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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, 4 HYDREF 2017 am 1.00 o'r gloch	WEDNESDAY, 4 OCTOBER 2017 at 1.00 pm
SIAMBR Y CYNGOR SWYDDFEYDD Y CYNGOR LLANGFNI	COUNCIL CHAMBER COUNCIL OFFICES LLANGFNI
Swyddog Pwyllgor	Ann Holmes 01248 752518 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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None to be considered by this meeting.

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None to be considered by this meeting.

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Planning and Orders Committee

Minutes of the meeting held on 6 September 2017

- PRESENT:** Councillor Nicola Roberts (Chair)
- Councillors John Griffith, Glyn Haynes, T LI Hughes MBE,
K P Hughes, Vaughan Hughes, Eric Wyn Jones,
Shaun James Redmond and Robin Williams.
- IN ATTENDANCE:** Planning Development Manager (NJ),
Planning Assistant,
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** Councillor Richard Owain Jones and Dafydd Roberts.
- ALSO PRESENT:** Local Members : Councillors Richard Griffiths (for application 7.1);
Dafydd R. Thomas (for application 7.2).
-

1 APOLOGIES

As noted above.

2 DECLARATION OF INTEREST

Councillor T.LI. Hughes declared a prejudicial interest as regard to application 12.3.

3 MINUTES OF THE 26TH JULY, 2017 MEETING

The minutes of the meeting held on 26 July, 2017 were confirmed.

4 SITE VISITS

There were no site visits following the 26th July, 2017 meeting of the Planning and Orders Committee.

5 PUBLIC SPEAKING

There were no public speakers at this meeting.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 13C195A – Full application for an agricultural shed and milking parlour together with the construction of a slurry pit and associated development at Gate Farm, Trefor

The Planning Development Manager informed the Committee that due to the scale, nature and location of the development it was considered that a site visit be undertaken to the site before considering the application.

It was RESOLVED to visit the site for reasons given within the Officer's report.

6.2 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

The Planning Development Manager informed the Committee that the appeal submitted on the basis of non-determination of the application has been withdrawn. At the meeting held on 5th July, 2017 the Planning and Orders Committee resolved to defer the application in order to consider the proposal against policies in the Joint Local Development Plan after receipt of the Inspectors' binding report on 30th June, 2017. The agent has provided a statement in support of the application with particular reference to Policy ADN1A (now Policy ADN2 of the JLDP) which deals specifically with solar developments over 5MW. She noted that an objection has been received with regard to potential noise nuisance from the site and the Environmental Health Section have reviewed the applicant's noise assessment which has resulted in the requirement for the applicant to submit noise mitigation measures. A period of public consultation will need be undertaken following receipt of these details from the applicant. The Planning Development Manager said that recommendation is to defer the application.

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

7 APPLICATIONS ARISING

7.1 24C345 – Outline application for the erection of a dwelling with all matters reserved on land adjacent to Tregarth, Llanelian, Amlwch

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

Councillor Richard Griffiths, as a Local Member said that he considered that this application is an infill application and would not harm the amenities of the surrounding neighbours. The Community Council has not objected to the application. Councillor Griffiths requested that the Committee should consider visiting the site before determination of the application.

The Planning Development Manager reported that the site is located within a Special Landscape Area within the Joint Local Development Plan (JLDP) and is adjacent to the AONB. It is considered that the proposal would lead to a ribbon development which would result in an intrusive feature to the character and amenities of the surrounding area. It is considered that the development would be contrary to the provisions of the adopted JLDP as noted in Policy TAI 6

'Housing in Clusters' which does not identify Pengorffwysfa as a Cluster and therefore would be considered within the open countryside within the JLDP. She also stated that the application was deferred at the last meeting of the Planning and Orders Committee held on 26 July, 2017 in order to establish whether both Anglesey and Gwynedd Councils were to adopt the JLDP which would supersede the existing development plans. The application was lacking details of highways and drainage matters but the applicant has now submitted the required information and the Local Highways Authority and Drainage Section are satisfied with the proposal. An Ecological Report has also been received which highlights Policy AMG5 of the JLDP as regards to Biodiversity effects; there is a priority habitat effect on this site and this would also strengthen the refusal of the application.

Councillor John Griffith proposed that the application be refused and Councillor Robin Williams seconded the proposal.

It was RESOLVED to refuse the application in accordance with the Officer's recommendation.

7.2 46C578 – Full application for alterations and extensions to The Pavilion, Lôn Isallt, Trearddur Bay

The application was reported to the Planning and Orders Committee as it is made on land in the Council's ownership.

The Planning Development Manager reported that the application was deferred at the last meeting of the Planning and Orders Committee to allow the applicant to respond to the Natural Resources Wales (NRW) objection as regards the flood consequence assessment on the site. The applicant has responded to NRW concerns but it is insufficient for them to withdraw their objection as it fails to demonstrate that the consequences of flooding can be acceptably managed in accordance with TAN15. The statutory consultee recommends refusal of the application in line with national planning policies. However, she reported that the design of the extensions to the pavilion building are acceptable and the recommendation is of approval of the pavilion building.

Councillor Dafydd R. Thomas, speaking as a Local Member said that the Pavilion building involves recreational use and was disappointed that the parking area and new access attached to the application was recommended for refusal.

Councillor Shaun Redmond said that he was confused that the proposed car park is located on a previous tennis court and was unclear as to why there are issues raised as regards to flood risks. He said that an early flood warning system exists in Trearddur Bay and if the sea was to encroach over the road it would need rise considerably before reaching the site under consideration. He said that a flood gate exists already on the play area between the application site and the sea wall; he questioned whether a flood gate at the Pavillion car park could alleviate the concerns of Natural Resources Wales as regards to flooding issues.

The Planning Development Manager responded that at the last meeting of this Committee she read out the relevant extract from the applicant's report which confirms the flooding risk on the car park. TAN 15 sets out the criteria as regard to flood risks. She noted that there has been no planning development on the car park in question and therefore it must be considered as a new development. The Legal Services Manager stated it would be inadvisable to approve the car park element on the basis of the early warning system without hearing from NRW on the point first.

Councillor K.P. Hughes proposed that the application be approved as regards to the extension to the existing pavilion building and the creation of a new access and car park area. Councillor Shaun Redmond seconded the proposal of approval.

It was RESOLVED :-

- **To approve the extension of the existing pavilion building in accordance with the Officer's recommendation subject to the conditions set out in the written report;**
- **To approve the creation of a new access and car parking area of the application contrary to the Officer's recommendation as it was considered that the car park opposite the application site already exist.**

(In accordance with the requirements of the Council's Constitution, the application was automatically deferred to the next meeting to allow Officer's the opportunity to prepare a report in respect of the reasons given for approving the application.

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12 REMAINDER OF APPLICATIONS

12.1 15C224/AD – Application for the siting of a non-illuminated sign to the rear of the lay-by at Hermon

The Planning Development Manager reported that the application was approved by the Committee at its meeting held on 5 July, 2017. However prior to issuing a decision the Planning Authority was notified that the land on which the display board was to be situated belongs to a third party and not the Council as originally indicated. The display board has been relocated onto the land owned by the Council.

Councillor Robin Williams proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

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

12.2 15C225/AD – Application for the siting of a non-illuminated sign on land at Malltraeth Car Park, Malltraeth

The application was reported to the Planning and Orders Committee as the proposed community display board is on land which is owned by the Council.

The Planning Development Manager reported that whilst the display board is located within an AONB area it is not considered that it would have an adverse effect on the amenities of the area.

Councillor Robin Williams 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.

12.3 46C572 – Full application for conversion of outbuildings into three dwellings, the installation of a package treatment plant together with improvements to the access at Glan Traeth, Trearddur Bay

The Planning Development Manager reported that the application was approved at the Planning and Orders Committee held on 2nd November, 2016 subject to resolution of drainage issues raised by Natural Resources Wales; the applicant has not acted on NRW requirements to date. She noted that due to the adoption of the Anglesey and Gwynedd Joint Local Development Plan on the 31st July, 2017 by both Councils, policies in relation to the conversion of outbuildings has changed and the recommendation now is of refusal of the application due to Policy TAI 7 of the Development Plan. The applicant has been given an opportunity to respond to the changes the policy requires and to provide evidence of compliance with TAI 7, but no response has been received.

Councillor Robin Williams proposed that the application be refused and Councillor Shaun Redmond seconded the proposal.

It was RESOLVED to refuse the application in accordance with the Officer's recommendation.

13 OTHER MATTERS

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

**COUNCILLOR NICOLA ROBERTS
CHAIR**

PLANNING SITE VISITS

Minutes of the meeting held on 20 September, 2017

- PRESENT:** Councillor Nicola Roberts - Chair
- Councillors John Griffith, Glyn Haynes, Eric Jones,
Richard O. Jones.
- IN ATTENDANCE:** Lead Case Officer (DPJ),
Development Control Engineer (Highways) (JAR).
- APOLOGIES:** Councillors K.P. Hughes, T.LI. Hughes MBE, Vaughan
Hughes, Shaun Redmond, Dafydd Roberts, Robin
Williams.
- ALSO PRESENT:** None
-

1. 13C195A – Full application for an agricultural shed and milking parlour together with the construction of a slurry pit and associated development at Gate Farm, Trefor

The proposed access and track to the development was viewed and the application was explained in detail to the Committee. It was explained that the proposed development had been screened as EIA development such that an Environmental Statement would be required in connection with the planning application, the applicant's response on this issue was awaited.

**COUNCILLOR NICOLA ROBERTS
CHAIR**

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6.1

Gweddill y Ceisiadau

Remainder Applications

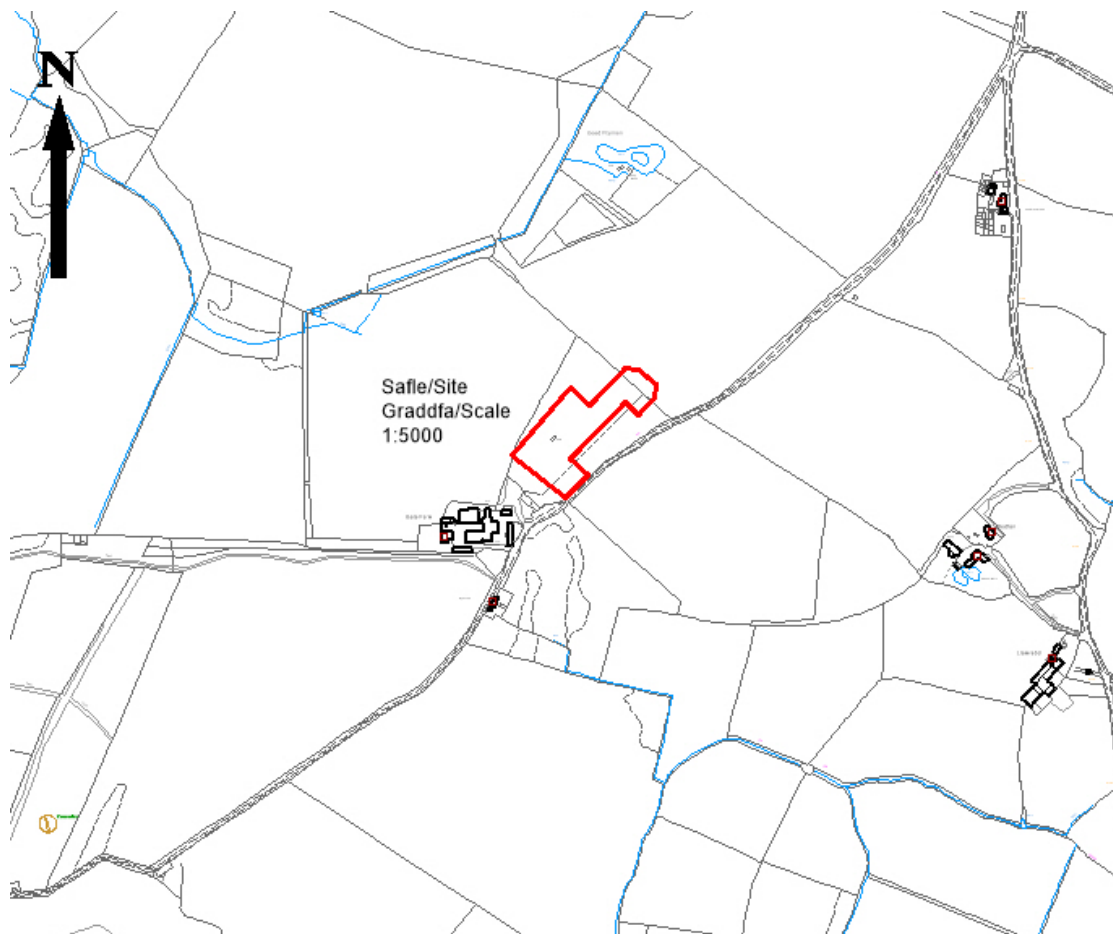
Rhif y Cais: **13C195A** Application Number

Ymgeisydd Applicant

Padog Enterprises Ltd

Cais llawn ar gyfer sied amaethyddol a pharlwr godro ynghyd a chreu pwll slyri a gwaith cysylltiedig yn / Full application for an agricultural shed and milking parlour together with the construction of a slurry pit and associated development at

Gate Farm, Trefor



Planning Committee: 04.10.2017

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

Recommendation:

Defer

Members convened a site visit on 20.09.17.

The planning application has also been screened by the Local Planning Authority as one where an Environmental Statement will be required under the Environmental Impact Assessment Regulations, and this has been accepted by the applicant.

In these circumstances it is recommended that the planning application is removed from the agenda as it is not anticipated that it will be reported on in the near future.

Planning Committee: 04/10/2017

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

Recommendation:

Defer

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.

At its meeting held on 5th July the Planning and Orders Committee resolved to defer the application in order to consider the proposal against policies in the Joint Local Development Plan after receipt of the Inspectors' binding report on 30th June 2017. The agent has provided a statement in support of the application with particular reference to policy ADN 1A (now Policy ADN2 of the JLDP) which deals specifically with solar developments and directs proposals over 5mw to the potential search areas. It states that proposals of this scale will only be permitted in other locations in exceptional circumstances when the need for the scheme can be justified and there are specific locational circumstances.

A response from the Joint Planning Policy Unit to the applicant's statement was awaited at the time of writing.

As a consequence of adoption of the JLDP an addendum report to the Environmental Statement has been prepared and publicity has been undertaken with an expiry date for comments of 20th September.

In addition, a cumulative and in-combination impact assessment, taking into account the proposed solar development and existing and consented windfarm development at Rhyd y Groes, in relation to the Pen y Morwyd round barrow and Werthyr standing stone scheduled ancient monuments was awaited. Cadw has now confirmed that this is no longer necessary.

Concerns have also been expressed that the placing of solar panels underneath wind turbines has the potential to affect noise emissions from the site. An assessment has been undertaken and mitigation requirements have been identified. Discussion is ongoing with the agent in relation to those details.

The application was deferred at the September meeting of the Committee in order to allow the applicant to submit noise mitigation details. These had not been received at the time of writing this report.

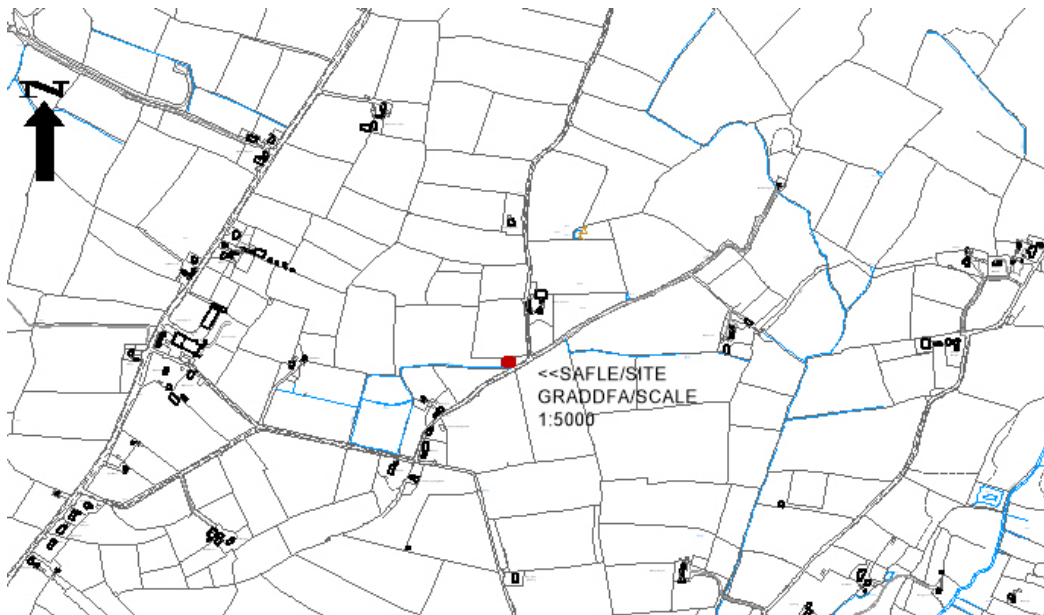
Rhif y Cais: **45C482** Application Number

Ymgeisydd Applicant

Vodafone Limited

Cais llawn i godi twr 'lattice' 21m o uchder ag offer cysylltiedig ar dir gogledd dwyrain i / Full application for the erection of a 21m high lattice tower with associated equipment on land north east of

Cae Gors, Niwbwrch/Newborough



Planning Committee: 04.10.2017

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

Recommendation:

Site Visit

It is considered that members need to view the proposal in its context before determining the planning application.

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Planning Committee: 04/10/2017

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

Recommendation:

Permit and Refuse.

Reason for Reporting to Committee:

The application is made on land in the Council's ownership.

At its meeting held on 26th July 2017 the Committee resolved to defer determination of the application in order to give the applicant a further opportunity to address flood risk concerns with Natural Resources Wales. Additional submissions were made on behalf of the applicant and NRW's formal response remained unchanged in advising refusal of the car park and access proposal although no objection was raised to the approval of the extension to the pavilion building.

At its meeting held on 6th September 2017 the Committee resolved to approve the proposal for extension to the pavilion building but also, contrary to the officers' recommendation, to approve development of the car park and access. The reason given for a contrary decision was that a car park exists opposite the proposed development site and that the proposed scheme at the pavilion building is no different to this.

In response, it should be noted that each application ought to be considered on its own individual planning merits. The existence of another car park in the locality does not overcome the objection to development of the application site contrary to established national planning policy.

The applicant's own flood consequences assessment states clearly that:

"It should be noted here that the surveyed floor level at the site is 4.05 m AOD and the ground level outside is around 3.5 m AOD so there is a real risk in the key tidal event (200 year return period in 2117) of external flooding and impaired access to half a metre deep. As the development is not residential a shorter lifespan of 75 years (i.e. 2092) may be more appropriate, although this would still flood to a depth of 12 cm. However it must be noted that the risk described above is still water only and it is known that the site has previously flooded from wave overtopping. Although the bay provides some shelter, waves do overtop the existing defences and flood the playing fields behind (in which the pavilion is situated). Given the finished floor level is only half a metre above the external ground levels it is expected to be at significant risk of flooding from wave action or from water ponding behind the defences from overtopping. Given an external water depth of a metre (2117, only 2 foot in 2092) then despite the relatively sheltered location foot high waves are conceivable and an additional allowance of at least 450 mm freeboard should ideally be applied. Therefore, water ingress is feasible and although the risk may be reduced in the future via the SMP policy, this cannot be relied upon.

Calculations for this report suggest that the site would be above still water levels in a 50 year return period event in 2092 but would flood more frequently from wave action (estimated approx. > 10 year event – 164 mm above a 386 mm external water depth. For the 2117 event however, the pavilion would be predicted to flood more than once every 2 years from still water tide".

Unless technical evidence can be provided to demonstrate that the applicant's own assessment is erroneous, the application should be determined in accordance with national planning policy.

1. Conclusion

The applicant's own assessment confirms the level of flood risk at this site. The statutory consultee recommends refusal of the car park and access on grounds of flood risk, as the application is contrary to the advice contained within Technical Advice Note 15.

2. Recommendation

That the application in relation to the extensions to the pavilion building is **permitted** subject to the following conditions:

(01) The development in the extension of the existing pavilion building hereby approved shall be begun not later than the expiration of 5 years from the date of this permission.

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

(02) The development shall be undertaken in accordance with the following drawings and plans:

**WM Design Project number SH1578 Planning Proposals Plans drawing number A.02.02;
WM Design Project number SH1578 Planning Proposals Elevations drawing number A.02.03.**

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.

That the planning application in relation to the creation of a new access and car parking area shown on WM Design Project number SH1578 Site Proposals drawing number A.01.03 is **refused** for the following reason:

(01) The site is located within zone C2 but the flood consequences assessment has not demonstrated that the risks of flooding can be adequately managed within the site. The proposal is therefore contrary to Policy 28 of the Ynys Mon Local Plan, Policy SG2 of the Stopped Unitary Development Plan, emerging Strategic Policy PS6 of the Joint Local Development Plan and the advice contained within Technical Advice Note 15: Development and Flood Risk.

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10.1

Ceisiadau'n Tynnu'n Groes

Departure Applications

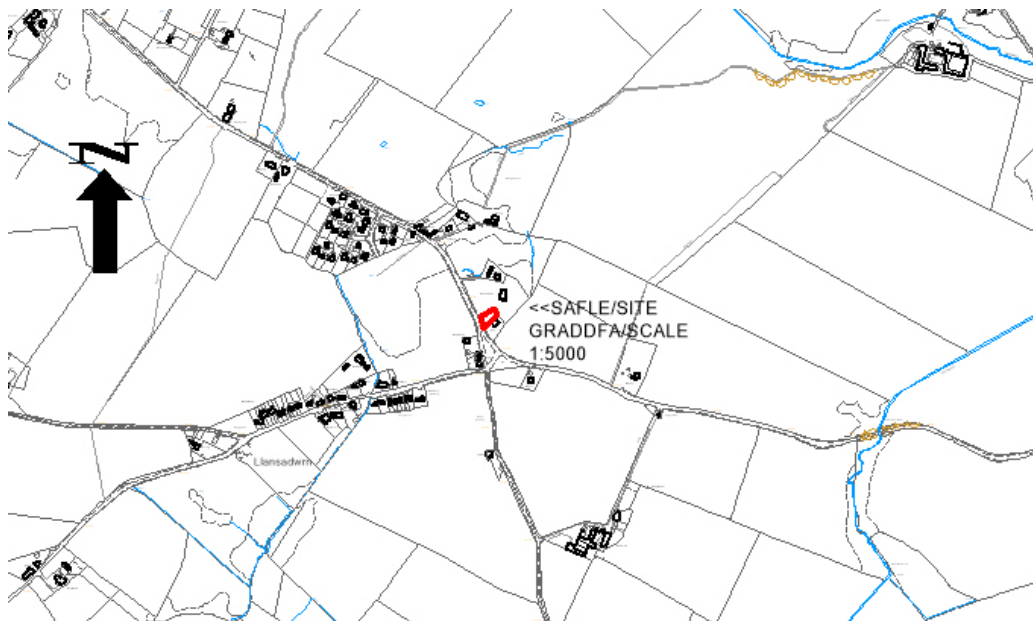
Rhif y Cais: **17C513B** Application Number

Ymgeisydd Applicant

Mr Dylan Edwards

Cais llawn am man newidiadau i gais gynllunio a gafwyd ei ganiatau dan cyfeirnod rhif cais A/289A i godi ty a garej newydd ar dir ger / Full application for amendments to previously approved application reference A/289A for the erection of a dwelling and garage on land at

Bryn, Llansadwrn



Planning Committee: 04/10/2017

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 proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve.

1. Proposal and Site

Full application for amendments to previously approved application reference A/289A for the erection of a dwelling and garage on land at Bryn, Llansadwrn.

2. Key Issue(s)

The key issue is whether the proposal can be supported by national and local policies.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries
PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Lewis Davies) – No response

Local Member (Carwyn Jones) – No response

Local Member (Alun Roberts) - No response

Welsh Water – Conditional Approval

Highways – No response

Drainage - Comments

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 11/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

A/289 – Use of land adjacent Bryn, Llansadwrn for residential purposes – Approved 19/6/62.

A/289A – Erection of a bungalow and garage on land adjacent to Bryn, Llansadwrn – Approved 5/2/64.

A/289B – Erection of a private garage at Bryn, Llansadwrn – Approved 5/4/78.

6. Main Planning Considerations

Previous planning permission

A detailed application was approved under reference A/289A on the 14/2/64 on land at Bryn, Llansadwrn

A Certificate of lawfulness was submitted under application reference 17C513A/LUC which provided evidence that footings for the bungalow were dug. The evidence provided has safeguarded the permission approved under application number A/289.

This application is for amendments to previously approved A/289A in order to amend the design from a single storey cottage to a dormer type bungalow on the same footprint as what was previously approved.

Policy Considerations

Joint Local Development Plan

The application site is located in an open countryside location.

Policy PCYFF1 The Joint Local Development Plan states that proposals outside development boundaries will be resisted unless they are in accordance with specific policies of the plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

The land in question is located in the open countryside therefore is contrary to Policy PCYFF1 of the Joint Local Development Plan. However a certificate of lawfulness for a dwelling has been proved lawful, therefore the principle of amending the design of the dwelling is considered acceptable.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations was 11/9/17. At the time of writing the report no objections were received.

There is 1 immediate neighbour known as 'Bryn' which is located to the North East of the application site and is owned by the applicant's father. It is not considered that the proposal will have a negative impact upon the neighbouring property. A condition will be placed on the permission so that the first floor window in the North East elevation will be glazed with obscure glass.

The Supplementary Planning Guidance on Proximity of Development states that a Secondary window should be no closer than 7.5m to the boundary. In the case of this application the First floor window will be located 2m from the boundary. The applicant has agreed to obscure the glazing on the first floor window of the master bedroom in the North East elevation in order to alleviate any overlooking onto the neighbouring property.

7. Conclusion

Having considered the above and all other material considerations the recommendation is one of approval.

It is considered that the previous application A/289A is likely to be implemented and the amendments are an improvement to that originally approved. A section 106 agreement will be required in order to preclude the implementation of the previous permission.

8. Recommendation

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

(01) The development to which this permission relates shall be begun no later than the expiration of one year beginning with the date of this permission.

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

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

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

(03) No surface water and/or land drainage shall be allowed to connect directly or indirectly with 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 pollution of or detriment to the environment

(04) The glazing on the first floor side window on the North East elevation which shall be obscure glazed to a minimum Level 3 and a sample of the obscure glazing proposed to be used together with manufacturers specification details shall be submitted to and approved in writing to the Local Planning Authority before any development is commenced and thereafter installed prior to occupation of the dwelling. The window shall not be glazed or re-glazed other than with obscure glass.

Reason: To preserve the amenities of occupants of the adjacent dwellings.

(05) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans, except as amended under condition (04) above, under planning application reference 17C513B.

Drawing Description	Drawing Reference	Date Received
Location Plan		
Proposed Ground Floor Plan	1	8/8/17
Proposed First Floor Plan	2	8/8/17
Proposed Front Elevation	3	8/8/17
Proposed Side Elevation	4	8/8/17
Proposed Rear Elevation	5	8/8/17
Proposed Side Elevation	6	8/8/17
Proposed Garage	7	8/8/17

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

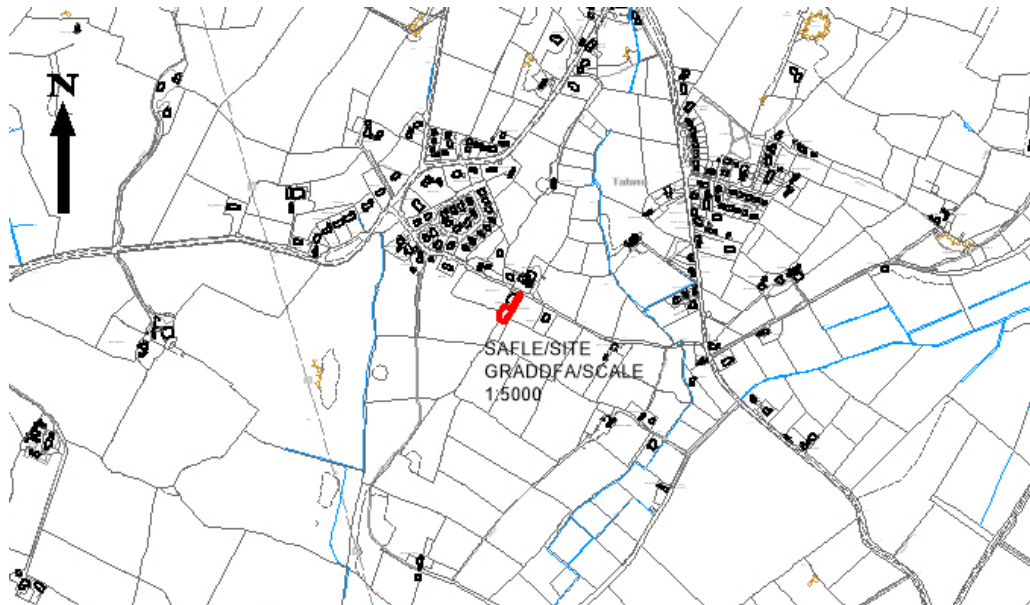
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

Rhif y Cais: **23C262B/VAR** Application Number

Ymgeisydd Applicant

Mrs Jenny Pye

Cais o dan Adran 73 i ddiwygio amod (11) o ganiatâd cynllunio rhif 23C262A (Rhaid i'r datblygiad gael ei wneud yn llwyr fel y dangosir yn y cynlluniau a gyflwynwyd dan rhif 23C262A) er mwyn i addasu ac ymestyn ysgubor bresennol yn annedd 3 ystafell wely yn / Application under Section 73 for the variation of condition (11) of planning permission reference 23C262A (The development shall be carried out in strict conformity as shown in the submitted plans under reference 23C262A) so as to convert and extend an existing barn into a 3 bedroom dwelling at

Nyth Clyd Capel, Talwrn

Planning Committee: 04/10/2017

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 proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve

1. Proposal and Site

Application under Section 73 for the variation of condition (11) of planning permission reference 23C262A (The development shall be carried out in strict conformity as shown in the submitted plans under reference 23C262A) so as to convert and extend an existing barn into a 3 bedroom dwelling at Nyth Clyd, Talwrn

2. Key Issue(s)

The key issue is whether the proposal is an improvement to that originally approved under application reference 23C262A.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

TAI7 – Conversion of Traditional Buildings in the Open Countryside to Residential Use

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Nicola Roberts) – No response

Local Member (Dylan Rees) – No response

Local Member (Bob Parry) – No response

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 27/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

23C262 - Conversion of outbuildings into one new residential dwelling together with the construction of a new vehicular access – 31/10/07 – Granted

23C262A - Renewal of planning permission 23C262 for the conversion of outbuilding into one new residential dwelling together with the construction of a new vehicular access – 13/05/13 - Approval

6. Main Planning Considerations

The principle of developing the site has already been established under planning application 23C262A where permission was granted for conversion and extension of a barn into a 3 bedroom dwelling at Nyth Clyd, Talwrn on the 13/05/13.

Joint Local Development Plan

The Joint Local Development Plan states that conversion of traditional buildings for residential use will only be permitted for employment use, if this is not an option, the development could provide an affordable unit. However, as the application site has an extant planning permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented?
- Are the amendments to the permission better than that previously approved?

Application reference 23C262A was approved on the 13/05/13 and it is likely to be implemented.

The amendments are proposed in the current application as follows:-

- The amount of extension to the outbuilding has been reduced.

The previous application approved under application 23C262A included an extension to the side gable and rear elevation which would link the main outbuilding to the detached outbuilding.

The current application includes an extension to the gable elevation, however there will be no physical link between the main outbuilding and the detached outbuilding. The detached outbuilding will now be used as a storeroom instead of a master bedroom as previously approved.

It is considered that the amendments maintain the architectural characteristics of the original outbuilding than the scheme that was previously approved under planning permission 23C262A.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 27/9/17. At the time of writing the report no objections were received. It is not considered that the proposal will have a negative impact upon neighbouring properties.

7. Conclusion

The application is contrary to Policy TAI7 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for the conversion of an outbuilding into a dwelling.

It is considered that the previous application 23C262A is likely to be implemented and the amendments are an improvement to that originally approved. A section 106 agreement will be required to preclude the implementation of the previous permission.

8. Recommendation

A section 106 agreement will be required that will preclude the implementation of the previous permission.

Permit - pending a section 106 agreement which will preclude the implementation of the previous permission

(01) The development to which this permission relates shall be begun no later than the expiration of one year beginning with the date of this permission.

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

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

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

(03) The access shall be laid out and constructed strictly in accordance with the submitted plan before the dwelling is occupied and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

Reason: To minimise danger and inconvenience to highway users.

(04) The access shall be completed with a bitumen surface for the first 5 metres from the nearside edge of the highway.

Reason: To minimise danger and inconvenience to highway users.

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

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

(06) No surface water from the development hereby approved shall discharge onto the highway.

Reason: To minimise danger and inconvenience to highway users.

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

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

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

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

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

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

(10) The windows, doors and any fascia and soffit boards on the development hereby approved shall be of softwood or hardwood material.

Reason: To safeguard the character and appearance of the building

(11) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans submitted under planning application reference 23C262B/VAR.

PL04	Proposed Sections	
PL03	Proposed Elevations	
PL01	Proposed Floorplans	
PL00	Location Plan	
	Protected Species Survey	Dated 19/5/17

RBA.Ltd	Structural Survey	Dated 26/7/17

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

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

Rhif y Cais: **25C240C/VAR** Application Number

Ymgeisydd Applicant

Mr Dennis Thomas

Cais o dan Adran 73 i ddiwygio amod (04) o ganiatâd cynllunio rhif 25C240B (codi annedd newydd) er mwyn newid y dyluniad yn / Application under Section 73 for the variation of condition (04) of planning permission reference 25C240B (erection of a dwelling) so as to amend the design at

Pen Parc, Carmel



Planning Committee: 04/10/2017

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 proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve

1. Proposal and Site

The application is a Section 73 for the variation of condition (04) of planning permission reference 25C240B (erection of a dwelling) so as to amend the design at Pen Parc, Carmel.

2. Key Issue(s)

The key issue is whether the proposal is an improvement to that originally approved under application reference 25C240B.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping
TAI6 – Housing in Clusters

4. Response to Consultation and Publicity

Community Council – No objection

Local Member (Llinos Medi Huws) – No response

Local Member (John Griffith) – No response

Local Member (Kenneth Hughes) – No response

Welsh Water – No response

Drainage – No response

Highways Department – No response

Natural Resources Wales – No response

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 27/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

25C240B - Full application for the erection of a dwelling – 20/11/15 – Granted

6. Main Planning Considerations

The principle of a dwelling has already been established under planning application 25C240B. Full permission was approved on the 20/11/15 for the erection of a dwelling.

Joint Local Development Plan

Since the adoption of the Joint Local Development Plan Carmel is now identified as a Cluster where any new dwelling must be for an affordable local need on an infill site. The application is therefore contrary to Policy TAI6 of the Joint Local Development Plan; however, as the application site has an extant planning permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented?
- Are the amendments to the permission better than that previously approved?

Application reference 25C240B was approved on the 20/11/15 and the likelihood of it being implemented is very likely as the permission will not expire until 20/11/2020.

The scheme previously approved under 25C240B was for a dormer type dwelling which was 6.6m high, the current application is for a single storey dwelling at a height of 5.2m. The footprint will be the same as that approved under application 25C240B. As the current application reduces the scale of the dwelling to a single storey dwelling, it is considered that it will fit in much better with the existing form of development in the area.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 27/9/17. At the time of writing the report no objections were received. It is not considered that the proposal will have a negative impact upon adjoining residential properties. The amended design will see the dwelling reduced to 5.2m high and will thus have less of an impact upon neighbouring properties.

7. Conclusion

The application is contrary to Policy TAI6 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for a dwelling.

It is considered that the previous application 25C240B is likely to be implemented and the amendments are an improvement to that originally approved. A section 106 agreement will be required in order to preclude the implementation of the previous permission.

8. Recommendation

A section 106 agreement will be required that will preclude the implementation of the previous permission.

Approve

(01) The development to which this permission relates shall be begun 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.

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

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

(03) The 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 minimise danger and inconvenience to highway users.

(04) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 25C240C/VAR.

Drawing	Date Received	Description
2319:17:3	1/9/17	Proposed Site Plan
2319:17:5	1/9/17	Proposed Elevations
2319:17:4	1/9/17	Proposed Floor Plan

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.

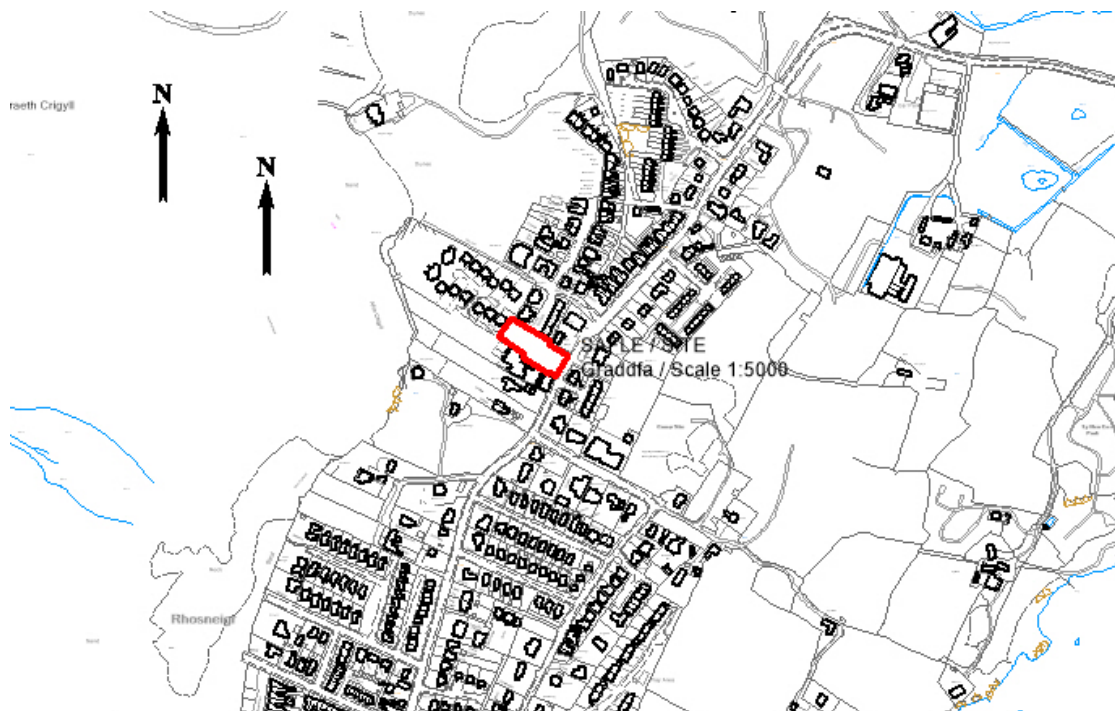
Rhif y Cais: **28C373G** Application Number

Ymgeisydd Applicant

Rockview Developments Ltd

Cais llawn ar gyfer codi 3 o dai tref tri llawr sydd yn cynnwys balconi ac 3 anedd sydd yn cynnwys balconi ynghyd a chreu mynedfa newydd ar dir yn / Full application for the erection of 3 three-storey townhouses which include balconies and 3 detached houses which include balconies together with the construction of a new access on land at

Ffordd Station Road, Rhosneigr



Planning Committee: 04/10/2017

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

Recommendation:

Approve

Reason for Reporting to Committee:

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

1. Proposal and Site

The site is a rectangular parcel of land, currently occupied by sand dunes, fronting onto Station Road. It extends from its narrow frontage along Station Road some 80m to the west towards the coastline and the site previously occupied by the former Bay Hotel (now the Porth Crigyll housing development).

This is a full planning application for 6 dwellings in total comprising 3 three-storey townhouses, which include balconies, and 3 detached houses, which include balconies together with the construction of a new vehicular access.

2. Key Issue(s)

- Compliance with relevant development plan policies and amenity.
- Amenity of adjacent properties
- Area of Outstanding Natural Beauty "AONB"

3. Main Policies

Anglesey and Gwynedd Joint Local Development Plan (2017)

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PCYFF 5: Carbon Management

PCYFF 6: Water Management

AMG 1: Area of Outstanding Natural Beauty Management Plans

AMG 5: Local Biodiversity Conservation

AMG 6: Protecting Sites of Regional or Local Significance

TAI 5: Local Market Housing

Planning Policy Wales Edition 9 2016 "PPW"

TAN 12: Design

Technical Advice Note 11 Noise

Supplementary Planning Guidance SPG Design in the Urban and Rural Built Environment (2008)
"SPG Design"

4. Response to Consultation and Publicity

Community Council: Town House do not have enough parking, they will end up on the highway as do all the other car owners do from across the road.

Local Members - no responses received.

Highway Authority – Conditional permission.

Drainage Section - In an email dated 16.07.17 it is stated that there are no details of foul and surface water drainage in connection with the proposed development.

Built Environment (Landscape) - In an email dated 04.07.17 the following comments are made in relation to potential impacts on the Area of Outstanding Natural Beauty:

1. The site is within 300 metres of the Ynys Môn/Anglesey Area of Outstanding Natural Beauty (AONB).
2. The massing, scale and height of the proposal is of a similar proportion to its neighbouring and adjacent development.
3. The design and choice of materials reflect the surrounding built form and setting.
4. Although the proposals will be visible from within the AONB they will be seen in the context of the new build development on the edge of the settlement boundary with a design which reflects its coastal location and as such will have little if any impact on the designated landscape.

In an email of 29.08.17 it is confirmed that there are no additional comments in addition to those made on the 4.07.17 regarding effects on the AONB (Glyn Jones)

Landscape drawing P253_211 Rev. B does not provide details of the proposed landscape scheme and these should be required now or conditioned on consent.

Built Environment (Heritage) - In an email dated 25.08.17 considerations listed in relation to access considerations, and it is confirmed that there are no additional observations.

Ecological and Environmental Adviser - In an email dated 12.09.17 it is confirmed that the revised ecological report addresses issues in previous comments dated 04.09.17. Advise that the Reasonable Avoidance Measures "RAM's" including a refuge described in 2.5.3 be conditioned and followed as described.

Ministry of Defence "MOD" - In a letter dated 26.06.17 it is confirmed that there are no aerodrome concerns, whilst the proposed development has the potential to infringe the Precision Approach Radar "PAR" there are no concerns if the height of the buildings does not exceed 11 metres. The application site occupies the outer explosive zone surrounding RAF Valley and contains large areas of glass on tall 3 storey structures. The MOD recommend that the glazing should be of moderately sized panels (typical max pane size 3m²) of 6.8mm thick laminated glass with a PVB interlayer. A suitable double glazed unit would typically have a toughened glass outer pane (thickness to suit normal non-blast requirements) and a 6.8mm thick laminated glass inner pane.

In summary, the MOD has no objection to the application providing that the buildings do not exceed 11m in height and the glazing is installed subject to the recommendations above.

Natural Resources Wales "NRW" - In comments dated 13.09.17 no objections confirmed subject to the following:

Protected Species – Refer to the council's Ecological and Environmental Officer.

Protected Sites - The proposal is located approximately 100 metres from the following protected sites:

- Anglesey Terns / Morwenoliaid Ynys Môn Special Protection Area (SPA)
- Rhosneigr Site of Special Scientific Interest (SSSI)

Provided no works are undertaken within the protected sites and no materials are stored within this area, NRW considers that there is unlikely to be a significant adverse effect upon the site features.

Protected Landscapes - The proposal is within 300 metres of the Ynys Môn/Anglesey Area of Outstanding Natural Beauty (AONB). We recommend that you consult the Local Authority's internal landscape specialist on any local/regional landscape interests.

Pollution Prevention - The development site lies within 115 metres of a well, and approximately 120 metres from a main river (Afon Crigyll). All works at the site must be carried out in accordance with Guidance for Pollution Prevention GPP5: 'Works and Maintenance In or Near Water'.

Construction Waste - Any waste excavation material, building waste generated, or the importation of waste (e.g. builders' rubble or tarmac scalplings) for use in the construction should be registered with NRW as an exempt activity under the Environmental Permitting Regulations.

Public response to notification:

Following publicity undertaken in June 2017 the following observations were received:

An email has been received from Ty Mel which is considered in the report below indicating that the planning application is far superior than the previous planning application (28C373E/VAR), hence no complaint is raised in relation to the current application.

Another letter from the owner/occupier of 7 Bryn Colyn flats explains that the writers are very disappointed that the houses will completely block their view of the beach. However, the plans are an obvious improvement on previous plans for this site and we are therefore broadly supportive. There are several windows at the rear of one or two of the properties that will look directly in to our bedroom windows and will require obscured glass to protect our privacy. Another two emails from the owner/occupier of 5 Bryn Colyn flats reflects the most of the aforementioned points and additionally adds that the proposal will result in a loss of light to their property. The owner/occupier of 6 Bryn Colyn Flats explains that they strongly object on the grounds of loss of light, amenity, visual amenity and devaluation of their property.

Following publicity undertaken in September 2017 the following observations were received:

One letter received from the owner/occupier of a property at Station Road expressing concern that the council may not be aware of parking problems in the area which can affect the fire station. Occupants of the houses are likely to be wealthy, there is no affordable housing and their large vehicles will exacerbate parking problems. The council should instead purchase the land and make it into a car park.

At the time of writing the planning application is being advertised as a departure and the publicity period expires on 11/10/17.

5. Relevant Planning History

28C373 Application for residential development comprising 4 x 4 bedroom houses and 4 x 2 bedroom flats: Refused 12/12/06. Appeal Dismissed 14/6/07.

28C373A Outline application for residential development for residential development comprising of three 2-storey houses, one bungalow and four flats within a two storey building together with the construction of a new vehicular access on land at Bryn Gwyn and Bryn Colyn, Station Road, Rhosneigr – approved 7/5/2009

28C373B/DA Reserved matters application for residential development of land at Station Road, Rhosneigr – approved 12/6/2012

28C373D/DIS Discharge of condition (09) of permission 28C373A (noise protection scheme) – discharged 12/5/14

28C373E/VAR Outline application for residential development comprising of three two storey houses, one bungalow and four flats within a two-storey building together with the construction of a

new vehicular access subject to the variation under section 73 condition (03) (commencement of the development schedule) – approved 14.08.14

28C373F Full application for the erection of 3 three-storey townhouses, 4 two-storey dwellings and 1 bungalow together with the construction of a new access – approved 29.04.2015.

6. Main Planning Considerations

Planning History: The principle of residential development has been established on the application site and there remain two extant planning permissions 28C373E/VAR (8 units) & 28C373F (8 units). These extant planning permissions are material in assessing the acceptability of the proposal in terms of policy and other material considerations such as overlooking and proximity, this comprises the “fallback”. Similarly, planning permission 28C373 is also material in assessing the impact on the amenity of adjacent properties as it was refused partly on these grounds as considered in the report below.

Principle of the Development and Overdevelopment: The site is located within the development boundary of Rhosneigr defined under the provision of PCYFF 1 of the JLDP.

Policy TAI 5 (Local Market Housing) permits the development of local market housing within the development boundary subject to the size of the unit complying with the maximum for the particular type of unit specified in the JLDP and there being adequate arrangements to restrict occupancy of the open market housing. The proposal is made for general residential development which is larger than the size limits specified under the provisions of TAI 5, and this is why the planning application has been advertised as a departure from the development plan. Whilst the proposal would normally be unacceptable under the provisions of TAI 5, given that there is an extant planning permission for 6 dwellings comprising a fallback position the principle of the development is considered acceptable. The statutory time period for commencement of the development has been reduced to three years to reflect the timescales for implementation of planning permission 28C373F which was granted full planning permission in 2015.

Proximity and Overlooking

Though the detached houses are of an unconventional design the north elevations comprise side elevations. Similarly, the north elevation of the row of town houses comprises a side elevation. Existing dwellings at Ty Mel, flats at Bryn Colyn and Bryn Gwyn have side elevations facing the proposed development. The council’s SPG Design indicates that the normal side to side distance should be 3.5 metres but that this should be increased where the proposals are more than two stories which applies to the town houses. The SPG Design also indicates that this should be increased where there is a difference in relative height between existing and proposed dwellings. In this instance the existing dwellings are generally at a higher or similar level than the proposed dwellings such that it is not considered that the ideal distance should be increased. The nearest proposed dwellings are around 6 meters from Bryn Mel and Bryn Collyn Flats which is considered acceptable. The three storey town houses face onto Station Road and are forward of Bryn Gwyn at the nearest point they are around 5.5 meters from the existing property, this is considered acceptable and the relationship with the existing dwelling is considered further below.

In reaching a conclusion on the acceptability of the proposals regard has been had of the position and number of dwellings approved under planning applications which remain extant. Further the comments of the Inspector in an appeal which was dismissed have been assessed and officers are satisfied that siting and level of the proposed dwelling on the western side of the application site will not result in an unacceptable impact on the amenities of the occupants of Ty Mel. Similarly the design of the development takes into account the Inspectors by providing an open aspect to the side elevation and re-siting the dwellings forward towards Station Road. It is material that 3 storey town houses have been approved in this position as part of planning application 28C373F.

In terms of potential overlooking all habitable room windows on the northern side elevation of the proposed development were removed. The only windows now proposed are on the detached houses and these are obscurely glazed non habitable room windows.

Character and Appearance of the Locality -

The design of the proposed dwellings is considered acceptable and accords with the varied and contemporary architecture present in the locality.

AONB

The application site is some 300 metres from the AONB and having taken into account of the comments of the Built Environment (Landscape) section it is considered that the proposal will conserve and enhance the AONB, subject to the requirement for a landscaping condition.

Highways and Drainage: The highways section is satisfied with the proposal subject to conditions and has taken into account objections received.

Ecology: NRW and the council's Ecological and Environment Officer are satisfied that the proposal will not have an unacceptable impact on protected species subject to compliance with ecological mitigation measures submitted with the planning application. Similarly it is not considered that the proposal will have a significant impact on the statutorily protected sites referred to in the NRW response.

Technical Considerations – Issues raised by the MOD and the council's Drainage Section can be controlled via planning condition.

7. Conclusion

Given the extant planning permission although the proposal comprises a departure from TAI 5 which would not normally be acceptable it is recommended for approval for the reasons provided in the report.

8. Recommendation

Upon the expiry of the publicity period on the 11/10/2017, that planning permission is granted subject to the following conditions:

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

Reason The proposal does not accord with policy TAI 5 of the JLDP but regard has been taken of the fall-back position.

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the approved plans, and contained in the form of application and in any other documents accompanying such application as listed below, unless specified otherwise in any conditions of this planning permission:

Drawing	Reference	Revision
Location Plan	P253_100	A
Existing – Site Layout	P253_120	
Proposed – Site Levels and Landscape	P253_211	B
Site Sections	P253_212	
Proposed – Site Layout	P253_210	D
Town Houses	P253_210	B
Detached House (Type 1)	P253_230	C
Detached House (Type 1)	P253_240	C

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

(03) The provisions of Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded.

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

(04) All works in connection with the development hereby approved shall proceed strictly and entirely in accord with the Biora (07.09.2017) Reasonable Avoidance Measures (RAMs) for Reptiles and Grassland – Land off Station Road, Rhosneigr, Anglesey, LL64 6RB “the report” and shall thereafter be permanently maintained and retained. No development shall commence until the Marram Grass habitat has been translocated in accord with the recommendations of section 2.5.3 Reasonable Avoidance Measures for Area of Grassland of “the report”.

Reason: To safeguard the protected species.

(05) Notwithstanding the details shown on drawing reference P253_211 Rev B no development shall take place until a scheme of landscaping and tree planting for the site 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. The approved new planting shall not be implemented not later than the first planting season after the occupation of the buildings or completion of the development, whichever is the sooner.

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

(06) Any tree 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 interest of the visual amenities of the locality.

(07) No development shall commence until a for foul, surface (including highway drainage) and land drainage of the development has been submitted to and approved in writing by the local planning authority “approved scheme”. The “approved scheme” shall be completed and operational before any of the dwellings hereby approved are occupied.

Reason: In order to ensure that the development is adequately drained.

(08) No surface water and/or land drainage shall be allowed to connect directly or indirectly with 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 pollution of or detriment to the environment

(09) The proposed development site is crossed by public sewers 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 public sewers.

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

(10) The opaque glass windows denoted on drawing numbers P253_230 Rev C and P253_240 Rev C shall not be glazed or re-glazed other than with obscured, frosted or stained glass.

Reason: To preserve the amenities of occupants of the adjacent dwellings.

(11) The dwellings hereby approved shall be constructed strictly and entirely in accord with the sound reduction measures detailed in Part 6 of the Sol Acoustics (21.07.17) Intrusive Noise Study, and these measures shall thereafter be retained.

Reason To protect the amenities of occupants of the proposed dwellings from aircraft noise.

(12) The glazing panels in the dwellings hereby approved shall not exceed 3 metres square and shall be of a minimum 6.8mm thick laminated glass with Polyvinyl butyral int “PVB” erlayer.

Reason The proposed development is within the outer explosive safeguarding zone of RAF Valley.

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

Reason: To minimise danger and inconvenience to highway users.

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

Reason: To minimise danger and inconvenience to highway users.

(15) 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 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.

Reason: To provide adequate inter-visibility between the access and the existing public highway for the safety

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

Reason: To minimise danger and inconvenience to highway users.

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

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

(18) No surface water from the within the curtilage of the site to discharge onto the county highway.

Reason: To minimise danger and inconvenience to highway users.

(19) The estate road(s) and its access shall be designed and constructed in accordance with ‘Residential Road Adoption Specification Requirements, Anglesey’.

Reason: To minimise danger and inconvenience to highway users.

(20) The estate road(s) shall be kerbed and the carriageway and footways finally surfaces and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of development whichever is the sooner.

Reason: To minimise danger and inconvenience to highway users.

Please inform the Applicant that:-

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

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

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

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

No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted and approved in writing by the local planning authority. The management and maintenance plan shall include the arrangements to secure the operation of the scheme throughout its lifetime.

The Highways Authority would require the following details to be submitted for approval before the works hereby approved are commenced:-

A full comprehensive and robust Traffic Management Scheme including:-

1. The parking of vehicles for site operatives and visitors
2. Loading and unloading of plant and materials
3. Storage of plant and materials used in constructing the development
4. Wheel washing facilities (if appropriate)
5. Hours and days of operation and the management and operation of construction and delivery vehicles.

It is a requirement under law to serve an abnormal load notice to police and to Highway and Bridges Authorities under "The Motor Vehicle (Authorisation of Special Types) General Order 2003".

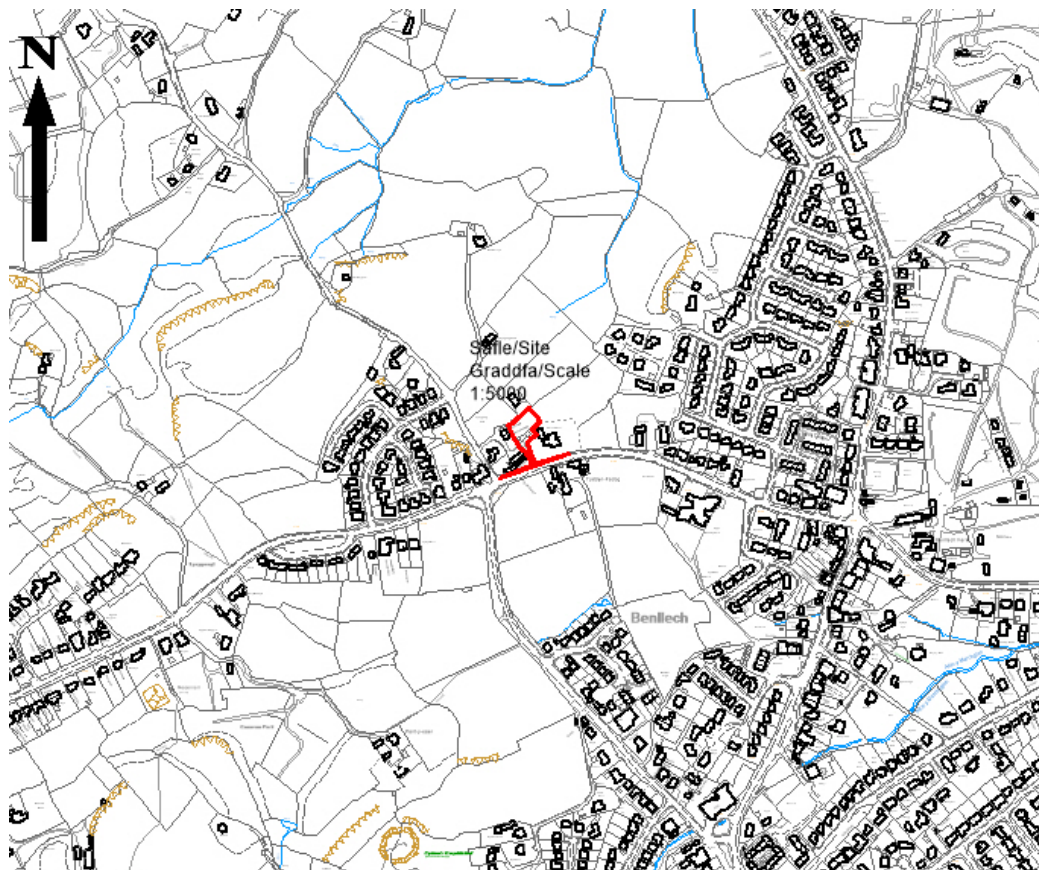
The Highways Authority will be utilising Section 59 of the Highways Act 1980 "Recovery of expenses due to extraordinary traffic", to recover compensation for any damage done to the public highway as a result of this development.

Rhif y Cais: **30C246K/VAR** Application Number

Ymgeisydd Applicant

Mr A Chilton

Cais o dan Adran 73 i ddiwygio amod (12) o ganiatâd cynllunio rhif 30C246H (codi tri annedd) er mwyn symud lleoliad un annedd (P1) ar dir gyferbyn a / Application under Section 73 for the variation of condition (12) of planning permission reference 30C246H (erection of three dwellings) so as to move the location of one dwelling (P1) on land opposite

Tyn Pwll, Benllech

Planning Committee: 04/10/2017

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 proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve

1. Proposal and Site

Application under Section 73 for the variation of condition (12) of planning permission reference 30C246H (erection of three dwellings) so as to move the location of one dwelling (P1) on land opposite Ty'n Pwll, Tynyngl.

2. Key Issue(s)

The key issue is whether the proposal is an improvement to that originally approved under application reference 30C246K/VAR.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping
TAI6 – Housing in Clusters

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Margaret M Roberts) – No response

Local Member (Ieuan Williams) – No response

Local Member (Vaughan Hughes) – No response

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 27/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

30C246H - Full application for the erection of three dwellings which include a Juliet balcony, erection of a garage together with alterations to the existing access on land adjacent to Tyn Pwll, Tynyngl – 3/11/16 – Granted

6. Main Planning Considerations

The principle of developing the site has already been established under planning application 30C246H. Full permission was approved on the 3/11/16 for the erection of 3 dwellings at Tyn Pwll, Tynyngl.

Joint Local Development Plan

Since the adoption of the Joint Local Development Plan Tynyngongl is now identified as a Cluster where any new dwelling must be for an affordable local need on an infill site. The application is therefore contrary to Policy TAI6 of the Joint Local Development Plan; however, as the application site has an extant planning permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented?
- Are the amendments to the permission better than that previously approved?

Application reference 30C246H was approved on the 3/11/16 and its implementation is very likely as the permission will not expire until 3/11/21. The applicant has already completed footings to 2 of the dwellings.

The amendments to the current application are the re-location of one of the dwellings identified as (P1) 3m away from the boundary of the site. The application which was previously approved was located 1m from the boundary. It is considered that the current application will have less of an impact on the property to the rear.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations are 27/09/17. At the time of writing the report no objections were received. It is considered that the current application will have less of an impact than that previously approved under application reference 30C246B as the dwelling will now be located 3m from the boundary.

7. Conclusion

The application is contrary to Policy TAI6 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for a dwelling.

It is considered that the previous application 30C246K/VAR is likely to be implemented and the amendments are an improvement to that originally approved. A section 106 agreement will be required in order to precludes the implementation of the previous permission.

8. Recommendation

A section 106 agreement will be required that will preclude the implementation of the previous permission.

(01) The development to which this permission relates shall be begun no later than the expiration of four 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 shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

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

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

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

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

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

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

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

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

(09) 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.

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

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

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

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

(11) Full details of a management plan to secure the future maintenance of the drainage system for the site hereby approved, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the dwellinghouses. The development shall thereafter proceed in accordance with the approved details.

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

(12) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 30C246H and 30C246K/VAR.

Proposed Site Plan	2404:16:3A	24/7/17
Visibility Splay	2404:16:8A	Submitted with application reference 30C246H
Elevations House 1	2404:16:5B	Submitted with application reference 30C246H
Elevations House 2	2404:16:6A	Submitted with application reference 30C246H
Garage	2404:16:7	Submitted with application reference 30C246H

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.

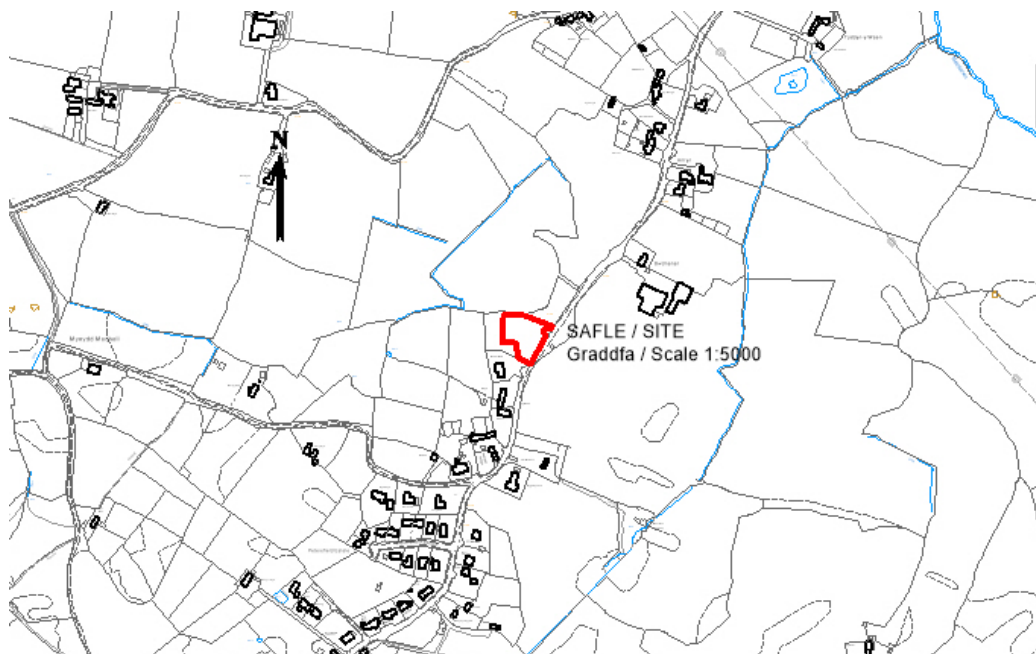
Rhif y Cais: **38C180F/VAR** Application Number

Ymgeisydd Applicant

Mr Thomas Roberts

Cais o dan Adran 73 i ddiwygio amod (02) o ganiatâd cynllunio rhif 38C180D (cais amlinellol ar gyfer codi annedd a chreu mynedfa newydd) er mwyn caniatáu ymestyn yr amser i gyflwyno cais materion a gadwyd yn ôl yn / Application under Section 73 for the variation of condition (02) of planning permission reference 38C180D (outline application for the erection of a dwelling and vehicular access) so as to allow an extension of time to submit a reserved matters application at

Gilfach Glyd, Mynydd Mechell



Planning Committee: 04/10/2017

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

Recommendation:

Refuse

Reason for Reporting to Committee:

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

1. Proposal and Site

Application under Section 73 for the variation of condition (02) of planning permission reference 38C180D (outline application for the erection of a dwelling and vehicular access) so as to allow an extension of time to submit a reserved matters application at Gilfach Glyd, Mynydd Mechell.

2. Key Issue(s)

The key issue is whether the proposal can be supported by national and local policies.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries
PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping

Technical Advice Note 6 – Planning for Sustainable Rural Communities

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Llinos Medi) – Request that the application is called in to the planning committee for consideration.

Local Member (Kenneth Hughes) – No response

Local Member (John Griffith) – No response

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 27/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

38C180D – Outline application for the erection of a dwelling – 2/5/13 – Approval

6. Main Planning Considerations

Previous planning permission

A previous planning application was approved under application reference 38C180D (Outline application for the erection of a dwelling) approved on the 2/5/13. The applicant was required to submit a reserved matters application by the 2/5/16; however no application was submitted. The

applicant is out of time to submit a reserved matters application in accordance with the conditions of the outline consent. The application has been made under Section 73 is in effect an application for a new planning permission and must be determined in accordance with prevailing policies, in this case, the Joint Local Development Plan.

Policy Considerations

Joint Local Development Plan

Policy PCYFF1 The Joint Local Development Plan states that proposals outside development boundaries will be resisted unless they are in accordance with specific policies of the plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

Technical Advice Note 6 states that development in open countryside must be fully justified by reference to robust supporting evidence that there is a need for the dwelling for a rural enterprise.

The land in question is located in the open countryside therefore is contrary to Policy PCYFF1 of the Joint Local Development Plan. No evidence has been provided to justify the need for a dwelling in this location in accordance with the requirement of TAN 6.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 27/9/17. At the time of writing the report no objections were received.

7. Conclusion

Having considered the above and all other material considerations my recommendation is that the application should be refused as the site is located in an open countryside location and no supporting evidence has been provided with the application in relation to the requirements of TAN 6.

Having considered the above and all other material considerations the recommendation is one of refusal.

8. Recommendation

Refuse

(01) The Local Planning Authority considers that the proposal would amount to the erection of a new dwelling in the countryside for which no long term need is known to exist for the purposes of a rural enterprise; the development would therefore be contrary to Policy PCYFF1 of the Joint Local Development Plan and the advice contained within Planning Policy Wales, 2016 (9th Edition) and Technical Advice Note Planning for Sustainable Rural Communities.

11.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **36C351A/VAR** Application Number

Ymgeisydd Applicant

Mr Roberts

Cais o dan Adran 73 i ddiwygio amod (12) o caniatâd cynllunio rhif 36C351 (rhaid ymgymryd a'r datblygiad a ganiateir gan y caniatâd hwn yn fanwl yn âl y cynlluniau) er mwyn codi lefel llawr gorffenedig yn / Application under Section 73 for the variation of condition (12) of planning permission reference 36C351 (the development by this consent shall be carried out strictly in accordance with approved plans) so as to allow the raising of the finished floor levels at

Ty Llwyd, Rhostrehwfa



Planning Committee: 04/10/2017

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

Recommendation:

Permit

Reason for Reporting to Committee:

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.

1. Proposal and Site

The proposal is an application under Section 73 for the variation of condition (12) of planning permission 36C351 in order to increase the height of the finished floor level of the proposed dwelling. The dwelling approved under planning application reference number 36C351 had a finished floor level of 76.15 and the scheme currently under consideration is for the increase in the approved finished floor level of 1 metre to 77.15m AOD.

Planning application reference number 36C351 was an application 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 dwelling which previously occupied the site was a single storey cottage which had previously been extended and had outbuildings located to the rear of the site. The site lies fronting the B4422.

2. Key Issue(s)

The application's key issue is whether the increase in the height of the finished floor from 76.15 to 77.15 will detrimentally harm the surrounding landscape or the amenities of the surrounding properties.

3. Main Policies

Gwynedd and Anglesey Joint Local Development Plan

PCYFF1 – Development Boundaries

PCYFF 2 – Development Criteria

PCYFF 3 – Design and Place Shaping

PCYFF 4 – Design and Landscaping

TAI 13 – Replacement Dwellings

AMG 3 – Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character

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 D Roberts – No response to date

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

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 25th August, 2017 and at the time of writing this report no letters of representation had been received at the department.

5. Relevant Planning History

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, 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 – Approved 06/07/2017

6. Main Planning Considerations

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 original planning application for the demolition of the existing dwelling and the erection of a new dwelling was considered acceptable under the policies in force at that time. Those relevant at the time were Policy 54 of the Ynys Mon Local Plan and Policy HP9 of the stopped Unitary Development Plan and Policy TAI 7 of the emerging Joint Local Development Plan.

The former cottage and ancillary buildings have been removed from the site and works have commenced on the foundations of the proposed dwelling.

Following the commencement of works on the site the developer found that the details submitted as part of planning application reference 36C351 were incorrect and that the finished floor level of the proposed dwelling should have been set at 77.15 m AOD and not 76.15m AOD as stated on the approved plans.

This application has been submitted in order to rectify the discrepancy and to ensure that the finished floor level of the proposed dwelling is not lower than the proposed ground levels.

Policy PCYFF 3 of the JLDP 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. Proposal, including extensions and alterations to existing buildings and structures will only be permitted provided they conform to all of the following criteria, where relevant:...

2. It respects the context of the site and its place within the local landscape, including its impact on important principal gateways into Gwynedd or into Anglesey, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;

Whilst the scale of the previously approved dwelling was 4.1m higher than the ridge level of the former cottage and is to be increased further by 1 metre, this increase, when looking at the

proposal in the context of the street scene, will not have a detrimental impact on the surrounding area due to the scale of the proposed unit being similar in height to the surrounding properties.

Policy PCYFF 4 of the Joint Local Development Plan states that all proposals should integrate into their surroundings. Proposals that fail to show (in a manner appropriate to the nature, scale and location of the proposed development) how landscaping has been considered from the outset as part of the design proposal will be refused. A landscape scheme should, where relevant

3. Demonstrate how the proposed development respects and protects local and strategic views;
7. Provide details of any proposed new landscaping together with a phased programme of planting;
8. Demonstrate that any proposed new planting includes plants and trees of mainly native species of local provenance and does not include any non-native invasive species;
9. Ensure that selection of species and planting position of any trees allows for them to grow to their mature height without detriment to nearby buildings, services and other planting;...

During the course of determining the original application, the scheme included details for the retention of / and planting of new hedgerow species along the boundary of the curtilage of the proposed dwelling. The proposal also includes the same landscaping scheme as that previously approved.

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.

In relation to visual effects the extent (200m radius) of local prominence would be unchanged by the increase in the height of the proposed dwelling although the additional height would **marginally** increase the prominence of the dwelling on the approaches from Rhostrehwfa and Llangejni.

In relation to views from the nearby A roads, the additional height will **marginally** increase the prominence of the proposed dwelling and thereby cumulative effects of the dwelling in relation to surrounding properties. Although not all the dwelling will be visible (the ground floor will be screened in views from the South); the complete ridgeline, first floor and roofspace will be visible as a skyline feature. The increase in floor level will therefore lead to a marginal increase in the height, reinforcing its likely prominence in relation to dwellings immediately surrounding the site.

Supporting documents submitted as part of the application illustrate the proposed dwelling in the streetscene as previously approved and as proposed. The drawing illustrates that the proposed dwelling will remain lower than the ridge line of the neighbouring property known as Penterfyn which lies to the south west of the application site and therefore will not be a prominent feature in the skyline.

Due to the above the increase in the height of the proposed dwelling by one metre will not detrimentally harm the surrounding landscape to such a degree as to warrant the refusal of the application.

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.

7. Conclusion

Whilst the increase in the finished floor level, of the proposed dwelling will marginally increase the prominence of the proposed dwelling due to the scale being lower than the immediate neighbouring property known as Penterfyn the proposal will not be a prominent feature in the wider landscape.

Having considered the above and all other material consideration it is recommended that the application be approved subject to conditions.

As an application under Section 73 is in effect the granting of a wholly new planning permission, consideration should be given as to what other conditions on the original grant of planning permission need to be included in the new permission. As the works have commenced on the site condition (01) of planning application 36C351 is not required however the remainder of the conditions will be included.

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:P1c	01/08/2017	Location plan
2445:16:P3f	01/08/2017	As approved site plan
EL(95)01 - A	31/01/2017	Drainage details
Cadarn Report	22/02/2017	Drainage report
2245:16:P6d	03/07/2017	Proposed Garage floor plans and elevations
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
2445:16:5	07/08/2017	Street View
2445:16:4	01/08/2017	Site Plan

under planning application reference 36C351 and 36C351A/VAR.

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

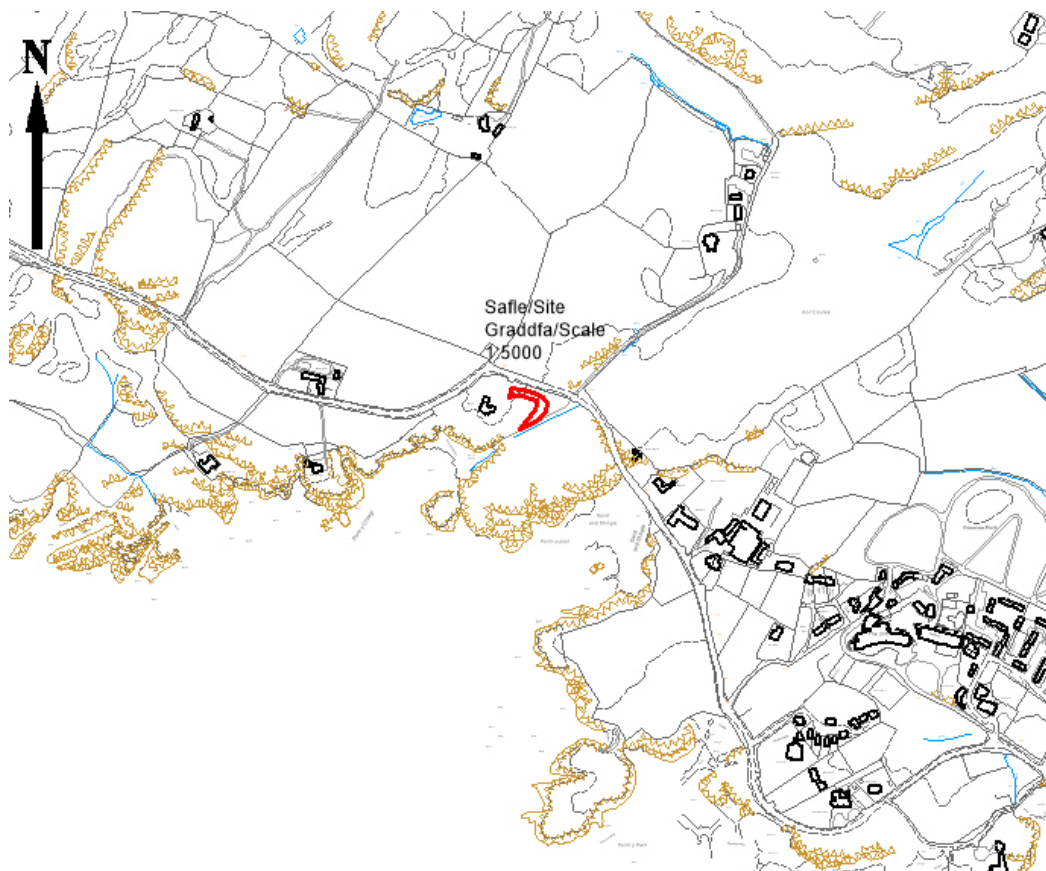
Rhif y Cais: **46C569A/ENF** Application Number

Ymgeisydd Applicant

Mr Martin Poulter

Cais ôl-weithredol ar gyfer trac breifat ar dir ger / Retrospective application for the retention of a private track on land adjoining

Moryn, Bae Trearddur/Trearddur Bay



Planning Committee: 04/010/2017

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

Recommendation:

Permit

Reason for Reporting to Committee:

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

1. Proposal and Site

The proposal is for the retention of a private vehicular track. Since work has previously been carried out at the site the application is submitted as a retrospective application.

The application site is situated in a coastal and rural location approximately 1.5km north west of Treaddur Bay. The development has been carried outside the curtilage of Moryn, Treaddur Bay.

The proposed track is approximately 3 meters wide and approximately 85 metres in length with associated earthworks, to provide vehicular movement from the existing dwelling to an existing unmetalled track leading to the beach at Porth y Corwgl.

2. Key Issue(s)

The key issues are whether or not the development is acceptable in terms of its impact upon the amenities of the area, neighbouring properties and upon the character and appearance of the area.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries

PCYFF 2 – Development Criteria

PCYFF3 – Design and Place Shaping

PCYFF 4 – Design and Landscaping

AMG1 – Area of Outstanding Natural Beauty Management Plans

PS19 - Conserving and where Appropriate Enhancing the Natural Environment

AMG3 - Protecting and Where Appropriate Enhancing the Natural Beauty

AMG4 – Coastal Protection

AMG5 – Local Biodiversity Conservation

AMG6 – Protecting Sites of Regional or Local Significance

Planning Policy Wales (9th Edition)

Technical Advice Note 5: Conservation and Planning

Technical Advice Note 9: Enforcement

Technical Advice Notes 12: Design

4. Response to Consultation and Publicity

Councillor Trefor Lloyd Hughes– Request that the application be referred to the Planning Committee for determination. Concerns regarding work being carried out adjoining the sea and use made of other land.

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

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

Community Council – No response

Ecological and Environmental Advisor – The Authority's advisor is satisfied following assessing the submission of a Conservation Management Plan as part of the proposal.

Natural Resources for Wales – No Objection

Footpath Officer – There is no public rights of way shown on our Definitive Map at this location however a topographic path exists from Lon Isallt to the beach south of Moryn. No objection to the planning application. Officer has suggested that a condition be attached to any permission ensuring that no fencing be erected which would not interfere with the un – metalled track on the adjoining unregistered land.

Landscape Officer – The proposal has minor local effects on the AONB landscape and will not alter any of the key characteristics of local landscape.

AONB Officer – No objection raised to the proposal. The AONB Management Plan has been highlighted.

Built Environment – Supportive of the application on the basis that both landscape and ecological considerations can be addressed.

Local Highways Authority – No comments regarding the application.

Response to publicity.

The proposal was advertised with the posting of notifications to adjacent properties. A site notice was also displayed near the application site.

One letter of representations was received as a result of the publicity afforded to the application. The main points raised are summarised below:

- No public rights of way from the land owned by the applicant and has no public right of way over the beach and foreshore at high or low tide. The applicant has no rights with respect to the sea bed.
- There is no need for another beach in the locality and its marine life should not be disturbed.
- An application for a Marine Licence has been submitted.
- Applicant has carried out works to a rocky outcrop which becomes visible at low tide and has unlawfully destroyed marine habitat.
- The beach is a small public beach with access via a rights of way from the footpath crossing from the clifftop either side. It is only accessible by foot and is free of vehicular activity. The proposed access ramp will cross the rights of way and create an unsafe and unpoliced private vehicular access.
- The proposed vehicular access will reduce the public right of way and area in which the public may use for bathing and social / leisure activity.
- The proposed carving out of a boating channel will harm and or destroy marine life which have enjoyed un-spoilt and undisturbed habitation.
- The proposed Marine license is unnecessary due to the already established and well policed County Council boat launching and recovery facility at Trearddur Bay, within half a mile of this beach.
- The secluded beach sits adjacent to a SSSI and AONB which is very often visited by sea mammals such as Seals, Porpoise and Dolphins.
- The sea bed and rocky outcrop is an undisturbed ground for crustaceans and rock adhering marine life.
- The proposed vehicular and boat access will disturb the public right of way and create a possible trespass issue. If Marine License is granted that will mean vehicles and boats will be "stored" and or "parked" on the beach and will affect the public rights of use for bathing and other leisure activities. There will be no means by which the council or its representatives could police the activities in a secluded area such as this.

- The beach sits between Trearddur bay and Porthdafarch which are hugely popular and are visited by huge numbers of public boat, surf, canoe and other activities. To introduce a further highly populated boating beach is unnecessary and will introduce further pressure to the fragile marine life that exists in the shallows of a beach and provides valuable feeding for the local bird population.

In response the points raised, the Authority comments as follows:

- Land Registry documents suggest that the applicant owns the area of land within the application site. The applicant has a right of way over the existing track (adjoining the proposed track) leading from Lon Isallt onto the beach.
- The application is submitted solely for the retention of a private vehicular track. Works to marine life will be considered as part of a Marine Licence under a separate legislation, outside the planning remit.
- Landscape visual impacts, including the AONB will be considered and discussed later within the report as part of the determination process. Ecological matters will also be considered as part of the application.
- The application will be considered on its planning merits, in line with all material considerations and local and national planning policies. Any works / activity which may occur outside the application site cannot be considered as part of the application.

5. Relevant Planning History

46C569 – Full application to replace two chamber septic tank with a package treatment plant – Granted 10/10/2016

6. Main Planning Considerations

The impact the development might have upon the residential amenity upon the surrounding properties and area is a key issue in the determination of the current proposal.

In addition, it is necessary to consider whether or not the development would have an unacceptable effect upon the landscape and ecological matters.

The proposed track leads from the curtilage of Moryn, Treaddur Bay onto an existing trackway leading to the beach at Porth y Corwgl. The proposal entails the removal of rock outcrop and erection of an embankments against the cliff side by materials used from such works. The track will have crushed slate as surfacing.

There are no other residential properties within close proximity to the application site. It is therefore not considered that the proposal will have any adverse impact upon residential amenity.

Land Ownership and Rights of Way

The applicant owns the adjoining dwellinghouse known as Moryn together with the land in which the application is submitted. The applicant also owns a section of the beach which lies above the high tide water mark level.

The applicant has a right of way over the existing track in which the proposed track leading onto. The adjoining track leads from Lon Isallt onto the beach at Porth y Corwgl. The right of way includes the taking of boats to and from the foreshore and to take seaweed and gravel from the foreshore to the land.

The applicant claims that the use of the existing track from the curtilage of Moryn would minimise the risk of vehicular movement in comparison to accessing the track from the public highway.

Landscape and Ecological Considerations

Section 5 of Planning Policy Wales states:

“Biodiversity and landscape consideration must be taken into account in determining individual applications and contributing to the implementation of specific projects. The effect of a development

proposal on the wildlife or landscape of any area can be a material consideration” ... “When considering any development proposal (including land allocated for development in a development plan) Local Planning Authorities should consider environmental impact, so as to avoid, wherever possible, adverse effects on the environment”

Landscape and Visual Effects

The site is on the coastal edge and slopes down from c.15m AOD to sea level. The craggy coastline here creates a large number of distinct minor inlets with localised views on land.

It is within the AONB and the AONB Features and Special Qualities are noted below – not all are related to Landscape and Visual effects.

The site is within Landscape Character Area 2 – Holy Island, of the Anglesey Landscape Character Update 2011, an area where the landscape character is predominately rural, wild, exposed and coastal.

Key Issues in relation to the Coastal landscape are noted as:

Given the pressure for recreational and tourism developments should take into account:-

- Direct or indirect impact upon coastal landscapes.
- Visual impact on people’s perception of the coast, its character and qualities.
- Have regard to the AONB Management Plan.

LANDMAP values the area as High in the Visual and Sensory Aspect Area as a Generally quiet unspoilt rural landscape with attractive mix of rough knolls, marshy and small-scale fields, and coastal views...

Outstanding in the Historic Landscape Aspect Area for its considerable historical interest, from 'relict' prehistoric ceremonial and settlement sites to 19th century encroachment settlement on common (east side of Mynydd y Twr) and for its visual relationship with the rest of Anglesey (and beyond) and Outstanding in the Cultural Aspect Area as the backdrop to a unique town and harbour; as the first sight of Wales and of Britain for travellers from Ireland....

There are a number of footpaths in the area part of which includes the Wales Coast Path.

The area can be considered of High Sensitivity to development.

Landscape effects are related to the loss of features such as trees or hedges or changes to the key characteristics of the landscape.

Visual effects relate largely to changes in public views. They are related but separate assessments.

Landscape Effects

AONB

Policy AMG 1: Area of Outstanding Beauty Management Plans requires proposals within the AONB, where appropriate to have regard to the AONB Management Plan. There are minor localised direct effects on AONB features and special qualities related to coastal landscape and the loss of an area of western gorse and heather. Spoil generated by the track has created prominent edges which extend the area of the track and do not relate well to surrounding vegetation or areas of rock outcrop.

It is not considered that the scale or nature of the development has more than negligible effects on other landscape receptors as identified above.

Visual Effects

The area immediate to the site is largely gorse and heather and elements of the track as constructed are visible from Lôn Isallt coast road (also Wales Coast Path) but does not project above the current landform. It is also visible from land to the south which is not part of any footpath, but appears to be used informally. It is not visible from the Wales Coast Path south of

Porth y Post where there are views towards the site and of the rugged coast in this location or on the approach to the site from the east.

Mitigation

No additional works to the edge banks/berms is proposed other than reseeded. While the path edges are the most prominent element, additional works may create an engineered finish and not additional mitigation is proposed in relation to landscape. Newly seeded areas are likely to be more prominent initially until ground conditions affect the vigour and composition of vegetation.

Landscape Conclusion

The proposal has minor local effects on the AONB landscape and will not alter any of the key characteristics of local landscape. While the area under track will remain as implemented, the finish and edge (as per mitigation proposed) will become more vegetated, reducing long-term landscape effects. Within a period of 5 years residual landscape effects will be negligible.

Visual effects from public viewpoints are limited to brief oblique views, and the track is not visible from the pedestrian only section of the Wales Coast Path to the south.

Ecology

The application site is part of the designated Local Wildlife Site (LWS) known as 'Afordir Bwth Corgwl-Bar', which comprises three, separate parts along the coast. The land comprises of a rocky coastland with a mosaic of coastal grassland and coastal heath with areas of bare rock.

A Habitat / Botanical survey was undertaken and confirmed that the construction of the access trackway has resulted in the loss of an area of coastal grassland and maritime heath.

The Local Planning Authority requested that an Ecological Report and Mitigation Plan should be prepared and submitted and considered as part of the application.

Following the submission of a Management Plan it was concluded that the overall eradication and conservation management plan will require a staggered approach, as the eradication of the montbretia will remain a key priority to the conservation approach for the future of the site.

In summary, the Conservation Management plan has identified and proposed the following course of action:

- The eradication, including treatment and control for the presence of on-site montbretia and;
- Long-term plan mitigating loss of habitat connected with the creation of the access trackway, with an overall conservation approach for the remainder of the wildlife site at Moryn.

An effective conservation plan can only be implemented once the montbretia eradication can be fully controlled in an effort to avoid any further conflict in achieving a successful conservation plan for the future of the site, and neighbouring sites.

The works is proposed to be carried out over a 5-year period. The implementation strategy will include the inspection of the Authority's Ecologist in order annually review and monitor the mitigation works.

Natural Resources for Wales have confirmed that they do not wish to comment and have raised no concerns with respect to application.

The application is submitted at the request of the Local Planning Authority and in accordance with Welsh Government advice contained in Technical Advice Note 9: Enforcement of Planning Control following an enforcement investigation into the matter.

The advice provided under paragraph 9 within Technical Advice Note (Wales) 9: Enforcement of Planning Control on such matters states

'Where the Local Planning Authority's assessment is that it is likely that unconditional planning permission would be granted for development which has already taken place, the correct approach

is to suggest to the person responsible for the unauthorized development that they should promptly submit a retrospective application for planning permission.'

Whether or not the unauthorised development was carried out intentionally or not is a moot point. In any event it is not a criminal offence to carry out development without first obtaining any necessary planning permission. There are provisions within the Act to allow for permission to be applied for retrospectively.

Following the submission of the application which includes mitigation measures with respect to Ecology, it is not considered expedient nor in the wider public interest for the Local Planning Authority to take formal planning enforcement action in this case irrespective of the motive, whether intentional or otherwise.

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

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

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

7. Conclusion

The amenities of the area have been taken into account, however it is not considered that the application could be refused and an appeal sustained. Landscape, visual and ecological considerations have been assessed by the specialist Officers of the Authority who have not raised any objection to the scheme subject to conditions which includes the carrying out of a conservation management plan.

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

8. Recommendation

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

(01) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below under planning application reference 46C569A/ENF

Drawing/ Document Number	Date Received	Plan Description
3070/12	19/12/2016	Proposed Site Plan
3070/13	19/12/2016	Proposed Plan
3070/11	19/12/2016	Location Plan
3070/14	19/12/2016	Cross Section

3070/11	1 8/09/2017	Richards Moorehead & Laing Ltd: Eradication plan for Montbretia and conservation management plan for wildfire site: Revision 1
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Reason: For the avoidance of doubt.

(02) All works in connection with the development hereby approved shall proceed strictly and entirely in accordance with the Management Plan (Richards Moorehead & Laing Ltd: Eradication plan for Montbretia and Conservation Management plan for wildfire site: Revision 1 reference number 3070/11) within the timeframe stated within the Management Plan.

Reason: In the interest of Ecology.

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

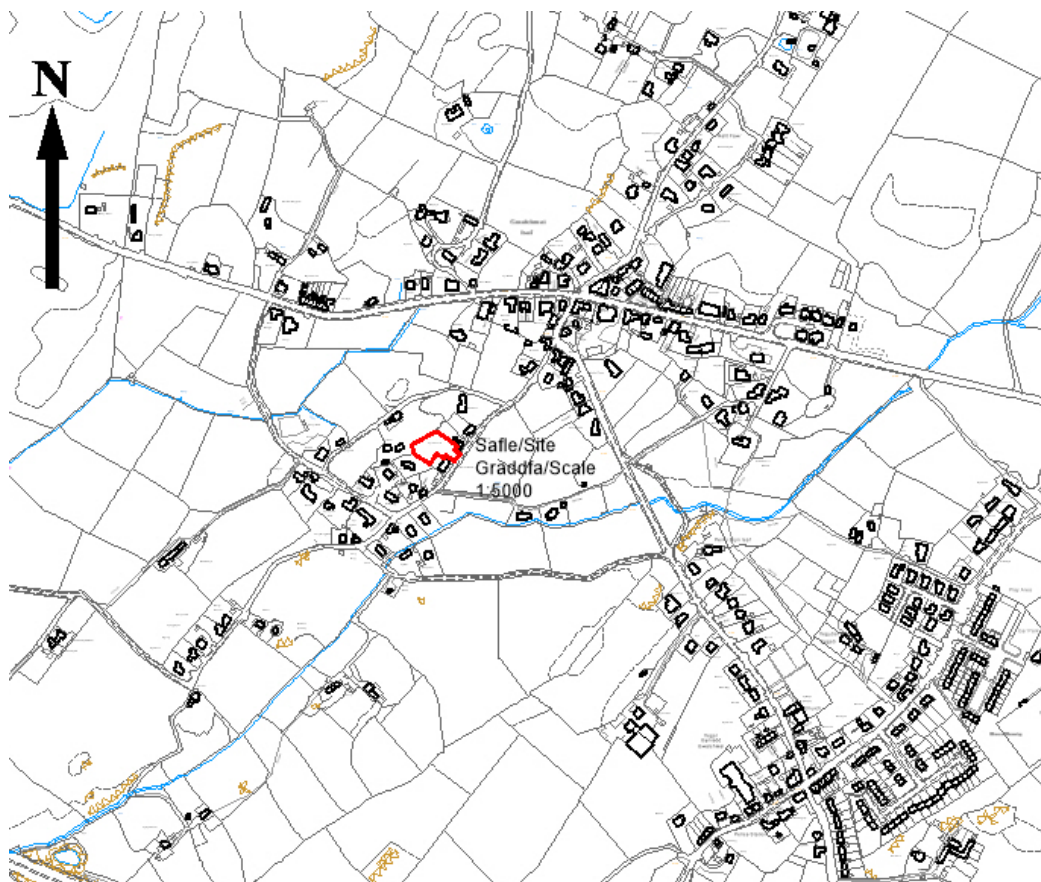
Rhif y Cais: **48C202A** Application Number

Ymgeisydd Applicant

Mrs Llinos Davies

Cais llawn ar gyfer codi annedd ar dir ger / Full application for the erection of a dwelling on land adjacent to

Penrallt Bach, Gwalchmai



Planning Committee: 04/10/2017

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

Recommendation:

Refuse

Reason for Reporting to Committee:

The planning application has been called to the planning committee by Councillor Bob Parry as Local Member in relation to the design and site.

1. Proposal and Site

The application site comprises an agricultural field of around 0.12 hectares in size located within a grouping of dwellings located to the south west of Gwalchmai. The field is served by an existing field entrance located between two residential properties one of which is within the ownership of the applicant. Both of these properties comprise traditional single storey cottages and have their frontages in close proximity to the public highway. Both these existing properties also have to varying degrees ground floor windows at the rear facing the application site. The agricultural field comprising the application site extends to the rear of these properties, there are existing hedges and trees along the field boundaries to the north, west and south.

The proposal is a full planning application for a two storey dormer type dwelling, the whole of the agricultural field would form the residential curtilage of this dwelling. The proposed dwelling would be set back within the field such that it is behind the two existing residential properties described in the preceding paragraph. Access would be via a new private access arrangement in the same position as the existing agricultural field access with a drive and turning area leading to the property within the site.

2. Key Issue(s)

Effect of the proposed development on the amenities of the area.

Impact on the residential amenity of occupants of the existing dwellings either side.

3. Main Policies

Anglesey and Gwynedd Joint Local Development Plan (2017)

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design

TAI 3: Housing in Service Villages

AMG 3: Protecting and Enhancing Features and Qualities Distinct to the Local Landscape Area.

Planning Policy Wales Edition 9 (2016) "PPW"

Technical Advice Note 12 Design (2016)

Isle of Anglesey Council Supplementary Planning Guidance: Design in the Urban and Rural Built Environment (2008)

4. Response to Consultation and Publicity

Community Council – No response to date

Councillor Bob Parry – Called to the planning committee on the grounds of design and siting.

Councillor Dylan Rees – No observations.

Councillor Nicola Roberts – No observations.

Highway Authority – No response to date

Drainage Section – No response to date

Built Environment (Landscape) – Have considered the impact of the proposed dwelling on a tree on the northern boundary of the application site and concluded that whilst the proposal may affect the roots, given existing signs of disease on the tree and the fact that it is not prominent a Tree Preservation Order “TPO” is not justified and its loss would not have a significant adverse impact on the character of the natural landscape. New planting shown on the proposed site plan is indicative only and does not contain any detail.

Welsh Water – Conditional permission.

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 is the 11.09.17 and at the time of writing this report no letters of representation had been received at the department.

5. Relevant Planning History

48C202 Full application for the erection of a dwelling together with the construction of a vehicular access, withdrawn 16.03.17.

6. Main Planning Considerations

The application site is within the settlement boundary defined in the JLDP and the principle of residential development for one dwelling accords with policy TAI 3.

Effect on Amenity - The application site is situated in an elevated position to that of the neighbouring properties. The two immediate properties adjacent are single storey cottages fronting the highway.

The proposal involves the erection of a large two storey dormer type dwelling in the rear of the field. Due to the siting and two storey scale it is considered that the proposed dwelling would result in dominant feature which would result in insensitive infilling to the detriment of the amenity of locality.

Effect on Amenity – Access to the proposed dwelling will be located between Tyn Lon Bach and Penrallt Bach. The proposed access drive is in close proximity to Penrallt Bach and car parking area is in close proximity to the rear of Tyn Lon Bach. The proposed dwelling and its garden area will be to the rear of these existing properties.

Tyn Lon Bach has one window in the rear elevation on the boundary with the application site, there are also a further three windows on a rear extension in close proximity to the boundary and facing the application site. Tyn Lon Bach also has its rear amenity in close proximity to the norther elevation of the proposed dwelling.

In terms of impacts on Tyn Lon Bach traffic movements and general activity from the proposed dwelling will have an impact on the living conditions given the close proximity to the rear elevation of this dwelling. Fencing could mitigate these impacts but given that the existing windows are on and in close proximity to the boundary with the application site such mitigation could also impact on outlook and loss of light.

The proposed front elevation of the proposed dwelling is around 16 meters from the rear elevation of Tyn Lon Bach on a front to back basis. As explained previously there is window on the boundary

with the application site in this rear elevation which will directly face the front elevation of the proposed dwelling. The rear extension of Tyn Lon Bach is closer at less than 10 meters. The SPG Design indicates that there should be a distance of 21 meters between front and rear elevations but that this may be increased if a development is higher than the existing dwelling. Given these considerations the relationship and proximity of the existing and proposed dwelling is considered unsatisfactory by virtue of the siting behind and too close to the rear elevation of Tyn Lon Bach.

There is a window in the northern elevation of the proposed dwelling facing the rear garden of Tyn Lon Bach, which is indicated to be obscurely glazed on the plans. A condition obscurely glazing this window would mitigate overlooking, but the need for this window is questioned given that a further window is also proposed on the rear elevation of this bedroom.

Whilst Penrallt Bach is within the applicant's ownership it is still material to consider the impacts on residential amenity given that ownership can change in the future. The proposed residential curtilage of the proposed dwelling extends around the rear of Penrallt Bach, and is at a higher level. The corner of the proposed two dwelling is also located in close proximity to the rear curtilage of Penrallt Bach. All in all this creates an unsatisfactory relationship with the potential for overlooking, disturbance and the impacts on the outlook from the rear garden of having a large two storey dwelling in close proximity.

Given the considerations described above it is considered that the proposed dwelling will have an unacceptable impact on the residential amenity of the existing dwellings because of its proximity and its siting to the rear which will result in general disturbance, overlooking and impacts on the outlook from the respective properties.

The planning application comprises a resubmission of planning application 48C202 which was subject to a committee site visit and was withdrawn prior to consideration at the March 2017 Planning Committee. The recommendation to the planning committee was one of refusal on the grounds that the proposal would unacceptably affect the amenities of the neighbouring properties and the amenities of the area. The proposal subject to this report is identical to that considered under planning application 48C202.

Highway Safety – The comments of the highway authority are awaited at the time of writing but no objections were raised to the previous planning application 48C202 which was withdrawn prior to being determined.

Landscape – The council's Landscape Officer has considered the impact of the development on a tree on the northern boundary of the application site. Whilst the proposed development may impact on the health of the tree no objections are raised for the reasons described.

7. Conclusion

The proposed development is considered unacceptable on the grounds of amenity and residential amenity primarily due to its siting, two storey scale, relationship and proximity to the existing dwellings.

8. Recommendation

That planning permission is **refused** on the following grounds:

(01) The siting and two storey scale of the proposed dwelling would result in a dominant feature which would result in insensitive infilling to the detriment of the amenity of locality. This would be contrary to the provisions of policies PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan (2017) and Planning Policy Wales Edition 9 (2016).

(02) The siting and scale of the proposed dwelling would have an unacceptable impact on the residential amenity of the existing dwellings at Tyn Lon Bach and Penrallt Bach because of its proximity and relationship with the rear of these dwellings which will result in general disturbance, overlooking and impacts on the outlook from the respective properties. This would be contrary to

the provisions of the Isle of Anglesey Council Supplementary Planning Guidance: Design in the Urban and Rural Built Environment (2008) and Planning Policy Wales Edition 9 (2016).

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13.1

Materion Eraill

Other Matters

Rhif y Cais: 12LPA1032A/CC/MIN Application Number

Ymgeisydd Applicant

Gwasanaethau Tai - Housing Service

Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatád cynllunio 12LPA1032/CC er mwyn gostwng manau parcio ynghyd a lleihau ardal tarmac yn / Minor amendments to scheme previously approved under planning permission 12LPA1032/CC so as to lower the parking spaces and decrease the tarmac area at

Bryn Tirion, Biwmaris/Beaumaris



Planning Committee: 04/10/2017

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

Reason for Reporting to Committee:

A minor amendment application was received for amendments to the scheme previously approved under planning application 12LPA1032/CC at Bryn Tirion, Beaumaris.

The local planning authority has determined the application and the proposed amendments were deemed to be non-material.

The matter is therefore reported for information purposes only.