

# Public Document Pack



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

Dr Gwynne Jones  
Prif Weithredwr – Chief Executive  
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<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>
<b>PWYLLGOR CYNLLUNIO A GORCHMYNION</b>	<b>PLANNING AND ORDERS COMMITTEE</b>
<b>DYDD MERCHER, 7 CHWEFROR, 2018 am 1.00 o'r gloch yp</b>	<b>WEDNESDAY, 7 FEBRUARY 2018 at 1.00 pm</b>
<b>SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGEFNI</b>	<b>COUNCIL CHAMBER, COUNCIL OFFICES, LLANGEFNI</b>
<b>Swyddog Pwyllgor</b>	<b>Mrs Mairwen Hughes (01248) 752516</b>
	<b>Committee Officer</b>

## **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.

### **Index**

#### **1 APOLOGIES**

#### **2 DECLARATION OF INTEREST**

To receive any declaration of interest by any Member or Officer with regard to any item of business.

#### **3 MINUTES\_(Pages 1 - 6)**

To submit, for confirmation, the minutes of the Planning and Orders Committee held on 10 January, 2018.

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

To submit the minutes of the Site Visit held on 17 January, 2018.

#### **5 PUBLIC SPEAKING**

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

6.1 39C285D – Lôn y Gamfa, Menai Bridge

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

7.1 19LPA1038/CC – Maes yr Ysgol, Holyhead

#### **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

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## **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

## **10 DEPARTURE APPLICATIONS\_(Pages 19 - 34)**

- 10.1 15C29M/VAR – Hen Feudy, Fferam Bailey, Trefdraeth
- 10.2 21C38G/VAR – Daniel Business Centre, Llanddaniel
- 10.3 43C195F/VAR – Y Granar, Rhoscolyn

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

None to be considered by this meeting.

## **12 REMAINDER OF APPLICATIONS\_(Pages 35 - 84)**

- 12.1 11LPA1039/CC/TPO – Maesllwyn, Amlwch
- 12.2 14C83D – Cae'r Delyn, Bodffordd
- 12.3 19LPA434E/CC – Jessie Hughes Centre, Holyhead
- 12.4 20LPA1040/CC – Traeth Mawr, Cemaes
- 12.5 28LPA1035A/CC – Ffordd Llechi, Rhosneigr
- 12.6 34LPA1013C/CC – Llangefni Industrial Estate, Llangefni
- 12.7 39LPA589Q/CC – David Hughes School, Menai Bridge
- 12.8 39C592 – 2 Glanrafon, Beach Road, Menai Bridge
- 12.9 45C313E – Ty Gwyn Estate, Newborough

## **13 OTHER MATTERS**

None to be considered by this meeting.

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## PLANNING AND ORDERS COMMITTEE

### Minutes of the meeting held on 10 January, 2018

- PRESENT:** Councillor Nicola Roberts (Chair)  
Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes Trefor Lloyd Hughes MBE, Kenneth Hughes, Vaughan Hughes, Eric Wyn Jones, Shaun Redmond, Dafydd Roberts, Robin Williams
- IN ATTENDANCE:** Planning Development Manager (NJ)  
Planning Assistant  
Legal Services Manager (RJ)  
Committee Officer (ATH)
- APOLOGIES:** Councillor Richard Dew (Portfolio Member for Planning)
- ALSO PRESENT:** Councillor R.G.Parry, OBE, FRAgS
- 

#### 1. APOLOGIES

The apology for absence was presented and noted.

#### 2. DECLARATION OF INTEREST

No declaration of interest was made.

#### 3. MINUTES OF THE 6<sup>TH</sup> DECEMBER 2017 MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 6<sup>th</sup> December, 2017 were presented and were confirmed as correct.

#### 4. SITE VISITS

The minutes of the planning site visit held on 20<sup>th</sup> December, 2017 were presented and were confirmed as correct subject to noting that Councillor John Griffith had submitted an apology for absence due to his being away on other Council business at the time.

#### 5. PUBLIC SPEAKING

There were no Public Speakers at this meeting of the Planning and Orders Committee.

#### 6. APPLICATIONS THAT WILL BE DEFERRED

##### **6.1 39C285D – Full application for the erection of 17 dwellings on land at Lôn Gamfa, Menai Bridge**

The Planning Development Manager reported that the Officer recommends that consideration of the application be deferred pending the receipt of a report following a recent flooding incident.

**It was resolved to defer consideration of the application in accordance with the Officer's recommendation for the reason given.**

## 7. APPLICATIONS ARISING

### **7.1 28C472E – Full application for the erection of 2 dwellings (one which will include a balcony) on land adjacent to Cartref, Station Road, Rhosneigr**

The application was reported to the Planning and Orders Committee as the proposal is contrary to Joint Local Development Plan (JLDP) policies but is one which the Local Planning Authority is minded to approve.

The Planning Development Manager reported that consideration of the application was deferred at the Committee's previous meeting in December, 2017 to allow the applicant to serve notice of the proposal on the owner of the land on which the access road to the application site lies. The relevant ownership certificates have now been submitted. The proposal as presented is for an amended design to a scheme involving the erection of two dwellings on the site previously approved in September, 2015 under planning reference 28C472B; this is the fall-back position. There are objections to the proposal the substance of which is summarised in the written report. Also, an additional letter has been received from the occupants of the dwelling known as Cartref which reiterates objections previously expressed as well as highlighting concerns regarding the proximity of the gas storage tank serving Cartref to the development. The Officer drew the Committee's attention to the fact that planning consent is conditional on providing screening along the boundary of the development site with the adjoining properties including Cartref. Officers expect that the screening as proposed will take due account of relevant Health and Safety regulations.

The Officer said that in terms of policy, the application does not comply with current JLDP policies specifically Policy TAI 5 which provides that only local market housing can be supported in areas identified as a Local Service Centre with Rhosneigr having been identified as such a centre. Also, where a development is for the erection of two or more houses, there must be provision of affordable housing as part of the scheme. However, having regard to the fall-back position of there being extant planning permission on site for a dwelling and the likelihood that this will be implemented as well as the fact that the proposed amendments are considered an improvement on the scheme originally approved, the Officer's recommendation is to approve the application.

In response to assurance sought by the Committee that the matter of land ownership had now been clarified, the Officer confirmed that as part of the process of validating an application appropriate notices have to be served on the relevant landowners; that has now been done with regard to the application in question. In response to the Committee's seeking clarification of the affordable housing position, the Officer said having regard to the existing planning permission for the erection of two dwellings on the application site which could have been implemented, the Planning Authority will not be asking the developer to meet the affordable housing stipulation which current policy otherwise requires.

On the basis of the fall-back position and the betterment which the amended scheme offers over and above the fall-back position, Councillor Kenneth Hughes proposed that the application be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor Robin Williams.

**It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report.**

## 8. ECONOMIC APPLICATIONS

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

## 9. AFFORDABLE HOUSING APPLICATIONS

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

## 10. DEPARTURE APPLICATIONS

### **10.1 17C503B/VAR – Application under Section 73 for the variation of condition (04) (development to be carried out strictly in accordance with the plan(s) submitted on the 01/12/2015 and 19/01/2016 and the protected species survey dated 21/06/2015) of planning permission reference 17C503 (conversions, alterations and extensions of redundant farmhouse) so as to allow submission of amended plans at Rhos Bella, Llansadwrn**

The application was presented to the Planning and Orders Committee as the proposal is contrary to Joint Local Development Plan (JLDP) policies but is one which the Local Planning Authority is minded to approve.

The Planning Development Manager reported that the application is to vary condition (04) on a planning permission previously granted in 2016 for the conversion of a redundant farmhouse into a dwelling so as to allow the submission of amended plans. The amendments as proposed are in connection with materials and design and are not considered significant being an improvement on that originally approved. The Officer said that the expiry date for the receipt of representations was the 9<sup>th</sup> January, 2018; no comments either way have been received. The Planning Service is awaiting a current protected species survey as part of the application; it will also be necessary to ensure that mitigating measures are implemented prior to any conversion work being carried out. These are proposed as additional conditions in accordance with Natural Resources Wales Licensing arrangements. The Officer said that although the application is contrary to Policy TAI7 of the JLDP in being a conversion of a traditional building for residential rather than employment use, having considered that there is existing planning permission for the conversion and extension of an outbuilding into a dwelling and that the amended scheme is an improvement on that originally approved, the Officer's recommendation is one of approval.

The Committee noted that the consultation period had only come to an end the previous day which it deemed did not realistically allow for the consideration of any representations that might have been made at that time with the written report having been prepared ahead of the deadline. The Committee queried whether this conveys a disregard for the consultation process.

The Planning Development Manager said that due to the nature of the planning system and the timescales involved, this happens from time to time. The Planning Service endeavours to bring applications to Committee promptly in accordance with the tight timescale for dealing with applications. In the event that objections to the application had been received or representations made then the Committee would be updated verbally at this meeting. Should any issue have arisen that had not been dealt with in the Officer's report then the application would have been recommended for deferral to allow a further report to be brought to next month's meeting to ensure that all matters are dealt with properly.

On the basis of the fall-back position and the improvement on the original scheme which the proposed amendments offer, Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor Eric Jones.

**It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report and following the receipt of a current and acceptable protected species survey and mitigation measures, and additional conditions requiring those mitigating**

**measures to be completed prior to any conversion works being carried out in accordance with Natural Resources Wales licensing requirements.**

**10.2 25C259B/VAR – Application under Section 73 for the variation of condition (11) of planning permission reference 25C259 (conversion of outbuilding into a dwelling) so as to amend the design of the dwelling on land opposite Bryn Gollen Newydd, Llanerchymedd**

The application was presented to the Planning and Orders Committee as the proposal is contrary to Joint Local Development Plan (JLDP) policies but is one which the Local Planning Authority is minded to approve.

The Planning Development Manager reported that the application is for the variation of a condition on a previous planning permission to convert an outbuilding into a dwelling in order to amend the design of the proposed dwelling. The amendments involve the installation of 4 additional windows and are considered minimal having no negative impact upon neighbouring properties and maintaining the architectural characteristics of the original outbuilding. No objections have been received, the expiry date for representations having ended on 29 December, 2017. The Community Council has also confirmed that it does not object to the proposal. Although the application is contrary to Policy TAI 17 of the JDLP, given the fall-back position of there being existing planning permission for the conversion of an outbuilding into a dwelling and the improvement which the amendments offer, the Officer's recommendation is to approve the application. If approved, a condition will be placed on the permission to preclude the implementation of the previous permission.

Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation and the proposal was seconded by Councillor Shaun Redmond.

**It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report.**

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

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

## **12. REMAINDER OF APPLICATIONS**

**12.1 11LPA657/CC – Full application for alterations and extensions at Wardens House, Amlwch**

The application was reported to the Planning and Orders Committee as it is made by the Authority on Council land.

The Planning Development Manager reported that the application is for a relatively small sunroom extension to a community room within the Wardens House building. The roofing and window material will match that of the current building. The scheme is considered acceptable and its implementation will not bring any adverse impact to the area or its residents.

Councillor Kenneth Hughes proposed that the application be approved in accordance with the Officer's recommendation and the proposal was seconded by Councillor John Griffith.

**It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report.**



**12.2 19LPA1038/CC – Full application for demolition of the existing garages together with the erection of 4 single person dwellings with associated parking at Maes yr Ysgol, Holyhead**

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

Councillor Shaun Redmond speaking as a Local Member proposed that the application site be visited by the Committee to allow Members to assess potential highway safety issues arising from the proposed development as the site is situated adjacent to an existing primary school.

Councillor Kenneth Hughes seconded the proposal for a site visit.

**It was resolved that the application site be visited in accordance with the Local Member's request for the reason given.**

**13. OTHER MATTERS**

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

**Councillor Nicola Roberts  
Chair**

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## PLANNING SITE VISIT

### Minutes of the meeting held on 17 January, 2018

<b>PRESENT:</b>	Councillor Nicola Roberts (Chair)  Councillors John Griffith, Glyn Haynes, Kenneth Hughes, Trefor Lloyd Hughes, Eric Jones, Shaun Redmond, Dafydd Roberts, Robin Williams
<b>IN ATTENDANCE:</b>	Planning Case Officer (SCR) Highways Officer (JAPR)
<b>APOLOGIES:</b>	Councillor Richard Owain Jones
<b>ALSO PRESENT:</b>	None

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**1. 19LPA1038/CC – Full application for the demolition of the existing garages together with the erection of 4 single person dwellings with associated parking at Maes yr Ysgol, Holyhead**

Members viewed the application site. The Planning Case Officer outlined the details of the scheme including the scale and position of the proposed new units. The Highways Officer confirmed that the existing access was acceptable for the proposed development due to the current use of the site.

**Councillor Nicola Roberts  
Chair**

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6.1

Gweddill y Ceisiadau

Remainder Applications

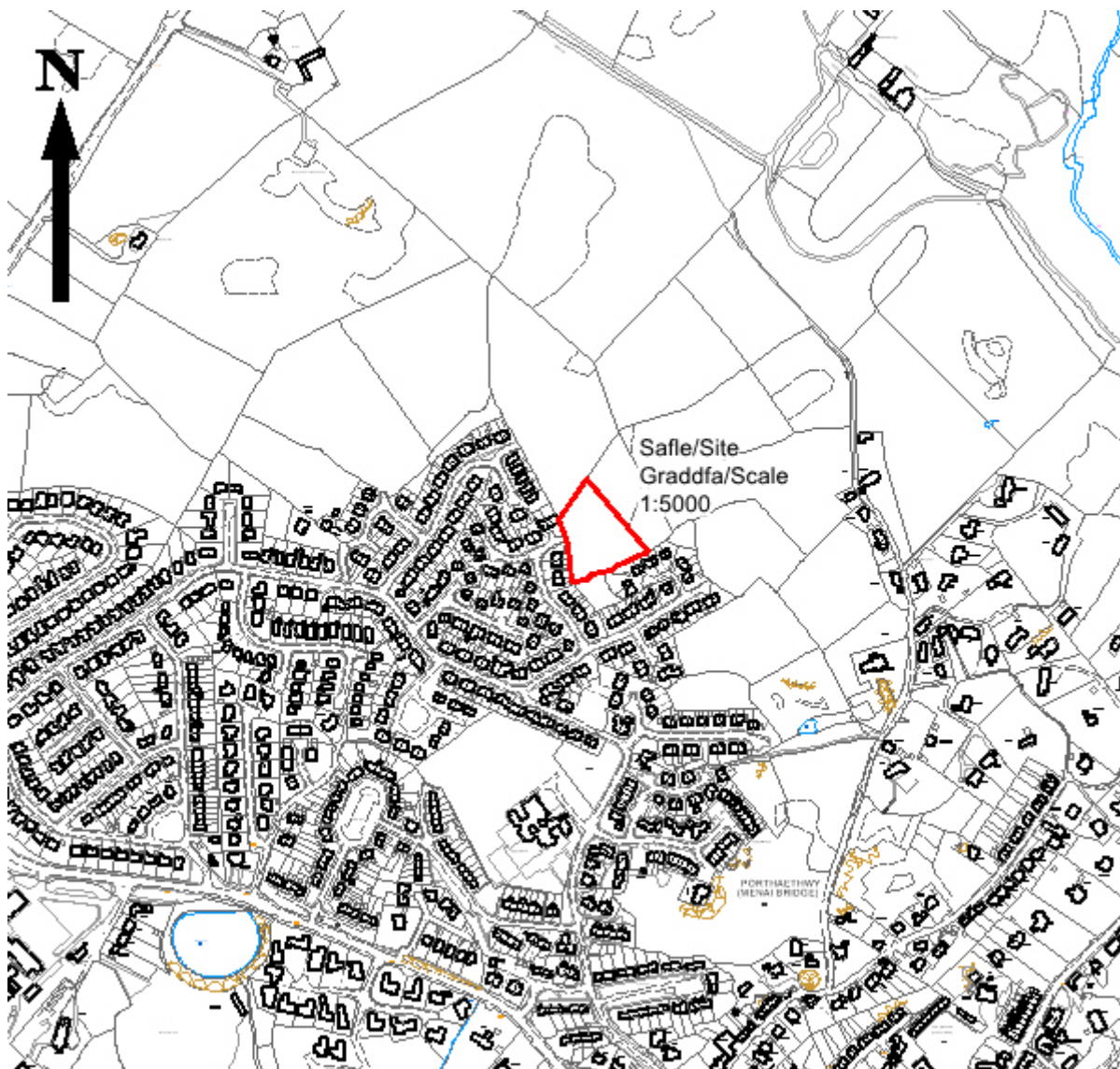
Rhif y Cais: **39C285D** Application Number

Ymgeisydd Applicant

**R E Ellerby A.R.I.C.S**

Cais llawn ar gyfer codi 17 o dai ar dir yn / Full application for the erection of 17 dwellings on land at

**Lôn Gamfa, Porthaethwy/Menai Bridge**



**Planning Committee: 07/02/2018**

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

**Recommendation**

Defer

**Reason for Reporting to Committee:**

A report is awaited following a recent flooding incident and the recommendation is to defer determination until the report is received and considered.



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7.1

Gweddill y Ceisiadau

Remainder Applications

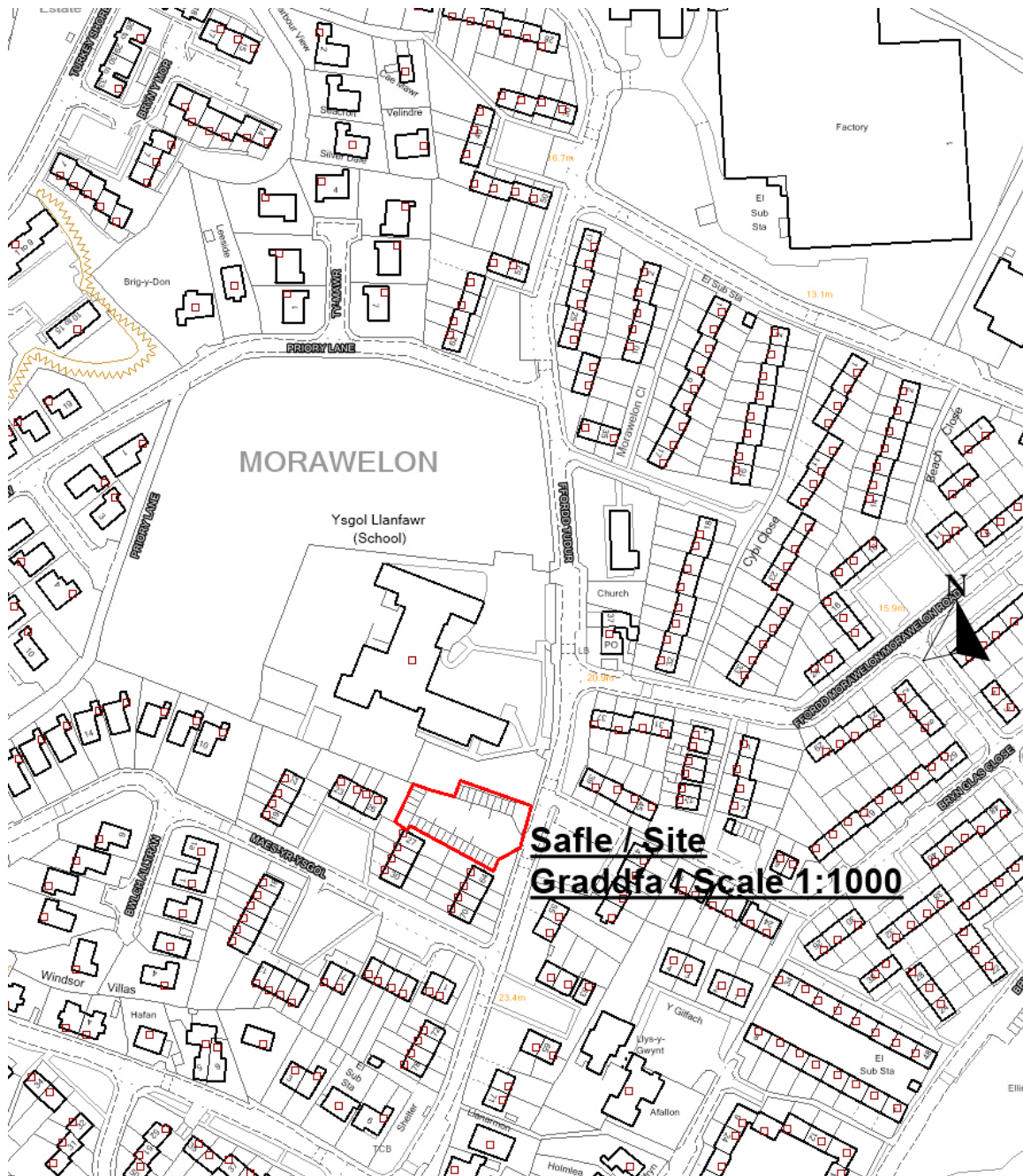
Rhif y Cais: **19LPA1038/CC** Application Number

Ymgeisydd Applicant

**Mr Trystan Evans**

**Cais llawn ar gyfer dymchwel y modur dai presennol ynghyd a codi 4 annedd un person yn cynnwys lle parcio yn / Full application for demolition of the existing garages together with the erection of 4 single person dwellings with associated parking at**

**Maes Yr Ysgol, Caergybi/Holyhead**



**Planning Committee: 07/02/2018**

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

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

The application is made by the Council.

At its meeting that was held on the 10<sup>th</sup> January, 2018 Members resolved to carry out a site visit prior to determining the application.

The site was visited on the 17<sup>th</sup> January, 2018 and Members will now be familiar with the site and its setting.

**1. Proposal and Site**

The proposal is a full application for the demolition of the existing flat roof garages together with the erection of 4 number single storey/single person occupancy dwellings. The scheme as originally submitted was not considered acceptable as the proposal did not comply with the guidance contained within the Supplementary Planning Guidance Design Guide for the Urban and Rural Environment in terms of distances between developments and an amended scheme has been received.

The site is located within the development boundary of Holyhead and lies on land adjoining Ysgol Llanfawr and adjoins the boundaries of the properties known as 64 Ffordd Tudur and 26 and 27 Maes yr Ysgol. The site is currently occupied by single storey garages which are rented by members of the public.

**2. Key Issue(s)**

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

**3. Main Policies**

**Joint Local Development Plan**

Policy PCYFF2 – Development Criteria  
Policy PCYFF3 – Design and Place Shaping  
Policy PCYFF 4 – Design and Landscaping  
Policy TAI 1 – Urban Service Centre  
Strategic Policy PS18: Affordable Housing  
Policy TAI 15 – Affordable Housing Threshold and Distribution  
Policy TAI 8 – Appropriate Housing Mix

**Planning Policy Wales (9<sup>th</sup> Edition, 2016)**

**TAN 12: Design**

**Supplementary Planning Guidance Design Guide for the Urban Environment**

**4. Response to Consultation and Publicity**

**Town Council** – Council should defer until appropriate consultation and discussion have taken place between the applicant and Local Members

**Local Member Cllr. S Redmond** – Call-in - Loss of parking and storage area in densely populated area. No consultation has taken place with Local Members or residents/tenants

**Local Member Cllr. R LI Jones** – Call-in - Concerns regarding the process of consultation with Local Members prior to submitting the application.

**Local Member Cllr. G Haynes** – No response to date

**Drainage Section** – Recommended conditional approval requesting detailed designs of the proposed means of disposal of surface water

**Highway Authority** – Recommended conditional approval regarding car parking provision

**Welsh Water** – No response to date

**Environmental Health** – Comments regarding previous use of site. The applicant has provided further details regarding the previous use of the site however at the time of writing no further comments have been received from the department.

**Natural Resource Wales** – Standard comments

### **Response to Publicity**

The application was afforded two means of publicity. These were by the posting of a notice near the site and the serving of personal notification letters on the occupiers of the neighbouring properties. The latest date for the receipt of representations is 16<sup>th</sup> January, 2018. At the time of writing this report three letters of representation had been received at the department. The main issues raised can be summarised as follows;

- 1) Notice has not been served on the owner of the adjoining property.
- 2) Highway safety – due to loss of parking spaces
- 3) Concern if boundary fence is to be 1.1 metre high
- 4) Concern regarding who will be housed in the properties

Other matters were raised in regards to the Council spending money on resurfacing the road some months ago and enquired the means of demolition of the existing garages as the existing garages enclose the garden of the neighbouring property – however these are not material planning matters.

In response to these comments I would state;

- i) Notice has now been served on the occupants of the adjoining properties.
- ii) The Highway Authority have raised no objection to the proposal. The applicant has confirmed that the site is not a public car park but parking for tenants of the garages on the site.
- iii) It is proposed to erect a 2.0m high timber fence along the boundary.
- iv) The applicant has confirmed that and the units will become part of the general Council housing stock and the tenants will be single people under 35 who will be selected from the Councils Housing Waiting list.

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

None

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

**Policy Context** – Holyhead is identified as an Urban Service Centre under Policy TAI 1 of the Joint Local Development Plan.

The proposal is situated within the development boundary and lies on land next to a residential housing estate and the local primary school. The proposal is to demolish the existing garages which are rented by both local residents and people from the nearby villages.

The principle of residential developments is therefore acceptable.

In accordance with Policy TAI 15 of the Joint Local Development Plan proposals for two or more units trigger the need for the provision of affordable units. The application is submitted by the Local Authority for the provision of single occupancy units in order to increase the social housing stock and will provide 100% affordable housing. The units are designed as transitional dwellings to assist a younger demographic find housing as a stepping stone for securing works and life skills.

The applicant has confirmed that the proposed units are to be rented by persons in affordable need and should the Authority decide to sell the site in the future one of the units will be sold as an affordable unit for a local person.

**Impact on neighbouring properties** – The originally submitted scheme has been amended as the units proposed along the boundary of the site with the adjoining properties were located too close to the boundary. The units have now been located along the boundary of the site with the adjoining primary school. A 2 metre high fence will be erected along the boundary of the site with the adjoining school and neighbouring properties and this will ensure that the amenities of the occupants of the proposed units and neighbouring properties are safeguarded.

Due to the above it is not considered that the development will harm the amenities currently enjoyed by the occupants of the dwellings to such a degree as to warrant the refusal of the application.

**Impact on Highway Safety** – The existing vehicular access is to be utilised for the proposed development and no alterations are proposed to the access. The Highway Authority have raised no objection to the scheme subject to the inclusion of a standard highway condition in regards to car parking facilities.

## **7. Conclusion**

The proposal complies with current policies and will not have a detrimental impact on the amenities of the occupants of neighbouring properties or on highway safety.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The recommendation takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **8. Recommendation**

### **Permit**

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

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

**(02) The 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.

**(03) Before any development commences, plans shall be submitted to and approved in writing by the Local Planning Authority showing details of the following;**

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

**(ii) The location and the type of street lighting furniture.**

Reason: To comply with the requirements of the Highway Authority and to ensure that the site can be adequately drained.

**(04) The estate road(s) and its access shall be designed and constructed in accordance with 'Residential Road Adoption Specification Requirements, Anglesey' (copies of the document are available free on request from the local planning authority).**

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

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

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

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

Drawing / Document number	Date Received	Plan Description
D618.05	11/12/2017	Location Plan
D618.10	15/12/2017	Proposed Elevations – Semi-detached Units
D618.07	15/12/2017	Proposed Floor Plans
D618.06/B	19/12/2017	Proposed Site Plan
D618.08	15/11/2017	Proposed Elevations – Detached Units
Design and Access Statement	15/11/2017	Design and Access Statement

**under planning application reference 19LPA1038/CC.**

Reason: For the avoidance of doubt.

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

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10.1

**Ceisiadau'n Tynnu'n Groes**

**Departure Applications**

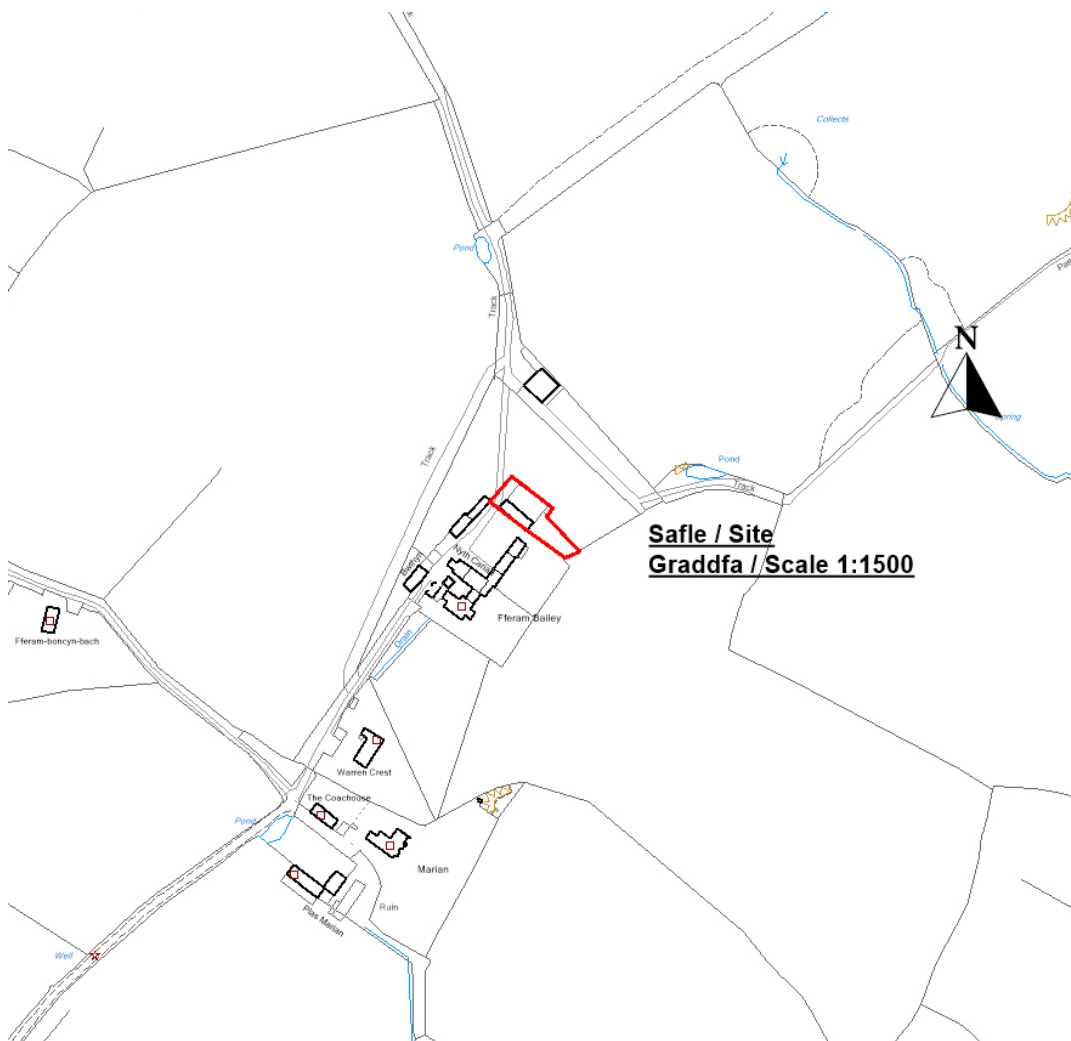
Rhif y Cais: **15C29M/VAR** Application Number

Ymgeisydd Applicant

**Mr Michael Roberts**

**Cais dan Adran 73 i amrywio amod (02) (cyflwyno manylion am y modd y bwriedir trin y ffiniau, dulliau amgáu a marcio cyn cychwyn defnyddio'r safle yn hytrach na cyn i'r gwaith ddatblygu gychwyn ynghyd â chaniatáu i'r gwaith gael ei gwblhau o fewn 12 mis o gychwyn ei ddefnyddio) o benderfyniad apêl cyfeirnod APP/L6805/A/13/2194277 (troi adeilad allanol yn annedd) yn / Application under Section 73 for the variation of condition (02) (submission of details of the boundary treatments, means of enclosure and demarcation prior to occupation rather than prior to development taking place together with allowing work to be completed within 12 months of occupation) of appeal decision reference APP/L6805/A/13/2194277 (outbuilding conversion into a dwelling) at**

**Hen Feudy, Fferam Bailey, Trefdraeth**



**Planning Committee: 07/02/2018**

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

**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 proposal is an application under Section 73 for the variation of condition (02) of appeal decision reference APP/L6805/A/13/2194277 (so as to allow the submission of the boundary treatment, means of enclosure and demarcation prior to occupation rather than prior to development taking place together with allowing work to be completed within 12 months of occupation) so as to convert the building into a dwelling and the installation of a package treatment plant on land at Fferam Bailey, Trefdraeth.

The works of conversion have been completed and the dwelling is currently occupied. The site is situated within a complex of traditional outbuildings with a number of the buildings having been converted into residential properties and a number of the units benefitting from planning permission for their conversion into residential units.

The site lies on the outskirts of the settlement of Trefdraeth. Access to the site is via an unclassified track.

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

The application's key issue is whether the proposed boundary treatment is acceptable in this location.

### **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 to date

**Local Member – Councillor B Owen** – No response to date

**Local Member – Councillor Peter Rogers** – No response to date

#### **Response to Publicity**

The application was afforded three means of publicity. These were by the posting of a notice near the site, publication of a notice in the local press and the serving of personal notification letters on the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 31<sup>st</sup> January 2018 and at the time of writing this report no letters of representation had been received at the department.



## **5. Relevant Planning History**

15C29G – Full application for the conversion of the outbuilding into a dwelling together with the installation of a package treatment plant on land at Fferam Bailey, Trefdraeth – Refused 30/01/13 – Appeal Allowed 09/07/2013

### **Site history adjoining land**

15C29 – Conversion of outbuildings into holiday cottages at Fferam Bailey, Trefdraeth – Approved 28/09/1987

15C29A – Conversion of outbuildings into holiday cottages at Fferam Bailey, Trefdraeth – Approved 20/06/1988

15C29B – Alterations and extension at Fferam Bailey, Trefdraeth – Approved 12/01/2000

15C29C – Change of use of existing outbuilding into a dwelling together with the installation of a new septic tank at Fferam Bailey, Trefdreth – Approved 12/03/2007

15C29D - Conversion of the three outbuildings into 3 residential dwellings and the installation of septic tanks at Fferam Bailey, Trefdraeth – Approved 03/05/2011

15C29E – Deletion of conditions (02), (03), (04) and (05) so as to use the unit as a permanent dwelling at Unit 4, Fferam Bailey, Bodorgan – Granted 03/02/2011

15C29F – Full application for the change of use of the outbuilding into a dwelling, demolition of part, alterations and extensions thereto, the installation of a treatment plant together with the erection of a garage and workshop at Barn 3, Fferam Bailey, Trefdraeth – Returned to applicant 23/03/2012

15C29H - Full application for the conversion of outbuilding into a dwelling adjacent to Y Bwthyn on land at Fferam Bailey, Trefdraeth – Approved 02/09/2013

15C29J - Full application for the conversion of an outbuilding into a dwelling, the erection of a double garage together with the installation of a package treatment plant at Unit 3 at Fferam Bailey, Trefdraeth – Approved 24/04/2014

15C29K - Full application for alterations and extensions at Y Bwthyn, Fferam Bailey, Trefdraeth – Approved 10/11/2015

## **6. Main Planning Considerations**

The principle of converting the outbuilding has been established by the granting of the appeal application referenced APP/L6805/A/13/2194277 where permission was granted for the conversion of the building into a residential dwelling.

The details of the means of enclosure (stone walling and 1.2m high timber fencing) are considered acceptable and similar to what can be found in the locality.

### **Joint Local Development Plan**

The Joint Local Development Plan states that conversion of traditional buildings will only be permitted for employment use, if this is not an option, the development could provide an affordable unit. However the works on the conversion of the building has been completed and the dwelling is currently occupied

## **7. Conclusion**

The materials proposed to be used are considered acceptable and are similar to what can be found in the locality.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The recommendation takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## 8. Recommendation

### Permit

**(01) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans submitted under planning application reference 15C29M/VAR.**

Drawing / Document number	Date Received	Plan Description
2328:15:T1	15/11/2017	Location Plan
2328:15:T3	15/11/2017	Proposed Site Plan

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.

### Informative

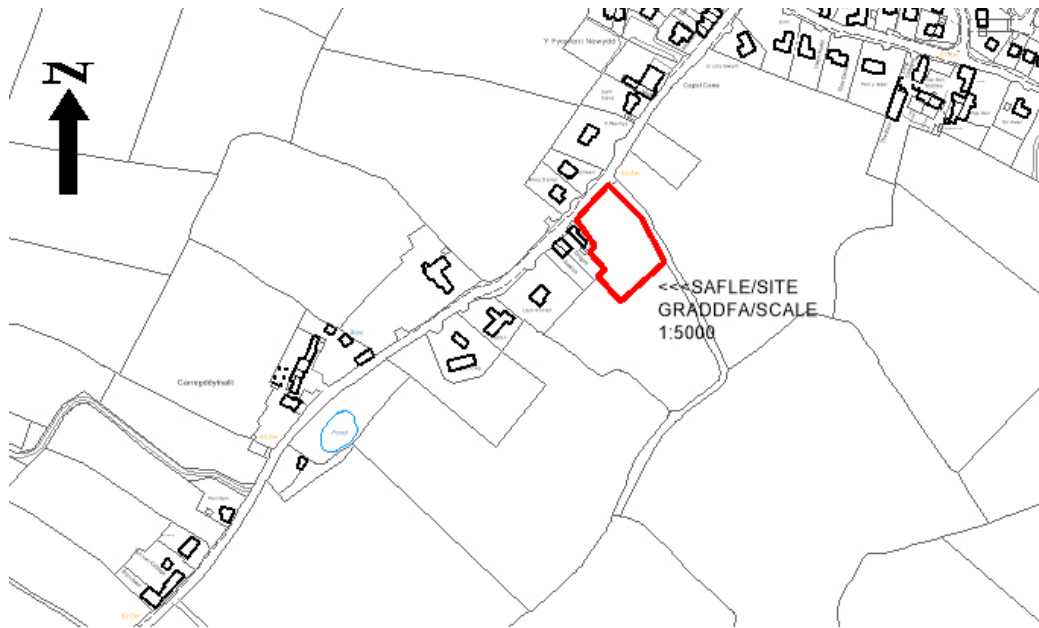
This decision should be read in conjunction with the remaining conditions imposed on planning permission 15C29G.

Rhif y Cais: **21C38G/VAR** Application Number

Ymgeisydd Applicant

**Anglesey Lifestyle Homes Ltd**

**Cais o dan Adran 73 a Adran 73A i ddiwygio amod (16) (cynlluniau a gymeradwywyd) mewn perthynas a chaniatâd cynllunio 21C38D (codi 4 annedd a mynedfa newydd i gerbydau) er mwyn diwygio dyluniad y 4 annedd ar safle yr hen / Application under Section 73 and Section 73A for the variation of condition (16) (approved plans) of planning permission reference 21C38D (erection of 4 dwellings and new vehicular access) so as to amend the design of the 4 dwellings on land of the former**

**Canolfan Busnes Daniel Business Centre, Llanddaniel**

## **Planning Committee: 07/02/2018**

### **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**

This is a Section 73 application for the variation of condition (16) (approved plans) of planning permission reference 21C38D (erection of 4 dwellings and new vehicular access) so as to amend the design of the 4 dwellings at Former Daniel Business Centre, Llanddaniel.

Llanddaniel is identified as a Local Village and the development is within the development boundary of the village. A small area of the estate road is outside the development boundary and hence the reason for reporting the application to the planning committee.

Full planning permission has been granted on the site under planning application reference 21C38D which was approved on the 8/10/10. Since the application was approved the access and the 1.8m wide footway has been partly completed and footings for two of the properties have been completed.

The amendments that are being requested to change the design of the dwellings include fenestration and doors and also entails the erection of a sunroom to the rear elevation of each of the 4 dwellings. The approved dwellings were at a height of 7.7 meters; however, the height has now been reduced to 7.3m high.

It is not considered that the amendments to the design will have any more impact on adjoining residential properties than what has previously been approved on the site.

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

The applications key issue is the existence of the fallback position (extant planning consent), what likelihood exists of the extant permission coming forward and that any harm that is generated by the extant permission being balanced against the proposed scheme and any improvement or betterment the proposal offers over and above the fall-back position.

#### **3. Main Policies**

##### **Joint Local Development Plan**

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

TAI4 – Housing in Local, Rural and Coastal Villages

TAI 15 – Affordable Housing Threshold and Distribution

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

**Community Council** – No response

**Local Member (Cllr Eric Wyn Jones)** – No response

**Local Member (Cllr Dafydd Roberts)** – No response

**Highways** – No response

**Drainage** - Comments

**Environmental Health** – No response

**Footpath Officer** – No response

**Biodiversity Officer** – No ecological comments

**Welsh Water** – No comments

### **Response to Publicity**

The application was afforded three means of publicity. These were by the posting of a notice near the site, serving of personal notification letters on the occupiers of the neighbouring properties together with an advertisement in the local newspaper as part of the site is outside the development boundary and therefore contrary to policies of the Joint Local Development Plan. The latest date for the receipt of representations was the 22<sup>nd</sup> December, 2018 and at the time of writing this report, 1 letter had been received raising comments on the application.

- The comments made was requesting clarification that the application site was within the development boundary.

In response to these issues I would respond as follows;

The 4 dwellings proposed are within the development boundary of Llanddaniel. A small part of the estate road is outside the development boundary.

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

21C38 – Conversion of existing warehouse into 3 industrial units at Llanddaniel – Approved 11/8/89

21C38A – Outline application to erect 11 starter units – Approved 26/2/91

21C38B – Erection of a warehouse and associated parking – Refused 10/6/68

21C38C – Outline application for demolition of existing industrial units together with residential development in lieu of Daniel Business Centre – Approved 8/1/08

21C38D – Full application for the erection of 4 dwellings together with the construction of a vehicular access on land at the former Daniel Business Centre – Approved 8/10/10

21C38E/DIS – Application to discharge condition (14) of planning application 21C38D at Daniel Business Centre, Llanddaniel – Approved 12/9/13

21C38F/DIS – Application to discharge condition (15) of planning application 21C38D at Daniel Business Park – Approved 20/2/14

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

**Policy Context** - The principle of the erection of four dwellings on the site has been established under planning application 21C38D approved on the 8/10/10.

**Joint Local Development Plan** – Llanddaniel Fab is identified as a Local Village where housing proposals can be supported within the development boundary under Policy TAI 4.

Developments for the erection of two or more houses trigger the need for affordable housing and in Llanddaniel the percentage of affordable units required would be 20%.

The application currently under consideration complies with Policy TAI 4, however it does not comply with Policy TAI 15 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 21C38D was approved on the 8/10/10 and work on the site has already commenced (access, road, footway and 2 footings have been completed).

The application currently under consideration involves the erection of four detached dwellings the height of the previously approved dwellings was 7.7 m and the height of the proposed dwellings are 7.3m, being 0.4m lower than the four dwellings previously approved.

A sunroom is proposed to the rear elevation of the dwellings. It is not considered that the proposal will harm the amenities currently enjoyed by the occupants of adjoining residential properties.

#### **Affect on neighbouring properties –**

The existing stone wall to the North East of the site will screen the garden area from the neighbouring dwelling and ensure that the proposal will not harm the amenities currently enjoyed by the occupants of the property.

#### **7. Conclusion**

The application is contrary to Policy TAI 4 and TAI 15 of the Joint Local Development Plan; however, the fallback position is that the application site has an extant planning permission for four dwellings.

It is considered that works on the previous application 21C38D has commenced which has safeguarded the approved application.

#### **8. Recommendation**

##### **Permit**

##### **(01) Foul water and surface water discharges must be drained separately from the site.**

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

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

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

##### **(04) A 1.8 metre wide footway shall be provided along the whole frontage of the development site adjacent to the County Highway and be completed with detailed specifications agreed in writing with the Local Planning Authority before any dwelling is occupied.**

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

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

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

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

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

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

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

**(08) The access shall be completed with a bitumen surface for the first 5 metres 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 comply with the requirements of the Highway Authority.

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

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

**(10) Within 2 months of the date of this planning permission detailed design and construction details of the proposed foul and surface water drainage systems (including measures to prevent surface water from the development site flowing into the highway) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the details approved under the provisions of this condition and the foul and surface water systems shall be complete and operational before any dwelling is occupied.**

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

**(11) Within 2 months of the date of this planning permission a Management and Maintenance plan for both the surface water drainage system and the estate road shall be submitted to and approved in writing by the local planning authority. The development shall thereafter proceed and be maintained in accordance with the Management and Maintenance plan approved under the provisions of this condition.**

Reason: To 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) and document(s) submitted below:**

<b>Drawing / Document number</b>	<b>Date Received</b>	<b>Plan Description</b>
2534:17:3	20/11/17	Proposed Site Plan
2534:17:8	20/11/17	Proposed Elevations
2534:17:7	20/11/17	Proposed Floor Plans

<b>2534:17:1</b>	<b>20/11/17</b>	<b>Location Plan</b>
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**and as required to be approved under the conditions imposed under planning application reference 21C38G/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.



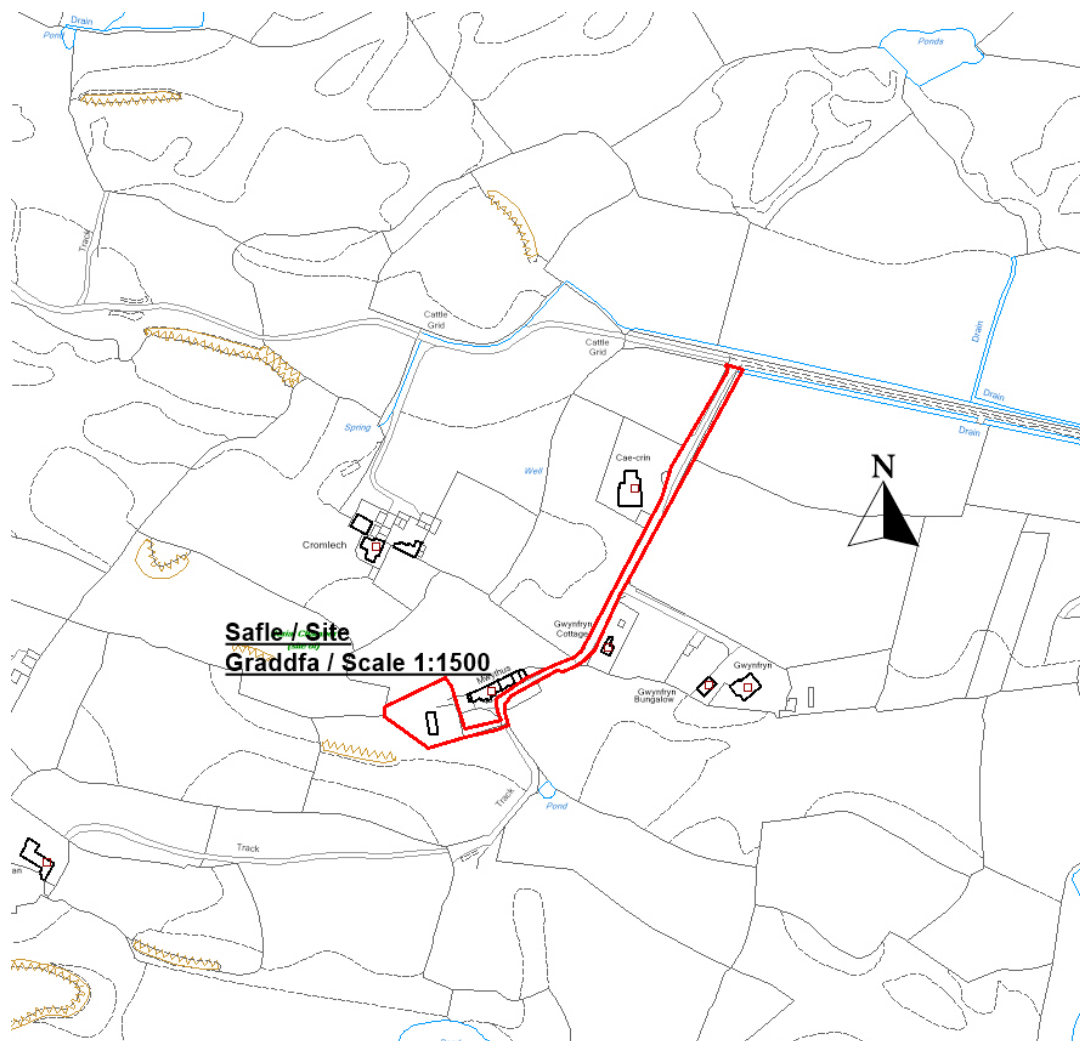
Rhif y Cais: **43C195F/VAR** Application Number

Ymgeisydd Applicant

**Mr A & Mrs J Hillman**

Cais o dan Adran 73A i ddiwygio amodau (02) (cofnod ffotograffig), (03) (gwared ar ddwr wyneb) a (04) (modd y bwriedir trin ffin) o caniatâd cynllunio rhif 43C195D (newid defnydd adeilad allanol) er mwyn caniatáu cyflwyno manylion ar ôl i gwaith ddechrau yn / Application under Section 73A for the variation of conditions (02) (photographic record), (03) (disposal of surface water) and (04) (proposed boundary treatment) of planning permission reference 43C195D (change of use of outbuilding into dwelling) so as to allow the submission of details after works has commenced at

**Y Granar, Rhoscolyn**



**Planning Committee: 07/02/2018**

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

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

The planning application is a departure from the development plan which the Local Planning Authority are minded to approve.

**1. Proposal and Site:**

This is a retrospective planning application under section 73A of the Town and Country Planning Act 1990 (as amended) to undertake development not in accordance with conditions of the original planning permission.

Planning permission 43CC195D comprised a full application for change of use of outbuilding into a dwelling, alterations and extensions together with the installation of a treatment plant and was conditionally approved on 20.10.2015. It is evident that the development has commenced within the statutory time period as it had been completed in accord with the approved plans. The proposed development is currently in breach of the following planning conditions which required prior approval in writing by the LPA prior to the commencement of the development:

(02) No development shall commence until a photographic record of the existing building in electronic format has been submitted to an approved in writing by the local planning authority. Reason In the interests of recording architectural and historic details prior to development.

(03) No development shall commence until a scheme for the disposal of surface water within the curtilage of the site, including its future maintenance, has been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in accordance with the approved details.

Reason In the interests of amenity and to prevent flooding.

(04) No development shall commence until details of the proposed boundary treatment for the curtilage of the converted dwelling, including its future maintenance, have been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in accordance with the approved details.

Reason To ensure a satisfactory appearance of the development within the designated landscape.

The planning application subject to this report is accompanied by a photographic survey as required by condition (02), in terms of condition (03) photographs of the car parking arrangements and a porosity test are provided and details of existing and implemented fencing arrangements are submitted in relation to condition (04).

**2. Key Issue(s)**

- Compliance development plan policies in relation to the conversion of existing buildings in the countryside to a residential use.
- Lawfulness of the development implemented.
- Whether the proposal conserves and enhances the Area of Outstanding Natural Beauty "AONB".

### **3. Main Policies**

#### **Anglesey and Gwynedd Joint Local Development Plan (2017) “JLDP”**

TRA 2: Parking Standards  
PS 5: Sustainable Development  
PCYFF 1: Development Boundaries  
PCYFF 2: Development Criteria  
PCYFF 3: Design and Place Shaping  
PCYFF 4: Design and Landscaping  
TWR 2: Holiday Accommodation  
AMG 1: AONB Management Plan  
AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character  
AMG 5: Local Biodiversity Conservation  
AT 3: Locally or Regionally Significant Non Designated Heritage Assets

#### **Planning Policy Wales (9<sup>th</sup> Edition)**

#### **Technical Advice Notes 12: Design**

#### **Supplementary Planning Guidance: Design in the Urban and Rural Built Environment**

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

**Local Member** – Support.

**Community Council** – No response to date

**Highways** – Observations awaited at the time of writing.

**Drainage** – The permeable surface indicated for the parking areas, in conjunction with the porosity test results provided by the applicant, suggests that the ground conditions are suitable for soakaways to be utilised as a means of surface water disposal. As a consequence, there would be no specific objection to condition (03) of planning permission 43C195D being varied as requested.

**Public Protection** – No objection but considerations in relation to working hours and foul drainage listed.

**Ecological and Environmental Adviser** – No ecological related issues.

**Gwynedd Archaeological Planning Service “GAPS”** – Confirmed that the photographic survey submitted with the planning application is acceptable.

The application was afforded three means of publicity. These were by the posting of a site notice near the site, the publication of a notice in the local press and the serving of personal notifications on the occupants of neighbouring properties. The latest date for the receipt of representation was 31.01.2018. At the time of writing no representation had been received at the department.

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

**43C195** Full application for change of use of outbuilding into a dwelling, alterations and extensions which incorporates a balcony - Refused 10.06.2015.

**43C195A/SCR** Screening opinion for change of use of outbuilding into a dwelling, alterations and extensions which incorporates a balcony - No EIA required 27.04.2015.

**43C195B** Full application for change of use of outbuilding into a dwelling, alterations and extensions thereto together with the installation of a treatment plant – Refused 27.08.2015.

**43C195C/SCR** Screening opinion for the change of use of the outbuilding into a dwelling, alterations and extensions thereto together with the installation of a treatment plant - No EIA required 07.08.2015.

**43C195D** Full application for change of use of outbuilding into a dwelling, alterations and extensions thereto together with the installation of a treatment plant – Conditionally approved 20.10.2015.

**43C195E/SCR** Screening opinion for the change of use of outbuilding into a dwelling, alterations and extensions thereto together with the installation of a treatment plant No EIA required 21.09.2015.

## **6. Main Planning Considerations**

**Introduction** – The building subject to this application is located in the countryside under the provisions of PCYFF 1 of the JLDP and within an area forming part of the Area of Outstanding Natural Beauty. As described below there has been a change in development plan policies since approval of planning permission 43C195D in 2015.

**Principle of the Development** – Under the former development plan the conversion of existing buildings in the countryside to a residential use such as that being applied for was permitted subject to the listed criteria. The JLDP was adopted on 31.07.17 and superseded the former development plan. Under the provisions of policy TAI 7 (Conversion of Traditional Buildings in the Open Countryside to a Residential Use) of the JLDP the conversion of existing buildings to residential purposes is only permitted where evidence is provided that an employment use of the building is not viable and then only for affordable housing purposes or as a subordinate element in a wider scheme. The planning application subject to this report does not comply with any of these requirements and has therefore been advertised as a departure from the current development plan comprising the JLDP.

The proposal is considered to be in compliance with the remaining criterion of policy TAI 7 in that the building is structurally sound, further it appears from a visual inspection to have been completed in accord with the structural survey previously submitted. In terms of the extent of alterations and extensions, retention of architectural and traditional materials the planning considerations in policy TAI 7 remain broadly the same and when the application was previously considered in 2015 and the implemented proposals are considered acceptable.

As explained in the introduction of this report the development has commenced within the statutory time period but is currently in breach of the listed planning conditions. Given that the proposal does not comply with the JLDP as described above it can only be considered acceptable if the planning permission 43C195D has been lawfully implemented and there then remains what is termed a “fall-back position”. To determine whether the development implemented is lawful requires consideration of various planning case law from which the following points can be derived and applied sequentially:

1. Is it a pre-condition to lawful development and if so, has it been complied with;
2. If it has not been complied with, can the developer bring himself within one of the recognised exceptions in case law such as if the breached condition is not central to the development non-compliance does not render the development unlawful.
3. Would a decision to initiate enforcement be judicially reviewable e.g. because it would be irrational or an abuse of power.

In terms of the first criterion planning conditions (02), (03) and (04) are all conditions precedent which have not been complied with. Moving on to criterion 2. none of the conditions precedent breached (being a photographic record, surface water detail and boundary treatment) are central to the development approved such that non-compliance would render the development unlawful and planning permission 43C195D is therefore considered lawful. The third criterion need not therefore be applied in consideration of the lawfulness of planning permission 43C195D, but it is material in the assessment of the current planning application that sufficient details have been submitted in

relation to conditions (02), (03) and (04) to effectively discharge them such that it would not be expedient to instigate enforcement action. As can be seen from the consultation section of this report GAPS are content in relation to condition (02), the council's Drainage officer is content as regards condition (03) so that these conditions can now be deleted. Similarly the boundary treatments have been implemented and are considered acceptable and condition (04) is not considered necessary.

To sum up therefore the planning permission 43C195D has been lawfully implemented and as there remains a "fall-back position" the proposal is considered acceptable notwithstanding the provisions of policy TAI 7.

**Area of Outstanding Natural Beauty** -The proposal is within the AONB and relevant policy considerations in relation to this statutory landscape designation require that the proposed development conserve and enhance the AONB.

Policy AMG 1 states that proposals must where appropriate have regard to the relevant AONB Management Plan. This includes for instance policy CCC 3.2 which states that new developments will be expected to adopt the highest standard of design, materials and landscaping in order to enhance the special qualities and features of the AONB.

It is considered that the proposed development is of a high quality design, incorporating natural stone and slate, natural stone wall. Further appropriate landscape treatment has been included in the current proposals which represent a betterment in comparison with the previously approved scheme.

**Other Matters** – In terms of the applicability of existing conditions of planning permission 43C195D condition (05) is still material in so far as bio-diversity measures were contained within the mitigation measures and a condition (06) is still required in so far as the retaining the car parking area in connection with the development.

## 7. Conclusion

Given that planning permission 43C195D has been lawfully implemented and as there remains a "fall-back position" the proposal is considered acceptable notwithstanding the provisions of policy TAI 7. For the reasons described in the report it is also considered that the proposed development conserves and enhances the AONB, and that the proposal represent a betterment in comparison with the scheme approved under planning permission 43C195D.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

## 8. Recommendation

### Permit

**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	Dated	Plan/Report Description
2232:14:1d	July 2015	Location Plan
2232:17:3a	January 2018	Proposed Site Plan
2232:14:6C	June 2015	Proposed Elevations

2232:14:5C	July 2015	Proposed Floor Plans & Section
15037/E/01	28 <sup>th</sup> April 2015	Survey Report – Outbuildings at Mwythus, Rhoscolyn
	18 <sup>TH</sup> February 2015	Protected Species Survey Mwythus, Rhoscolyn, Anglesey, North Wales.

**The development shall be undertaken in accordance with the recommendations contained within Clwydian Ecology Protected Species Survey report dated 18<sup>th</sup> February 2015 and submitted under planning reference 43C195D.**

Reason To safeguard protected species and secure bio-diversity improvements.

**The car parking accommodation shown on the plans hereby approved shall be retained for these purposes.**

Reason To enable vehicles to draw off and turn clear of the public highway.

12.1

Gweddill y Ceisiadau

Remainder Applications

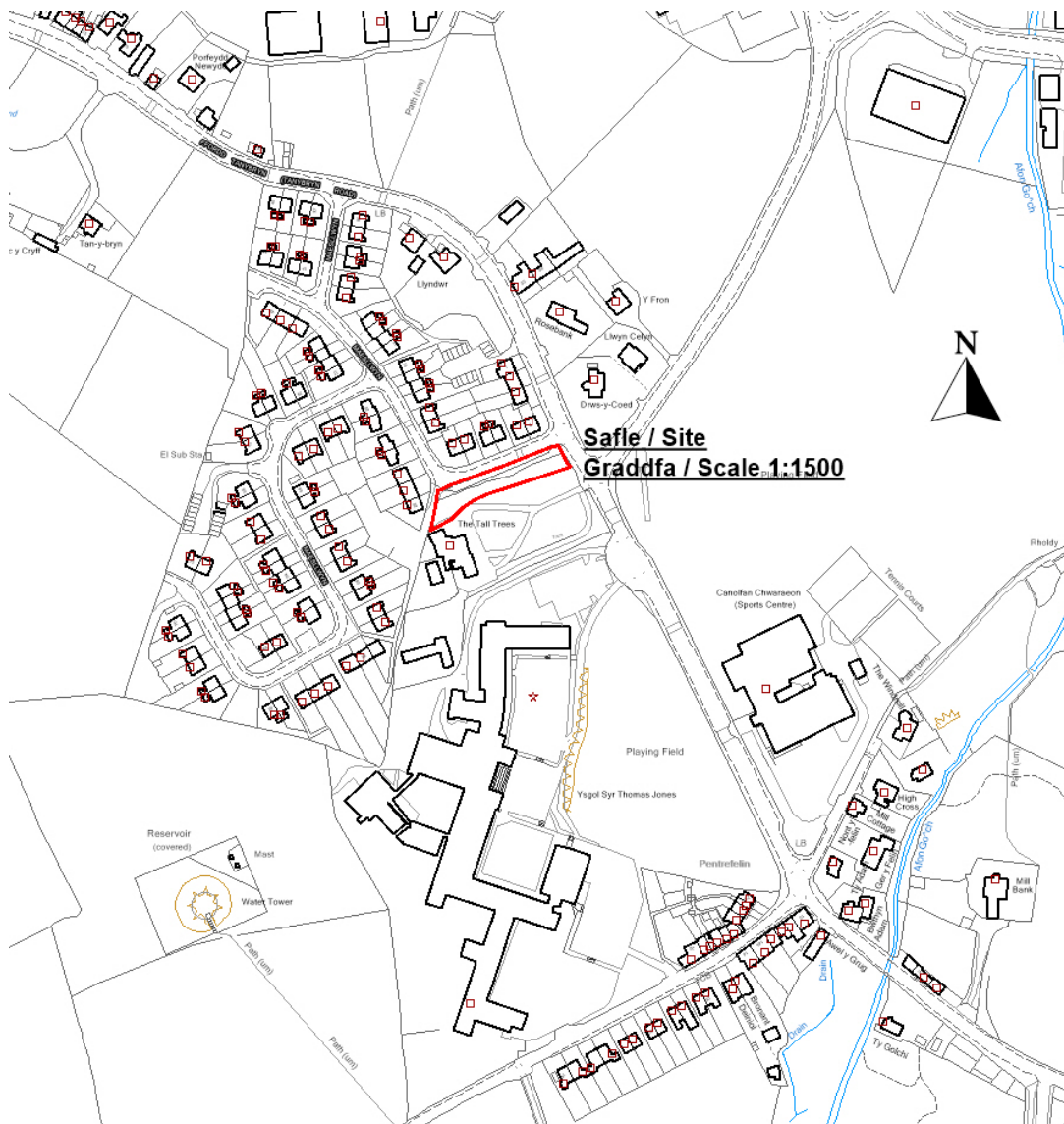
Rhif y Cais: 11LPA1039/CC/TPO Application Number

Ymgeisydd Applicant

Isle of Anglesey County Council

Cais i wneud gwaith ar coed Sycamorwydden, Pisgwydden ac Onnen sydd wedi eu gwarchod gan Orchymyn Diogelu coed yn / Application for works to Lime, Ash and Sycamore trees protected by a Tree Preservation Order at

Maesllwyn, Amlwch



**Planning Committee: 07/02/2018**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application is being presented to Committee because part of the site is in Council Ownership.

**1. Proposal and Site**

Works are proposed to trees protected by a Tree Preservation Order (TPO) Ffordd Tan y Bryn, Amlwch 2004. The TPO was made in 1975 and reviewed in 2004 and covers trees in a number of properties centred on the immediate location.

The trees are within G7 of the TPO and located in a narrow strip between the grounds of the former Trees Hotel and Maes Llwyn, Amlwch. G7 overhangs a narrow footpath, a parking area for properties opposite and the street – all to the north west. The group comprises of 2 ash, 2 Lime and 23 Sycamore.

The trees are visible from Maes Llwyn on the approach to the site from the direction of Ysgol Syr Thomas Jones, from the opposite approach and from the junction with the industrial estate.

The works are proposed in a survey commissioned following storm damage in early 2017. The storm resulted in substantial damage to two trees - one now proposed for felling. Neighbours reported damaged to one car (the particular tree was not in Council ownership). Certain minor safety works were carried out following storm damage to address immediate dangers; however, the survey recommendations are to address longer-term safe management.

The survey recommended works to 15 trees with two trees proposed for felling (one next to a power line) and the remainder of the works comprising of reduction works to limbs and crowns overhanging the parking area.

The proposed works have been reviewed on site with the landowners.

**2. Key Issue(s)**

The main issue is the likely effect on public amenity from the proposed works, and whether they are justified, having regard to the reasons put forward in support of them.

**3. Main Policies**

**Joint Local Development Plan**

**PCYFF4 – Design and Landscaping**

**4. Response to Consultation and Publicity**

**Community Council – No objections**

**Local Member (Cllr Richard Griffiths) – No response**

**Local Member (Cllr Richard Owain Jones) – No response**

**Local Member (Cllr Aled Morris Jones) – No response**



## **Response to Publicity**

Site notices were posted at the site. The latest date for the receipt of representations was the 3<sup>rd</sup> of January, 2017. No observations have been received.

## **5. Relevant Planning History**

11C598 Full application for the erection of three dwellings on land at The Tall Trees Amlwch  
APPROVED 28/03/2013

## **6. Main Planning Considerations**

**JLDP Policy Context** – PCYFF 4: Design and Landscaping requires a justification for loss or removal of trees. The works proposed are reasonable in response to the safety issues past and present.

### **Technical Advice Note (TAN) 10: Tree Preservation Orders (1997)**

This recommends that a site visit is carried out to consider the proposed works and to enable a judgement to be formed. This is a large and locally prominent group of trees; however, the works are generally minor and it is considered that the works are justified in the context of the amenity value of the trees.

### **Tree Preservation Orders – A Guide to the Law and Good Practice. Addendum – May 2009.**

This recommends that:

1. In considering applications the LPA are advised: to assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area, and
2. In the light of their assessment above, to consider whether or not the proposal is justified, having regard to the reasons put forward in support of it.

The works proposed will have a minor effect on amenity from the Maes Llwyn estate.

### **Effect on neighbouring properties –**

Given past storm damage and pre-application complaints to the Council, pro-active safety works are likely to be seen positively by the immediate neighbours. Amenity effects from Ffordd Tan y Bryn will be negligible. These are considered in relation to policies above. Amenity effects are predicted to be negligible to minor.

## **7. Conclusion**

The proposal is considered acceptable when the justification for the works is considered against amenity effects.

The trees are in a close group with inadequate conditions of light to allow new planting between. Consequently, no replanting is proposed or made subject to a condition.

## **8. Recommendation**

### **Permit**

**(01) This decision is valid for two years from the date of this decision or until the work is completed, whichever is the sooner.**

Reason: To ensure works are compatibility with the condition of the trees.

**(02) The proposed works are done to BS 3998: 2010 Tree Work – Recommendations**

Reason: In the interests of amenity and tree health

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.

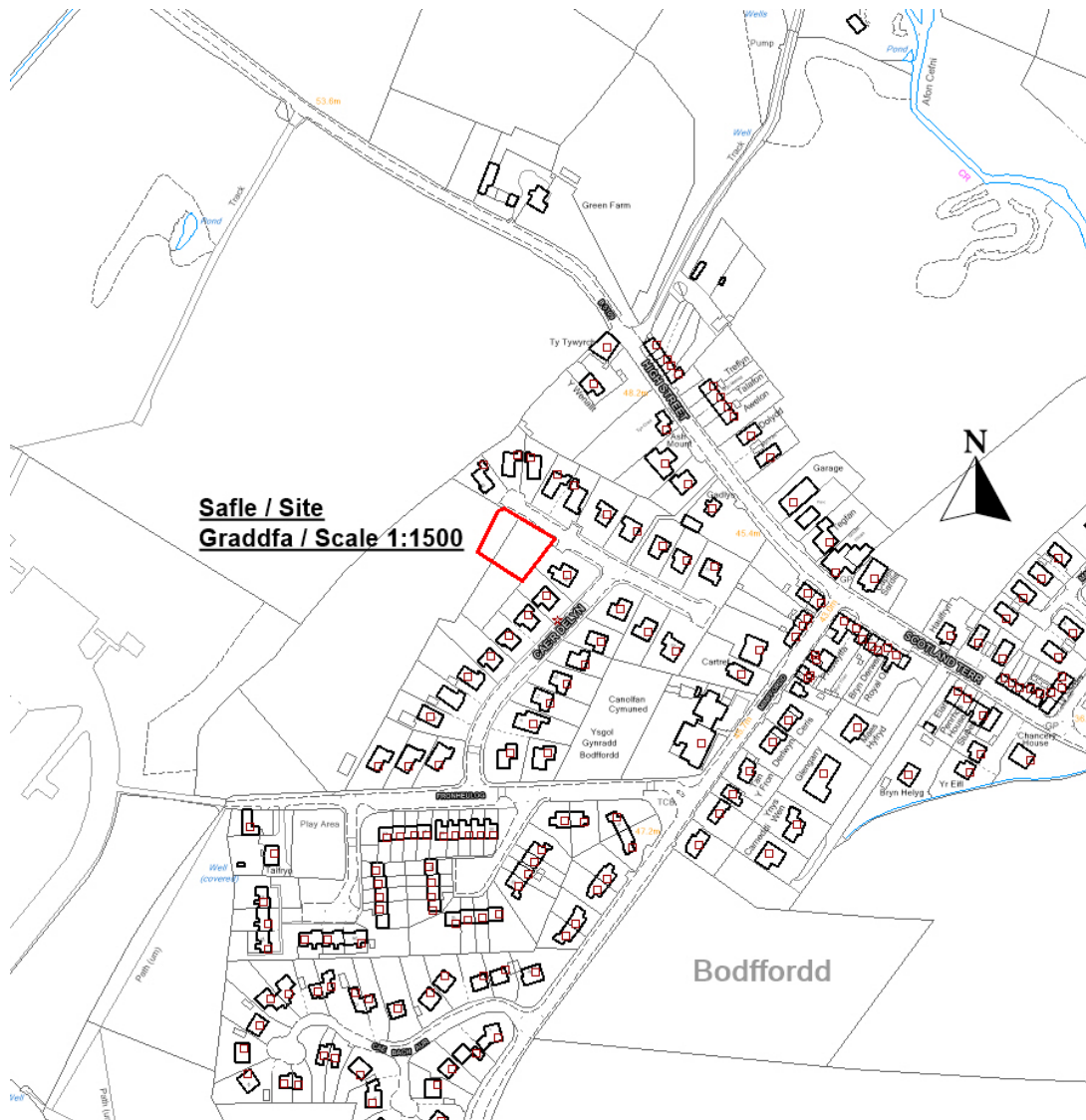
Rhif y Cais: **14C83D** Application Number

Ymgeisydd Applicant

**Mr Rees Roberts**

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

**Cae'r Delyn, Bodffordd**



## **Planning Committee: 07/02/2018**

### **Report of Head of Regulation and Economic Development Service (CP)**

#### **Recommendation:**

Refuse

#### **Reason for Reporting to Committee:**

A written request was submitted by Councilor Dylan Rees requesting the application be presented to the Committee for determination.

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

The planning application is made for the erection of two single storey detached dwellinghouses with associated access, parking and drainage on an open site to the rear of 20 – 22 Cae'r Delyn within the village of Bodffordd.

The proposed dwellings are identical in appearance, featuring natural slate dual pitched roof, facing brick external wall finish, uPVC windows, door and rainwater goods.

In internal layout, the properties are each 3 bedroom with a kitchen, bathroom, en-suite and is bounded by a 1.2m (to front) and 1.5m (to side/rear) timber fence.

Surface water drainage is to be connected to a 4500l rainwater harvesting tank (1 per property) and foul drainage discharged to the existing combined sewer.

The site measures c. 0.09 Ha, giving rise to a projected density of 22 dwellings per hectare.

Off-street front garden parking is proposed which would serve each property individually. It is proposed to provide space via an area OF blockwork paviour hardstanding immediately to the front of each property capable of parking 3 cars per dwelling.

The site is located within Bodffordd; a Local Village within the JLDP. Strategic Policy PS 17: Settlement Strategy states that 25% of the Plan's growth will be within Local Villages and Clusters.

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

The key issues in the assessment of this application is the acceptability of the proposed development in principle and compliance with the Joint Local Development Plan (JLDP). Specifically, the development must comply with the JLDP in respect of:

- Site location and suitability for development in principle;
- Affordable Housing Provision;
- Highway, Parking and Safety Considerations;
- Drainage;
- Design and Appearance; and
- Residential and Local Amenity:

In addition, any other material considerations also require to be given weight. In this case the additional material considerations comprise:

- The content of the letters of representation; and
- The responses from consultees.

#### **3. Main Policies**

- Planning Policy Wales (Edition 9, November 2016)

- Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006).
- Technical Advice Note (TAN) 12: Design (2016).
- Technical Advice Note (TAN) 18: Transport (2007).
- PS 1 – Welsh Language and Culture.
- PS 2 – Infrastructure and Developer Contributions.
- PS 4 – Sustainable Transport, Development and Accessibility.
- PS 5 – Sustainable Development.
- PS 6 – Alleviating and Adapting to the Effects of Climate Change.
- PS 16 – Housing Provision.
- PS 17 – Settlement Strategy.
- PS 18 – Affordable Housing.
- 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 6 – Water Conservation.
- TAI 4 – Housing in Local, Rural & Coastal Villages,
- TAI 5 – Local Market Housing.
- TAI 8 – Appropriate Housing Mix.
- TAI 15 – Affordable Housing Threshold and Distribution.
- SPG Affordable Housing, 2004.
- SPG Parking Standards, 2008.
- SPG Design in the Urban and Rural Built Environment, 2008.

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

##### **Consultees:**

##### **Welsh Water:**

No objection, subject to a condition ensuring that no surface water drainage shall be connected to the local sewerage system; in order to prevent hydraulic overloading of the sewerage network within the locale.

##### **MOD:**

No objection to the proposals – no further comments made.

##### **Highways Officer:**

No objection subject to clarification on the surface water disposal arrangements proposed (see section below for drainage assessment).

##### **Traffic & Transport Officer:**

No objection subject to standard safeguarding conditions on access design and layout and the prevention of surface water shedding onto the public carriageway.

##### **Ecological and Environmental Advisor:**

No objection subject to site clearance works being undertaken outwith the breeding bird season; and that the hedgerow within the site should be maintained as it is suitable for nesting birds.

Officer has also confirmed that the site is not a suitable habitat for red squirrels and that there would be no justification to require a red squirrel survey. This is in response to a comment within the representation concerning the suitability of the site for red squirrel habitat.

##### **Representations:**

8 letters of representation have been submitted in respect of this application. Of these 8 letters, 7 are from local residents objecting to the proposals and 1 is from a local resident supporting the proposals. The material points raised may be summarised as follows:

**Support:**

- The proposed development will provide an opportunity to improve the land drainage within the area in general.

**Object:**

- There are pre-existing drainage issues within the locale as a result of this site; which has no natural drainage and as a result water run-off from the fields currently impact the surrounding properties and this would be exacerbated by the proposed development.
- Due to the drainage issues noted above, the site is not suitable for this, or any, development.
- There are pre-existing issues with sewerage capacity within the area and the sewers require to be emptied on an annual basis. The proposed development will increase impact on these sewers.
- In light of the above, how will sewerage be addressed for the proposed development?
- The proposed dwellings appear different to existing surrounding dwellings and are therefore visually out of character.
- Erection of the proposed dwellings will detrimentally impact the adjacent properties in respect of daylight/sunlight.
- Erection of the proposed dwellings will detrimentally impact the surrounding properties in respect of overlooking.
- Presently, local residents park on the carriageway outside of where these dwellings are proposed. Should the development be built it will reduce parking within the area.
- The increase in traffic will likely result in pedestrian safety issues, particularly for local children who play in the street.
- Where is the vehicular entrance going to be for these dwellings? It is not clear from the plans as the strip of land to the front is not owned by the applicant.
- The increase in the number of dwellings will detrimentally impact on surrounding properties through increased noise and disturbance as a result of additional neighbours.
- The development is too near the runway of the RAF base, where there are aeroplanes landing of larger size and carrying explosives – this is of a safety issue to the proposed dwellings as well as existing properties.
- The site contains birds and reptiles. Erection of a development will displace the natural wildlife.
- The site is capable of supporting red squirrels and therefore the development should not be supported.
- Approval of this development will result in further development within the fields to the detriment of the local area.
- 

**5. Relevant Planning History**

14C83 Erection of a bungalow on land at Gadlys, Bodffordd – approved 19/7/1991

14C83A Erection of a bungalow on land adjacent to Cae'r Delyn Estate, Bodffordd – approved 11/11/1998

14C83B Outline application for the erection of two dwellings at Gadlys, Bodffordd – withdrawn 21/3/2002

14C83C Outline application for the erection of five bungalows together with alterations to the existing access on land at Gadlys, Bodffordd – approved 13/4/2006

**6. Main Planning Considerations**

**The acceptability of the proposed development in principle and compliance with the Joint Local Development Plan (JLDP):**

Having regard to the provisions of the principle Act, and as amended section 38(6) the 2004 Act and the 2015 Wales Act, if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. The development plan for Anglesey comprises the adopted Joint Local Development Plan (Anglesey and Gwynedd), July 2017.

The application site is located within the development boundary of the Bodffordd Local Village as identified within the JLDP. As such, the provision of housing within the site is not considered, in its principle, to represent a departure from the adopted Development Plan.

Furthermore, strategic policy PS 17: Settlement Strategy indicates that 25% of the Plan's growth should occur within Villages & Clusters where the commitment will be to restricted housing to a scale and type to address community need on windfall/ infill plots and only within development boundaries. Furthermore, no open market housing sites will be allocated in Villages.

By virtue of the site's location within the settlement boundary, the proposal in its principle complies with the provisions of the JLDP as well as Planning Policy Wales. There are however policy constraints to the development of this site for housing insofar as its redevelopment does not fit within the strategic objectives of PS 17, nor does the proposed development meet the requirements of TAI 15 in terms of the provision of affordable housing (equivalent to 30% for developments within the threshold of 2 or more units – in this case 2 affordable units). This notwithstanding, justification for a departure from the development plan may be applied whereby the merits of the successful and appropriate redevelopment of a long-standing vacant site would outweigh the strategic aims of PS 17, however such a departure from PS 17 should still be offset by compliance with other Plan policies, namely in this instance TAI 15.

Matters of the design, appearance size, scale and character of the buildings in relation to the site and the settlement character are further addressed below.

**Affordable Housing Provision:**

Policy TAI 15 seeks an appropriate provision of affordable housing. It has a threshold figure of 2 or more units within Local Villages such as Bodffordd. Bodffordd is identified as falling within the 20% provision based on housing price area. The policy also clarifies that where the affordable housing requirement of a scheme falls below a single dwelling on the site, providing an affordable unit within that development will remain the priority. In this instance, a 20% provision of 2 units is clearly equivalent to less than 1 unit and therefore policy TAI 15 would anticipate that 1 dwelling be provided, or that an equivalent contribution be made. In respect of the contribution, the policy advises that, if it is deemed that this is not possible to meet the requirement on site, a pro-rata payment will be expected rather than no affordable provision on the site. Based on this, it is considered that through assessment of the proposals, it would be unrealistic to require 1 out of 2 units be provided for affordable housing and therefore a pro-rata payment may be acceptable in this instance. The suitability of this approach would however require to be supported by a viability statement from the applicant; as required under part 3(iii) of TAI 15. Given that such a statement has not been provided, it is not possible to accurately assess the site viability in relation to affordable housing provision and in this circumstance it must be deemed that the proposal as currently submitted fails to meet the requirements of policy TAI 15. This failure, in its own right, carries sufficient weight to result in the refusal of this application.

Policy TAI 8 'Appropriate Housing Mix' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Regard should be given to the LHMA, Council Housing Register, Tai Teg Register, 2014 - based household projections etc. to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market.

Based on the foregoing, the proposed development does not meet the requirements of policies TAI 8 and TAI 15, and in the absence of any supporting information which could be used to balance this requirement the proposal is unacceptable in this regard.

**Highway, Parking and Safety Considerations:**

The development would be accessed from the public highway with parking areas capable of parking 3 cars located to the front of the dwellings (as well as the integral garages). Policy TRA 4

states “proposals that would cause unacceptable harm to the safe and efficient operation of the highway...will be refused.” In this instance, there is concern that the parking areas of each property would not allow for the vehicles to enter and leave in a forward gear and therefore it is deemed that while provision is sufficient, the layout is not and would fail to meet the requirements of TRA 4. Additionally, it is noted that a number of objections have been raised on traffic impact and parking grounds. In respect of traffic impact, it is not considered that a development of this scale will result in any notable change to the local circumstances, not in its principle result in a detrimental safety impact. However it is accepted that as stated above, the layout of the parking is less than ideal and should be redesigned to allow vehicles to enter/leave the site in a forward gear.

One specific issue has been raised by objectors in respect of land ownership to a strip of grass verge located between the site’s red line boundary and the public carriageway on its frontage. While it is noted that matters of land ownership are not strictly planning considerations, the applicant should confirm agreement to provide access over this land in perpetuity in order to avoid any future ransom scenarios.

Specifically in relation to provision, Policy TRA 2 outlines the parking standards expected for such a development (in line with SPG Parking Standards, 2008). It is noted therefore that the required provision for parking is presently 3 spaces per unit for 3 bedroom properties (such as those proposed). This would require a minimum of 6 off-street parking spaces to serve the proposed development. As the current proposals provide in excess of this requirement (including the garage), the proposals meet TRA 2.

As such, while the development of this site for a compatible land use (residential) is welcomed in general, the proposals fail to meet the requirements of TRA 4 in terms of parking layout and this is considered sufficient grounds for refusal of this application.

#### **Drainage:**

Foul drainage from the development is proposed to be connected to the public sewerage system, this is deemed to be sufficient and no objection has been raised in this regard by Welsh Water.

Surface water drainage is a more complicated issue for this development. In their proposal, the applicant has shown that surface water shedding from the roof will be harvested by means of a 4500l rainwater harvesting tank however no details are provided in respect of surface water from other hard surfaces. In this respect, the layout indicates permeable paving to be utilised and therefore it is assumed that a soakaway is proposed (in the absence of a connection shown to be made to the public sewer). In terms of this element, Welsh Water are not supportive of **any** surface water discharge to the public sewer in order to prevent hydraulic overloading of the network in this location and therefore a soakaway appears to be the only alternative solution.

Furthermore, to ascertain the acceptability of a soakaway, the applicant has provided a porosity test report on the site which concludes that surface water did not sufficiently soak away under test conditions and the site is therefore **not suitable** for a soakaway. The LPA has sought to gain further information from the applicant on alternative options but no such alternative has been provided.

In addition to the above, a number of local objections has raised the issue of pre-existing land drainage issues with the site and in particular the shedding of water run-off from the field to the public carriageway and surrounding properties – which has resulted in repairs to these properties.

Given all of the above the following is noted:

- a) The site has pre-existing land drainage issues;
- b) The applicant proposes a soakaway to address surface water run-off via attenuated permeable paving;
- c) The pre-existing land drainage issues have been confirmed by porosity testing which demonstrates that a soakaway would not be sufficient;
- d) Welsh Water will not, as a principle, support the discharge of surface water to the network – requiring a condition that shall restrict such activity; and



- e) The applicant has failed to provide alternative solutions to address surface water run-off which could be supported by both the LPA and Welsh Water.

In this instance, it is considered that the application cannot be supported in its current form in respect of its drainage proposals and these should be reviewed and amended within any future proposal.

**Design and Appearance:**

At its core, one of the most fundamental considerations is whether this residential development is acceptable in respect of its design and layout is whether it can comply with the provisions of the JLDP and whether there are any other material considerations which must be taken into account. Policy PCYFF 2: Development Criteria and PCYFF 3: Design and Place Shaping, and PCYFF 4: Design and Landscaping are the primary considerations in assessing the proposal from this aspect.

It is acknowledged that Bodffordd itself presently has limited opportunities for new-build development due to its relatively compact nature within the Development Boundary. Within this context, achieving the correct design and appearance is important and it is noted that while the urban vernacular is typified by a low-scale appearance, there is also an acknowledgement that the street scene within the locale is resolutely uniform and characterised by its proliferation of post-war detached single storey bungalows. This notwithstanding, it is not considered that a like-for-like replication of the surrounding properties is necessarily the correct design solution and it is considered that appropriate respect has been given to the overall scale and mass of buildings within the locale and that this has been followed through within the proposed design.

Policy PCYFF 4 is clear on the need for new development to integrate within its existing context and in the case of this development it is deemed that policy PCYFF 4 has been met.

Policy PCYFF 3: Design and Place Shaping is the fundamental policy within the JLDP which requires that all proposals fully take 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. The policy itself outlines set criteria which all development must comply with and applications which do not comply with the criteria will not be supported unless material considerations dictate otherwise. In respect of this application, the first two criterion are of particular importance. These are:

- *“It complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment;*
- *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.”*

In regard to the above requirements, the proposal is considered to generally meet policy in respect of the design, appearance, scale, height and mass of the buildings. While it is considered that the dwellings will appear visually different to those existing within the street scene this would not be to a degree where there would be a visual disconnect that would be detrimental to visual amenity in general. Therefore it is considered that the proposed development will compliment and/or enhance the character and appearance of the wider locale in its current form.

Other criteria within policy PCYFF 3 are either deemed not relevant (safe and secure public spaces) or are considered to have been met within the proposals (materials, barrier free housing); with the exception of drainage (see section above).

**Residential and Local Amenity:**

Regard has been given in terms of overlooking/loss of privacy/overshadowing and the effect on the outlook of adjacent residential properties. The proposed development is not considered to present any detrimental impact in this regard. It is therefore considered to be acceptable in terms of its impact on local residential amenity.

**Any other material considerations:**

Other material considerations have been considered in the assessment of this application, namely the content of the letters of objection and the responses from consultees. In respect of the letters of objection, it is considered that the matters raised are either deemed to be addressed following the policy assessment or are considered to fall in line with the policy position and it is considered that these points are supported and justified in the areas of non-compliance with the JLDP.

With regard to the consultation responses, these have been considered and where appropriate have been included within the recommendation.

## **7. Conclusion**

Based on the foregoing assessments, the proposed development fails to comply with fundamental aspects of the adopted JLDP and specifically with policies TAI 8, TAI 15 and TRA 4 in regard to affordable housing provision and parking layout.

Additionally, the proposal fails to provide acceptable and suitable drainage proposals to address surface water drainage issues which is contrary to part of Policy PCYFF 3, PCYFF 6. Given this, the application is recommended for **refusal**.

## **8. Recommendation**

### **Refuse**

(01) The proposed development failed to comply with the provisions of the Joint Local Development Plan (Anglesey and Gwynedd) and there was no material reason to depart therefrom.

(02) By virtue of the proposed parking layout design, vehicles would be unable to enter and leave the site in a forward gear. This would give rise to safety issues to the detriment of pedestrians and road traffic and would fail to comply with the provisions of policy TRA 4 of the Joint Local Development Plan (Anglesey and Gwynedd) 2017.

(03) The applicant has failed to provide any statement of viability in respect of affordable housing provision which could be used to assess the acceptability of these proposals as market housing in-line with the requirements of policies TAI 8 and TAI 15 of the Joint Local Development Plan (Anglesey and Gwynedd) 2017.

(04) By virtue of the proposed surface water drainage proposals, namely the use of a soakaway where it has been established that a soakaway is not sufficient, the development fails to meet the requirements of policies PCYFF 3 and PCYFF 6 of the Joint Local Development Plan (Anglesey and Gwynedd) 2017.

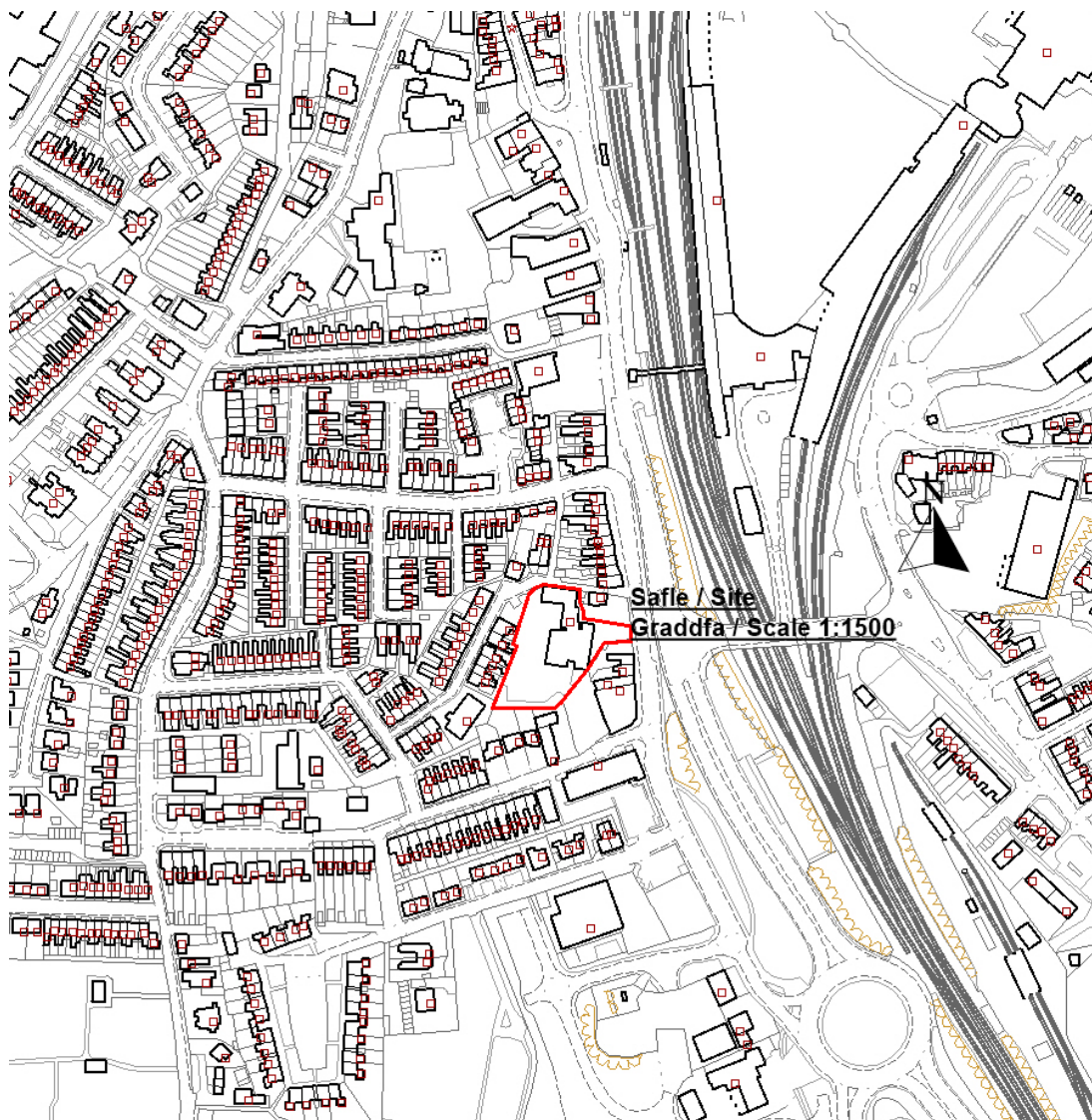
Rhif y Cais: **19LPA434E/CC** Application Number

Ymgeisydd Applicant

**Cyngor Sir Ynys Môn**

**Cais llawn ar gyfer codi ffens yn / Full application for the erection of a fence at**

**Jessie Hughes Centre, Caergybi/Holyhead**



**Planning Committee: 07/02/2018**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application is submitted by the Council

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

This is a full planning application for the erection of a fence at the rear of Jesse Hughes Community Centre in Holyhead.

The proposed new fence will be erected above the existing stone wall. The current stone wall measures 1.9 metres. When adding the new fence above the stone wall, the height will be 3 metres.

It must be considered that a fence already exist above some of the existing stone wall and this application is for an expansion of the fence.

The proposed fence will be constructed of galvanised steel mesh and will match with the existing fence around the site.

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

The key issue is whether the proposed scheme is acceptable.

### **3. Main Policies**

**Joint Local Development Plan**

PCYFF3 – Design and Place Shaping

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

**Town Council** – No response

**Local Member (Cllr Trefor Hughes)** – Delegated to officers

**Local Member (Cllr Dafydd Thomas)** – No response

**Local Member (Cllr John Roberts)** – No response

**Highways** – No comments

**Environmental Health** – No observation

### **Response to Publicity**

The application was afforded two means of publicity. These were by the posting of a notice near the site and serving of personal notification letters on the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 16<sup>th</sup> January 2018 and at the time of writing this report, no letters had been received raising comments on the application.

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

19LPA434A/CC - Construction of a new pedestrian access, alterations to the existing vehicular and pedestrian access together with the rebuilding of a stone wall at the Jesse Hughes Community Centre, Holyhead No objection 12/02/1985

19LPA434B/FR/CC - Full application for the refurbishment of the existing buildings, demolition of the link extension together with the erection of a new two storey extension at Jesse Hughes Community Centre, Holyhead Approved 04/09/2014

19LPA434C/FR/CC - Full application for the refurbishment of the existing buildings, demolition of the link extension together with the erection of a new two storey extension at Jesse Hughes Community Centre, Holyhead Approved 05/12/2014

19LPA434D/DIS/CC - Application to discharge condition (03) (Traffic Plan) from planning application 19LPA434C/FR/CC at Jesse Hughes Community Centre, Caergybi / Holyhead Discharged 11/03/2015

## 6. Main Planning Considerations

**Policy Context** - The proposed scheme complies with the planning policies of PCYFF3 of the Joint Local Development Plan. PCYFF3 state that any proposed new development '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.'

It is not considered that the proposed fence would impact the surrounding amenities to such a degree to warrant a refusal. As mentioned, majority of the site already has a mesh fence above the stone wall and this scheme relates to part of the stone wall which has no mesh fence above.

The proposed materials are also acceptable.

### Effect on neighbouring properties –

Due to minor nature of the proposed scheme, it is not considered that the proposed scheme would impact any neighbouring properties to such a degree to warrant a refusal. At the time of writing this report, no letters of representations have been received at this department.

## 7. Conclusion

The proposed development is considered acceptable to the Local Planning Authority, subject to conditions.

## 8. Recommendation

### Permit

**1. 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.

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

Drawing number	Date Received	Plan Description
-	11/12/2017	Location Plan
-	11/12/2017	Site Plan
-	11/12/2017	Proposed Elevation Plan

**under planning application reference 19LPA434E/CC.**

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.

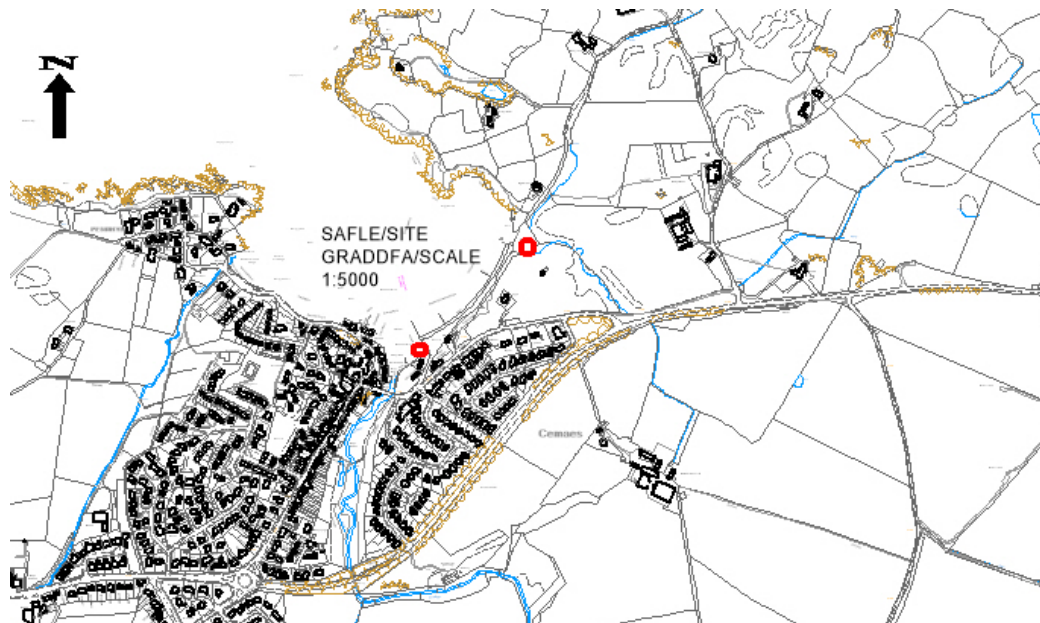
Rhif y Cais: **20LPA1040/CC** Application Number

Ymgeisydd Applicant

**Cyngor Sir Ynys Môn**

**Cais llawn i leoli dau o fwiau arforol ynghyd â gwaith cysylltiedig gan gynnwys plinthiau carreg a seti yn / Full application for the siting of two maritime buoys together with associated works to include stone plinths and seating at**

**Traeth Mawr, Bae Cemaes Bay**



**Planning Committee: 07/02/2018**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

This is a council application in respect of development by the County Council

**1. Proposal and Site**

The sites are located alongside the carparks which abut Traeth Mawr Cemaes. One will be located in each carpark. The most northerly is located within the AONB and that to the south is adjacent to the Cemaes Conservation Area.

It is proposed to located 2 maritime buoys with supporting plinths finished in stone. The most southerly will have a small seating area as part of the plinth which will measure 3.2m x 1.3m at a height of 0.95m.

**2. Key Issue(s)**

Whether or not the development will be in keeping with the character and appearance of the location.

Whether there will be harm to residential amenity.

**3. Main Policies**

**Joint Local Development Plan**

Strategic Policy PS 5 Sustainable development  
Policy PCYFF Design and Place Shaping

Strategic Policy PS 19 Conserving and where appropriate enhancing the natural environment.

Policy AMG1 Area of Outstanding Beauty Management Plans

Policy AMG 4 Coastal Protection

Policy AT1 Conservation Areas

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

Planning Policy Wales

**4. Response to Consultation and Publicity**

**Community Council** No Objection ( our joint project)

**Councillor R Griffiths** No comments

**Councillor AM Jones** No Comments

**Councillor RO Jones** No comments

**Highways** No comments received



The expiry date for receiving representations is the 8<sup>th</sup> February none have been received at the time of writing this report. Those received will be reported verbally.

## 5. Relevant Planning History

None relevant to this application.

## 6. Main Planning Considerations

With one site being in the AONB and the other adjacent to the Cemaes Conservation Area it is considered that the buoys will be located in sensitive locations.

However, given the nature of the proposals it is considered that the high quality of materials, along with the historical and maritime theme will result in a form of development which will preserve and enhance the character and appearance of this coastal location.

In terms of residential amenity, the position of the buoys and seating area along with the distances from residential properties min 20m will ensure that any effect on amenity will be minimal and would not warrant a refusal of this application.

## 7. Conclusion

The proposals represent an appropriate form of development in this sensitive coastal location. The buoys will contribute to the maritime character and appearance of the location whilst respecting residential amenity

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

## 8. Recommendation

To **permit** the application following the expiration of the statutory consultation period (8th February) and subject to the receipt of satisfactory consultation responses.

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

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

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

Drawing / Document number	Date Received	Plan Description
	27/12/2017	Location Plan
	12/01/2018	Elevation Plan

**under planning application reference 20LPA1040/CC.**

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.

12.5

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **28LPA1035A/CC** Application Number

Ymgeisydd Applicant

Isle of Anglesey Council

**Cais llawn ar gyfer 21 o lecynnau parcio talu ac arddangos ar dir ger / Full application for 21 pay and display car parking spaces on land near**

**Ffordd Llechi, Rhosneigr**



**Planning Committee: 07/02/2018**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application is made by the Council.

**1. Proposal and Site**

The proposal is a full application for the change of use of the vacant parcel of land to form a pay and display public car park.

The site is located within the development boundary of Rhosneigr. The parcel of land lies on a private residential estate and next to the properties known as 17 Ffordd Llechi and 23 Glan y Mor Road.

**2. Key Issue(s)**

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

**3. Main Policies**

**Joint Local Development Plan**

Policy PCYFF2 – Development Criteria  
Policy PCYFF3 – Design and Place Shaping  
Policy PCYFF 4 – Design and Landscaping  
Policy PCYFF 6 – Water Conservation  
Policy ISA 4 – Safeguarding Existing Open Space  
Policy TRA 2 – Parking Standards

Planning Policy Wales (9<sup>th</sup> Edition, 2016)

**4. Response to Consultation and Publicity**

**Community Council** – No response to date

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

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

**Drainage Section** – Drainage details acceptable

**Highway Authority** – Recommended conditional approval regarding car parking provision

**Welsh Water** – Standard comments in regards to location of public sewers and lateral drains

**Response to Publicity**

The application was afforded two means of publicity. These were by the posting of a notice near the site and the serving of personal notification letters on the occupiers of the neighbouring properties. The publicity process was carried out twice following the receipt of an amended

scheme. The latest date for the receipt of representations was the 16<sup>th</sup> January, 2018 and at the time of writing this report 85 letters of objection had been received at the department. The main issues raised can be summarised as follow;

- i) Loss of privacy, light and overlooking and concerns that vehicles will park close to the boundary with the adjoining properties.
- ii) Loss of open space that is currently used by the community as a play area and the development will be out of character. Land was retained for the community by the developer.
- iii) No need for car park
- iv) Flooding risk from surface water which could be contaminated
- v) Highway Safety
- vi) Anti-social behaviour and motorhomes will park on the site overnight
- vii) Contrary to local Policies
- viii) No evidence that the Council own the land
- ix) Management of car park ie who will monitor the car park and will residents have free parking
- x) Proposal will be an eyesore
- xi) Application has been refused on the site in 1973 as it would detract from the amenities enjoyed by the estate
- xii) Land is currently used as an overspill car park as some drivers do not want to pay and some vehicles parking overnight
- xiii) Not afforded adequate publicity and not given copy of full documents.
- xiv) Covenants on the estate restricting fencing to 2.6 ft
- xv) Parking charges would result in tourists/windsurfers not visiting the area

In response to the comments I would state as follows;

i) A 1.83 metre fence will be erected along the boundary of the site with the adjoining properties which will ensure that the development will not result in overlooking or loss of privacy to the properties. The fence will be set back 0.3 metres way from the existing boundary wall. Concerns has been raised by the adjoining properties that the fencing will result in loss of light however part of the existing wall and fencing measures 1.6 metres and it is not considered that the additional 20 cm will harm the amenities of the neighbouring property to such a degree as to warrant the refusal of the application.

ii) The site has not been allocated as an open space and whilst the representations state that the site has been used as an informal play area / overspill car park the parcel of land does not have a significant recreational, amenity of wildlife value. There is an existing children's play area near the local primary school which lies approximately 450 metres away from the application site. The applicant has provided a copy of the deeds of the property confirming that they are the owner of the land.

Whilst the site lies within a residential area it is not considered that the change of use of the parcel of land to form a car park will have a detrimental impact on the character of the locality.

iii) The applicant has carried out consultation with members of the public in May 2010 and the main concerns raised were lack of parking in the village.

iv) The Drainage Section and Welsh Water have been consulted and have raised no objection to the scheme. Copies of the objections were forwarded to the Drainage Section and confirmed that the percolation values obtained for the porosity tests suggest that the ground conditions are suitable for surface water to drain to soakaways.

v) The Highway Authority has been consulted and raised no objection to the scheme and recommend a conditional approval in regards to car park provision.

vi) Representation received following the publicity of the application state that motorhomes occasionally park overnight – this matter will be monitored and if necessary a height restriction barrier may be installed which should discourage overnight parking (subject to planning permission).

- vii) This matter has been addressed in the Main Planning Consideration Section below.
- viii) As stated above the land is in the freehold ownership of Cyngor Sir Ynys Mon and have supplied a copy of deeds for the property.
- ix) The applicant has confirmed that existing Parking Enforcement Officers will be monitoring the car park including compliance with the pay and display conditions.
- x) The parking bays will be finished in ecoblock and a timber fence will be erected along the boundary of the site with the adjoining properties. The site is located in a built up area of the village and it is not considered that the proposal will have a detrimental impact on the visual appearance of the area.
- xi) The proposal is being considered in line with current local and national policies.
- xii) The use of the site as a pay and display car park and Parking Enforcement Officers will be employed to manage and monitor the car park including compliance with the pay and display conditions. The applicant has also confirmed that additional parking restriction options can be considered with the Local Councillors, Community council and residents opposite the car park in order to ensure that cars will be able to pull boats or extra-long vehicles off their properties and to ensure the free flow of traffic.
- xiii) The immediate neighbouring properties received personal letter of notification of the application and a site notice was erected near the site- the proposal was afforded adequate publicity in line with requirements of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012. A copy of all of the documents that were submitted as part of the application were forwarded to members of the public upon request.
- xiv) This is a private matter and not a material planning consideration – however a 1.66 metre wall/fence is currently located along the boundary of the site with the adjoining properties.
- xv) Representations received from members of the public state that the site is currently used by windsurfers / visitors and the change of use of the land will improve the existing parking facilities in the village.

## **5. Relevant Planning History**

28LPA1035/CC - Outline application for the erection of two dwellings with all matters reserved on land at Ffordd Llechi, Rhosneigr – Withdrawn 26/05/2017

## **6. Main Planning Considerations**

**Policy Context** – Policy PCYFF2 states that a proposal should demonstrate its compliance with relevant policies of the plan and national planning policy and guidance. It goes on to state that proposal should;

- 3) Make the most efficient use of land, including achieving densities of a minimum of 30 housing units per hectare for residential development (unless there are local circumstances or site constraints that dictate a lower density);
- 4) Provide appropriate amenity space to serve existing and future occupants;...

Additionally, planning permission will be refused where the proposed development would have an unacceptable adverse impact on:

- 7) The health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisance;..

The proposal is to provide a new car park to ease parking problems in the locality. The site is located in close proximity to the beach and the High Street and therefore its siting in this location is considered acceptable. The site is a vacant parcel of land which has not been allocated for any land use planning although some concerns have been raised that the proposal result in the open space there is a children's play area approximately 450 metres away.

Policy ISA 4 states that proposals that will lead to the loss of existing open space including any associated facilities which has significant recreational, amenity or wildlife value will be refused unless they conform to the listed criteria.

The majority of the representations received from members of the public raised concern regarding the loss of an open space. The site lies within the settlement of Rhosneigr on a private residential estate and is located close to the local beach. The land has not been designated as an open space or any other land use within the Joint Local Development Plan. The land is owned by the Council and the Council is responsible for the mowing of the grass. The proposal will provide parking facilities for visitors. During the course of determining planning application reference 28LPA1035/CC for the erection of two dwellings on the site members of the public stated in their representations that the parcel of land was being used by day visitors and this was resulting in a danger to members of the public.

A Community consultation was held in May 2010 and the residents major concerns was lack of parking facilities in the village.

Whilst residents of the estate may have used the land for activities in the past the site has not been allocated as an open space. The provision of a new car park will reduce the demand for vehicles travelling along the High Street and the change of use of the site as a public car park will improve the current parking facilities for visitors to the village and will result in the reduction of cars parking on the estate.

**Impact on neighbouring properties** – The use of the parcel of land to provide additional parking facilities for visitors will result in the reduction of cars parking on the estate.

As the site borders the neighbouring properties known as 17 Ffordd Llechi and 23 Glan y Mor Road a fence is to be erected along the boundary.

Due to the above it is not considered that the development will harm the amenities currently enjoyed by the occupants of the dwellings to such a degree as to warrant the refusal of the application.

**Impact on surrounding area** – The proposal lies on a private residential estate and within a built up area and close to the beach and the locality is heavily trafficked with residential and visitor traffic. Vehicles currently use the parcel of land as an overspill car park and the change of use of the land to for a public car park will have a detrimental impact on the character of the locality.

**Impact on Highway Safety** – The provision of a car park will reduce the number of vehicles parking on the estate road and will improve highway safety. A pavement will be constructed along the boundary of the site with the estate road which will improve Highway Safety. The Highway Authority have been consulted and raised no objection to the development subject to the inclusion of standard highway conditions.

## **7. Conclusion**

The proposal does not conflict with current local and national policies and will not have a detrimental impact on the amenities currently enjoyed by the occupants of the neighbouring properties or surrounding area. The provision of a public car park will not be detrimental impact on highway safety.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The

recommendation takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## 8. Recommendation

### Permit

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

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

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

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

**(03) 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.

**(04) 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

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

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

Drawing / Document number	Date Received	Plan Description
027.68.120_LP_A	10/11/2017	Location Plan
027.68.120_EB_A	10/11/2017	Topographical Survey
027.68.120_PT_A	10/11/2017	Drainage Details
027.68.120_PFL_C	15/12/2017	Proposed Site Plan
	15/12/2017	Sections

**under planning application reference 28LPA1035A/CC.**

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.



12.6

Gweddill y Ceisiadau

Remainder Applications

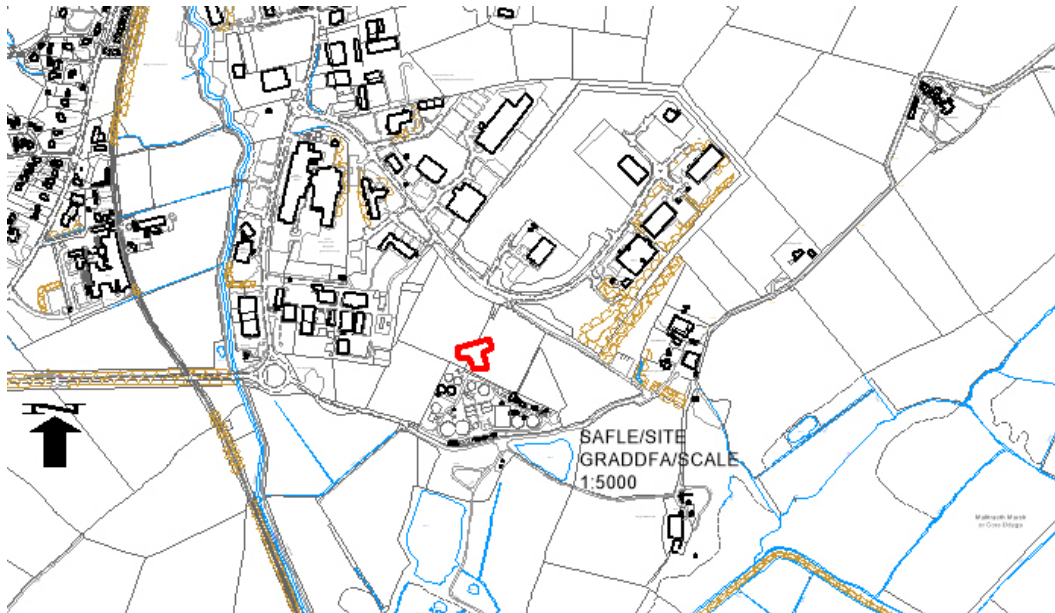
Rhif y Cais: **34LPA1013C/CC** Application Number

Ymgeisydd Applicant

Head of Service (Highways)

**Cais llawn i greu mynedfa newydd oddi ar Rhan 3 o'r ffordd gyswllt ar dir i'r de o / Full application for the creation of a vehicular access off Section 3 of the link road on land to the south of**

**Stad Diwydianol Llangefni Industrial Estate, Llangefni**



**Planning Committee: 07/02/2018**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

This is a council application in respect of development by the County Council

**1. Proposal and Site**

The site lies to the north of the Llangefni sewage treatment works which itself lies to the south of the Bryn Cefni Industrial Estate. Section 3 of the approved link road will run along this route and the proposal the subject of this application relates to an additional access off that road into an agricultural field.

**2. Key Issue(s)**

The link road has been approved and detailed designs submitted for its construction. The main issues of this case relate to any highways implications and matters concerning ecology.

**3. Main Policies**

**Joint Local Development Plan**

Strategic Policy PS 5 Sustainable development

Strategic Policy PS4 Sustainable Transport, Development and Accessibility

Policy TRA 1 Transport Network Developments

Strategic Policy PS 19 Conserving and where appropriate enhancing the natural environment.

Policy AMG 5 Local Biodiversity Conservation

Technical Advice Note 18 Transport

**4. Response to Consultation and Publicity**

**Local Member N. Roberts** – No Response

**Local Member B Parry** – No Response

**Local Member D Rees** – No Response

**Town Council** No comments received

**Ecological Advisor** no objection and comments regarding conditions

**Natural Resources Wales** no objection

**Highways** no objection

Site notices were placed around the site publicising the application with an expiry date for receiving any representations of 5<sup>th</sup> January 2017, no such representations were received.

## 5. Relevant Planning History

The Llangefni Link road was approved under reference 34LPA1013/FR/EIA/CC on the 18/12/2015. Details for section 3 which was given outline permission were approved under ref; 34LPA1013B/DA/CC on the 03/02/17

## 6. Main Planning Considerations

The proposal involves alterations to an access which forms part of section 3 of the link road. The road safety audit for the detailed design of the link road noted that the access had insufficient space for a vehicle to leave the field and the gate shut behind it, necessitating the vehicle to partially block the carriageway.

This application seeks to alter that access providing sufficient space for necessary and safe operation.

## 7. Conclusion

The proposals are necessary if highway safety is to be maintained.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The recommendation takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## 8. Recommendation

### Permit

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

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

**(02) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below except as otherwise required to be approved under the conditions imposed:**

Drawing Number	Date Received	Plan Description
35998/LEA/CVD/982-A	28/11/2016	Standard Details
35998/LEA/CVD/981-A	28/11/2016	Standard Details
35998/LEA/CVD/713-C	28/11/2016	Pavement finishes and curbs
35998/LEA/CVD/213-B	28/11/2016	Key Constraints and Site Clearance
35998/LEA/CVD/513-C	28/11/2016	Drainage and Utilities
35998/LEA/CVD/672-C	28/11/2016	Alignments

35998/LEA/CVD/313- C	28/11/2016	Signage
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Under planning application reference 34LPA1013C/CC.

Reason: For the avoidance of doubt.

**(03) Prior to commencement of work**

**full details of the proposed visibility splays shall be submitted for the written approval of the LPA the splays shall be completed as part of the scheme prior to the use of the access commencing.**

Reason: In the interests of highway safety

**Informative:**

The highway authority accepts no liability for any surface water run-off that may flow into the field. The applicant is advised to make adequate provision to prevent surface water run-off from creating a 'nuisance' to third party land.

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.

12.7

Gweddill y Ceisiadau

Remainder Applications

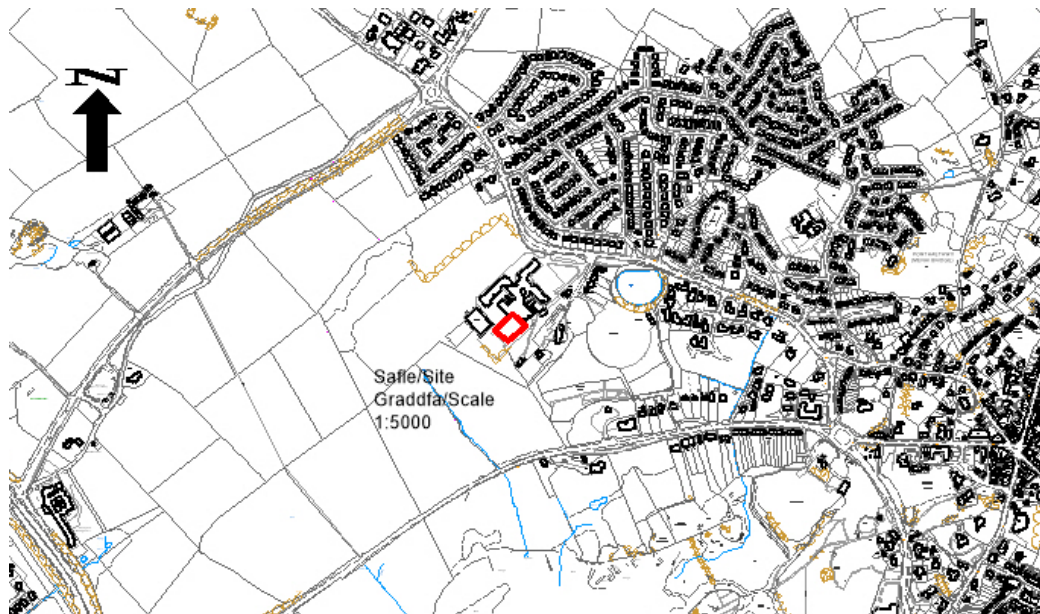
Rhif y Cais: **39LPA589Q/CC** Application Number

Ymgeisydd Applicant

**Dysgu Gydol Oes / Lifelong Learning**

**Cais llawn i newid defnydd cwrt tennis i faes parcio gyda goleuadau cysylltyiedig yn / Full application for change of use of the tennis court into a car park together with associated lighting at**

**Ysgol David Hughes, Porthaethwy/Menai Bridge**



**Planning Committee: 07/02/2018**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

Application made by County Council

**1. Proposal and Site**

The site is located within the grounds of Ysgol David Hughes which is in the town of Menai bridge. The site is currently used as tennis courts and is surrounded by school buildings and car parking facilities.

The application is for change of use of the tennis courts into parking facilities together with the installation of overhead lighting. Also included within the scheme is alterations to the access road.

**2. Key Issue(s)**

The applications key issues are whether the proposal will affect the amenities of the surrounding properties or the character of the local area.

**3. Main Policies**

**PCYFF 3 – Design And Place Shaping**

**PCYFF 4 – Design And Landscaping**

**TAN 12 Design**

**4. Response to Consultation and Publicity**

**Robin Wyn Williams** - No response

**Alun Wyn Mummery** - No response

**Meirion Jones** - No response

**Town Council** – No response

**Drainage** - Greater detail of intended disposal of surface water is required

**Ecological and Environmental Advisor** – Care should be taken when removing ivy and if any bats are encountered whilst removing ivy, work should stop until advice is received from Natural Resources Wales. Ivy removal should also avoid any harm to nesting birds.

**Natural Resources Wales** – No Comment

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

**Landscape Advisor** – No Comment

**Welsh Water** – Awaiting response at time of writing report

**5. Relevant Planning History**

39LPA589/CC – Place a satellite dish at Ysgol David Hughes, Menai Bridge. Granted 9<sup>th</sup> April 1990.

39LPA589A/CC – Erection to the technology department at Ysgol David Hughes, Menai Bridge. Granted 13<sup>th</sup> December 1993.

39LPA589B/CC – Siting of a single mobile classroom at Ysgol David Hughes, Menai Bridge. Approved 19/09/1995.

39LPA589C/CC – Retention of temporary classrooms together with provisions of additional parking facilities at Ysgol David Hughes, Menai Bridge. Granted 12/08/1996.

39LPA589D/CC – Alterations and extensions at Ysgol David Hughes, Menai Bridge. Granted 04/06/1998.

39LPA589F/CC – Change of use of land to form car park together with the construction of a new access road at Ysgol David Hughes, Menai Bridge. Granted 14/08/2002.

39LPA589G/CC – Construction of a new all-weather play area/ tennis courts with perimeter fencing and floodlighting at Ysgol David Hughes, Menai Bridge. Granted 14/08/2002.

39LPA589H/CC – Erection of a sports hall at Ysgol David Hughes, Menai Bridge. Approved 22/12/2003.

39LPA589J/CC – Demolition of existing fence and stone wall and the erection of a new mesh fence at Ysgol David Hughes, Menai Bridge. Approved 05/02/2004.

39LPA589K/CC – Alterations and extensions to kitchen at Ysgol David Hughes, Menai Bridge. Approved 03/07/2008.

39LPA589M/CC – Erection of 3 signs to direct the public to the sports centre at Ysgol David Hughes, Menai Bridge. Approved 31/07/2008.

39LPA589N/CC – Erection of a 11kv substation on land at Ysgol David Hughes, Menai Bridge. Approved 28/07/2010.

39LPA589P/CC - Full application for the construction of an extension containing a platform lift to the southern elevation of 'B' block at Ysgol Uwchradd David Hughes, Porthaethwy/Menai Bridge. Approved 5/1/2017.

## **6. Main Planning Considerations**

**Affect on surrounding properties** – There will be no impacts of overlooking as the finished levels of the works will be no higher than previous and therefore not alter the current overlooking arrangement. None of the overhead lights will point directly towards the properties to the south of the scheme. 4 of these overhead lights are included in the scheme and will be fixed on 8 meter high columns.

**Affect on local area** - As the scheme does not include the erection of any buildings there will be no impacts associated with overdevelopment of the site. The scheme will create more useable space on site with an additional 41 car parking spaces. As there is already car parking facilities present in this section of the school ground, the scheme will not be out of character with current uses.

**Technical Matters** – The Drainage Section has requested additional information in relation to surface water drainage. As the proposal however entails replacing a hard surfaced tennis court with a hard surfaced parking area it is not anticipated that additional issues will arise.

## **7. Conclusion**

The scheme will be an improvement on what is currently present as it will create more vehicle parking facilities and will utilize what is currently an unused space within the school complex. The lighting will also increase safety for those using the facilities.

**8. Recommendation**

**Approval.**

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

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

**(02) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below except as otherwise required to be approved under the conditions imposed:**

<b>Drawing Number</b>	<b>Date Received</b>	<b>Plan Description</b>
<b>SP/DHSS/01</b>	<b>15/12/2017</b>	<b>Exisitng Site Plan</b>
<b>SP/DHSS/04</b>	<b>15/12/2017</b>	<b>Proposed Aco Drain and Passing Bay Details</b>
<b>SP/DHSS/08</b>	<b>15/12/2017</b>	<b>Proposed Fencing, Gate and Crash Barriers</b>
<b>SP/DHSS/09</b>	<b>15/12/2017</b>	<b>Proposed Dimensions</b>
<b>SP/DHSS/11</b>	<b>15/12/2017</b>	<b>Proposed Parking Spaces</b>

**Under planning application reference 39LPA589Q/CC.**

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.



12.8

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **39C592** Application Number

Ymgeisydd Applicant

**Mr Brunnschweiler**

**Cais amlinellol ar gyfer codi annedd gyda'r holl faterion wedi'u cadw'n ôl ar dir ger / Outline application for the erection of a dwelling with all matters reserved on land adjacent to**

**2 Glanrafon, Lôn Cei Bont/Beach Road, Porthaethwy/Menai Bridge**



**Planning Committee: 07/02/2018**

**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 Robin Wyn Williams

**1. Proposal and Site**

The proposal is an outline application for the erection of a dwelling with all matters reserved on land adjacent to 2 Glanrafon, Menai Bridge

The application site is a parcel of land between 2 Glanrafon and Menaifron. The application site is located north in an elevated position above Beach Road.

**2. Key Issue(s)**

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, amenity of the area, designated Conservation Area and highway safety.

**3. Main Policies**

**Joint Local Development Plan**

PCYFF1 – Development Boundaries  
PCYFF 2 – Development Criteria  
PCYFF3 – Design and Place Shaping  
PCYFF 4 – Design and Landscaping  
PCYFF5 – Carbon Management  
PCYFF 6 –Water Conservation  
TAI 2 – Housing in Local Service Station  
TAI 8 – Appropriate Housing Mix  
TAI 15 – Affordable Housing Threshold and Distribution  
AT1 – Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens  
PS1 – Welsh Language and Culture  
PS2 – Infrastructure and Developer Contributions  
PS4 – Sustainable Transport, Development and Accessibility  
PS 5 – Sustainable Development  
PS 6 – Alleviating and Adapting to the Effects of Climate Change  
ISA1 – Infrastructure Provision  
TRA 2 – Community Facilities  
TRA 4 – Managing Transport Impacts

**Planning Policy Wales (9<sup>th</sup> Edition)**

**Technical Advice Note 5: Conservation and Planning**

**Technical Advice Notes 12: Design**

**Technical Advice Note 24: The Historic Environment**

**Conservation Area Character Appraisal – Menai Bridge (2004)**

## **Supplementary Planning Guidance: Design Guide for the Urban & Rural Environment**

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

**Councillor Robin Wyn Williams** – Request that the application be referred to the Planning Committee for determination.

**Councillor Alun Wyn Mummery** – No response

**Councillor Meirion Jones** – No response

**Town Council** – Overdevelopment

**Housing** – The department have confirmed there is a high demand for local housing market within the settlement.

**Drainage** – No objection to the application.

**Welsh Water** – An agreement is in place to allow surface water run off to discharge into the combined public sewer. However, Welsh Water have requested that a condition be imposed requesting the no land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

**Built Environment** – The application site is within the designated Conservation Area. Concerns were initially raised regarding a historic stone boundary wall fronting the site being removed. However, following receiving amended plans which alters the location of the access, the department are supportive of the application.

**Environmental Health** – The department have raised concerns with respect to rock excavations. A condition is attached to the recommendation requiring details of any proposed method of rock excavation.

**Landscape Officer** – None of the trees located at the site are individually prominent. The proposal is of a scale and impact below the requirements of the relevant JLDP policy.

**Local Highways Authority** – Following receiving amended plans, the department have no objection to the proposed development subject to conditions.

**Housing** - high demand of local housing market within the settlement of Menai Bridge.

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

The proposal was advertised with the posting of notifications to adjacent properties and the displaying of site notices near the application site. The application was also advertised within the local newspaper. Since receiving amended plans / further information the publicity period has been undertaken on four separate occasions.

At the time of writing this report, twelve letters of representations were received as a result of the publicity afforded to the application. The main points raised are summarised below:

- 'Alley' in which the application will be accessed will become a private driveway and prevent other road users from using the highway. The use will have an effect upon neighbouring properties. A public footpath is also located at the 'top of the alley'.
- The construction of the access will require excavation.
- Concerns regarding highway safety, turning and manoeuvring of vehicles.
- Proposal would result in the loss of on street parking.
- Concerns regarding drainage / sewerage system.
- Proposed development would adversely affect the amenity of adjoining properties in terms of loss of privacy, loss of light, overbearing structure
- The construction of the proposed dwelling would have an impact upon the stability of neighbouring properties and the drainage system.
- Concerns regarding fire safety.

- A dwellinghouse located in this position would not be in keeping with the nearby historic dwelling houses and conservation area.
- Concerns regarding noise from construction works and that public services would be affected.

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

- The road in which is accessible by the proposed access is an adopted highway.
- The footpath officer has been consulted regarding the application and have raised no objection.
- A condition is attached to the recommendation requesting details of the method of rock excavations.
- The Local Highway Authority have been consulted regarding the application and have raised no objection.
- Welsh Water and the drainage section of the Authority have been consulted regarding the application and have raised no objection.
- It is not considered that the proposed development would affect unacceptably effect the amenities of neighbouring properties to warrant refusal of the application.
- Whether or not the development would have an effect upon the stability of adjoining properties and existing drainage system is a civil matter.
- Concerns regarding fire safety is a matter for the fire department.
- Following amending the location of the access, the Built Environment have raised no objection to the application.
- The Environmental Health department have been consulted regarding the application and have requested that details for the method of rock excavation be submitted and that the hours of construction are limited.

## **5. Relevant Planning History**

No Planning History

## **6. Main Planning Considerations**

The main planning considerations are whether or not the proposed development is acceptable with national and local policy, highway safety and whether the development will have a detrimental affect upon the amenities currently enjoyed by the occupants of the surrounding properties together with the designated Conservation Area.

The application is made in outline form with all matters reserved. However, details with respect to the scale of the development has been submitted as part of the current application. The application is accompanied by a site layout plan which includes cross sections.

The proposal is for the erection of a dwelling of 8 meters (length) x 7.5 meters (width). The ridge height is 10 meters.

### **Policy Considerations:**

In the Joint Local Development Plan (JLDP) Menai Bridge is identified as a Local Service Centre under policy TAI 2. This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based upon the indicative provision shown within the Policy. This site lies within the development boundary and is not allocated for a specific use.

In relation to Menai Bridge this means the site subject to this application falls within the development boundary and can be considered under policy TAI 2. The indicative windfall provision for Menai Bridge over the plan period stands at 45 units. This windfall provision includes a 10% 'slippage allowance', which means that the calculation has taken account of potential unforeseen circumstances that could influence delivery of housing due to, e.g. land ownership issues, infrastructure constraints, etc). In the period 2011 to 2016 a total of 24 units have been completed in Menai Bridge and 23 of these were on windfall sites. The windfall land bank, i.e. sites with

existing planning consent, at April 2016 stood at 13 units. This means that at present there is capacity within the indicative provision for the settlement of Menai Bridge.

Policy TAI 15 of the JLDP seeks an appropriate provision of affordable housing. It has a threshold figure of 2 or more units within Local Service Centres such as Menai Bridge. Since this is an application for a single unit policy TAI 15 and the provision of affordable housing is not applicable for this application.

Policy TAI 8 'Appropriate Housing Mix' of the JLDP seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Regard should be given to the LHMA, Council Housing Register, Tai Teg Register etc. to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market.

#### **Affect upon Amenities of the Area and Neighbouring Properties:**

The application site is located within a relevantly dense residential area of Menai Bridge. Two storey dwellinghouses are located each side of the application site with terraced housing located on the opposite side of Beach Road. Curtilages of Brynafon Terrace are located at the rear (north west) of the site.

An amended plan has been received which reduced the dimensions of the proposed dwelling. The upper limit of the length has been reduced from 10 meters to 8 meters whilst the upper limit of the width has been reduced from 10 meters to 7.5 meters.

Windows are located on side elevations of the dwellinghouses (site 2 Glanrafon and Menaifron) adjoining the application site. There is a distance of 2.5 between the upper limit of the proposed dwelling and 2 Glanrafon, whilst there is a distance of 7 between the upper limit of the proposed dwelling and Menaifron. The indicative minimum distances within the Supplementary Planning Guidance: Design Guide for the Urban & Rural Environment (SPG) from side to side is 3.5 meters.

Dwellings are also located on a lower level across the highway from beach road at a distance of 12.5 meters from the proposed dwelling. The indicative minimum distances within the SPG from ground floor main to ground floor main is 19 meters.

The curtilages of the dwellings at the rear of the property are measured at a distance of 16 meters from the proposed dwelling. The indicative minimum distances within the SPG from secondary aspect window to a boundary is 7.5 meters.

Given that the upper limits of the length and width of the proposed dwelling has been reduced, it is considered there is ample space within the application site to accommodate the proposal without appearing cramped or overdeveloped.

The proposed upper limit of the ridge height has been reduced from 14 meters to 10 meters. The ridge heights of adjacent properties are approximately 19.04AOD and 21.89AOD (2 Glanrafon and Menaifron respectively). The height of the proposed dwelling will be between both properties at 20.86AOD.

Given due consideration to these height, it is not considered that the proposed dwelling will have a detrimental affect upon the neighbouring properties. In addition, it is considered the proposed dwelling is sympathetic to the area and not considered out of character with the existing townscape.

The curtilage of Glanrafon is at a higher level than the application site, whilst the curtilage of 2 Glanrafon is at a lower level than the proposed dwelling. Since the parking area is proposed at the rear of the site, a condition will be attached to the recommendation requiring that a 1.8-meter-high timber fence is erected along the length of the northern part of the car parking area in an order to safeguard the amenities of the neighbouring property.

Although the development does not fully comply with the guidance contained within Supplementary Planning Guidance in regards to separation distances, due to the fact there is currently a degree of

overlooking, that the site lies within a relatively built up high density residential area and its relationship with existing properties are typical of the area, the proposal is considered acceptable and will not detrimentally harm the amenities currently enjoyed by the occupants of the surrounding properties to such a degree as to warrant the refusal of the application in which an appeal can be sustained upon this ground.

### **Built Environment:**

The site lies within the Menai Bridge Conservation Area. Policy AT1 'Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens' states that proposals within or affecting the setting and / or significant views into and out of Conservation Areas should where appropriate have regard to adopted conservation areas character appraisals, conservation area plans and delivery strategies.

The Built Environment section was consulted in relation to any impact upon the conservation area. The section initially raised concerns with respect to a historic stone boundary wall fronting the site being removed. However, following receiving amended plans which alters the location of the access, the section is supportive of the application.

### **Local Highway Authority**

The access was initially proposed south east of the application site, accessing the site from Beach Road. Following concerns being raised by the Built Environment section the scheme was amended in which the access is now proposed at the north west part of the site onto an unclassified highway. The Local Highway Authority are satisfied with the proposal.

## **7. Conclusion**

The amenities of the area and neighboring properties have been taken into account, however it is not considered that the proposed development will harm the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application. Various material considerations have been considered and assessed by the specialist Officers of the Authority who have not raised any objection to the scheme subject to conditions. It is my recommendation that the application be approved.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

## **8. Recommendation**

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

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

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

**(02) Application for approval of the reserved matters hereinbefore referred to shall be made not later than the expiration of three years beginning with the date of this permission.**

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

**(03) The development to which this permission relates shall be begun not later than whichever is the later of the following dates namely: - (a) the expiration of five years from**

the date of this permission or (b) the expiration of two years from the final approval of the said reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

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

**(04) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted and as required to be approved under the conditions imposed below under planning application reference 39C592**

Drawing/ Document Number	Date Received	Plan Description
A.SITE	12/07/2017	Location Plan
A.0.01 Rev H	20/12/2017	Site Layout
	12/07/2017	Design and Access Statement

Reason: For the avoidance of doubt.

**(05) No 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

**(06) The access shall be laid out and constructed strictly in accordance with the submitted plan (drawing number A.0.01 Rev H) 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 Local Highway Authority.

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

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

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

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

**(09) No surface water from the within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. The 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 Local Highway Authority.

**(10) No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:**

- 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.**

Reason: To comply with the requirements of the Highway Authority to ensure reasonable and proper control is exercised over construction activities in the interests of road safety.

**(11) Gable end ground and first floor windows of dwellinghouse hereby approved shall be obscure glazed at all times and openable in a manner to be agreed with the Local Planning Authority prior occupation of the dwelling. The windows shall not be glazed or re-glazed other than with obscure glass.**

Reason: In the interests of amenity.

**(12) Full details of any proposed method of rock excavation undertaken as part of the development shall be submitted as part of the full or reserved matters application. The method statement shall include;**

- i) Details of the type and number of machines / equipment that are to be used in connection with any rock excavation**
- ii) Measures that shall be undertaken to mitigate and minimise noise vibration and dust impacts during the works**
- iii) The proposed hours of work**

**The development shall thereafter be carried out in accordance with the approved method statement.**

Reason: In the interest of residential amenity.

**(13) Construction works shall only be carried out between the hours of 08:00 - 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No works shall be carried out on Sunday or Bank Holidays.**

Reason: In the interest of amenity

**(14) No development shall commence until full details of a 1.8-meter-high fence as delineated in blue between points A-B on the attached plan (drawing reference number A.0.01 Rev H) has been submitted and approved in writing by the Local Planning Authority. The fence shall be erected before the dwelling hereby approved is occupied. The fence shall not be removed at any time. If the fence needs to be replaced/changed for whatever reason the replacement shall be of the same specification, height and in the same position.**

Reason: In the interest of amenity

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

## **9. Other Relevant Policies**

### **Planning Policy Wales (Edition 9)**

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



12.9

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **45C313E** Application Number

Ymgeisydd Applicant

**Gareth Morris Construction Ltd**

**Cais llawn ar gyfer codi 6 annedd fforddiadwy ar dir yn / Full application for the erection of 6 affordable dwellings on land at**

**Stad Ty Gwyn, Niwbwrch / Newborough**



**PLANNING COMMITTEE: 07/02/2018**

**REPORT OF HEAD OF PLANNING SERVICE (DPJ)**

**RECOMMENDATION:**

Approve

**REASON FOR REPORTING TO COMMITTEE:**

The planning application has been called to the planning committee by the local member for the reason detailed in the consultation section of this report.

**1. PROPOSAL AND SITE**

The application site comprises an extension to the north east of relatively recently constructed residential development of 3 semi-detached dwellings. The proposed development would share the existing vehicular access from the A4080 through the existing residential development. This vehicular access and pavement have already been constructed up to base course level, ironworks (drain cover levels) are raised above this base course and a surface course and the installation of street lighting columns are required to complete the road.

To the north west of the application site there is a car parking area forming part of the Pen Rhos Estate. The remaining boundaries of the application site are bounded by agricultural land. There are traditional landscape hedges and small trees along these boundaries.

The application site is surrounded by fencing and development has commenced with one of the dwellings constructed up to ground floor level.

The proposed development entails extending the existing vehicular access and pavement through to the application site and also to provide a turning area and car parking spaces along the north western boundary of the application site. On the eastern portion of the application site a single terrace of 6 two storey two bedroom dwellings would be developed. The front elevations would face the proposed vehicular access to the north west with the rear elevations and garden areas (including household sheds) along the south eastern boundary with the agricultural land.

Externally the proposed dwellings would be finished externally with a combination of white & buff self-coloured render and shiplap type UPVC boarding. The dwellings would be roofed with natural mineral slate.

Foul drainage would be connected to the public sewer and surface water from the dwellings would be discharged into soak-aways. At the time of writing soak-aways are also proposed to discharge surface

**2. KEY ISSUE(S)**

- Compliance with relevant development plan policies and amenity.
- Lawfulness of the development implemented.
- Safety and convenience of the access arrangements for existing and proposed users.

**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 – No observations received.

Councillor Peter Rogers – I have now visited the site and there has been no progress on the road or lighting, until this agreed work has been implemented I cannot support further development and the application is being called to the planning committee on these grounds.

Highways - Full technical details, particularly with regard to the road surface water drainage, have not been included with this application and a recommendation cannot be made at this stage for the following reasons:

1. This is an application to provide an alternative layout on Phase 2 of the development. The existing Phase 2 layout is subject to an existing Legal Agreement under Section 38 of the Highways Act 1980 and various Deeds of Easement with third parties. We have not been formally consulted with regard to amending these Agreements.
2. No drainage calculations or porosity tests have been provided. It is not possible to comment on the suitability of the proposed drainage layout therefore.
3. The proposed drainage layout indicated on the submitted plan is unlikely to be acceptable to the highway authority, particularly the proposed siting of a soakaway under the adoptable carriageway.
4. Greater detail is required with regard to the allocation of parking spaces to each property. The application boundary appears to affect existing parking spaces allocated to phase 1.

Further the Highways Section explain that they do not consider the fact that the road serving the first part of the development has not been completed is a reason for not considering the application subject to this report. The Highways section explain that they are in discussion with the developer and have agreed the work that is required will be scheduled early this year under a section 38 agreement which has been completed under the highways act.

Ecological and Environmental Adviser – Any vegetation clearance should be undertaken out of season and suitable native species used in the planting scheme to secure biodiversity improvements as required under the Environment Wales Act 2016.

Built Environment (Landscape) – Greater detail is required in relation to the retention of existing vegetation and new planting in connection with the proposed development.

Drainage – Further supporting design and construction details of the surface water system are requested. Further the proposed development may affect the surface water drainage of the highway approved under the section 38 agreement, as described above in the highway comments.

Housing – Have provided details of the affordable housing need in Newbrough and confirmed as a basis for requiring 30% of the units are for affordable housing purposes. Housing Services' is fully supportive of the planning application and the development is planned within our programme development plan this financial year.

Education – No impact on higher or lower educational establishments therefore no contributions are being sought in relation to the proposed development.

Gwynedd Archaeological Planning Service "GAPS" - There appear to be no significant archaeological implications in this case.

Natural Resources Wales "NRW" – No observations.

Welsh Water - Foul flows will be disposed via the public sewerage system and surface water run-off into soakaways. Welsh Water consider these drainage arrangements to be acceptable in principle subject to a condition stipulating no surface water shall be disposed of to the public sewer. Advisory notes in relation to separate consents are also listed.

The application was publicised by the posting of a site notice near the site and the publication of a notice. The latest date for the receipt of representation was 5th January, 2018. At the time of writing no representations have been received..

## **5. RELEVANT PLANNING HISTORY**

45C313 Outline application for the erection of 10 dwellings Conditionally approved 10.12.2003.

45C313A/DA Detailed plans for the erection of one pair of semi-detached houses together with alterations to the existing vehicular and pedestrian access on plots 3 and 4 Conditionally approved 09.03.2005.

45C313B/DA Detailed application for the erection of 10 semi-detached dwellings Conditionally approved 21.03.2007.

45C313C Full application for the erection of one pair of semi-detached dwellings Conditionally approved 25.09.2008.

45C313D Application for the variation of condition (01) (time limit) on planning permission 45C313C on plots 11 and 12, so as to extend the time limit in which work begins Conditionally approved 24.07.2013.

## **6. MAIN PLANNING CONSIDERATIONS**

**Planning History** The principle of residential development for up to 10 units has been established on the application site by the various planning permissions listed in the planning history section above. Three pairs of semi-detached have been developed and are occupied under these previous planning permissions (being 45C313 and reserved matters application 45C313B/DA), with a further pair partly constructed.

Condition (12) of planning permission 45C313 required that the estate road was finally surfaced and lighted before the last dwelling on the development was occupied or within two years of the commencement of the development. The development is in breach of this planning condition as these works have not occurred within two years of the commencement of the development, the issue is considered further in the main body of the report below. Notwithstanding this breach from an assessment of the planning history it is considered that planning permission 45C31 is lawfully implemented and that there thus remains a fallback position whereby 4 units remain extant on the application site.

In addition to these planning application 45C313D for a pair of semi-detached units remains extant being within the 5 year period in which it can be implemented. In total planning permission has

therefore been granted for 12 units on the application site of which 6 have already been constructed and occupied as part of the first phase of the development described previously, and 6 units remain extant.

**Principle of the Development** The site is located within the development boundary of Newbrough defined under the provision of PCYFF 1 of the JLDP and the principle of residential development is acceptable.

**Affordable Housing & Education** Following the adoption of the JLDP there is a requirements to provide 30% affordable housing for 2 units or more in Newbrough where there is evidence of housing need such as that indicated in the comments of the council's Housing Section. In this instance, however, as indicated in the planning history section there appears to be an extant planning permission on the application for 6 units, without any requirements for affordable housing to be provided. On this basis it is not reasonable to require affordable housing by way of a legal agreement. Notwithstanding this the council's Housing Section support the proposal as it is understood that the development is being made for 100% affordable housing.

Whilst there is no requirement for an educational contribution the existence of a fallback position would in same way as described above mean that none could be required as part of the proposed development.

**Highways and Drainage:** The planning application has been called to the planning committee by the local member as there has been no progress on the road or lighting and until this agreed work has been implemented the further development cannot be supported. As explained in the planning history section of this report there is a breach of planning condition (12) of planning permission 45C313, which required that the estate road was to be finally surfaced and lighted within two years of the commencement of the development. This breach has been investigated by the Local Planning Authority but it was not considered expedient to instigate enforcement action since there is a Section 38 Agreement in place, dated 24th June 2009 between "Birchmere Homes Ltd" and the Council, relating to the construction and adoption of the whole of the proposed estate road. The breach is therefore subject to separate legislative control under the Highways Act and as per the comments of the highways officer agreement is in place to ensure that the required works are undertaken in the early part of this year. Further the fact that these works have not been implemented does not constitute a reason to delay determination of the planning application subject to this report.

It is understood that the adoption of the road on the existing part of the development was delayed as it was reliant on all the road and surface water drainage infrastructure being complete for both the existing dwellings and the second part of the development now subject to the amended proposal subject to this report. It is understood that since 2014, the developers have been unable to complete the remaining 6 plots which has consequently resulted in them being unable to complete the remaining infrastructure works to enable the road to be adopted. The amended proposal subject to this report which form part of the Housing Section's affordable housing delivery programme should ensure that the second phase of the development is constructed soon and resolve these issues.

There, however, remain outstanding issues in relation to surface water drainage and parking arrangements proposed in connection with the proposed development as detailed in the consultation responses of the highways and drainage sections. Whilst it is anticipated that these matters can be resolved, amended plans and supporting information will be required. The recommendation below reflects this and request that officers are provided with delegated powers to issue planning permission once these matters are satisfactorily resolved.

**Other Matters** In terms of ecology the council's Ecological and Environmental Adviser is content subject to the biodiversity enhancements described being achieved via a landscaping condition similar to that recommended by the council's Built Environment (Landscape) section, which will also ensure that existing trees on the boundary of the application site are safeguarded.

The design of the proposed dwellings though different in layout to the semi-detached type development previously approved is still considered to accord with the recently constructed

development on the first part of the development. Externally the materials proposed are contemporary whilst also incorporating a traditional slated roof. The proposal are considered to attain the high standard of design and have regard to their context as required by planning policies. The proposal are also considered compatible with planning policies which regulate proximity and overlooking.

## 7. CONCLUSION

The principle of the proposed development has been established previously and there remain an extant planning permission for 6 dwellings. The application site is within the settlement boundary of the JLDP and the principle of the development remains acceptable. JLDP policies require that 30% of the development is affordable but in this case (albeit that the scheme will likely be developed for 100% affordable housing in conjunction with Housing Services) there is no regulatory requirement for provisions to be made via a legal agreement.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

## 8. RECOMMENDATION

That officers are granted delegated powers to approve planning permission subject to the following conditions and any other recommended upon resolution of the surface water and parking arrangement issues described in the report:

**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 Section 91(1) of the Town and Country Planning Act, 1990.

**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
Site OS Plan	A-01-01	
Proposed Site Layout	A-01-02	
Terrace Elevations	A-02-02	
Terrace Plans	A-02-01	

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

**No development shall take place until a scheme of landscaping and tree planting for the site which provides for the retention of existing trees and hedges has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the proposed planting, including species (which shall include native species such as silver birch, rowan and hazel), size and density and distinguish those trees to be retained showing their species, spread and maturity together with measures for their protection in the course of development. The approved new planting shall be implemented no later than the first planting season after the occupation of the buildings or completion of the development,**

**whichever is the sooner. The approved protection measures shall be implemented prior to the commencement of development.**

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

**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.

**No development shall take place until full details of a scheme indicating all of the proposed means of enclosure around and within the site whether by means of walls or fences has been submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed or erected prior to the occupation of the development hereby approved.**

Reason To ensure that the details and appearance of the development are acceptable to the Local Planning Authority.

**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

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

Reason For the avoidance of doubt and to ensure a satisfactory form of development.

#### **9. OTHER RELEVANT POLICIES**

None

#### **10. OTHER RESPONSES TO CONSULTATION AND PUBLICITY**

None

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