Local Development Plan (JLDP)

The housing element of this site forms T21, T22 and T23 housing allocations in the emerging JLDP. Paragraph 2.14.1 of Planning Policy Wales (PPW) states that the weight attached to an emerging LDP when determining planning applications will in general depend on the stage it has reached, but does not simply increase as the plan progresses towards adoption. The Inspector will consider the soundness of the whole plan and consequently policies could ultimately be amended or deleted from the plan even though they may not have been the subject of a representation at deposit stage (or be retained despite generating substantial objection). Certainty regarding the content of the plan will only be achieved when the Inspector delivers the binding report. In considering what weight to give to the specific policies in an emerging LDP that apply to a particular proposal, local planning authorities will need to carefully consider the underlying evidence and background to the policies. National planning policy can also be a material consideration in these circumstances (see paragraph 3.1.3 of PPW).

The T21, T22 and T23 housing allocation at Llangefni for an estimated 146 units in policy TAI 14 did receive a number of objections.

The Inspector did not instruct the Council to amend the Plan's overall housing figure or sites T21, T22 or T23. As such no change to sites T21, T22 or T23 is proposed and their designation can be given weight as a material consideration.

In conclusion, the proposed housing sites subject to this application are sites that have been identified in the emerging JLDP. Whilst the binding Inspectors Report is still to be received in relation to the JLDP the Council have not been instructed to introduce a MAC in relation to these proposed sites.

As part of the process of preparing the JLDP an assessment was made over the suitability or otherwise of candidate sites. The fact that sites T21, T22 and T23 appear in the Deposit Plan mean the Council consider them as a suitable extension to the settlement of Llangefni. An Urban Capacity study concluded that the anticipated growth level of the settlement could not be achieved through brownfield opportunities located within the development boundary as identified in the current development plans.

In addition the emerging plan was subject to a Language Impact Assessment and this concluded that the anticipated growth level of Llangefni (which of course includes the housing allocated sites) is not considered likely to have a negative influence on the language, especially with the incorporation of appropriate mitigation measures, such as phasing development, an adequate mix of housing units and requiring developer contributions to provide or enhance infrastructure.

It can therefore be concluded that the proposed sites in this application satisfies the sequential test, forms a suitable extension to the settlement and does not cause significant harm to the social, linguistic or cultural cohesion of the local community.

Principle of development (Hotel and food outlet)

Planning Policy Wales PPW (Edition 9 November 2016) sets out the land use planning policies of the Welsh Government. Chapter 4 of PPW Wales strengthens and clarifies the presumption in favour of sustainable development. The goal of sustainable development is to

“Enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations.”

For planning purposes the Welsh Government defines economic development as development of land and buildings for activities that generate wealth, jobs and income. Welsh Government advise that the planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development.

TAN 23 (2014) Economic Development states that Local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development (paragraph 1.2.5).

In accordance with Policies CH1 and CH2 of the Gwynedd Structure Plan, proposals for tourist development and holiday accommodation will be permitted where they accord with other plan policies. Policy 8 of the Ynys Môn Plan reiterates this policy. Similarly, the Stopped UDP stipulated that high quality tourist accommodation will be permitted where proposals do not cause unacceptable harm to the environment (Policy TO2).

Emerging policies within the JLDP recognise the need to support a sustainable tourism sector which provides high quality facilities to meet modern day needs (Policy SO13). The Councils will support a year long tourism industry and the enhancement of serviced accommodation (Policy PS11).

The proposed hotel will assist in strengthening the tourism sector in Anglesey, through the provision of additional jobs and economic value. The addition of this unit in Llangefni will diversify the existing accommodation offer, which predominantly comprises small scale operators. The proposed hotel use will be open to the general public; however the predominant target customers are to be visitors to the College campus, including lecturers, students attending short courses and parents of students.

In addition to providing accommodation for visitors associated with the College, the proposed hotel and ancillary food & drink use will provide training opportunities for students studying hospitality and catering courses. Therefore, the proposed development will assist in training the workforce, ensuring that the vision for growth in this sector is supported.

The proposed hotel use will improve the quality, quantity and choice of the existing accommodation stock, supporting the growth of the tourism sector in a key Urban Service Centre. There is limited provision of serviced accommodation in Llangefni and it is not considered that the proposal would have an adverse effect on existing businesses.

Policy PS11 of the JLDP states that the provision of high quality serviced accommodation in, or near, sub-regional, urban and rural service centres and villages is supported. Policy TWR1 states that new visitor attractions and facilities will be encouraged to locate to sites within the development boundary. However, the supporting policy text recognises that in exceptional circumstances some facilities may require a non-urban location.

The adopted Holiday Accommodation SPG (2007) states that within, or on the edge of, Main Settlements the redevelopment of a site for holiday accommodation can normally be supported, providing that the scale of the proposal can be absorbed.

As detailed above, the proposed hotel and ancillary food & drink use has clear links to the Grŵp Llandrillo-Menai Llangefni Campus, including the training opportunities which are anticipated as a result of co-locating the College and Hotel / Food & Drink use. Due to this connection, it is not possible to locate the proposed hotel and ancillary food & drink use within the town centre of Llangefni. The proposed development must have a strong physical link to the College, in order to maximise training opportunities and ensure that visitors to the College are accommodated in close proximity to the campus.

PPW establishes the principle of a sequential test in relation to town centre related uses which have direct relevance to economic land uses. Accordingly when determining applications, local planning authorities should seek to replicate this approach. Local planning authorities should apply judgement depending on the nature of the economic use and its applicability to a particular location. They should give first preference to sites within the boundaries of settlements. As a second preference, they should consider edge of settlement sites. As a third preference, they should consider identifying land in the open countryside if the resulting benefits outweigh any adverse impacts of the development. It is considered that the onus of proof that more central sites have been thoroughly assessed rests with the developer.

The applicants submitted details in respect of the sequential approach justifies the sites use for the use proposed, other sites have been identified and the reasons for their unsuitability assessed. Availability, size and location were the criteria used and site visits were made to identify sites along with desktop research, investigating the emerging JLDP and looking at existing planning permissions.

22 sites were identified but only 4 sites exceeded the 1.67ha requirement. These included;

Land adjacent to Ysgol y Bont - This however has a proposed JLDP allocation for 41 houses on part and B1-B8 Employment use.

Land at Bodfordd (Nr Cefni reservoir) - Unsuitable due to distance from College.

Bryn Cefni Industrial Estate - Again primarily for B1-B8 Employment uses and again too far from college.

Llangefni Industrial Estate - Unsuitable environment and too far from college.

Planning permission 36C175K/TR/ECON - This is a permission for a hotel, located on the outskirts of Llangefni. Application 36C175K/TR/ECON sought permission for a hotel (Travel lodge, petrol filling station, restaurant and drive-thru restaurant). The application site for this proposal is to the south of the A55, at junction 6. The site is not considered suitable as it is located approximately 2.3

miles (approximately 50 minutes' walking distance) from the Coleg Menai Llangefni campus, and is severed from Llangefni by the A55 North Wales Expressway

The site identified and which is the subject of this application is adjacent to the new Llangefni link road which it is submitted now defines the settlement, furthermore this location if the development were to go ahead would clearly represent an "On the edge of " development within easy walking access of the college.

It is considered that in light of this and the policy support as outlined the development of this land for a hotel and food and drink use can be supported.

Principle of development (New Engineering Centre)

Grŵp Llandrillo-Menai Further Education College plans to develop Coleg Menai Campus as its "Technology Centre of Excellence for Anglesey and Gwynedd".

Guidance in national planning policy supports new and existing education and community facilities with Planning Policy Wales (PPW) stating that:

Adequate and efficient infrastructure, including services such as education and health facilities along with water supply, sewers, waste management, electricity and gas (the utilities) and telecommunications, is crucial for the economic, social and environmental sustainability of all parts of Wales. It underpins economic competitiveness and opportunities for households and businesses to achieve more socially and environmentally desirable ways of living and working.

PPW also states that an effective way to achieve regeneration is to foster integrated communities within the existing settlement pattern by promoting mixed use development, comprising appropriate combinations of housing (including affordable housing), employment, retailing, education, leisure and recreation uses and open space. It further states that:

Uses which need to be accessible to a large number of people, including retailing, major leisure uses (such as theatres, multi-2 screen cinemas, bingo halls and bowling alleys), offices of central and local government, commercial offices, hospitals and tertiary education facilities are preferably to be located in town centres.

Policy 17 of the YMLP and CC1: Community Facilities of the stopped UDP states that the council will permit the development of facilities to improve community services within or adjacent to development boundaries. The reasoned justification to the policy states that in order to maintain sustainable communities it is important that community services including education facilities are encouraged and supported. The UDP recognises the importance of education establishments such as Coleg Menai and wishes to maintain the current facilities and encourage future development as they have an integral role to play in the area's social and economic development.

Policy EP8: Vibrant Town, District and Local Centres of the stopped UDP (2005) promotes the vitality, viability and attractiveness of the centres identified within the plan. The criteria found within the policy most relevant to this application include:

- Ensuring that established centres remain the primary focus for a wide range of retail (A1,A2 an A3), commercial and public offices (B1), community facilities and institutions (D1) and entertainment and leisure (D2);
- Ensuring that all proposals are compatible with scale, character and function of the centre;
- Ensuring that, either individually or cumulatively, proposals within centres are not detrimental to the vitality and viability of any neighbouring centre;
- Promoting, in partnership with outside agencies and developers, a range of environmental and security improvements to ensure that all centres remain attractive as places to visit or live.

The proposed development is acceptable in principle and is consistent with national and local policy.

andscape and Built Environment

The sites comprise former agricultural enclosures subdivided by hedges and bordered by treed shelterbelts with a few internal remnant parkland trees.

Sites 1-3 border existing residential development from Lôn Talwrn and education facilities on and off site. Site 4 and 5 bound the new link road connecting Lôn Penmynydd to Lôn Talwrn. Formerly well enclosed by the treed boundaries of the Coleg Menai site, this is now partially open to roadside views on the approach from Penmynydd and internally via the new link road.

The site is within LANDMAP Aspect Areas YNSMNVS059 (Sites 1-3) and YNSMNVS012 (sites 4 and 5). Landmap ascribes a moderate value to each. Sensitivity is described in the EIA as ranging from low to the west (bordering existing linear housing development) and medium to the north, east and south (bordering the wider agricultural landscape). The major detracting feature to sites 4 and 5 is identified as the link road. Some of the visual effects of this will be reduced as new mitigation planting establishes.

The site is within LCA 17 – West Central Anglesey described as *‘an expansive LCA which includes a large area of the rural heartland of Anglesey, and including the settlements of Gwalchmai and Llangefni. The LCA also includes a small section of coastal landscape at Rhosneigr including Traeth Llydan, with its associated dune system and impounded water body (Llyn Maelog)’*.

Relevant Key issues are:

Development around settlement edges should:

- Be of a form and character appropriate to each settlement.
- Be considered in terms of impacts upon the wider landscape
- Seek to integrate using landform, vegetation etc. to minimise impacts.
- Ensure that standard solutions are not used in order that the inherent characteristics of the area are contained within the design.

The development of the link road has affected the agricultural character of the land and opened up new views across the site. However, it remains largely enclosed to the wider landscape, which limits the geographical extent of landscape and visual effects.

It is considered that mitigation through the retention of external woodland and additional planting will reduce the wider landscape effects with some of the site merging with the urban edge of Llangefni.

It is not considered that the impacts of the proposed developments are such that they could be refused on visual impact grounds.

Education

The Lifelong Learning Department calculates the cost of providing additional places for pupils in educational establishments by multiplying **the number of pupils eligible for contribution** with a cost multiplier for that educational sector. Due to the fact that the Welsh Government has not provided specific guidance regarding the cost of providing additional places for pupils in schools, the sum of the contribution expected from developers is based on the cost multipliers of the UK Government’s Department for Education. These multipliers reflect the cost of providing an additional place for one pupil when such a need has been proven.

The multipliers used take into account the 2013 factors and inflate them to 2014/15 prices using the latest ONS GDP deflator series.

The multipliers for 2014/15 are as follows:

- Nursery (3-4 years old) and primary schools (pupils aged 4 to 10) – £11,024.79

- Secondary schools (pupils aged 11 to 16) – £16,706.45
- Secondary schools (pupils aged 17 to 18) – £18,096.56

The assessment shows that additional capacity of 36 places for the primary age (4-11) is required the cost for which will be £396,892.

It is anticipated that this amount will facilitate the extra facilities required to cater for the additional provision required if the proposed development were to go ahead.

Highways

The construction of the Llangefni link road has essentially “opened” up the colleges land for development and good access is now available for the sites the subject of this application.

In light of this the Highways Authority raise no objection to the scheme but suggest conditions.

Archaeology

Gwynedd Archaeological Trust has been consulted in respect of the application and state in their comments:

“The majority of the application area appears to be of relatively low archaeological potential, with localised areas of surviving buried archaeology. This accords with the results of the ongoing archaeological mitigation associated with the adjacent link road, and may be considered a reasonable indication of the overall potential of the site.

The principal archaeological discovery is the western half of the early medieval cemetery exposed during link road construction. This mostly lies outside the area proposed for development, but within the red line boundary. The cemetery is a nationally important and vulnerable site, and will need to be included within the archaeological mitigation strategy: the long-term preservation of the remains is felt to be neither feasible nor justified, owing to the proportion of the remains already lost to the link road and the future threat from factors such as landscaping, continuing use of the land by the college, or changes to burial conditions resulting from the development. The evaluation identified several other archaeological features, comprising a burnt mound, a pit or corn drier, and ditches of varying date and interest. These features and any associated evidence not identified by the evaluation will be destroyed by the development and therefore require archaeological recording prior to their loss.

The remainder of the site was noted as being undisturbed and therefore retaining a general potential for buried archaeology, with the exception of Sites 1, 2 and part of Site 3, which were found to have been subject to modern disturbance, but still retaining a potential for truncated remains.

In the light of these comments and in accordance with Planning Policy Wales (2016) and Welsh Office Circular 60/96: ‘Planning and the Historic Environment: Archaeology’, it is recommended that the local planning authority should require that appropriate archaeological mitigation is undertaken”

In respect of this a condition has been suggested and this will be attached to any consent given.

Welsh Language

Isle of Anglesey County Council recognises that:

‘Anglesey is counted as one of the strongholds of the Welsh language and the Welsh language is a natural element of everyday life of the island and is a reflection of its traditions and culture. Linked to this is the rich history and Welsh culture that defines the area and its inhabitants.’ (Anglesey Welsh Language Strategic Forum, 2016).

The Welsh Government also recognises that education has a crucial role to play in order to support the aspirations of a bilingual nation (Iaith Fyw, Iaith Byw, Welsh Language Strategy 2012-2017) and supporting the use of the Welsh language within communities. The proposed NEC expand the provision of bilingual education for the local people of Anglesey and North Wales. The new training opportunities which would be offered by the proposed NEC will broaden the education and training opportunities available on Anglesey. This in turn will help to retain local people (including Welsh speakers) by providing them with the right skills, qualifications and knowledge to apply for any proposed employment opportunities associated with the energy sector on Anglesey. This is expected to include high quality, permanent jobs. This will have a long-term beneficial effect on Welsh language and culture.

Furthermore, the proposed development, through the provision of up to 153 residential dwellings, 83 of which are proposed as affordable dwellings, will contribute greatly towards meeting an identified local need for affordable housing. Housing affordability is an issue facing Isle of Anglesey as a whole, including Llangefni, and this proposal will ensure that the local population, a high proportion of which are Welsh speakers, will be able to meet their housing need in an affordable manner. This is important in terms of ensuring the long-term sustainability of Welsh speaking communities. Local people, including young people, will be able to remain to live in their local communities, raising bilingual families and contributing towards the use of the Welsh language and supporting Welsh culture in the community.

Additionally, the economic benefits associated with the proposed development, during construction and operation of the NEC and proposed hotel will support the local economy and in turn support and maintain the Welsh language and culture. Support for the local economy will be in the form of supporting existing and additional employment opportunities, supply chain initiatives and apprenticeship opportunities. The proposed NEC and hotel development will also diversify the local economy, which will support a sustainable community where the Welsh language can thrive.

Affordable Housing

The affordable housing element of the proposed development will be located on 3 sites:

- Site 1 is a green field site around 1.3 hectares in size, with 0.49 hectares of this allocated to housing. The indicative scheme in the masterplan depicts a development of 23 dwellings.
- Sites 2 and 3 are two connected parcels of vacant green field land to the west of the college campus car park and south of site 1. The indicative scheme in the masterplan depicts 60 dwellings comprising of 28 houses and 32 flats accommodated in 4 apartment blocks.

There will be a combined total of 83 affordable homes, or 54% of the 153 units to be delivered across all four sites.

Due to the number of homes to be provided, it is proposed that the affordable units are brought forward on a parcel-by-parcel basis (Sites 1 - 3), rather than to scatter them throughout all four sites. The reasons given for this are twofold:

Firstly to ensure that a development with such a high proportion of affordable units can be serviced and maintained in a financially viable manner over the life span of the dwellings: grouping houses together is typically more economical and preferable from a management perspective for Housing Associations.

As of January 2017 there were over 80 applicants on Anglesey's Housing Register looking for "general needs" properties in Llangefni and over 20 looking for accommodation suitable for older people.

Analysis of the waiting list indicates that there is a particular need for smaller units (1 bedroom and some 2 bedroom) and also unmet need for larger 4 bed homes.

There is also significant demand for “intermediate” housing (i.e. affordable homes priced between market price and social rents). As of January 129, households were registered on the Tai Teg Affordable Housing Register who would like to find an affordable home in Llangefni.

The exact mix of units to be provided will be the subject of further discussions and will be specified at the detailed application stage.

It is considered that the proposals comply with the aforementioned policy requirements and will help to satisfy an existing need.

Ecology

An Ecological Impact Assessment (EclA) forms the main supporting information for the Ecology and Nature Conservation chapter within the submitted Environmental Statement.

Supporting surveys include

- Extended Phase 1 Habitat Survey;
- Breeding bird surveys
- Bat surveys;
- Red squirrel surveys
- Habitat Assessment for great crested newts and other notable/ protected species.

The EclA report covers the five separate sites, which make up the hybrid planning application. The report aims to identify, quantify and evaluate the potential significant effects of the scheme’s proposals on the nature conservation interest of the sites.

Main impacts at this stage are considered to be the removal of boundary features such as hedgerows and potential effects to bats as a result of the loss of commuting and foraging routes, and birds as a loss of breeding areas. Proposed lighting schemes may also indirectly impact upon bats and birds.

Recommendations are provided in Section 8 to mitigate/ lessen impacts of the scheme. These include:

- Planting Schemes and Management strategies
- Construction Environment Management plan (CEMP) covering works in relation to existing trees, boundaries, and matters such as bio security.
- Lighting scheme
- Clearance methodology
- Bird Nest boxes, installation
- Bat boxes, installation
- Creation and management of ponds
- Woodland Management Plan
- NRW licence(s) in relation protected species, as appropriate

IACC’s Ecologist has advised that the material presented forms a satisfactory basis on which to go forward. Appropriately, worded planning conditions can be prepared to cover the mitigation action areas and secure the long-term management of habitats at the site. NRW also confirm that the proposals are acceptable subject to conditions.

Residential Amenity

Residential properties skirt sites 1, 2 and 3 however given the proximity of those dwellings and the proposed layout of the new dwellings it is not considered that there will be undue harm by way of overlooking. The housing part of the proposals are outline applications and the siting and layout will be subject to further reserved matter applications where the exact positioning of the proposed units can be assessed.

In respect of site 4 there will be a road and planting between the existing properties along Penmyydd road which will be approx. 60m away from the nearest proposed unit.

Additionally the proposed hotel and food and drink outlet will be located approximately 150m away with an intervening roundabout.

With these matters in mind it is not considered that there will be undue harm to the amenities of any of the residential properties in the locality.

Use of agricultural land

Planning Policy Wales in para 4.10.1 requires that;

“In the case of agricultural land, land of grades 1, 2 and 3a of the Department for Environment, Food and Rural Affairs (DEFRA) Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future¹⁰. In development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade

It has been identified that there is an area of 1.5ha of grade 3a outside the link road which will be lost as a consequence of this development. The applicant has however, submitted details showing that there is no alternative lower grade land available which would serve the intended purpose with suitable links to the college.

The land in question will accommodate the hotel and food and drink facility. It has however with the development of the link road been “cut off” from the wider agricultural land with the drainage pond, Penmynydd Road, mitigation planting and link road abutting and is now not considered suited to agricultural use.

As such, it is not considered that there is any conflict with the policy requirements of PPW.

7. Conclusion

It has been shown in the contents of this report that there is policy support for the principle of this development.

Furthermore upon further analysis it can be seen that the proposals will not cause undue harm to the environment or residential amenity and will serve to underpin the welsh language. The proposed mitigation which has been identified in the submitted details will ensure that protected species and archaeology are protected and the contribution to the provision of affordable housing and education is to be welcomed.

The proposed development will also create an educational centre of excellence providing training and education for future generations while providing quality secure jobs on the island.

8. Recommendation

To **permit** the application following the signing of a S106 agreement requiring that up to 50% of the dwellings will be of an affordable type and a Financial contribution to the Education Authority

(01) The approval of the Council shall be obtained before any development is commenced to the following reserved matters viz. the layout, scale, appearance of the building, means of access thereto 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) Before any development commences, details shall be submitted to and approved by the Local Planning Authority in connection with the following reserved matters:

- i) Full details of the means of access to the site.**
- ii) The proposed road layouts, extent and position of vehicle turning facilities, car parking facilities and delivery & loading and unloading facilities.**
- iii) A scheme for surface water drainage and means of disposal including the position of gullies, chambers and outfalls, with pipe diameters and design data.**
- iv) A scheme for street and outdoor lighting.**

Reason: In the interests of amenity and highway safety.

Full planning permission

(05) 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.

Combined

(06) Prior to the commencement of work an appropriate strategy to demonstrate that planting connectivity in the area will be adequately maintained the strategy shall include; the corridor to be retained/established, planting (species composition to be undertaken and lighting specifications to be utilized along this corridor and adjacent areas where light spill may affect the corridor.

Reason: To protect any protected species.

(07) Prior to the commencement of work a Biosecurity Risk Assessment shall be submitted to and approved by the Local Planning Authority the recommendations contained therein shall be implemented during the course of the development.

Reason: To protect the wildlife present.

(08) No development shall commence until a drainage scheme for Site 1 of the development, as identified on Drawing No. CS087795-CAP-XX-00-DR-L-0001 Rev P1 – Site Location Plan, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that foul flows only from no more than 23 dwellings shall discharge to the public sewer in Lon Talwrn between manhole reference number SH46767151 and SH46767152, as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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

(09) No development shall commence on Sites 2 – 5 and the New Engineering Centre, as shown on Drawing No. CS087795-CAP-XX-00-DR-L-0001 Rev P1 – Site Location Plan, until a drainage scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate how each site will be effectively drained to the public sewerage system and how the foul flows will eventually drain to:

i) The 150 mm combined sewer at manhole reference number SH46746801 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

or

ii) Another point of connection on the public sewerage system is identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the local planning authority. Thereafter the connection shall be made in accordance with the recommended connection options following the implementation of any necessary improvements to the sewerage network as may be identified by the hydraulic modelling assessment.

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

(10) The agreed scheme for each site shall be delivered in full and remain in perpetuity prior to the occupation of any building hereby approved.

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

(11) The proposed development site is crossed by a 400mm public rising main and a 150mm public combined sewer with their approximate position being marked on the attached Statutory Public Sewer Record. Their position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the 150mm public combined sewer and 4 metres either side of the centreline of the 400mm public rising main.

Reason: To protect the integrity of the public sewers and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

(12) The proposed development site is crossed by trunk/distribution watermains with their approximate position being marked on the attached plan. Their position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public watermains.

Reason: To protect the integrity of the public sewers and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

(13) a) No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.

b) A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within twelve months of the completion of the archaeological fieldwork or completion of the development, whichever is the sooner.

Reasons:

1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2016 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

(14) An Arboricultural Implications Assessment and Arboricultural Method Statement to BS: 5837 2012, based on the Amenity Tree Care Tree Survey and Constraints Report shall accompany any full or reserved matters application.

Reason: In the interests of amenity.

(15) A completed woodland management plan (to consider the entire site) shall accompany any full or reserved matters application, approved in writing by the Local Planning Authority and thereafter implemented in full throughout the lifetime of the development.

Reason: In the interests of amenity.

(16) No part of the development the subject of outline consent shall be commenced until the all stages of the Llangefni link road are completed and operational.

Reason: In the interests of highway safety.

(17) The commencement of the Development shall not take place until a Travel Plan has been submitted to, approved in writing by and deposited with the Council. The Plan shall set out proposals to positively encourage visitors, staff and contractors to travel to and from the Site by alternative means of travel to single occupancy private car, set out a timetable for implementation and a programme and methodology for monitoring and review. The approved Plan shall be implemented in accordance with the timetable set out therein except in so far as any variation to it has been approved in writing by the Council.

Reason: To encourage travel to and from the Site by more sustainable means than single occupancy cars.

(18) Prior to the commencement of the development hereby approved a Construction Traffic Management plan shall be submitted to the Local Planning Authority for its written approval. The Plan shall include as a minimum, but not limited to:

- i) The routing to and from the site of construction vehicles, plant and deliveries**
- ii) The parking of vehicles for site operatives and visitors**
- iii) Loading and unloading of plant and materials**
- iv) Storage of plant and materials**
- v) Wheel washing facilities where appropriate**

The applicant shall ensure that the requirements of the approved plan shall be adhered to throughout the construction of the development.

Reason: To ensure reasonable and proper control is exercised over construction activities in the interests of amenity and highway safety.

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

Reason: To comply with the requirements of the Highway Authority, in the interests of safety and amenity to ensure there is safe and convenient access to the various parts of the development site.

(20) No surface water from within the curtilage of the development site shall 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 in writing by the Local Planning Authority. No building, car park or access road hereby approved shall be brought into use

until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

Reason: To ensure the site is adequately drained without detriment to the adjoining highway.

(21) Prior to the commencement of any works a site-wide Construction Environmental Management Plan (including a Construction Travel Plan) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following matters:

- Protective measures to trees and shrubs
 - Signage for the construction traffic, pedestrians and other users of the site,
 - Controls on the arrival and departure times for the construction vehicles;
 - Piling methods (if employed)
 - Earthworks;
 - Hoardings to the site,
 - Hours of working,
 - Details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated
 - Waste management and disposal and material re use,
 - Prevention of mud / debris being deposited on public highway;
 - Protection of the amenities of nearby residential occupiers
 - Materials storage; and hazardous material storage and removal.
- A system for the management of complaints from local residents**
- Emergency Containment Procedures

Reason: To ensure the construction environment is not harmful to the amenities or wildlife of the locality.

(22) 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: the interests of amenity.

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

Reason: In the interests of amenity.

(24) Details for the construction of ponds included as part of the scheme shall be submitted to the Local Planning Authority for its written approval prior to the commencement of those works

Reason: To ensure there is no harm to the environment.

(25) Alternative habitats (Bat boxes) shall be installed in accordance with a scheme to be agreed in writing with the Local Planning Authority.

Reason: In the interests of preserving the wildlife of the site.

(26) Full details of any lighting to be included as part of the scheme shall be submitted prior to the commencement of those works.

Reason: In the interests of amenity.

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

Drawing number	Dated.	Plan Description
CS087795-CAP-XX-00-DR-L-0009 P1 & P2 Rev P6	10.02.2017	Landscape Strategy
CS087795-CAP-XX-00-DR-L 0010 Rev P1	23.09.2016	New Engineering Centre Masterplan
ENG-CAP-CP-00-DR-D-0301 Rev PO1	23.09.2016	Fencing Layout & Detail
ENG-CAP-CP-00-DR-D-0701 Rev P-01	23.09.2016	Pavement Layout
ENG-CAP-EB-CM-DR-D-1301 Rev P-01	23.09.2016	Road Lighting & Illuminated Traffic Signs
ENG-CAP-CP-CM-DR-D-0502 Rev P-01	23.09.2016	Proposed Foul & Surface Water Drainage layout
ENG-CAP-CP-00-XX-DR-E-017 Rev P2	23.09.2016	External Lighting & CCTV
ENG-CAP-CP-00-DR-D-0602 Rev P01	23.09.2016	Earthworks Site Cross Section
ENG-CAP-CP-00-DR-D-1101 Rev P-01	23.09.2016	Kerbs, Footways and Paved areas Car Park Layout

ENG-CAP-CP-EB-CM-DR-D-0501 Rev P-01	23.09.2016	Proposed Foul & Surface Water Drainage layout
NEC-LAW-0-0-DEL-AR-061001 Rev P3	23.09.2016	New Engineering Centre Elevations Sheet 1
NEC-LAW-0-0-DSC-063001 RevP1	23.09.2016	New Engineering Centre Typical Section
NEC-LAW-0-U01-DFP-061002 Rev P3	23.09.2016	New Engineering Centre First Floor-General Arrangement Plan
NEC-LAW-0-U03-DFP-061004 Rev P3	23.09.2016	New Engineering Centre Third Floor-General Arrangement Plan
NEC-LAW-0-0-DEL-AR-061002 Rev P4	23.09.2016	New Engineering Centre Elevations Sheet 2
		Soft Landscaping Materials Palette
NEC-LAW-0-G01-DFP-061001 Rev P3	23.09.2016	New Engineering Centre Ground Floor-General Arrangement Plan
NEC-LAW-0-U02-DFP-061003 Rev P3	23.09.2016	New Engineering Centre Second Floor-General Arrangement Plan
NEC-LAW-0-U04-DFP-061005 Rev P1	23.09.2016	New Engineering Centre Roof-General Arrangement Plan
CS087795-CAP-XX-00-DR-L-0008 Rev P3	05.12.2016	Masterplan

CS087795-CAP-XX-00-DR-L-0011 Rev P3	13.12.2016	Tree Retention & Removal Plan
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Under planning application reference 34C304K/1/EIA/ECON.

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.

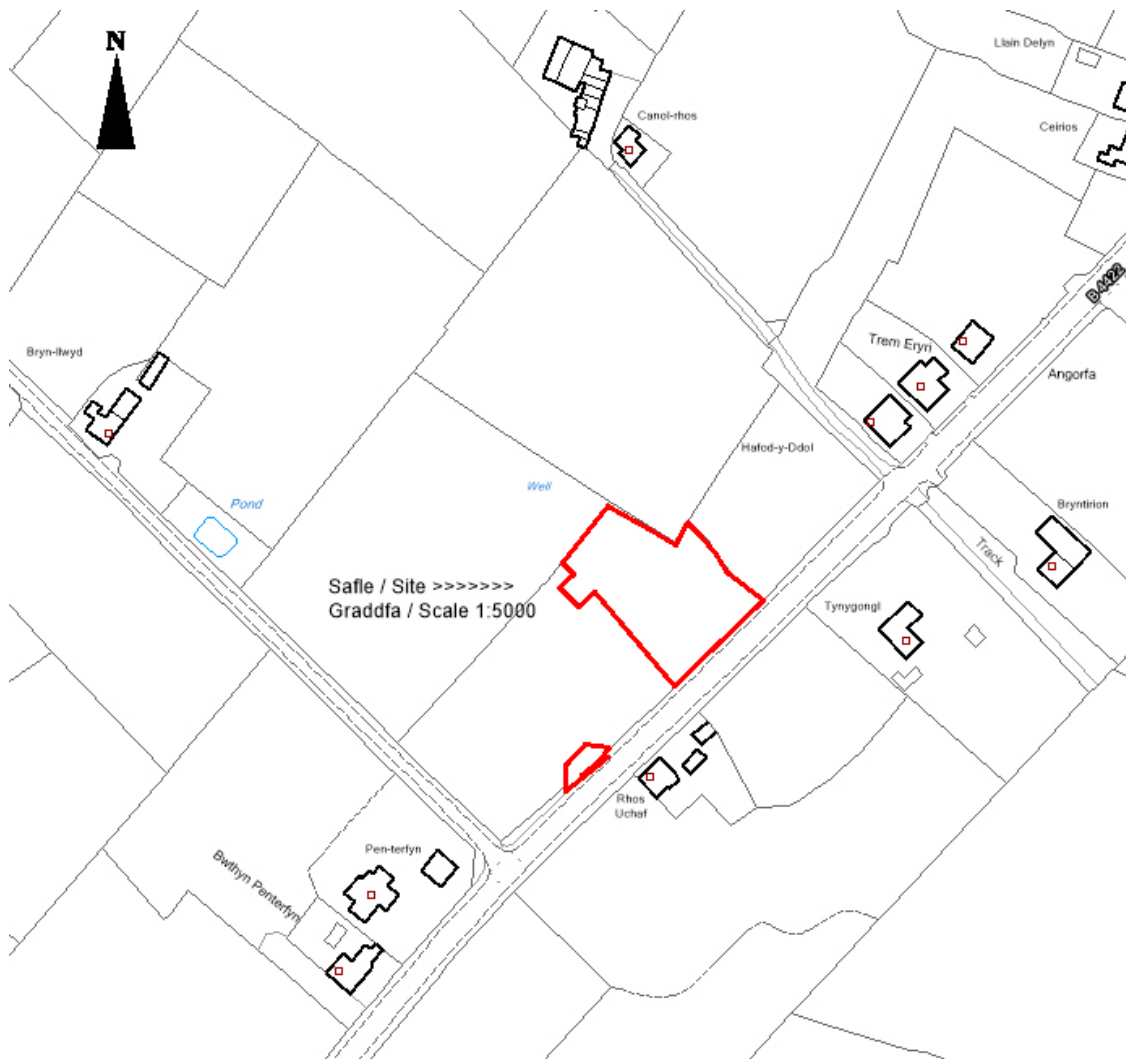
Rhif y Cais: 36C351 Application Number

Ymgeisydd Applicant

Mr M Roberts

Cais llawn i ddymchwel yr annedd bresennol ynghyd â chodi annedd newydd yn ei lle, codi garej a storfa offer, cau'r fynedfa gerbydau sy'n gwasanaethu'r annedd bresennol, estyniad i'r cwrtil, addasiadau i'r fynedfa amaethyddol bresennol er mwyn gwasanaethu'r annedd arfaethedig a chreu mynedfa amaethyddol newydd i'r cae cyfagos yn / Full application for the demolition of the existing dwelling together with the erection of a new dwelling in its place, the erection of a garage and implement store, closure of the vehicular access serving the existing dwelling, extension to the curtilage, alterations to the existing agricultural access to serve the proposed dwelling and the creation of a new agricultural access into the adjoining field at

Ty Llwyd, Rhostrehwfa



Planning Committee: 05/07/2017

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

Recommendation:

Permit

Reason for Reporting to Committee:

The land is owned by the Council.

Also, the applicant is a close friend 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.

At its meeting held on the 14th June, 2017 committee members recommended that a site visit should take place.

The site visit took place on the 21st June and the members will now be familiar with the site and its settings.

1. Proposal and Site

The proposal is for the demolition of the existing dwelling together with the erection of a new dwelling, closure of the existing access and the construction of a new vehicular access and the erection of a garage together with the extension to the curtilage.

The site lies between the settlement of Rhostrehwfa and Llangefni. The existing dwelling is a single storey cottage which has previously been extended with outbuilding situated to the rear of the site. The site lies fronting the B4422.

2. Key Issue(s)

The applications key issues are whether the demolition of the existing building and erection of a new dwelling complies with Policy 54 of the Ynys Môn Local Plan and Policy HP9 of the stopped Unitary Development Plan (which deal with applications for replacement dwellings) and whether the development will affect the amenities of the neighbouring properties and surrounding landscape.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 54 – Replacement Dwelling

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 HP9 – Rural Replacement Dwellings

Emerging Joint Local Development Plan

PCYFF1 – Development Criteria
PCYFF 2 – Design and Place Shaping
PCYFF 3 – Design and Landscaping
TAI 7 – Replacement Dwellings

Planning Policy Wales, 2016, 9th 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 – Drainage details acceptable

Welsh Water – Recommend conditional approval

Natural Resource Wales - Comments

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 3rd March, 2017 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 – Policy 54 of the Ynys Mon Local Plan states that the Council will favourably consider proposals for the replacement of existing permanent dwellings only where it can be shown that the new dwelling will significantly improve the area's appearance. Policy HP9 of the stopped Unitary Development Plan states that replacement dwellings located in a cluster, hamlet or in open countryside will be permitted where the new dwelling incorporates the original footprint of the existing dwelling and is suitable in this location.

TAI 7 of the Joint Local Development Plan states that proposals for the replacement of a dwelling that meet the following criteria, where appropriate, will be granted....

Proposals for the replacement of a dwelling that meet the following criteria, where appropriate, will be granted:

1. Outside development boundaries or identified clusters, the present dwelling has a lawful residential use;
2. The building is not listed;
3. The existing dwelling is of no particular architectural and/ or historic and/ or visual merit, for which it should be conserved;

4. Outside development boundaries the existing dwelling is not capable of retention through renovation and extension and/ or it is demonstrated that the repair of the existing building is not economically feasible;
5. Outside development boundaries, the proposed dwelling is not a replacement for temporary residential accommodation or a building constructed of short--life materials;
6. Outside a Coastal Change Management Area, the siting of a replacement dwelling should be within the same footprint as the existing building unless it can be demonstrated that relocation within the curtilage lessen its visual and amenity impact in the locality;
7. Outside development boundaries, the siting and design of the total new development should be of a similar scale and size and not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling that does not lead to significant greater visual impact could be supported;
8. In areas at risk from flooding and outside a Coastal Change Management Area:
 - i. A flood consequence assessment has been undertaken for the development and satisfactory risk mitigation has been identified;
 - ii. The dwelling will incorporate flood mitigation and resiliency measures in accordance with Community and Local Government (CLG) publication Improving the flood performance of new buildings: flood resilient construction;
 - iii. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/ overtopping of the tidal defences;
 - iv. A flood warning and evacuation plan has been prepared for the property and is to be displayed on site.
9. Exceptionally, when a recently inhabited or habitable dwelling is destroyed by accident, planning permission may be granted for a new dwelling, in situ. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

Planning permission for a replacement dwelling may be subject to a condition to ensure:

10. The demolition of the original dwelling and where appropriate the demolition of outbuildings on the completion of the new dwelling, and/ or
11. That permitted development rights are removed

The volume of the existing dwelling is 378 cubic metres and measures 12.2 (l) x 11.2 (w) x 4 (h). The volume of the three existing outbuildings, which lie to the rear of the site, is 236 cubic metres. The scale of the proposed dwelling is 1590 cubic metres and measures 22.8 x 11.6 x 8.8 metres at its highest. Whilst it is acknowledged that the proposed dwelling is of a larger scale and footprint than the existing dwelling and ancillary outbuildings which currently occupy the site the proposal is considered acceptable as it reflects the scale and design of properties which can be found in the locality.

The outbuildings are in a poor state of repair and are not of a high quality of design. Their removal and replacement of a dwelling of a high quality of design will improve the visual appearance of the locality.

A triple garage and attached implement shed is also proposed as part of the scheme. The proposed garage measures 8.3 (l) x 15.7(w) x 7.9 (h). The implement shed measures 8.3 (l) x 8.1 (w) x 7.9 (g). The applicant has confirmed that the justification for a garage of this scale is as there are 5 vehicles within the household. At the time of writing this report, further clarification is awaited.

in regards to livestock and implements to be stored within the site. The agricultural field in the applicant's ownership extends to 0.3 ha.

Effect on surrounding Properties – The nearest neighbouring property is situated on the opposite side of the B4422 and is located more than 25 metres away from the proposed dwelling and is not located directly opposite the proposed unit. Due to these distances it is not considered that the proposal will harm the amenities of the neighbouring properties.

Effect on surrounding Area – The proposal lies in an open countryside location. There is no distinct pattern of development in the locality and the surrounding area has a mixture of house types, scale and design.

The scale, design and materials proposed to be used in the development are considered acceptable in this location.

The proposal involves the demolition of the existing single storey dwelling and the existing outbuildings which lie to the rear of the dwelling and their replacement with a modern two storey dwelling. The scale of the proposed dwelling is larger than the footprint of the existing cottage however the design and scale of the proposal is similar to what can be found in the locality.

Policy 54 of the Ynys Mon Local Plan and Policy HP9 of the stopped Unitary Development Plan allows the replacement of existing permanent dwellings where it can be shown that the proposal will significantly improve the area's appearance and is suitable to the location and exhibits a high quality of design. The reasoned justification for this policy goes on to state that it may be reasonable to allow the replacement of existing permanent dwellings provided that the proposal has an acceptable impact on its surroundings.

Views from the A5 (from the A55/Junction 6 roundabout to Cefn Cwmwd are restricted by roadside hedges (when in leaf). Views where available would be of the roof and associated dormer windows.

Due to intervening vegetation (off site) and local landform, views from the A5114 are likely to be limited to oblique glimpses, greatest during the winter months.

Due to the proposed buildings' massing and scale, this will be a locally prominent dwelling within a range of 200 metres, of a character distinct from the existing dwelling. Due to topography and vegetation, it would not be seen from the south as a complete and distinct dwelling; the first and upperfloor/roof would be visible.

Due to the above the replacement of the existing single storey dwelling with a new two storey building is considered acceptable in this location and will not have a detrimental impact on the surrounding landscape and locality.

Emerging Joint Local Development Plan – The proposal complies with the listed criteria of Policy TAI 7 of the emerging Joint local Development Plan as the proposal is;

1. The dwelling has recently been used as a permanent dwelling
2. The dwelling is not listed
3. The existing property is a single storey cottage of no architectural merits and was a former council small holding and can be found in a number of settlements on the Island. The dwelling is not a listed building.
4. The report presented as part of the application confirms that the existing dwelling requires major renovation work.
5. The new dwelling is a permanent dwelling.

6. A number of houses surrounding the site are located back from the B4422 and the proposal would include creating a new access with a better visual splay. The size and design of the dwelling is also similar to other dwellings surrounding the site.

7. It is not considered that the proposed dwelling would have a detrimental effect on the landscape and the application has been assessed by the landscape officer who has concluded that the effect of the proposal would be local to the site only. The effect of the proposal is local to the site due to the areas topography and vegetation.

Points 8 and 9 are not relevant to this application.

10. The existing dwelling and outbuildings will have to be demolished in order to build the new dwelling.

11. Permitted development rights will be withdrawn.

A new hedgerow is to be planted along the boundary of the site which will reduce the impact of the development on the surrounding area.

Highway Safety – The existing access vehicular access that serves the site is to be closed and the existing agricultural access is to be altered to serve the proposed unit. A new agricultural access is to be constructed to serve the adjoining field. The Highway Authority have confirmed that the proposal is acceptable subject to the inclusion of standard highway conditions in relation to visibility splay, surface water and that the scheme be implemented in accordance with the submitted drawings.

7. Conclusion

The proposal complies with Policy 54 of the Ynys Môn Local Plan, Policy HP9 of the stopped Unitary Development Plan and Policy TAI 7 of the Joint Local Development Plan. The proposal will not have an adverse effect on existing residential amenities and the proposal will not detrimentally harm the visual appearance of the area. The proposal will not have a detrimental impact on highway safety.

Having considered the above and all other material consideration my recommendation is one of a conditional approval subject to justification from the application of the need for the agricultural shed.

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) The proposed development site is crossed by a combined public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located and marked out on site before works commences and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

(04) The development shall take place in accordance with the reasonable avoidance measures for bats and birds outlined in Section 9 of the Cambrian Ecology Ltd Protected Species Survey report submitted under planning reference 36C351.

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

(05) Both accesses 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.

(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 in the interests of road safety.

(07) The access shall be constructed with 2.4 metre by 90 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 in the interests of road safety.

(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 in the interests of road safety.

(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 in the interests of road safety.

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

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

(11) 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 amenity.

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

Drawing / Document number	Date Received	Plan Description
2445:16:P2	31/01/2017	Existing site plan
2445:16:P7	31/01/2017	Existing plans and elevations

2445:16:P1a	16/02/2017	Location plan
2445:16:P3e	17/05/2017	Proposed site plan
EL(95)01 - A	31/01/2017	Drainage details
Cadarn Report	22/02/2017	Drainage report
2291:16:4	03/06/2016	Proposed Garage floor plans and elevations and swallow mitigation shed
Cambrian Ecology Ltd	10/05/2017	Protected Species Survey
Cadarn Report	31/01/2017	Structural Report
2445:16:P4	31/01/2017	Proposed Floor Plans
2445:16:P5	31/01/2017	Proposed Elevations

under planning application reference 36C351.

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.

7.5

Gweddill y Ceisiadau

Remainder Applications

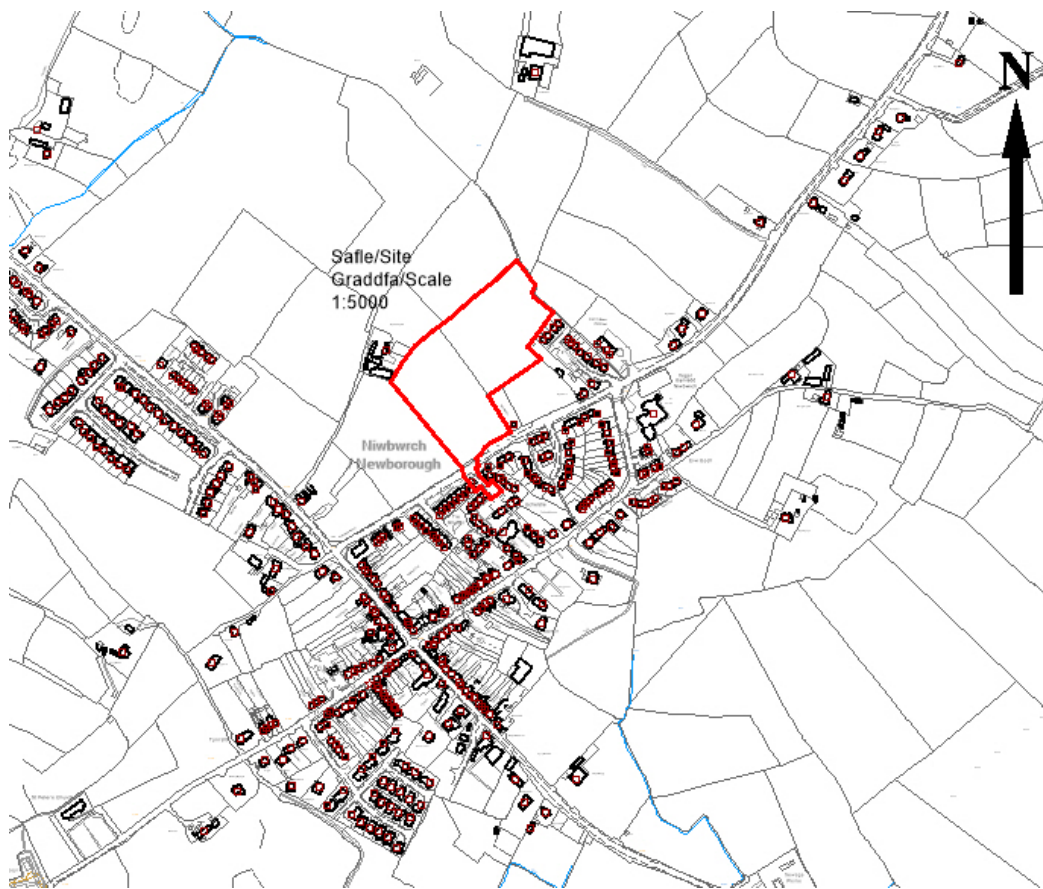
Rhif y Cais: **45LPA1029A/CC/ECON** Application Number

Ymgeisydd Applicant

Head of Learning

Cais llawn ar gyfer codi ysgol gynradd newydd ynghyd a chreu mynedfa newydd i gerbydau ar dir ger / Full application for the erection of a new primary school together with the creation of a new vehicular access on land adjacent to

Morawelon, Niwbwrch/Newborough



Planning Committee: 05/07/2017

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application is made by the Council

At its meeting held on the 14th June, 2017 committee members recommended that a site visit should take place.

The site visit took place on the 21st June, 2017 and the members will now be familiar with the site and its settings.

1. Proposal and Site

The site is located within the village of Newborough and lies opposite the residential estate known as Ucheldre. Access to the site is afforded off Lon Twnti (B4421) and the access will be constructed next to the residential dwelling known as Morawelon. The property known as Bryn Howydd lies to the rear of the site and numbers 9 – 12 Ty'n Lon Bach lie to the front of the proposed playing fields.

The proposed school is located on land adjoining the development boundary of Newborough as identified under Policy 49 of the Ynys Mon Local Plan and Policy HP3 of the stopped Unitary Development Plan. The site is also located outside the development boundary as defined under Policy TAI16 of the emerging Joint Local Development Plan.

The development proposed is for the erection of a new area primary school, to accommodate approximately 180 pupils, to include associated car parking, playing fields and educational areas as well as a community room. The building measures 100m long x 34m at its widest on plan and is orientated with its front facing the B4421. At its highest point the building measures 13.3 metres (the hall) to the ridge however the majority of the building reaches less than 8m to the ridge.

The scheme forms part of the Council's 21st Century Schools modernisation programme and will replace four local schools at Bodorgan, Llangaffo, Dwyran and Newborough.

The application is supported by:

Pre-Planning Consultation Report
Design and Access Statement
Acoustic Report
Residential Amenity Report
Landscaping Design and Access Statement
Ecology Assessment Report
Flood Consequences Assessment
Archaeological Assessment
Archaeological Watching Brief
Transport Assessment
Low or Zero Carbon Technology Feasibility Report

Preliminary Ecological Appraisal
Kier Drainage Strategy
Habitat Management Plan
Ecological Method Statement

2. Key Issue(s)

Impact of the development on the surrounding landscape and archaeology, highways and residential amenity impacts, ecology and drainage.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy
Policy 14 - Recreation and community facilities
Policy 17 – Recreation and community facilities
Policy 31 - Landscape
Policy 32 – Landscape
Policy 34- Nature conservation
Policy 35 – Nature conservation
Policy 39 – Archaeology
Policy 42 – Design

Gwynedd Structure Plan

Policy D4- Location, siting and design
Policy D10 – Flora and fauna
Policy D15 - Archaeology
Policy D32- Landscaping
Policy F7 – Community use of schools

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance
Policy GP2 – Design
Policy EN4 – Biodiversity
Policy EN12 – Archaeological sites
Policy SG6 – Surface water run-off

Planning Policy Wales – Edition 9 (2016)

TAN 5 – Nature Conservation and Planning
TAN 6 – Planning for Sustainable Rural Communities
TAN 12 – Design
TAN 18 – Transport
TAN 23 – Economic Development

SPG – Design Guide for the Urban and Rural Environment

4. Response to Consultation and Publicity

Community Council – No objection

Cllr P Rogers – No response to date

Cllr A Griffith– No response to date – consultation process was carried out prior to the elections

Highway Authority – No objection subject to the inclusion of standard highway conditions in relation to construction and operational traffic management plan

Drainage Section – Drainage details acceptable

Gwynedd Archaeological Planning Service – No response to date

Ecological and Environmental Advisor – Ecological report prepared in support of the application. Details queries by the Ecological and Environmental Advisor but principle of mitigation measures acceptable

Welsh Water – Recommended conditional approval in relation to surface water

Natural Resources Wales - Requested further information regarding dark corridor link between bat boxes and vegetation

Environmental Health Officer – Proposal should comply with recommendations outline in the document titled “Guidance Notes for the Reduction of Obtrusive Lighting” – GN01:2011

Response from members of the public - The application was afforded three means of publicity; these were by the posting of site notices near the site, publication of a notice in the local press and the serving of personal notifications on the occupants of the neighbouring properties. The latest date for the receipt of representations was the 19th May 2017 and at the time of writing this report 1 letter of objection had been received at the department. The main issues raised can be summarised as follows;

- i) Situated on green belt and lies outside the development boundary of the village
- ii) Proposal would encourage further developments on the green belt
- iii) Applicant states that 9 sites were considered however they have not disclosed the location of the alternative sites.
- iv) A private applicant would have to demonstrate that there was no viable alternative and it does not seem appropriate that a public body should be held to any lesser account

In response to these comments I would respond as follows;

- i) The application site is not located on land that has been designated as a green belt. The site lies adjoining the development boundary of Newborough and the built form of the village. Policy 17 of the Ynys Mon Local Plan allows community facilities adjoining development boundaries provided that the site is suitable and the proposal complies with other policies in the Plan.
- ii) Each application is considered on its own merits in relation to relevant policies and material considerations.
- iii) The Education Service has widely consulted on the proposals before this application was submitted. The Committee must now consider the planning merits of the application as made.
- iv) The Policy Considerations are discussed further in the main planning considerations section of this report.

5. Relevant Planning History

45LPA1029/CC/SCR – Screening opinion for the erection of a new primary school on land to the rear of Morawelon, Newborough – EIA Not Required 02/11/2106

6. Main Planning Considerations

Principle of the development: The site is located outside the settlement boundary of Newborough however the frontage of the site lies immediately adjoining the development boundary and the built form of the village. Development plan policies support the creation of community buildings and resources within or on the edge of existing settlements.

Landscape and Visual impacts: The site is currently used as agricultural land. The site levels rises from the highway towards the rear of the site. The design and materials to be used in the construction of the building are considered acceptable and suitable in this location.

Whilst the scale of the building does bear similarity with modern agricultural buildings; the amount of glazing, colours and finishing materials will clearly distinguish it in the landscape. Surrounding surface treatments; parking and games area combine to extend elements of the built form.

In terms of landscape features affected, no internal hedges boundaries would be removed as part of the proposal however some hedgerow has been cut within the site prior to the submission of the application. However as the works did not entail the removal of the hedgerow planning permission was not required. This portion of hedgerow will be removed as part of the proposal, however as this hedgerow has been reduced to under 1m in height it is therefore considered 'Important' under the Hedgerow regulation by virtue of being Historic or species rich.

The B4421 boundary is currently a bramble covered stone wall and the wall is to be retained however the blackthorn and ash plants are to be removed. Whilst it is acknowledged that the hedge has an historic value the proposal can be supported as additional planting is proposed and therefore the proposal complies with the requirements of Policy 32 of the Ynys Mon Local Plan. A predominantly native planting scheme is proposed. Concerns have been raised by NRW by the possible planting of invasive species and at the time of writing this report a response is awaited from Natural Resource Wales following the receipt of an amended Habitat Management Plan. NRW have requested that a condition be imposed stating that no knowns invasive non-native species are introduced to the site.

The site lies adjoining the built form of the settlement and as the proposal retains the majority of the existing hedgerows, which lie along the boundary of the site and additional planting, is proposed as part of the development the proposal will not have a detrimental visual impact on the surrounding landscape or locality.

Cultural heritage: Archaeological assessment works have already taken place on the site. At the time of writing this report a response is awaited from the Gwynedd Archaeological Planning Service.

Highways impacts: The Highway Authority raises no objection in principle subject to the inclusion of standard conditions in relation to construction and operational traffic management plan.

Residential amenities: The scheme will bring about physical and visual change to the site with those properties principally affected being Morawelon which lies to the front of the site and lies next to the proposed vehicular access; the properties known as 9-12 Ty'n Lon Bach which lie immediately to the front of the playing fields and 33-35 Ucheldre and 21, 33 and 34 Tre Rhosyr which lie immediately opposite the site and Bryn Howydd which lies to the rear of the site. There is a distance of between 19.5 and 21 meters between the rear elevation of the properties on Ty'n Lon Bach and the boundary of the football field. A 3m high security fence is proposed along the boundary of the site and the properties on Ty'n Lon Bach and the existing hedgerow and trees, which lie along the boundary of the site, is to be retained. There is a distance of 46 metres between the rear of Mor Awelon and the playing field and a 2m high security fence is proposed between the boundary of the site and the boundary of Mor Awelon. The existing hedgerow will be retained which will safeguard the amenities currently enjoyed by the occupants of the dwelling. There is a distance of 44m between the rear of the property known as Bryn Howydd and the proposed running track and the existing trees will be retained and additional planting is proposed. A 2m high security fence will be erected along the boundary between the existing dwelling and school. Due to the distances between the existing dwellings and proposal and as the existing hedgerow is to be retained and the proposed additional planting it is not considered that the proposal will harm the amenities of the surrounding properties,

The site lies fronting the B4421 which is a busy thoroughfare and the additional traffic generated by the development will not have a detrimental impact on the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application.

The use of the site will principally be during the school term but the scheme makes provision for wider community use which is likely to extend the duration of use into the evenings and out of term time. Given the benefits of the scheme as a resource for the wider community and the existing

screening which lie along the boundary of the site with the adjoining properties of 9-12 Ty'n Lon Bach it is not considered that undue issues would arise such as to warrant refusal.

Additional information in regards to the proposed external lighting scheme has been submitted and the details submitted confirms that the light spillage at its worst is well within the recommended guidance. The proposed lighting scheme is fit for purpose in terms of security considerations and will not impact the night sky nor unduly impact neighbouring occupiers. Further clarification is required in regards to the possible impact of the proposed lighting scheme on protected species.

Ecology: A Habitat Management Plan, Ecological Method Statement and ecological assessments support the application. At the time of writing this report a response is awaited from the applicant in regards to clarification and definitive commitments of the details provided within the Ecological Method Statement.

Drainage: A Flood Consequences Assessment and additional drainage report and details support the application. The scheme has now been amended and the foul waste will be connected to the mains sewer, which is located in the opposite residential estate. Welsh Water and the authorities' Drainage Section have confirmed that the proposed drainage scheme is acceptable.

7. Conclusion

The principle of the scheme is acceptable in policy terms. The impacts on the surrounding area and cultural heritage are considered acceptable; conditions are proposed to mitigate visual impacts in relation to landscaping for example. Residential impacts are considered acceptable; however, at the time of writing this report a response is awaited from the technical consultees and Natural Resources Wales that they are satisfied with ecological issues and archaeological issues.

8. Recommendation

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

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

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

(02) 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 design and construction details of the proposed access and its interface with the highway, including full details of all new public footway areas, pedestrian crossing facilities and associated works, including a timetable for the works, have been submitted to and approved in writing by the local planning authority. The works shall thereafter be completed in accordance with the approved details, prior to the school being brought into use.

Reason: In the interests of highway safety and to ensure the implementation of an appropriately designed engineering solution.

(04) No development shall commence until a Construction Traffic Management plan has been submitted to the Local Planning Authority for its written approval. The Plan shall include as a minimum, but not limited to:

i) The routing to and from the site of construction vehicles, plant and deliveries

ii) The parking of vehicles for site operatives and visitors

iii) Loading and unloading of plant and materials

- iv) Storage of plant and materials
- v) Wheel washing facilities where appropriate

The applicant shall ensure that the requirements of the approved plan shall be adhered to throughout the construction of the development.

Reason: To ensure reasonable and proper control is exercised over construction activities in the interests of amenity and highway safety.

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

- Pre-Planning Consultation Report
- Design and Access Statement
- Amenity Report
- Transport Assessment
- Archaeological Report
- Archaeological Watching Brief
- Landscaping Design and Access Statement
- Ecology Assessment Report
- Flood Consequence Assessment
- Low or Zero Carbon Technology Feasibility Study
- Bat Activity Survey Report
- Kier Drainage Strategy
- Habitat Management Plan 2018 – 2023
- Acoustic Report
- Ecological Method Statement

ED176-PL(00)01 – Rev B – Location Plan

ED176-PL(00)02 – Rev A – Block Plan

ED176-PL(00)03 – Rev P1 – Proposed Floor Plan

ED176- PL(00) 04 – Rev P2 – Proposed Elevations Sheet 1

ED176- PL(00) 05 – Rev P2 – Proposed Elevations Sheet 2

ED176- PL(00) 06 – Image Sheet

ED176- PL(00) 07 – Existing and Proposed Site Sections

CS89284-CAP-00-XX-DR-L-0001 – Rev P4 – Landscape Masterplan

CS89284-CAP-00-XX-DR-L-0002 – Rev P2 – Landscape Sections

CS89284-CAP-00-XX-DR-L-0004 – Rev P4 – Planting Plan

NEWB-KR-00-XX-DR-C-0002_P2 – Construction Build Up to Hard Landscaping and Car Park Access

NEWB-KR-00-XX-DR-C-0003-P3 – Option 2 – Proposed Drainage Layout

NEWB-ATK-XX-00-DR-E-6002_P2 – External Lighting Layout and CCTV Layout

under planning application reference 45LPA1029A/CC/ECON and the details which may be required to be approved under the above condition(s).

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.

12.1

Gweddill y Ceisiadau

Remainder Applications

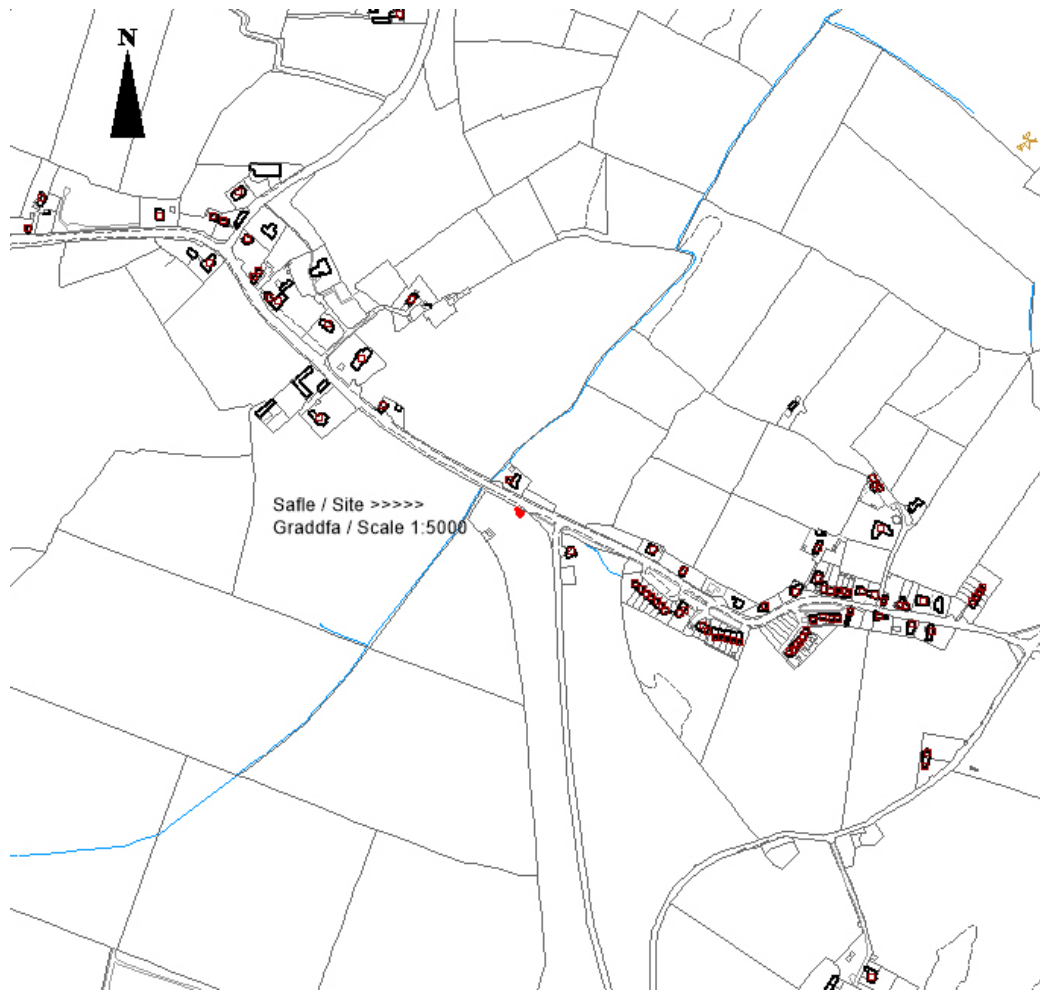
Rhif y Cais: **15C224/AD** Application Number

Ymgeisydd Applicant

Bodorgan Community Council

Cais i lleoli arwydd heb ei oleuo ar dir tu cefn i gilfaen yn / Application for the siting of a non-illuminated sign to the rear of the lay-by at

Hermon



Planning Committee: 05/07/2017

Report of Head of Planning Service (OWH)

Recommendation:

Permit

Reason for Reporting to Committee:

The proposed community display board is within the land which is owned by the Council to which notice has been served.

1. Proposal and Site

The application lies south of Hermon village towards Llangadwaladr.

The proposed community display board will be located behind the existing lay-by.

2. Key Issue(s)

The key issue is whether the proposed scheme is acceptable.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 22 – Advertisement

Gwynedd Structure Plan

Policy D4 – Location, Siting and Design

Policy D29 - Design

Stopped Unitary Development Plan

Policy GP1 – General Control Guidance

Policy GP2 – Design

Anglesey and Gwynedd Joint Local Development Plan

Policy PCYFF 2 – Design and Place Shaping

Planning Policy Wales (9th Edition), November 2016

Technical Advice Note 12 – Design

4. Response to Consultation and Publicity

Councillor Bryan Owen – No response received at the time of writing this report.

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

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

Highways - No response received at the time of writing this report

Public Consultation – The application was afforded two means of publicity. These were by the placing of a notice near the site and serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was the 07/07/2017. At the time of writing this report, the department have not received any representations.

5. Relevant Planning History

No site history

6. Main Planning Considerations

The proposal is for the siting of a non-illuminated display board which will display art produced by the local community as part of a wider community project. The proposed board measures 2.4 metre high and 1.65 metres wide. The board will be bi-lingual being both Welsh and English. The proposed materials are acceptable being wooden. Given the scale of the proposal and its location, it is not considered that the proposal would impact the surrounding amenities or any neighbouring properties to such a degree to warrant a refusal.

The proposed materials are acceptable.

It is not considered that the proposed display board would form an adverse impact on the surrounding amenities to such a degree to warrant a refusal.

7. Conclusion

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

8. Recommendation

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

(01) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

Reason: In the interests of visual amenity.

(02) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: In the interests of amenity.

(03) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

Reason: In the interests of amenity.

(04) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: In the interests of amenity.

(05) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason: To ensure that the siting and design of the sign will be satisfactory from an amenity point of view and to comply with the requirements of the Highway Authority in the interests of the safety of vehicular and pedestrian traffic

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

Drawing number	Date Received	Plan Description
5-6	05/06/2017	Location Plan and Proposed Site Plan
4	05/06/2017	Proposed Sign Details
8	05/06/2017	Proposed Sign Details
2	05/06/2017	Additional Information

under planning application reference 15C224/AD.

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.

12.2

Gweddill y Ceisiadau

Remainder Applications

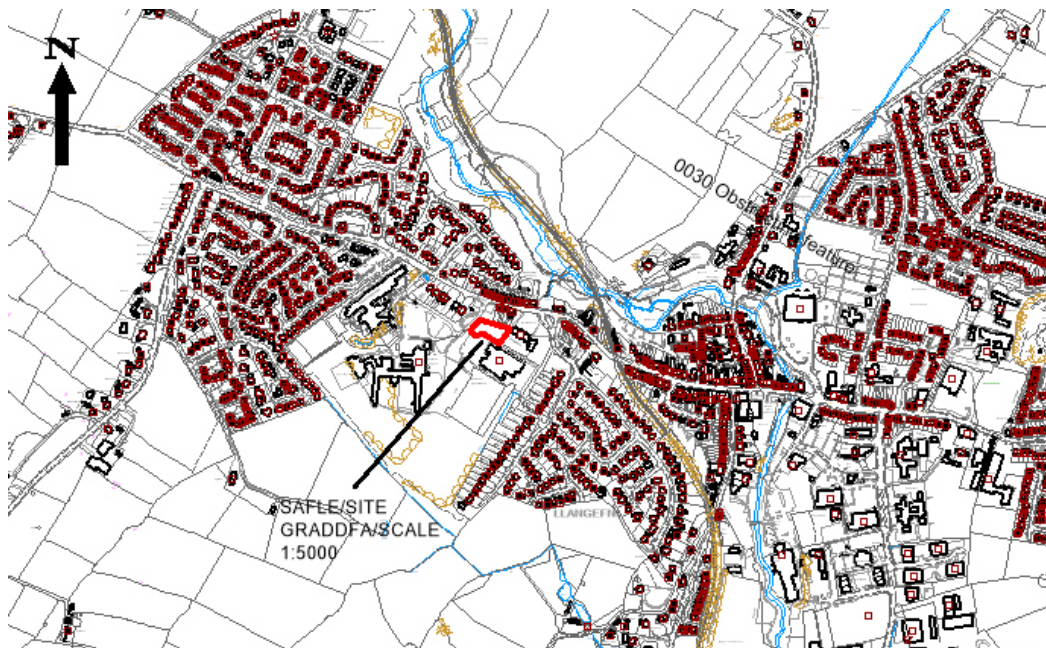
Rhif y Cais: **34C694B** Application Number

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: 05/07/2017

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

Recommendation:

Permit.

Reason for Reporting to Committee:

The application is being presented to the Committee as the application is owned by the Council.

1. Proposal and Site

The site is located near Plas Arthur Leisure Centre. The land is currently vacant; however, the last use of the site was as a skatepark.

The application is a full application for the creation of an urban sports park on land near Plas Arthur, Llangefni.

2. Key Issue(s)

The key issue is whether the proposal is acceptable in terms of policy together with the effect on the amenities of neighbouring properties.

3. Main Policies

Gwynedd Structure Plan

Policy D3 – Environment

Policy CH1 – Recreation and tourism development

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 14 – Recreation and Leisure Facilities

Policy 31 – Landscape

Policy 42 - Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN1 – Landscape Character

Policy CC1 – Community Facilities

4. Response to Consultation and Publicity

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

Local Member Cllr Dylan Rees – No response at the time of writing the report.

Local Member Cllr Nicola Roberts – No response at the time of writing the report

Local Member Cllr Bob Parry - No response at the time of writing the report.

Highways Department – No response at the time of writing the report.

Environmental Health - No response at the time of writing the report.

Site notices was placed near the site and neighbouring residential properties were notified by individual letters. The expiry date for receiving representations is the 10th July 2017. At the time of writing the report no letters had been received.

5. Relevant Planning History

34LPA471/CC – Provision of a skateboard park at Plas Arthur Leisure Centre, Llangefni – Approved 6/3/03

34C694 - Full application for the creation of an urban sports park on land adjoining Plas Arthur, Llangefni – 12/5/16 - Granted

34C694A/DIS – Discharge of condition (02) (lighting) of application reference 34C694 – Condition Discharged 28/7/16

6. Main Planning Considerations

The principle of a skatepark on the application site has already been established with the approval of application reference 34C694 approved on the 06/03/03. The current application is an amended application and consists of the following amendments:-

- Re-location of the Basketball Hoop
- Some amendments to the type of equipment on the site and their re-location within the site
- Erection of 5 light poles instead of 3 light poles previously approved.

Basketball Hoop

The basketball hoop will be re-located to the North East of the site. A 3 metre black powder coated fence will be erected around the basket ball area.

Lighting poles

There are 5 lighting poles proposed at a height of 8 metres high. Supporting details provided with the application provides further details on light spillage within and adjacent to the site. The lux levels of the lights has been reduced considerably since the previous planning application, however a further 2 lighting poles are required in order to distribute the light evenly on the site. The light spillage from the current application will have less of an impact on the adjoining area than that previously approved on the site.

Policy Considerations

Policy CH1 of the Gwynedd Structure Plan and Policy 14 and 17 of the Ynys Mon Local Plan and Policy CC1 of the Stopped Unitary Development Plan supports development of recreational and leisure facilities within development boundaries or within or on the edge of other settlements.

Policy 42 of the Ynys Mon Local Plan and GP1 and GP2 of the Stopped Unitary Development Plan promotes high quality of design and confirms that the appearance of the proposed development and its relationship to its surroundings are material considerations.

Impact on the surrounding area

The proposal is located within an area designated as a Special Landscape Area under the provisions of Policy 31 of the Ynys Mon Local Plan, D3 of the Gwynedd Structure Plan and EN1 of the Stopped Unitary Development Plan. It is not considered that the proposal would harm the character or appearance of the special landscape area.

Effect on surrounding properties

The skatepark will be located approx. 4 metres from the boundary of the properties to the rear and approx. 15-25metres from the nearest properties known as Dingle View, Morslwyn and Lluest

located on Cildwrn Road. The principle of a skatepark has already been granted as part of a previous application reference 34C694. It is not considered that the amendments part of this application will have any further impact upon the amenities of adjoining residential properties.

7. Conclusion

It is considered that the amendments proposed to the application site are acceptable and comply with all policies listed above. There will be no further impact upon residential properties or the special landscape area.

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 external lighting hereby approved shall not be illuminated between 21.30pm and 9.00am the following day.

Reason: To protect the amenities of nearby residential occupiers.

(03) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 34C694B.

Location Plan		7/6/17
Proposed Site Plan	LUSP-PSP01 Rev H	7/6/17
Fence (Basketball Area)	DUO 6 Sports	19/6/17
Lighting Scheme	PO3	7/6/17

Reason: For the avoidance of doubt.

9. Other Relevant Policies

Technical Advice Note 12 – Design

Planning Policy Wales 9th Edition

12.3

Gweddill y Ceisiadau

Remainder Applications

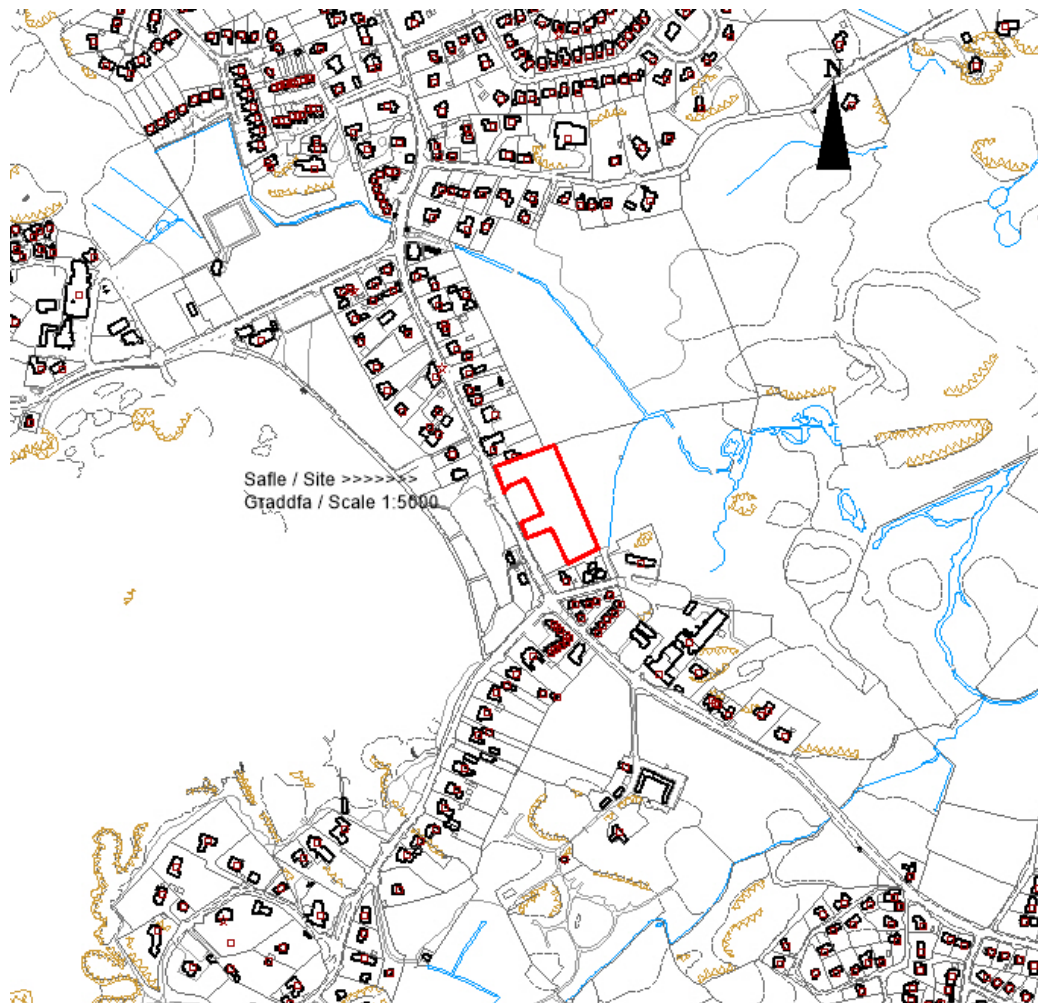
Rhif y Cais: **46C137F** Application Number

Ymgeisydd Applicant

S V Owen & Son Ltd

Cais amlinellol gyda rhai materion wedi eu cadw yn ôl ar gyfer codi 18 o anheddau ynghyd â ffurfio mynedfa newydd i gerbydau yn / Outline application with some matters reserved for the erection of 18 dwellings together with the formation of a new vehicular access at

The Old Cricket Ground, Lon St Ffraid, Bae Trearddur Bay



Planning Committee: 05/07/2017

Report of Head of Regulation and Economic Development Service (DPJ)

Recommendation:

Refuse.

Reason for Reporting to Committee:

The planning application is reported to the planning committee at the request of a local member.

1. Proposal and Site

The site is located opposite the car park and promenade in Trearddur Bay, off Lon Isallt, and backs onto a golf course built in association with the Beach Hotel, located between the site and the Inland Sea to the east. It measures some 0.85ha in total.

This is an outline planning application for the erection of 18 dwellings together with the creation of a vehicular access. The approval of the access and the layout of the development is being sought as part of this outline planning permission.

The application is made for 18 dwellings at the rear or the east of the site and a new vehicular access in a different position to the existing vehicular access to the site.

The plans indicate the existing dwellings at the frontage of the site and subject to planning permission 46C137E re-sited, but this is not subject to this planning application.

As explained in the applicant's Pre Application Consultation the design of the proposed dwelling shown on the submitted plans is not included as a reserved matter. The indicative height parameters submitted with the planning application indicate that any dwellings approved under this outline will be up to three storeys in height.

The levels of the site have been raised in accord with planning permission 46137F. This is an outline planning permission but it appears that the proposed levels indicate that the east part of the site will again be raised. The existing and proposed levels of the site are being clarified with the agent at the time of writing.

2. Key Issue(s)

- The acceptability of the proposed outline planning permission layout for 18 dwellings having regard to development plan and other material planning considerations.
- Acceptability of proposed development in relation to flood risk.
- Relationship of the proposed development with extant full planning permission 46C137E.

3. Main Policies

Gwynedd Structure Plan

Policy A1: Housing Land Availability
Policy A2: Housing Location
Policy A3: Scale and Phasing of Housing
Policy A6: Dwellings in the Countryside
Policy A7: 5 Year Supply
Policy A9: Affordable Housing
Policy D4: Location, Siting and Design
Policy D28: Natural Slate
Policy D29: Standard of Design
Policy D32: Landscaping
Policy FF12: Car Parking Standards

Ynys Mon Local Plan

Policy 1: General
Policy 26: Car Parking
Policy 28 : Tidal Inundation and River Flooding
Policy 31: Special Landscape Area
Policy 32: Landscape
Policy 42: Design
Policy 48: Housing Development Criteria
Policy 49: Defined Settlements, Proposal T41 The Cricket Field.

Stopped Unitary Development Plan

Policy GP1: Development Control Guidance.
Policy GP2: Design
Policy EN1: Landscape Character
Policy TR3: Highway Design
Policy TR10: Parking Standards
Policy HP1: 5 Year Supply
Policy HP2: Housing Density
Policy HP3: Main and Secondary Centres

Policy HP7: Affordable Housing – Housing Need
Policy SG2: Development and Flood Risk
Policy SG6: Surface Water Run Off

Emerging Joint Local Development Plan Anglesey and Gwynedd (2011 – 2026)

PS1: Welsh Language & Culture
PS2: Infrastructure and Developer Contributions
ISA1: Infrastructure Provision
ISA5: Provision of Open Spaces within New Housing Developments
TRA2: Parking Standards
TRA4: Managing Transport Impacts
PS5: Sustainable Development
PCYFF1: Development Criteria
PCYFF2: Design and Place Shaping
PCYFF3: Design and Landscaping
PCYFF5: Water Conservation
PS13: Housing Provision
TAI1: Appropriate Housing Mix
TAI9: Affordable Housing Thresholds & Distribution
TAI15: Housing in Local Service Centres Proposal T37 Land near Penmynydd Road
PS16: Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance “SPG”

Design in the Urban and Rural Built Environment

SPG Affordable Housing
SPG Parking Standards
SPG Planning and the Welsh Language
SPG Planning Obligations

Planning Policy Wales Edition 9 “PPW”**Technical Advice Note “TAN” 2: Planning and Affordable Housing**

TAN 12: Design
TAN 15: Development and Flood Risk
TAN18: Transport
TAN 20: Planning and the Welsh Language

4. Response to Consultation and Publicity

Councillor Trefor Lloyd Hughes – Requested that the planning application was referred to the planning committee on the grounds of flooding, highways and density.

Councillor Dafydd Rhys Thomas – Called to the planning committee on the grounds of overdevelopment, over-loading of sewage infrastructure, traffic issues, quality of life of residents, need for this type of housing for local people, the site is in a flood plain, serious concerns about water displacement. Request a site visit.

Trearddur Community Council – oppose the development and wish to make the following observations:

Local Housing Needs – does not meet housing needs of the community, no affordable units are included and there are already a large number of sites where planning permission has been granted but they are yet to be built.

Overdevelopment – an additional 18 dwellings will give a total of 34 3-storey dwellings. The ground level has been raised approximately 2 meters and the whole development will stand substantially higher than the planning permission originally given for 17 dwellings in a prominent position in the village, dominate the landscape and have a negative impact on the area/residents. Insufficient parking for the number and types of cars/boats likely to be present in the development.

Increased risk of flooding – The site provides a natural flood route between Trearddur Bay and the Inland Sea. The site has been raised to ensure a flood free development. As already demonstrated work done on the sea defences and the provision of a gulley down the side of the site does not capture the volume of water flowing downhill towards Ravenspoint Road junction, raising the ground level results in diverting the natural flow direction of flood waters down Lon St Ffraid towards other properties.

There would be times when the access road, cul-de-sac and gardens would be flooded and this is why it is considered that the entrance to the site nearer to the post office. This entrance is substantially raised to ensure that any flood water is diverted further down Lon St Ffraid to more existing properties.

Inadequate Infrastructure – Trearddur Bay has major traffic and parking issues and moving the estate entrance to an area already congested will compound problems and increase risk of injury convenience to pedestrians using facilities adjacent, and therefore adversely affect the quality of life of residents.

The closure of Lon Ffraid for whatever reason will have a major impact on the wider community.

The development will not benefit the local economy or enhance the environment. It will have a visual impact from the Inland Sea. Consideration should be given to the fact that the inland sea is a SSSI.

The properties are not affordable to local people and the development will not safeguard and strength the Welsh language/culture or promote its use as an essential part of community life.

A site visit and discussion with local residents is required before coming to any decision.

Highways – Conditional permission.

Drainage Section – Although the surface water drainage system appear acceptable, it would be advisable to arrange a meeting to discuss the detail prior to the submission of any reserved matters applications.

The improvements previously carried out to the adjacent coastal structure, which are referred to in the Flood Consequences Assessment, were undertaken by this Authority using its permissive powers in relation to coastal protection and that the wall is therefore not designated as a flood

defence structure. As a consequence, written confirmation should be provided to demonstrate that there are satisfactory arrangements in place for the long term management and maintenance of all flood defence features identified in this report.

The previously approved flood route, shown adjacent to the proposed site, should be kept clean and unobstructed. It is therefore suggested that no works be commenced on the development site, until sufficient details have been submitted to the Local Planning Service, to demonstrate that the channel is fully functional. In addition, a management and maintenance plan should be provided for the open channel, which confirms its ownership and indicates how its future operation is to be secured for the lifetime of the development.

N.R.W.'s suggestion that the matters raised in the e-mail from an objector should be forwarded to the applicants, so that they have the opportunity to respond directly and address the specific points relating to a perceived increased flood risk to neighbouring properties.

Joint Planning Policy Unit “JPPU”

Existing Development Plan - In a comprehensive consultation response it is explained that the policy A2 of the Gwynedd Structure Plan (1993) “GSP” permits housing on the edge of settlements subject to the listed considerations and the site is allocated as housing site T41 in the adopted Ynys Mon Local Plan (1996) “YMLP” for an anticipated 14 units and that part of this allocation has the benefit of planning permission for 17 dwellings. In the Stopped UDP (2005) “UDP” the site lies outside the Trearddur settlement boundary, whilst it is not adopted due to the advanced stage reached in its preparation it is given weight as a material planning consideration in considering planning application. The GSP was intended to cover the period 1991 -2006, and the YMLP 1991-20011, and the UDP is intended to cover the period 2001-2016. In considering this type of development, the age of the development plan and UDP must be considered as well as national planning policy.

Emerging Joint Local Development Plan “JLDP” - Relevant planning policies are quoted and it is indicated that the JLDP is now a material planning consideration for development management purposes. Relevant planning policies from the JLDP are listed in the relevant section of this report below and it is explained that the JLDP will supersede current plans upon adoption which is expected to occur in June or July 2017. Due to outstanding objections to the Matters Arising Change “MAC’s” in relation to policies TAI 5 and TAI 17 only limited weight can be attached to the Local Market Housing element within these policies. However, this specific site has been subject to consideration for inclusion with the JLDP and the Council has not been instructed by the Inspector to include it within the Trearddur Settlement boundary. The approval of the site would be contrary to the strategy of the emerging plan and impact upon the growth level anticipated from settlements identified under policy TAI5.

Five year Land Supply – Due to changes introduced to TAN 1 (2015) the Council is unable to demonstrate a 5 year housing land supply. The site has been offered for inclusion in the JLDP but was not included. Also adoption of the JLDP in June July will provide a 5.4 year land supply.

Built Environment and Landscape Section – The boundary of the site is approximately 65 meters from the Area of Outstanding Natural Beauty “AONB” and the development should accord with the relevant policies in the Isle of Anglesey AONB Management Plan 2015 – 2020. No objections are raised to the overall development but would recommend the following to satisfy the policies:

1. All surface treatments/cladding should be conditioned for approval of the LPA.
2. There are no planting / biodiversity / landscape enhancements shown on the plans or DAS. Further work is required of the applicant to fully explore the possibilities of integrating these within the overall design layout.
3. There are no details of the hard landscape treatments including boundary walls / fencing materials or design. These should be conditioned for approval.

Ecological and Environmental Adviser – An ecological report should accompany the planning application, which includes reference to Cofnod local records.

Head of Environmental Services – Conditional permission restricting nuisance, working hours and contaminated land in the event that contamination is found.

Housing: There is a high demand for affordable housing in the area which is not currently being met. As this is a development of 18 units, we would suggest that 6 properties are offered as affordable units, either as;

- Affordable first time buyer properties,
- In partnership with a registered social landlord as intermediate rentals or
- In partnership with the Council or a registered social landlord as social housing units.

Emergency Planning – No comments received at the time of writing.

Education Service – No comments received at the time of writing.

Welsh Water – The submitted plans reflect pre-application discussions and the easement distance agreed along the public sewer crossing the site. No objections are raised subject to a planning condition requiring that the development is undertaken in accord with submitted drainage details.

Natural Resources Wales “NRW” – In a letter dated NRW state that they do not object to the planning application but make the following comments:

Flood Risk: Based on the submitted Flood Consequences Assessment and Breach Analysis submitted in support of the planning application. Further the proposals position the vehicular entrance to the site to the north (of that proposed previously) and it is expected that the depths and velocities of flood water at this position will fall within guidelines as set out in A1.15 of TAN 15: Development and Flood Risk “TAN15”. It is recommended that the Council consult with its emergency planning officers on these matters.

Pollution Prevention: Given the proximity to waterbodies all works on the site must be carried out in accordance with Guidance for Pollution Prevention GPP5: “Works and Maintenance In or Near Water”.

Construction Waste: The importation of waste such as builders rubble for use in the construction should be registered with NRW as an exempt activity under the Environmental Permitting Regulations.

Protected Sites: The proposal is located within 100 meters of the Anglesey Terns/Morwenoliad Ynys Mon Special Protection Area (SPA) and approximately 200 meters from the North Anglesey Marine/Gogledd Mon Special Area of Conservation (SAC) which are protected by statute

Protected Landscape: The proposal is located approximately 65 meters from the Ynys Mon/Anglesey Area of Outstanding Natural Beauty “AONB”. NRW remind the Council of their duty under Section 85 of the Countryside and Rights of Way Act 2000 which requires public bodies to have regard to the purposes of conserving and enhancing the natural beauty of the AONB.

NRW has separately responded in detail to a number of matters in relation to flood risk raised in an objection and this response is referred to where relevant in the main body of the report below.

In a further letter dated 21.06.17 it is advised that there has been a successful flood map challenge and that the application site is no longer in a C2 flood zone. The site is instead in Zone B which are areas known to have flooded in the past.

CADW – No comments received at the time of writing.

Gwynedd Archaeological Planning Service “GAPS” – Previous watching briefs at this site have found no archaeological evidence, and established that parts of the site have had considerable modern disturbance. Whilst peat and sand deposits present could yield archaeological evidence as the site levels have been raised there is no need for a mitigation condition. Conventional trenched foundations and service trenches will be substantially or wholly in this made up ground, and piled

foundations that would go deeper (a) have a small potential for impact at this site and (b) can't be mitigated by a watching brief, and the scale of risk wouldn't merit anything more than that.

Public Response – 33 letters of objection have been received as a result of the publicity undertaken. Objections are based on:

- A proposal for 34 dwellings has been rejected by the Planning Inspectorate and the grounds of objection were made to the principle of the development and any further residential development, quite apart from other considerations attributable to the size, scale and impact of the number of units. Any collateral grounds of rejection and the expressed reasoning in the Inspector's decision are also of strong persuasive value.
- As a matter of principle any subsequent changes to the original permission on the site in law require the Council to give effect only to the earlier permission but not to enable that permission to be used as a springboard for a greater development which, had the law as it now stands been applicable to the original permission would not now be granted. By way of corollary a planning permission for a limited development cannot be used to justify a subsequent application for a much greater development where neither the criteria applicable to the original development nor those put forward in relation to the greater development would justify permission as it now stands.
- Compliance development plan.
- Development does not integrate the proposal into and enhance its surroundings and the landscape in accordance with planning policies.
- 34 3-storey dwellings will be out of character, density out of character with the village and its surroundings.
- Base level of the development has been raised by 2 meters and the proposal entails a development of 3 storeys.
- As this is an infill site there must be a building line set between the properties on either side.
- Loss of water courses and topographical features, adjoining properties and the village is also being flooded as a result of the dams effect of the development, drainage channel created along the side of the development is ineffectual.
- 2014 Flooding demonstrated that The Flood Alleviation scheme implemented in Trearddur Bay was ineffectual without a suitable relief route throughout the site.
- One writer who owns adjacent dwellings indicates that they are already affected by the previous approval of increasing ground levels which has caused their properties to be affected from flooding.
- The height of the site has been raised and once developed how will excess surface water be dealt with?.
- Questions are raised in terms of the flood consequences proposals/arrangements and the raising of the site approved as part of the previously approved planning application (46C137E) on the site.
- The development result in the loss of a natural flood plain and is contrary to policy.
- Site is in a C2 flood zone the agents for the application have ticked that it is not on the application form. It has also been ticked on the form that the proposed development will not increase the risk of flooding elsewhere. Government policy directs development away from such areas.
- NRW's position in relation to the flood risk assessment is queried.
- Reassurances are requested that eventualities have been considered and would the Council be held responsible if existing dwellings were put in any danger.
- Notwithstanding the extant permission for limited residential development the requirements of TAN 15 must be carried through so far as it is lawful and practical.
- The coastal defence works undertaken in Trearddur Bay provide a limited temporary defence only they do not address flood risks identified in TAN15 and cannot reasonably be regarded as capable of being adopted.
- The Planning Inspectorate's decision indicated that residential development of the site was unacceptable in principle. This was statement of policy which remains a material consideration which cannot be circumvented. Nothing has changed to justify any departure from the position then adopted, to do so would be unreasonable.
- The position of the proposed re-located vehicular access to the development was under 150mm of water in January 2014 and it is contended that on this basis this will not provide

a betterment in terms of flood risk. Another writer suggests that if the new access at this point allowed water to drain through to the inland sea it could be beneficial.

- Flood plain drainage in the inland sea has been curtailed by unregulated tipping and infill at the rear of the proposed development.
- Development should respect local and strategic views.
- There will not be 30% affordable housing provided on site.
- The houses will likely comprise in second homes which will result in a deterioration of services for local people.
- Policy ISA5 of the JLDP requires provision of open spaces in new developments for new housing proposals over 10, where is this requirement being met.
- JLDP does not permit market housing in coastal villages.
- Permitted development rights should be removed.
- Loss of sunlight on adjoining properties.
- Loss of privacy on adjoining properties.
- Specific reference is made to the effect of plot 1 on "Coed Llai" in terms of proximity, effect on light and privacy by virtue of overlooking.
- Construction of the proposals would block an access path from the applicant's house to recreational fields and views.
- Effect of parking, traffic and road safety.
- Noise and general disturbance on adjoining properties and in connection with construction.
- Negative effect on tourism.
- Extra pollution.
- Discharge to the inland sea should be considered particularly at the construction phase.
- The planning application should be called in again.

5. Relevant Planning History

46C137- Residential development of land at the Old Cricket Ground, Trearddur Bay – Refused 18/01/89

46C137A – Residential development of land at the Old Cricket Ground, Trearddur Bay – Refused 12/04/89 Allowed on Appeal 09/08/89

46C137B/DA – Detailed plans for the erection of 17 dwellings on land at the Old Cricket Ground, Trearddur Bay – Approved 20/08/91

46C137D – Full application for the erection of 34 3-storey dwellings at the Old Cricket Ground, Trearddur Bay – Section 77 Call-in Refusal 22/03/07

46C137E - Full plans for the erection of 17 no. three storey dwellings together with the construction of a new vehicular and pedestrian access Conditionally approved 24/09/09

6. Main Planning Considerations

Introduction

A number of objections have been received in relation to the planning application as detailed in the relevant section of this report above. Many of the matters raised in the objections relate to and have been considered in previous planning applications and as a context to the consideration of this application an assessment of the planning history is provided below.

Planning History

Outline planning consent was granted on appeal in 1989 for the residential development of the site. Detailed plans for 17 dwellings were approved under planning reference 46C137B/DA in 1991. It is apparent from correspondence on the planning files that works commenced on site and were inspected by the Building Regulations Section at the time which were sufficient works to safeguard the planning consent.

Planning application 46C137D was called in by the Welsh Assembly Government in 2006. This planning application was made for 34 3-storey dwellings in a terrace of 3 or 4 units. The appeal was dismissed on the grounds that the site was in a C2 zone in the Development Advice Map of TAN 15, where residential development is unacceptable. Of relevance this planning application the Inspector deemed that the proposal would accord development plan policies in relation to settlements boundaries, affordable housing and also considered 3-storey dwelling in blocks of 3 or 4 to be acceptable in this coastal setting.

Planning permission 46C137E was a full planning application for the erection of 17 dwellings on the site with a different design and configuration to the safeguarded consent under planning reference 46C137B/DA which comprised the “fallback” position. The application also proposes flood mitigation measures and a flood route through the site to deal with the consequences of flooding through wave overtopping of the promenade. The site was still located within an area of flood risk classified as Zone C2 in TAN 15.

The applicant indicated at the time that the application as submitted represented a ‘significant planning gain’ over the extant consent 46C137B/DA. The proposal reverted to the 17 number units which could be implemented without flood mitigation measures – effectively maintaining the status quo instead of increasing the number of residents at risk, which was found objectionable by the Inquiry Inspector. Its advantage over the extant consent includes the fact that it is supported by a satisfactory FCS, the site levels were raised in order that flooding of the access road should not occur and an open channel took diverted flood water off Lon St Ffraid. A legal agreement under Section 106 of the Planning Act was completed to ensure regular maintenance of this overland flood route, access road levels were raised to prevent water entering the estate road from Lon St Ffraid and finished floor levels were raised to 4.65m AOD, above the 1 in 1000 still water level of 4.34m AOD.

The scheme sought to address the concerns raised by the Inspector in relation to flooding. The County Council, as Coast Protection Authority, had been engaged in works to the promenade and Ravenspoint Road at Trearddur to alleviate (albeit not eliminate) flood risks. These works also included improved channeling of flood waters towards the Inland Sea. The measures were proposed by the applicant complement and maintain overland flood routes. The NRW (being the Environment Agency at the time) confirmed that the scheme satisfactorily dealt with flood risk on the understanding that the proposal relates to 17 units in accordance with the safeguarded consent. NRW further considered the scheme as a betterment but indicated that it would not be acceptable to increase the number of dwellings over and above this safeguarded consent, and that the proposal should not be taken as setting a precedent for other development proposals.

Since the approval of this planning permission in 2009 the development has commenced and a vehicular access road has been constructed centrally, the site has been raised and the open channel has been constructed along the southern boundary of the site.

As explained in the introduction to this report this planning application is made for 18 additional units to the east or the rear of the application, giving a total of 35 units on the site. In any approval granted it is considered that a restriction would need to be included to prevent the implementation of planning permission 46C137E as both schemes are incompatible in their present form.

Policy Considerations:

Policy A2 of the Gwynedd Structure states that housing will be located within or on the edge of existing settlements at a scale which reflects the settlements existing population

The site is located within the development boundary of Trearddur under the Ynys Mon Local Plan and is allocated for housing development (allocation T41 on the Proposals Map).

The Local Plan, along with the Gwynedd Structure Plan currently comprise the development plan in accordance with the Planning Acts.

In the UDP the site lies wholly outside the settlement boundary. Whilst the UDP was not formally adopted due to the advanced stage reached in its preparation it is given weight as a material planning consideration in dealing with planning applications.

It is material that the Gwynedd Structure Plan was intended to cover the period 1991 to 2006 whilst the Ynys Mon Local Plan was intended to cover the period 1991 to 2001. The UDP was intended to cover the period 2001 to 2016. Advice in paragraph 2.14.4 of PPW indicates that the decision maker should weight the age of the development plan through monitoring and review as well as other material considerations such as the UDP and more recent national planning policies.

As indicated in the response from the JPPU the JLDP is now a material planning consideration for development management purposes. The JLDP will supersede all the current plans upon adoption which is expected to occur in June or July 2017.

This site has been subject to consideration for inclusion with the JLDP and the Council has not been instructed by the Inspector to include it within the Trearddur Settlement boundary. The approval of the site would therefore be contrary to the strategy of the JLDP and impact upon the growth level anticipated from settlements identified under the settlement strategy under policy PS15 of the JLDP.

Having regard to the provisions of section 38(6) of the 2004 Act, if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The age of the development plan and the existence of more up to date provisions in the UDP means that the principle of the development is not considered acceptable in this instance. Further the JLDP is now a material consideration and the site is located outside the settlement boundary of this plan and in the countryside. The approval of the site would be contrary to the strategy of the JLDP and impact upon the growth level anticipated from settlements identified under policy TA15 as well as the type of housing supported by policies in the JLDP.

Five year Land Supply

Due to changes introduced to TAN 1 (2015) the Council is currently unable to demonstrate a 5-year housing land supply and this does weigh in favour of the development currently. As explained above the site was offered for inclusion in the JLDP but it was not included. The adoption of the JLDP in June or July will not only mean the current development plan is superseded but it will also provide a 5.4 year land supply in the very near future. As explained in the preceding section approval of the site would be contrary to the strategy of the JLDP and impact upon the growth level anticipated from settlements. Given how near we are to the adoption of the JLDP it is not considered that the lack of a 5 year land supply is an overriding material consideration, such that the application should be approved on this basis and to then prejudice the growth levels and strategy of the JLDP which will likely be adopted imminently.

Flood Risk

As explained in relation to the planning history planning permission 46C137E for 17 dwellings on the site was located within an area of flood risk classified as Zone C2 in TAN 15. Assessment of the acceptability of the proposal was partly based on there being a fallback position of an extant planning permission for 17 dwellings and a betterment being offered in relation to flood consequences as described.

The proposal subject to this report is made for an additional 18 dwellings. Though as previously explained it is not considered possible to implement the previous planning permission 46C137E in conjunction with the application subject to this report the total number of dwellings on the site would amount to 35.

NRW have advised that there has been a successful flood map challenge such that the site is no longer in a C2 flood zone but instead in Zone B. TAN 15 indicates that new developments such as housing should be directed away from zone C and towards suitable land in zone A, otherwise to zone B where river or coastal flooding will be less of an issue. The principle of the development on flooding grounds is therefore considered acceptable.

In terms of the potential flood risk to adjacent properties it can be seen from the consultation section of the report that NRW and the council's Drainage section have considered objections made in detail. Comments are awaited from the Emergency Planning Service and the applicant in relation to management arrangements for the long term maintenance of flood defence measures referred to in the FCS and the operation and maintenance of the previously approved flood route through the site. Any update will be provided at the planning committee.

Design & Landscape Considerations

This is an outline planning application and the plans submitted with the application are indicative only, nevertheless proposal is made for three storey dwellings. It is also material that the planning application only relates to the 18 dwellings at the rear of the site and not those shown on the frontage of the site.

It is material that the Inspector in relation to the previous application 46C137D indicated that "the design, layout and external appearance of the houses would be appropriate to this coastal setting close to the seafront at Trearddur Bay". The dwelling subject to the appeal were of three storey as were those subsequently approved under the provisions of planning application 46C137E.

As indicated in the comments of the council's Built Environment and Landscape Section the boundary of the site is approximately 65 meters from the Area of Outstanding Natural Beauty "AONB". In accord planning policies development management decisions should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well being of the areas. There is also a statutory duty to have regard to the AONB purposes. These provisions apply irrespective of the fact that the site is outside the AONB. Conditions have been recommended requiring details of the listed matters such as surface and boundary treatments. Further work has been requested from the applicant in terms planting and bio diversity and integrating these elements into the development.

Affordable housing

The Council's Housing services have indicated that there is a high demand for affordable housing in the area which is not currently being met. As this is a development of 18 units it is suggested that 6 affordable housing units are provided. The applicant's formal response on this matter is awaited at the time of writing.

Ecology

The Council's Ecological and Environmental Adviser has indicated that an ecological report should accompany the planning application, which includes reference to Cofnod local records. The applicant's formal response on this matter is awaited at the time of writing.

Highways

The highways section are content with the proposed development subject to conditions recommended.

Other Material Considerations

A Welsh language statement has been requested at the time of writing and the applicant's formal response on this matter is awaited at the time of writing.

7. Conclusion

The age of the development plan and the existence of more up to date provisions in the UDP means that the principle of the development is not considered acceptable in this instance. Further the JLDP is now a material consideration and the site is located outside the settlement boundary of this plan and in the countryside. The approval of the site would be contrary to the strategy of the JLDP and impact upon the growth level anticipated from settlements identified under policy TAI5.

There are other outstanding consultation responses awaited notably from the Council's education department in addition to matters which have been brought to the applicant's attention in relation to existing and proposed levels, conclusion of the consideration of flood risk in relation to adjacent properties, further work potentially required in relation to the AONB and a requirement for the submission of an Ecological Report and a Welsh Language Statement. Any update will be reported at the planning committee.

8. Recommendation

That the planning application is **refused** for the following reasons:

(01) The residential part of this development is located outside the settlement boundaries of Trearddur under the provisions of policy HP3 of the Stopped Anglesey Unitary Development Plan and the JLDP. Accordingly, the site lies in the countryside where there is a general presumption against new housing development in the absence of any overriding considerations, and none has been demonstrated in this instance.

(02) This site has been subject to consideration for inclusion with the JLDP and the Council has not been instructed by the Inspector to include it within the Trearddur Settlement boundary. The approval of the site would therefore be contrary to the strategy of the JLDP and impact upon the growth level anticipated from settlements identified under the settlement strategy under policy PS15 of the JLDP.

13.1

Gweddill y Ceisiadau

Remainder Applications

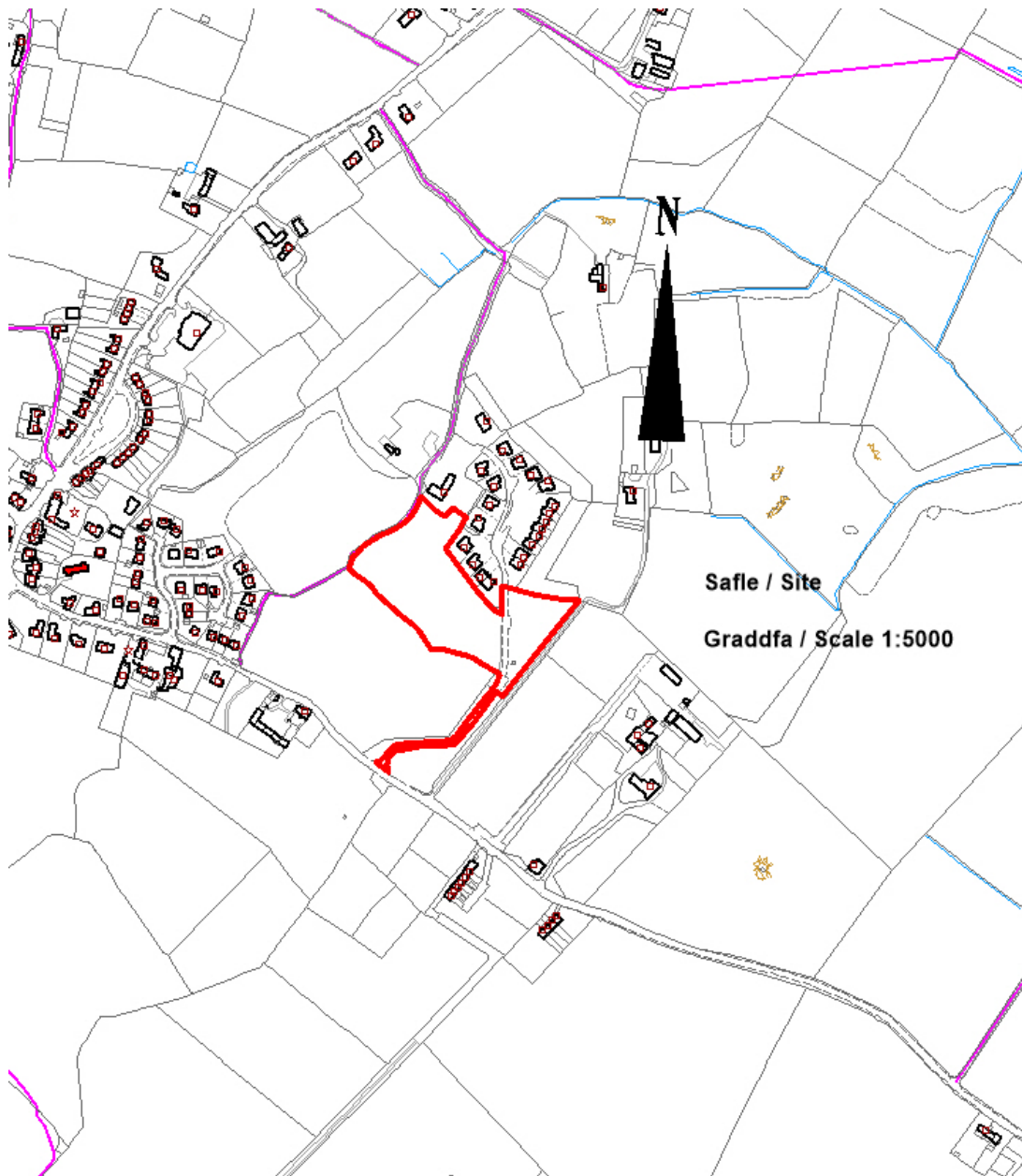
Rhif y Cais: **21C58H** Application Number

Ymgeisydd Applicant

Mr. Geoff Green

Cais llawn ar gyfer codi 10 unedau gwyliau ychwanegol yn / Full application for the erection of 10 additional holiday units at

Parc Eurach, Llanddaniel Fab



Planning Committee: 05/07/2017

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

Reason for Reporting to Committee:

Notice of appeal has been received from the applicant and a formal start date is awaited. The notice indicates that the appeal may progress through the written procedure.

Members may recall that at the meeting held on 5th April 2017 it was resolved to refuse permission contrary to officer recommendation and following the cooling-off period on grounds of:

1. The proposal represents overdevelopment in the countryside detrimental to the character and amenities of the location.
2. The existing pedestrian footpath to the village is unsuitable for pram and wheelchair use and as such the proposals would increase the pedestrian use of the existing vehicular highway which is not served by a footpath thus creating circumstances which would be prejudicial to the safety of road users pedestrian and vehicular alike.
3. The sewerage infrastructure serving the site has insufficient capacity and as such could give rise to conditions prejudicial to the amenities of nearby occupiers.

The application was proposed for refusal by Councillor Lewis Davies (who is no longer a member of this Committee) and by former Councillor Victor Hughes (who is no longer a member of the Council).

The Committee is requested to nominate a member / members to represent the Committee in this appeal.