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

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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 4 EBRILL, 2018 am 1.00 o'r gloch yp	WEDNESDAY, 4 APRIL 2018 at 1.00 pm
SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGEFNI	COUNCIL CHAMBER, COUNCIL OFFICES, LLANGEFNI
Swyddog Pwyllgor	Mrs Mairwen Hughes (01248 752516)
	Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

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

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

A g e n d a

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

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

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

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1 APOLOGIES

2 DECLARATION OF INTEREST

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

3 MINUTES_(Pages 1 - 8)

To submit, for confirmation, the minutes of the Planning and Orders Committee held on 7 March, 2018.

4 SITE VISITS_(Pages 9 - 10)

To submit the minutes of the Site Visit held on 21 March, 2018.

5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED_(Pages 11 - 12)

6.1 39C285D – Lôn y Gamfa, Menai Bridge

7 APPLICATIONS ARISING_(Pages 13 - 26)

7.1 19C452F – Canada Gardens, 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 27 - 48)

- 10.1 36C344B/VAR – Henblas School, Llangristiolus
- 10.2 46C402F/VAR – Pendorlan, Lôn Isallt, Trearddur Bay
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11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS_(Pages 49 - 54)

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12 REMAINDER OF APPLICATIONS_(Pages 55 - 76)

- 12.1 14C47R/ENF – 19 Cae Bach Aur, Bodffordd
- 12.2 19LPA1023B/CC – Heliport Site, Penrhos Industrial Estate, Holyhead
- 12.3 46C88K/AD – RSPB Visitor Centre, South Stack Road, Holyhead
- 12.4 46C612A/AD – Elin's Tower, South Stack, Holyhead

13 OTHER MATTERS_(Pages 77 - 82)

- 13.1 12LPA1042D/LB/CC – 1 Green Edge, Beaumaris
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PLANNING AND ORDERS COMMITTEE

Minutes of the meeting held on 7 March, 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 Officer (MD)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** None
- ALSO PRESENT:** None
-

1. APOLOGIES

There were no apologies for absence.

2. DECLARATION OF INTEREST

Declarations of interest were received as follows –

Councillors Glyn Haynes and Shaun Redmond both declared a personal but not prejudicial interest in application 12.2

Councillor Robin Williams declared a personal but not prejudicial interest in application 12.5

3. MINUTES OF THE 7TH FEBRUARY, 2018 MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 7th February, 2018 were presented and were confirmed as correct.

4. SITE VISITS

The minutes of the planning site visit held on 21th February, 2018 were presented and were confirmed as correct.

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 19C452F – Full application for the erection of 15 2 bedroom houses together with 10 1 bedroom flats on land at Canada Gardens, Holyhead

The Planning Development Manager reported that it is the Officer's view that it is necessary for the Committee's Members to view the proposal and its context prior to determining the application; it is therefore recommended that a site visit be undertaken.

It was resolved that the application site be visited in accordance with the Officer's recommendation for the reason given.

6.2 39C285D – Full application for the erection of 17 dwellings on land at Lôn Gamfa, Menai Bridge

The Planning Development Manager reported that it is recommended that consideration of the application be deferred pending the receipt of a report that is awaited 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 39C592 – Outline application for the erection of a dwelling with all matters reserved on land adjacent to 2 Glanrafon, Beach Road, Menai Bridge

The application was reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 7th February 2018, the Committee resolved to carry out a site visit prior to determining the application. The site was subsequently visited on the 21st February, 2018.

The Planning Development Manager reported that the proposal is an outline application for the erection of a dwelling within a designated conservation area. However, details regarding the scale of the development have been submitted with the current application. Under an amended plan the dimensions of the proposed dwelling are reduced with the upper limit of the length now 8 metres instead of 10 metres and the upper limit of the width 7.5 metres instead of 10 metres. The ridge height is reduced from 14 metres to 10 metres. The application is accompanied by a site layout plan which shows the position of the proposal relative to the properties on either side. The proposed dwelling will now be served by an access at the North West part of the site onto an unclassified highway rather than at the south east part of the site from Beach Road as initially proposed. The Officer said that three additional letters of objection have been received as well as one additional letter of support from the developer. Following the receipt of the amended scheme which relocates the access, both the Built Environment Section and the Highways Authority have confirmed that they are satisfied with the proposal. As it is not considered the proposed development will harm the amenities of the area or neighbouring properties to such a degree as to warrant refusal of the application, the recommendation is one of approval.

Councillor Robin Williams said that he had called in the application because he wished to highlight the Town Council's concerns regarding overdevelopment with the local view being that the area is now at capacity level in terms of residential development, and also its concerns with regard to the access to the application site being narrow and restricted making manoeuvring difficult, and possibly affecting the passage of emergency services vehicles.

Councillor Kenneth Hughes said that whilst he sympathised with the community with regard to the traffic situation which is not ideal, he agreed with the Officer's view that the

proposal as a whole is acceptable and he therefore proposed that the application be approved. Councillor Vaughan Hughes seconded the proposal.

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 46C14Y/1/VAR – Application under Section 73 for the variation of condition (01) (implemented in accordance with approved plans) of permission reference 46C14S/1/MIN (amendments to previously approved plans) so as to amend the design at Plots 20-22 Cliff Holiday Centre, Trearddur Bay

The application was presented to the Planning and Orders Committee as it conflicts with Policy TAI 5 Local Market Housing of the Joint Local Development Plan and constitutes a departure application which the Local Planning Authority is minded to approve.

The Planning Development Manager reported that the application is for internal and external amendments to plots 20 to 22 on an estate of 33 units. The development was granted planning consent in 2011 and this is now in the course of being implemented. The application for amendments was received in February, 2017 and was determined under delegated powers as being acceptable under policies prevailing at the time but subject to a Deed of Variation in relation to an existing Section 106 agreement providing affordable housing. The Deed of Variation has not yet been completed, but because of the material change in the policy context, the application has been reviewed. Policy TAI 5 of the JLDP requires housing in Trearddur to be supplied as wholly local market housing in accordance with the criteria set within the policy. The housing units on this site already built and under construction are a mix of open market and affordable housing under the Ynys Môn Local Plan policies in effect at the time. However given the fall-back position and advanced stage of implementation it is not considered reasonable to require compliance. Therefore although the proposal is contrary to the provisions of Policy TAI 5, taking account of the relatively minor nature of the proposed amendments, their limited impact as well as the fall-back position, the recommendation is to approve the application.

Councillor Trefor Lloyd Hughes commented with regard to this and the following proposal that applications to vary conditions after consent has been granted seem to occur with some frequency, particularly in this area.

Councillor Vaughan Hughes proposed that the application be approved; the proposal was seconded by Councillor Robin Williams

It was resolved to approve the application in accordance with the Officer's recommendation subject to a Deed of Variation in relation to affordable housing and to the conditions contained within the written report.

10.2 46C14Z/1/VAR – Application under Section 73 for the variation of condition (01) of permission reference 46C14S/1/MIN so as to amend the design of the approved dwellings of planning permission 46C14H/1 Plot 8-13, Cliff Holiday Centre Lôn Isallt, Trearddur Bay

The application was presented to the Planning and Orders Committee as it conflicts with Policy TAI 5 Local Market Housing of the Joint Local Development Plan and constitutes a departure which the Local Planning Authority is minded to approve.

The Planning Development Manager reported that the application is for internal and external amendments to plots 8-13 inclusive on the same site as that for the previous application in 10.1 above. Similar planning considerations apply in that the application is technically contrary to Policy TAI 5 of the JLDP in being for a mix of open market and affordable housing units as opposed to wholly local market housing as required by Policy TAI 5 for housing development in Trearddur. As with the previous application the proposed amendments to the plot are relatively minor and are acceptable in their impacts. In light of this, and having regard to the fall-back position and the advanced stage of site development, the recommendation is one of approval.

Councillor Vaughan 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 a Deed of Variation in relation to affordable housing and to the conditions contained with the written report.

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 49C219A – Full application for alterations and extensions at 44 Newlands Park, Valley

The application was presented to the Planning and Orders Committee as the applicant is related to a relevant officer as defined in paragraph 4.6.10 of the Council's Constitution.

The Planning Development Manager reported that the application is for alterations and an extension to the rear of the property known as 44 Newlands Park. The extension will form a new sunroom which will overlook the applicant's garden and the vacant field to the rear of the dwelling. As such it is not considered that the proposed scheme will impact any neighbouring properties to such an extent as to warrant refusal. Neither is it considered that the proposal in terms of scale and design will have an effect on the character of the current dwelling, the surrounding area nor the Area of Outstanding Natural Beauty. The recommendation is therefore to approve the application.

Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation; 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 condition contained within the written report.

12. REMAINDER OF APPLICATIONS

12.1 12LPA1042C/CC – Full application for re-roofing together with changing the windows and re-rendering at 1, 1A 1B and 2 Greenedge, Beaumaris

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

The Planning Development Manager reported that the application is for re-roofing works along with works to the chimney breasting and rainwater goods. As the subject building is Grade II* Listed and is situated within a designated Conservation Area, the Heritage Advisor has been consulted and confirms that there are no issues with the details of the scheme and that it is acceptable. The Officer said that the scheme seeks to improve the long-term sustainability of the properties by improving roof health/safety and increasing efficiency by installing insulation. It is considered that the works will improve the character of the building while remaining in keeping with the character of the terrace and the wider setting of Beaumaris and its heritage assets. The Officer further highlighted that as the period for the receipt of representations does not expire until 14th March, any consent will be conditional upon no new issues being raised before the expiry of the consultation period.

Councillor Vaughan Hughes proposed that the application be approved; 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 and subject also to no representations being received before the expiry of the consultation period raising issues not already addressed within the Officer's report.

12.2 19LPA89Q/CC – Full application for the erection of a fence and gate on land at Holyhead Secondary School, South Stack Road, Holyhead

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

The Planning Development Manager reported that the proposed fence will vary from a 4 meter high fence between the school and properties on New Park Road – this is to stop footballs going over the existing wall into the gardens of New Park Road, and a 2.4 metre high fence between the school and South Stack Road – this is to stop footballs going over onto the road and hitting pedestrians and cars. The proposed fence will match existing fencing at Holyhead Secondary School. It is the Officer's view that the fence complies with all relevant policies and that it will not have a negative impact upon the immediate area, heritage assets or neighbouring properties. The recommendation is to approve the application.

Councillor Robin Williams proposed that the application be approved; the proposal was seconded by Councillor Trefor Lloyd Hughes.

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

12.3 34LPA791D/VAR/CC – Application under Section 73 for the variation of condition(s) (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) and (04) (the development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 18/12/2014, under planning reference 34LPA791C/CC/ECON) of planning permission reference 34LPA791C/CC/ECON (alterations and extension, creation of a bike storage area and creation of a car park) so as to amend the approved scheme at Anglesey Business Centre, Llangefni

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

The Planning Development Manager reported that the application is for modest changes to an approved scheme which allowed for the extension of the Business Centre along with additional car parking. The proposed amendments include changes to the design and materials of the extension as well as a reduction in the overall floor area. The proposed car parking scheme will also be amended resulting in a reduction of 1 in the overall number of spaces; a reduction of 13 spaces in the northern car park extension and an additional 13 spaces by way of extension to the car park to the southeast. It is not considered that the changes will alter the overall character and nature of the proposed works. The Highways Authority has now confirmed that it is satisfied with the scheme and Welsh Water has proposed a condition that is already incorporated within the recommendation of approval.

Councillor Robin William proposed that the application be approved; the proposal was seconded by Councillor Dafydd Roberts.

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

12.4 34LPA1015C/MIN/CC – Minor amendments to the scheme previously approved under planning permission 34LPA1015B/CC so as to amend elevations, roof, car park layout, materials and landscaping at former Môn Training Site, Llangefni

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

The Planning Development Manager reported that the application involves minor changes to an approved scheme that seeks to amend the finish and appearance of the building/site. It is not considered that the amendments constitute a material change nor that they will have an effect on the change of the area to such a degree as to warrant refusal. It is considered that the amendments will improve the site function and appearance as the site will consequently match the finish of the neighbouring businesses. The recommendation is therefore to approve the application.

Councillor Eric Jones proposed that the application be approved; the proposal was seconded by Councillor Robin Williams

It was resolved to approve the application in accordance with the Officer's recommendation and written report.

12.5 39LPA589R/CC - Full application for an extension containing a platform lift at Ysgol David Hughes, Pentraeth Road, Menai Bridge

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

The Planning Development Manager reported that the application is for the erection of an extension which includes a platform lift. The scheme as originally submitted has been amended in response to safety concerns with the lift door now turned to face the yard but the lift itself remaining in its proposed position. The extension will not affect the amenities of the neighbouring properties and will improve the function of the school. The design will be reflective of the existing school buildings and will not harm the character of the area. The Officer's recommendation is one of approval subject to no representations being received before the expiry of the consultation period on 9th March, 2018 that raise new issues not addressed by the Officer's report.

Councillor Kenneth Hughes proposed that the application be approved; 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 and subject also to no representations being received before the expiry of the consultation period raising issues not already addressed within the Officer's report.

12.6 42C268 – Full application for the change of use of land to form extensions to curtilages of all three properties on land at the rear of Arfryn, Mwyn Awel and Groeslon, Rhoscefnhir

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

The Planning Development Manager reported that the application is to extend the curtilage of all three properties which are situated on the approach to Rhoscefnhir beside the A5025 in order to include the Council owned land as garden space. As Groeslon is a Grade II Listed property the Heritage Advisor has been consulted and confirms that there are no objections to the proposal from a heritage perspective. Should planning consent be granted a further statutory process will have to be followed to apply for a Stopping Up Order. The Officer updated the Committee by saying that the Community Council has also now confirmed that it has no objections to the proposal and the Landscape Advisor has offered comments; consequently, it is recommended that an additional condition is attached to the planning consent to require that details of boundary treatments be submitted in order to ensure that implementation of the scheme will not result in any impacts on the landscape. It is the Officer's view that the scheme is acceptable as it is deemed its implementation will not have any adverse effects on the area or its residents. The main issues in relation to the development – none of which warrant a refusal – have been sufficiently addressed. The recommendation is to approve the application.

Councillor Shaun Redmond proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor Vaughan Hughes.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report and an additional condition in relation to boundary treatments.

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 21 March, 2018

PRESENT: Councillors John Griffith, Kenneth Hughes,
Trefor Lloyd Hughes, Eric Jones, Dafydd Roberts

IN ATTENDANCE: Development Control Team Leader (DPJ)
Development Control Engineer (JAPR)

APOLOGIES: Councillors Glyn Haynes, Robin Williams

ALSO PRESENT: None

1 19C452F – Full application for the erection of 15 2 bedroom houses together with 10 1 bedroom flats on land at Canada Gardens, Holyhead

The Development Control Team Leader pointed out the application site and the surrounding land uses. It was explained that the planning application was originally submitted for 28 units but following discussions with officers the number of units had been reduced to 25, comprising 15 two bedroom houses and 10 1 bedroom flats. Further, that the planning application has been called to the planning committee by a local member on the grounds of local resident concerns as regard overdevelopment and traffic management.

The Development Control Engineer explained that the Public Right of Way Crossing the application site would be extinguished and that users would then traverse the pavement forming part of the adopted highway through the development.

Members then viewed the application site from various viewpoints and the access to Morrison Crescent from London Road. Members questioned what would happen to the sewer crossing the application site and it was explained that it would be diverted. It was also explained that the application was accompanied by an acoustic assessment which included design measures in the proposed dwellings to mitigate noise impacts from the A55, railway and the Gwynedd Shipping HGV Yard.

6.1

Gweddill y Ceisiadau

Remainder Applications

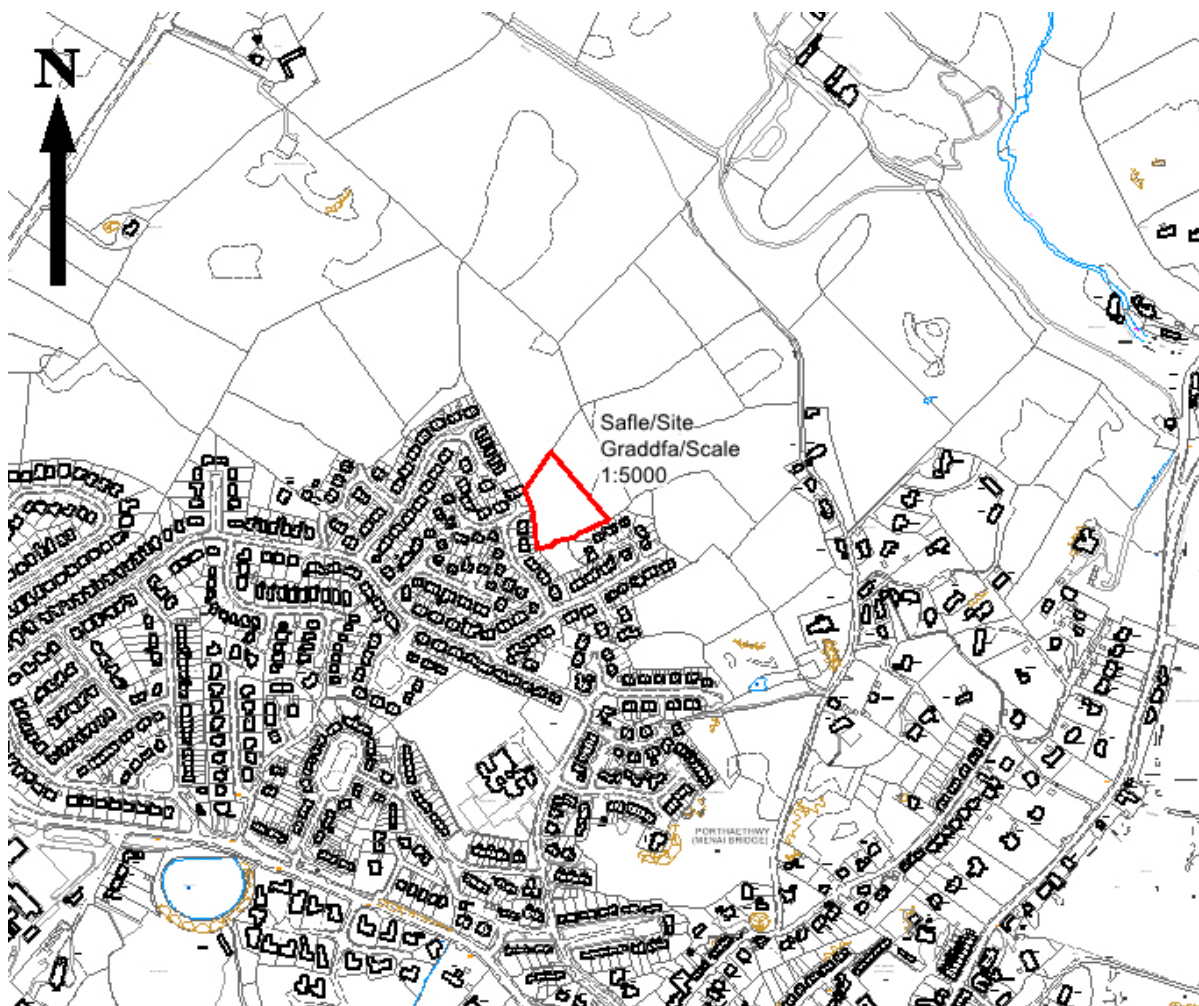
Rhif y Cais: **39C285D** Application Number

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: 04/04/2018

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.

7.1

Gweddill y Ceisiadau

Remainder Applications

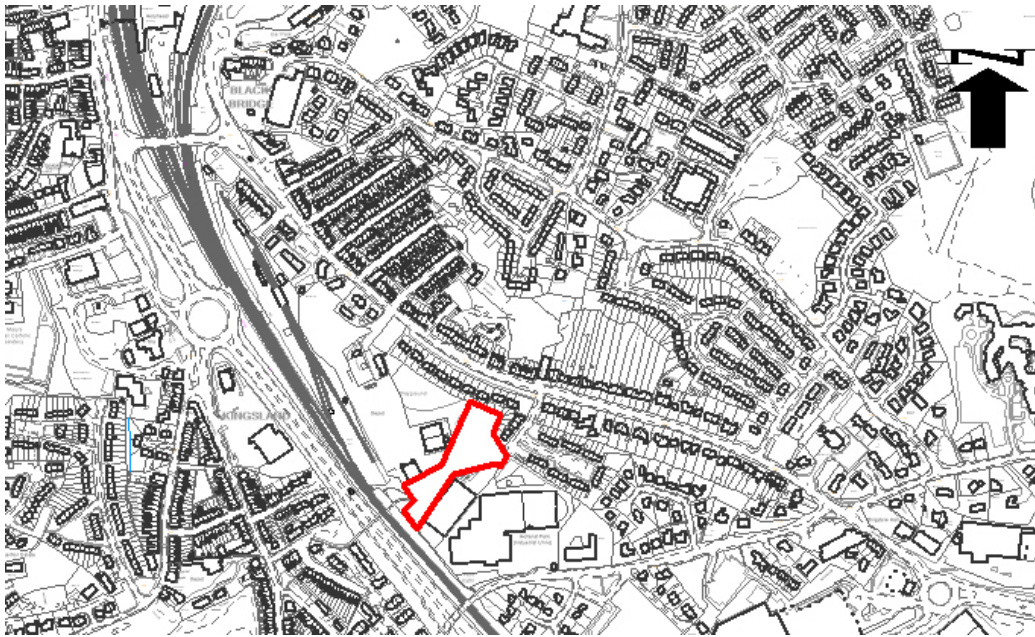
Rhif y Cais: **19C452F** Application Number

Ymgeisydd Applicant

B C Services (Anglesey) Ltd

Cais llawn ar gyfer codi 15 o aneddu 2 lloft ac 10 o flatiau 1 lloft ar dir yn / Full application for the erection of 15 2 bedroom houses together with 10 1 bedroom flats on land at

Canada Gardens, Caergybi / Holyhead



Planning Committee: 04/04/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

The planning application is has been called to the planning committee by the local member Councillor Shaun Redmond on the grounds of local residents' concerns as regard overdevelopment and traffic management. At its meeting held on 7th March 2018 it was recommended that the Committee view the site and its setting prior to determining the application. The site was visited on 20th March

1. Proposal and Site

The site is a parcel of vacant land accessed off London Road through Morrison Crescent. The site is bordered by industrial premises, a Network Rail Light Maintenance Depot, Gwynedd Shipping LGV Yard, housing and a playground. It is crossed by a public footpath running from London Road and across the A55 to Penllech-Nest. Access to the existing industrial units is taken off the same access track. The application site is in an elevated position in relation to the A55 and the railway line, and the Gwynedd Shipping depot to the west.

The planning application was originally submitted for 28 residential units, comprising 16 2 bedroom houses and 12 1 bedroom flats. Following discussions with officers the number of units was reduced to 25, comprising 15 2 bedroom houses together with 10 1 bedroom flats. Access to the development would be via a new access off Morrison Crescent. The public footpath crossing the application would be extinguished and users would thereafter use the pavement along the highway through the proposed development.

2. Key Issue(s)

- Compliance with relevant development plan policies and amenity.
- Planning History.
- Principle of the Development.
- Character and Appearance of the Locality.
- Impact on the Residential Amenities of Adjacent Properties
- Noise Impacts.
- Highways & PROW Considerations.

3. Main Policies

Anglesey and Gwynedd Joint Local Development Plan (2017)

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

ISA5: Provision of Open Spaces in New Housing Developments

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PCYFF 6: Water Management

PS 17: Settlement Strategy

TAI 1: Housing in Sub-Regional Centres & Urban Service Centres

AMG 5: Local Biodiversity Conservation

AMG 6: Protecting Sites of Regional or Local Significance

Planning Policy Wales Edition 9 2016 "PPW"

TAN 11: Noise
TAN 12: Design

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

4. Response to Consultation and Publicity

Holyhead Town Council – It was resolved to make no objection provided that all access highway and pedestrian safety measures are put in place and that the developer be requested to provide some improvements in the plan area on London Road for the benefit of the Local Community.

Councillor Shaun James Redmond – Called the planning application to the planning committee on the grounds of local resident concerns as regard overdevelopment and traffic management.

Highway Authority – Conditional permission.

Drainage Section - There are no surface water drainage details included with this submission and, as a consequence I am unable to comment on the adequacy of these proposals.

Housing Services - There is a high demand for affordable housing in Holyhead, the (general needs) social housing demand is as follows:
35 x 1bed, 17 x 2bed, 3 x 3bed, 4x 4bed and 2 x 5bed. The intermediate housing demand is as follows: 84 X 2bed, 63 x 3bed and 11x4bed. The proposed plans meet local demand and I am supportive of the application.

Gwynedd Archaeological Trust “GAPS” – Based on the negative results in the submitted archaeological report, there is no need for further archaeological intervention at the site. The whole site seems to have been cleared during remedial work to remove Japanese knotweed only a year or two ago - this is very likely to have removed archaeological deposits, but there's no way of recovering this information.

Ecological and Environmental Adviser – Conditional permission in accord with the submitted ecological assessment notably with a condition recommended on a badger avoidance scheme. In addition a condition is recommended on bio-security to control Japanese knotweed. Advised that there should be some ecological features as part of the plans to conserve and enhance biodiversity under Section 6 of the Environment Act 2016 and planting is suggested.

Environmental Services – Contaminated land condition recommended. The noise mitigation measures previously identified should be included in the construction designs of the development.

Joint Planning Policy Unit “JPPU” – In relation to the requirement for open space provision in connection with new housing developments under policy ISA5 (Provision of Open Spaces in New Housing Developments) conclude that in light of the existing provision within the accessibility standard distances no contribution is required from this proposal.

Lifelong Learning – Based on existing capacity financial contributions required towards:

- New facilities at Ysgol Kingsland for 4-11 year olds.
- New facilities at Holyhead High School for year 12 and 13 pupils.

Landscape Adviser – Having regard to the provisions of policy PCYFF 4 (Design and Landscaping) although scope for landscaping is limited at the density proposed, boundary treatments should consider hedging in response to views between the site and industrial units and into the site from the Public Footpath.

Natural Resources Wales “NRW” – A condition recommended to control Japanese Knotweed. In relation to protected species no objections subject to the recommendations in the protected species survey being followed. Advised that foul and surface water drainage manholes are clearly marked on the application site.

Network Rail – Initially indicated that the application site included land within their ownership and the applicant on a without prejudice basis amended the application site to exclude the area in question. The local planning authority should engage in discussions to mitigate noise and vibration from the Network Rail Light Maintenance Depot and the operational railway adjacent.

Public Rights of Way - An order under s257 of TCPA 1990 has been made to extinguish a section of Path no. 12 at this site, to enable the development to take place. The order was confirmed on 2/08/2017 but does not come into force until the Council certifies that works specified in the order have been completed to our satisfaction. The works in question are:

1. Construction of the estate road and footway to adoption standard
2. Works at the turning head near Pont Penllechnest where the shortened path will join (dropped kerbs, bollards, white line marking and symbols).

We recommend that these works are carried out as speedily as possible so that any temporary path closure is kept to a minimum. At this point the developer has not requested temporary path closure.

Wales & West Utilities – Have indicated the position of their gas apparatus.

Welsh Government (Highways) – Conditional permission requiring that the development is constructed in accord with the submitted acoustic report.

Welsh Water - The proposed development site is crossed by a 375mm diameter combined gravity sewer and require an easement of 3m either side of the centreline of this pipe. Should the proposed development be located within the protection zones of the sewer crossing, there would be a requirement to divert the public sewer, which can be applied for under Section 185 of the Water Industry Act 1991. Note that foul flows will be discharged via the public sewerage system and surface water run-off into an existing watercourse.

Public response to notification:

Following publicity undertaken in September 2017 and following the amendments made to the application in February 2018 one objection was received on the following grounds:

- There are existing traffic problems along London Road due speed/volume and residents parking on pavements.
- Slowing down traffic along London would improve safety via speed bumps/cameras.
- Some users of the highway do not realise that some vehicles are turning into Morrison Crescent as opposed to passing vehicles. Others also use the forecourt of the garage premises opposite to manoeuvre around vehicles turning into Morrison Crescent which is dangerous.
- The proposed development will increase the number of vehicles turning into Morrison Crescent.
- There is no crossing for children to cross to Morawelon on this part of London Road which is dangerous.

5. Relevant Planning History

H/349C/TR – Change of use of part of Anglesey Knitting Factory and use of surrounding land for warehousing and storage purposes – Approved 23/12/80

19C452 – Use of approximately half of the old factory unit as a storage facility for plant hire business together with the occasional maintenance and cleaning of the stored plant at Canada Gardens – Refused 24/1/91

19C452A – Change of use of the remainder of the building from storage and distribution to light industrial use at Canada Gardens, Holyhead – Approved 5/1/96

19C452B- Outline application for residential development of land at Canada Gardens, Holyhead – Withdrawn 5/12/05

19C452C- Outline application for residential development of land at Canada Gardens, Holyhead – Refused 25/4/07

19C452D Outline application for residential development of land at Canada Gardens, Holyhead- Refused 12/12/2008 Appeal Allowed 2/11/2009

19C452E Outline application for the erection of 18 dwellings on land at Canada Gardens, Holyhead, conditionally approved 07.07.2014.

6. Main Planning Considerations

Planning History: The principle of residential development has been established on the application site as detailed in the planning history section above and planning permission 19C452D was granted at appeal where the Inspector considered highways and noise impacts in detail. Most recently outline planning permission 19C452E granted planning permission for 18 dwellings and this planning permission remains extant.

Principle of the Development: The site is located within the development boundary of Holyhead under the provision of PCYFF 1 of the JLDP. Holyhead is classified as an Urban Service Centre under the provisions of policy TAI 1 of the JLDP and this policy permits housing proposals on suitable windfall sites within the settlement boundary. Policy PS 17 of the JLDP states that housing will be distributed based on the settlements strategy with a higher proportion of developments required to take place in Urban Service Centres such as Holyhead based on the settlements level of service provision and so on but subject to environmental, social and infrastructure capacity to accommodate the development.

Policy TAI 8 (Appropriate Housing Mix) states that proposals should contribute towards meeting the identified needs of the community through meeting the listed criteria which include maximizing the delivery of affordable housing and ensuring the sustainable use of land through an efficient density of development compatible with local amenity. In terms of need for the development the council's Housing Services have stated that there is a high demand for affordable housing in Holyhead as detailed and because the proposal meets local demand they are supportive of the development. Though it is understood that the application will be developed for 100% affordable housing in conjunction with the council, it necessary to complete a legal agreement requiring 10% of the units are developed for affordable housing requirements in accord with policy TAI 15 (Affordable Housing Threshold & Distribution) as the planning permission could still be developed for general market purposes. Affordable housing at 30% or 6 units was required in connection with planning application 19C452E under the former development which has now been superseded by the provisions of the JLDP.

The application site also comprises previously land and national planning policy in section 4.9 of PPW promotes the re-use such sites in existing settlements where there is vacant or under-used land for suitable uses such as that being applied for.

Additionally the application site is located in a highly sustainable location within walking distance of the town center and other retail, community and travel facilities and on a main bus route. PPW and TAN 18 advocate that major generators of travel such as that being applied for are developed in such locations.

Given that there is an extant planning permission and that the proposal aligns with the policy provisions described the principle of the proposed development is acceptable. The proposal subject to this planning application proposes more units than has previously been granted and the density and relationship with the surroundings are considered further below.

Character and Appearance of the Locality: Policy PCYFF 2 (Development Criteria) of the JLDP states that to make the most efficient use of land that there should be a minimum of 30 housing units per hectare unless there are local circumstances or site constraints which dictate a lower

density. The density of the proposed development is 55 units per hectare. Whilst this may appear high it is material that 12 of the units are 1 bedroom flats which have two units in one building which contributes towards a higher density; as explained in the preceding section there is a housing need in Holyhead for this type of development. The 30 units per hectare is also a minimum figure and in appropriate location PPW seeks well designed living environments and where appropriate at increased density subject to the proposals not damaging the area's character or amenity, including the impact on neighbouring dwellings in terms of privacy and overshadowing.

In terms of the areas character policies PCYFF 3 (Design and Place Shaping) and PCYFF 4 (Design and Landscaping) of the JLDP require that new developments demonstrate a high quality design and that they integrate into their surroundings. The proposed developments is made for two storey units which are either semi-detached or form part of a terrace of similar properties, with parking for motor vehicles on street or within the curtilage of the unit. The units would be rendered and have slate roofs. The layout and design of the proposals are considered to be reflective of the varied housing types which can be seen along this part of London Road and on this basis is acceptable having regard to the impact on the character and appearance of the area.

There is a Public Right of Way running through the application which will be extinguished as part of the development and users will then use the pavement through the proposed development. This means that the development will be relatively prominent in public views. In this regard it is considered that the development of this previously developed site will improve the visual amenities of the locality. Taking into account the comments of the Landscape Adviser a landscaping condition has been recommended requiring landscaping which will enhance the development in accord with the policy requirements. The impact on the amenities of adjacent properties is considered further below.

Impact on the Residential Amenities of Adjacent Properties & Occupants of the Proposed Development: The principal impact of the development in term of potential overlooking and overshadowing will be the existing properties adjoining the application site on London Road (which includes those facing Morrison Crescent). The properties have their rear elevations facing the proposed development and rear gardens adjoining the application site.

Proposed levels submitted with the planning application indicate that the existing dwellings on London Road and facing Morrison Crescent will be at a generally higher level than the proposed development. The floor area of the proposed flats nearest the rear of the other existing properties directly facing London Road will be marginally higher than those of the existing dwellings.

The Council's SPG Design provides guidance in relation to minimum distances from existing and proposed dwellings and their boundaries. The proposals subject to this application have been subject to discussions with officers such that the rear and side elevations of the proposed dwellings have sufficient distances from the boundaries and rear elevations of the properties at London Road. Given these considerations it is not considered that the proposed development will have an unacceptable impact on the amenities of the occupants of the properties at London Road.

In terms of the visual impact of the existing developments notably the Gwynedd Shipping Yard on the amenities of occupants of the proposed dwelling this was considered previously by the Planning Inspector in relation to outline planning application 19C452D who deemed that the matter could be mitigated by an appropriately designed scheme. Planning application 19C452E was subsequently approved and remains extant and provides a fall-back position whereby the siting of units in proximity to the units and indeed some boundaries such as the play area behind London Road have previously been established. The layout of the proposals subject to this report takes these material considerations into account. Noise impacts on the occupants of the proposed dwellings are considered in the next section below.

Noise Impacts: To the west of the site runs the A55, Holyhead to Chester Railway and a Network Rail Light Maintenance Depot. The Network Rail comments state that the council should engage in discussions to mitigate noise and vibration from the Network Rail Light Maintenance Depot and the operational railway adjacent. The site is also elevated above the Gwynedd Shipping HGV depot to the north west.

The planning history of the site indicates that it has previously been established via a 24 hour noise monitoring survey undertaken by the council's Environmental Services to assess noise sources that the application site is within Noise Exposure Category B (TAN 11) which means that noise should be taken into account when determining planning applications and that where appropriate conditions should be imposed to ensure an adequate level of protection. In dealing with the appeal proposal under reference 19C452D, the Inspector accepted that noise issues could be satisfactorily dealt with by condition.

The current application is accompanied by an acoustic report to accompany the planning application which recommend mitigation measures in terms of the type of glazing, trickle vents and acoustic barriers to protect the outdoor amenity space. The council's Environmental Services have confirmed that they are content with the proposed development subject to the noise mitigation measures previously identified which should be included in the construction designs of the development and this has been included as planning condition. At the time of writing the Network Rail comments are being assessed and an update will be provided at the planning committee.

Given the proximity of the proposed development in visual and noise terms to the existing uses described it is considered necessary to attach a planning condition restricting extensions to the dwellings which could result in an unacceptable impact on the occupants amenities.

Highways & PROW Considerations: Holyhead Town Council do not object to the proposal subject to all access highway and pedestrian safety measures being put in place. No concern has been expressed by the Highways Authority in relation to additional traffic entering London Road from the site. The Inspector did not consider that concerns raised at the appeal were sufficient to lead to a refusal of planning permission. The PROW Officer is content with the PUBLIC footpath being extinguished and users thereafter using the pavement through the proposed development.

Other Matters: In terms of foul drainage Welsh Water are satisfied subject to a condition specifying the connection point with the public sewer. In addition the application site is crossed by a 375mm diameter combined gravity sewer and as part of the proposals this sewer will be diverted. In terms of surface water indicative details are provided which indicate the use of soakaways but as per the comments of the council's Drainage Officer little information is provided and a condition will be required to ensure that these details are acceptable.

In terms of ecology NRW and the council's Ecological and Environment Officer are satisfied that the proposal will not have an unacceptable impact on protected species subject to compliance with ecological mitigation measures submitted with the planning application. Similarly it is not considered that the proposal will have a significant impact on the statutorily protected sites referred to in the NRW response. The ecological enhancements sought by the council's Ecological and Environmental Adviser can be secured by the recommended landscaping condition. Similarly a planning condition has been recommended to on bio-security grounds to control any invasive species present on the application site.

The application site comprises previously developed land being a former industrial site. The Environmental Health Section has suggested a condition requiring investigation (together with mitigation should such be required) prior to any development taking place.

Holyhead Town Council have requested that the developer be requested to provide some improvements in the plan area on London Road for the benefit of the Local Community. As explained in the consultation section of this report the JPPU have assessed the level of provision available in the locality and do not consider that a request for a contribution under the provisions of policy ISA5 (Provision of Open Spaces in New Housing Developments) can be justified. It is material that the applicant has a fall-back position of an extant planning permission for 18 units and as part of this planning permission there was a requirement for the applicant to make a financial contribution towards the upkeep of the play area to the rear of London Road. It is understood from the applicant that this payment has been honoured.

In terms of other requirements of the JLDP the proposal is considered to be in accord with policy PCYFF 6 (Water Management) which requires the submission of a water conservation statement. Similarly, the applicant has agreed to make a contribution to the educational requirements set out in

the comments of the Council's Lifelong Learning service in accord with the requirements of ISA 1 (Infrastructure Provision) which requires financial contributions to ensure that adequate infrastructure capacity exists to cater for development. This amount is currently being finalised and the fact that the applicant also has as explained previously an extant planning permission for 18 residential units is being factored and an update will be provided at the planning committee.

7. Conclusion

The principle of residential development has previously been established on the application site, and there remains a fall-back position which is material in terms of the siting of dwellings relative to the boundaries of the site and the amount of contribution required by the council's Lifelong Learning Service, and the amount is being finalised at the time of writing. The proposal increases the number of dwellings but this is considered compliant with the planning policies described which seek efficient densities in suitable locations where there are no unacceptable impacts on the character of the area or residential amenity. All other matters are considered acceptable as described, with only the comments of Network Rail in relation to noise/vibration and land ownership needing to be finalised as described in the report.

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 planning permission is **granted** subject to the completion of a legal agreement requiring that:

1. 10% of the development to be required to be affordable equating to 3 units.
2. A financial contribution towards new facilities at:
 - a. Ysgol Kingsland for 4-11 year olds.
 - b. Holyhead High School for year 12 and 13 pupils.

Confirmation of the precise amount is waited at the time of writing and an update will be provided at the planning committee.

There after that planning permission is granted subject to the following planning conditions:

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

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990.

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

Drawing	Reference	Dated
Amended Location Plan		25.09.2017
Topographic Survey	1258/TP/01 : 01	15.09.2016
Proposed Site Plan	version N(2)	Amended 11 January 2018

Proposed 2 Bed House Elevations	AO/69/HO1	29.05.2017
Proposed 1 Bed Flats		May 2017
Water Conservation Statement – Ali Building Design Ltd		March 2018
Clwydian Ecology – Protected Species Assessment for Canada Gardens Site, Holyhead, Anglesey, North Wales.		Updated 11.10.2017
Kehoe Countryside Ltd – Japanese Knotweed Management Plan Canada Gardens, Holyhead.		27.06.2017
Environoise Acoustic Consultancy to Support Planning Application	20859R01CMpak	23.03.17

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

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

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

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

Reason: To ensure a satisfactory appearance of the development.

(05) No development shall commence until full details of all external materials and finishes (which shall include such details for all building(s)), Hard Landscaped Areas, engineering operations and all other works associated with the development) which shall include colours, construction details (where appropriate) have been submitted to and approved in writing by the Local Planning Authority. The details approved under this condition shall be implemented in full and adhered to in the completion of the development hereby approved.

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

(06) No development shall take place until full details of a scheme indicating all of the proposed means of enclosure around and within the application 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 dwelling(s) or flat(s) to which it relates and it shall thereafter be retained in the lifetime of the development hereby approved and any replacement wall or fencing shall be to an equivalent specification.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to protect the amenities of adjacent residential properties.

(07) No development shall take place until a scheme of landscaping and tree planting for the application site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the proposed planting, including species, size and density. The approved new planting shall be implemented not later than the first planting season after the occupation of the buildings or completion of the development, whichever is the sooner.

Reason: In the interest of the visual amenities of the locality and to secure ecological enhancements.

(08) 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 and to secure ecological enhancements.

(09) The application site shall be developed strictly and entirely in accord with the Clwydian Ecology – Protected Species Assessment for Canada Gardens Site, Holyhead, Anglesey, North Wales (Updated 11.10.2017).

Reason: In the interests of ecology.

(10) The application site shall be developed and Japanese Knotweed removed strictly and entirely in accord with the Kehoe Countryside Ltd – Japanese Knotweed Management Plan Canada Gardens, Holyhead (27.06.2017).

Reason: In the interests of biosecurity and to eradicate invasive species present on the application site.

(11) No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- i. details of a scheme to assess the nature and extent of any contamination on the application site;**
- ii. the results of the survey carried out under condition 11 (i) above;**
- iii. a scheme to deal with any contamination identified by the survey.**

The development hereby approved shall be carried out in accordance with the details approved in writing under the provisions of this condition.

Reason: In the interests of residential amenity and water quality.

(12) Should contamination not previously identified be found through the course of development it must immediately be reported in writing to the local planning authority. An investigation shall be carried out to assess the nature and extent of any contamination and the contamination shall be dealt with in accordance with a scheme to be submitted to and approved in writing by the local planning authority before any of the dwellings hereby permitted are occupied.

Reason: In the interests of residential amenity and water quality.

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

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

(14) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number

SH25811601 and SH25811705 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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

(15) Notwithstanding the details shown on the Proposed Site Plan (amended 11 January 2018 version N(2)) 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 proposed development shall be constructed with the approved slab and ground levels.

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

(16) The dwellings hereby approved shall be constructed strictly and entirely in accord with the sound reduction measures detailed in the Environoise (23.03.17) Acoustic Consultancy to Support Planning Application (Reference 20859R01CMpak) and these measures shall thereafter be retained in the lifetime of the development hereby approved and any replacement windows, glazing, ventilation equipment and fencing shall be to an equivalent specification.

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

(17) 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.

(18) The car parking accommodation shall be completed in full accordance with the details as submitted before the dwelling(s) or flat(s) to which it relates is occupied and shall thereafter retained solely for those purposes.

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

Reason: To ensure no direct adverse effect on the adjoining highway in the interests of amenity and highway safety.

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

- a) Longitudinal and cross sections through the estate roads showing the proposed road levels relative to the existing ground levels and proposed garage floor levels.
- b) The surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.
- c) The location and the type of street lighting furniture.

(21) The development shall thereafter proceed in accordance with the details to be approved in writing under the provisions of this condition.

Reason: To ensure a safe and convenient access to/from the highway in the interests of highway safety.

(22) The estate road(s) and its access shall be designed and constructed in accordance with 'Residential Road Adoption Specification requirements, Anglesey'.

Reason: To ensure a safe and convenient access to/from the highway in the interests of highway safety.

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

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

Reason: To ensure a safe and convenient access to/from the highway in the interests of highway safety.

(25) No development shall commence until measures are in place to extinguish the existing public right of way (footpath number 12) through the application site and to provide satisfactory alternative provision in the construction and operation of the development hereby approved and these measures have been submitted to and approved in writing by the local planning authority "PROW Measures". The PROW Measures approved under the provisions of this condition shall be adhered to in the construction and the operation of development hereby approved.

Reason: To safeguard users of the public right of way and to ensure that a satisfactory alternative route is provided.

Informatives

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

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

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

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

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

A full comprehensive and robust Traffic Management Scheme including:-

- 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.

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

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

Attach Welsh Water letter 02.10.2017

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

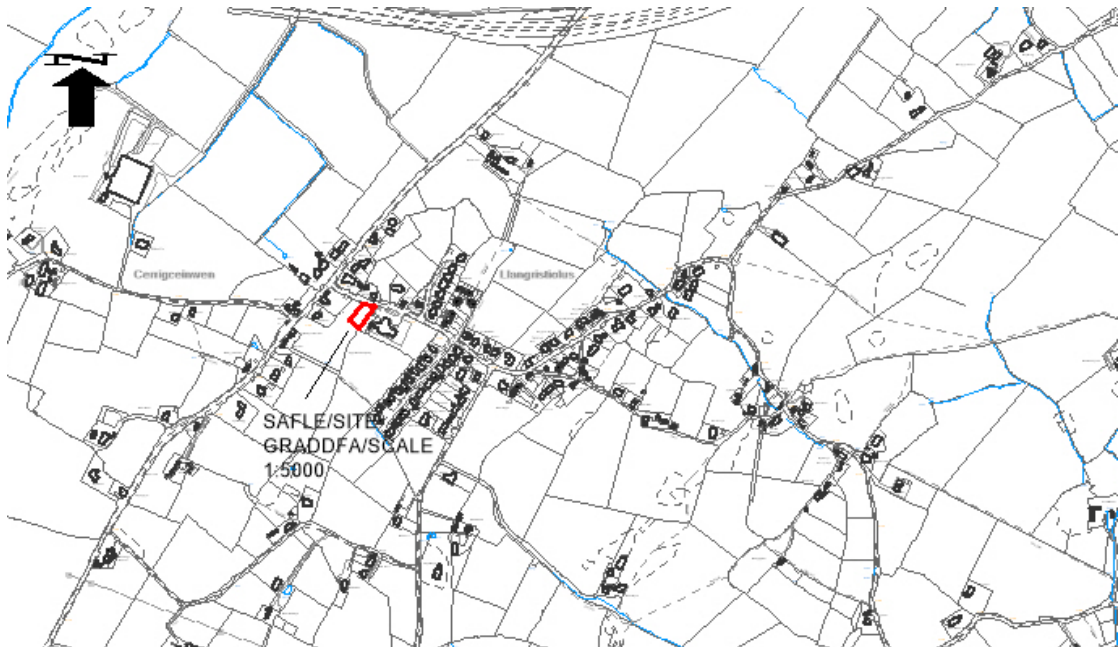
Rhif y Cais: **36C344B/VAR** Application Number

Ymgeisydd Applicant

Mr Steven Parry

Cais o dan Adran 73 i ddiwygio amod (01)(Cynlluniau a gymeradwywyd) o ganiatâd cynllunio rhif 36C344A/DA(Cais am faterion a gadwydd yn ol ar gyfer codi annedd) er mwyn galluogi estyniad ystafell haul a chodi garej ar wahân ar dir ger / Application under Section 73 for the variation of condition (01)(Approved plans) of planning permission reference 36C344A/DA (Application for approval of reserved matters for the erection of a dwelling) so as to allow sun room extension and erection of detached garage on land adjacent to

Ysgol Henblas School, Llangristiolus



Planning Committee: 04/04/2018

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

The application is made under Section 73 for the variation of condition (01) (Approved Plans) of planning permission reference 36C344A/DA (erection of a dwelling) so as to allow a sun room extension and a detached garage on land adjacent to Ysgol Henblas, Llangristiolus.

2. Key Issue(s)

The key issue is whether the proposal is an improvement to that originally approved under application reference 36C344A/DA.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

TAI4 – Housing in Local, Rural and Coastal Villages

4. Response to Consultation and Publicity

Community Council – No response at the time of writing the report

Local Member (Dafydd Roberts) – No response at the time of writing the report

Local Member (Eric Wyn Jones) – No response at the time of writing the report

Drainage - No response at the time of writing the report

Highways Department – No response at the time of writing the report

Site notices were placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations is the 06/04/17. At the time of writing the report no letters were received.

5. Relevant Planning History

36C344 – Outline application for the erection of a dwelling together with full details of the vehicular access together with the re-location of the access into the field – 04/02/16 – Granted

36C344A/DA - Application for approval of reserved matters for the erection of a dwellings on – 25/01/18 - Granted

6. Main Planning Considerations

The principle of a dwelling has already been established under planning application 36C344A/DA. Detailed Plans were approved on the 25/1/18 for the erection of a dwelling.

Joint Local Development Plan

Since the adoption of the Joint Local Development Plan Llangristiolus is now identified as a Local Village where any new dwelling must be within the settlement's development boundary and of a size, scale, type and design which corresponds with the settlement's character. The application is contrary to Policy TAI6 of the Joint Local Development Plan because it is located outside the development boundary; 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 36C344A/DA was approved on the 25/01/18 and the likelihood of it being implemented is very likely as the permission will not expire until 04/02/21.

The scheme previously approved under 36C344A/DA was for a two storey dwelling. The planning application currently under consideration is the addition of a single storey pitched roof sun room measuring 6m x 3.9m x 3.6m high to the rear of the dwelling together with the erection of a single storey pitched roof detached garage with a floor area of 39.75 square metres.

It is considered that the alterations fit in with the size, scale, type and design in the area and will not have a negative impact upon the amenities currently enjoyed by neighbouring properties.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 06/04/18. At the time of writing the report no objections were received. It is not considered that the proposal will have a negative impact upon adjoining residential properties.

7. Conclusion

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

It is considered that the previous application 36C344A/DA is likely to be implemented and the amendments fit in with the size, scale, type and design in the area. A condition will be placed on the permission which will preclude the implementation of the previous permission.

8. Recommendation

Permit subject to no adverse representations being received from the neighbour notification period dated 06/04/18 that has not already been addressed in the report.

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

Date Received	Plan Description	Plan Reference
22.2.18	Proposed Detached Garage	9
22.2.18	Proposed Elevation	8
22.2.18	Proposed Site Plan	6
22.2.18	Proposed Floor Plans and Cross Section	7
22.2.18	Location Plan	1

under planning application reference 36C344B/VAR.

Reason: For the avoidance of doubt.

(02) The developer shall write to the Local Planning Authority within 7 days of the commencement of the development (as that terms is defined in Section 56 of the Town and Country Planning Act 1990 as amended) to advise it of the fact. At no time thereafter shall the developer commence development or undertake any further work amounting to development on any of the following permission: [36C344A/DA - Application for approval of reserved matters for the erection of a dwellings on land adjacent to Ysgol Henblas, Llangristiolus].

Reason: to prevent the implementation of separate planning permissions concurrently which would be objectionable to the Local Planning Authority.

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

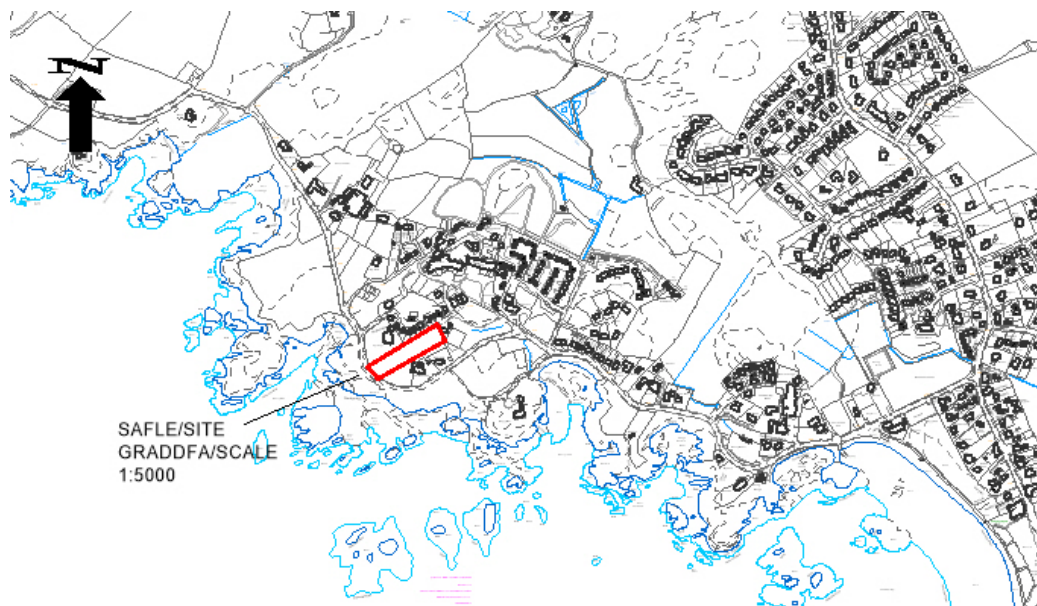
Rhif y Cais: **46C402F/VAR** Application Number

Ymgeisydd Applicant

Mr Robert Songhurst

Cais o dan Adran 73 A i ddiwygio amodau (05) (mynediad i'r safle presennol), (06) (ystâd ffyrdd a llwybrau troed), (09) (system ddraenio) a (10) (cadw man glaswelltog) o ganiatâd cynllunio rhif 46C402D (cais llawn i godi 13 o dai, cau'r fynedfa bresennol i Pendorlan a gwella fynedfa i Fflatiau'r Cliff) er mwyn caniatáu mynediad i gerddwyr/beicwyr oddi ar Lôn Isallt, creu mynediad i erddi cefn tai A1 i A4, cwblhau ffordd y stad a'r llwybrau fesul dipyn a chwblhau'r system ddraenio fesul dipyn wedi i'r gwaith gychwyn ar y safle yn / Application under Section 73 A for the variation of conditions (05) (existing site access), (06) (estate road and footpaths), (09) (drainage system) and (10) (retention of grassed area) of planning permission reference 46C402D (full application for the erection 13 houses, closure of existing access to Pendorlan and improve access to Cliff Apartments) so as to allow pedestrian/cycle access from Lon Isallt, create access to rear gardens of houses A1 to A4, phased completion of estate road and footpaths together with phased completion of drainage system after works have commenced on site at

Pendorlan, Lôn Isallt, Trearddur



Planning Committee: 04/04/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application conflicts with Policy TAI 5 Local Market Housing of the Joint Local Development Plan and constitutes a departure application which the Local Planning Authority is minded to approve.

1. Proposal and Site

The site is situated within the development boundary of the village of Trearddur and has planning permission for residential development comprising 13 units.

This is an application under Section 73 A for the variation of conditions (05) (existing site access), (06) (estate road and footpaths), (09) (drainage system) and (10) (retention of grassed area) of planning permission reference 46C402D (full application for the erection 13 houses, closure of existing access to Pendorlan and improve access to Cliff Apartments) so as to allow pedestrian/cycle access from Lon Isallt, create access to rear gardens of houses A1 to A4, phased completion of estate road and footpaths together with phased completion of drainage system after works have commenced on site at Pendorlan, Lon Isallt, Trearddur Bay.

2. Key Issue(s)

The applications key issues are compliance with current development plan policies and whether the highways and drainage department are satisfied with the variation of conditions.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries
PCYFF 2 – Development Criteria
PCYFF3 – Design and Place Shaping
PCYFF 4 – Design and Landscaping
TAI 5 - Local Market Housing

Planning Policy Wales (9th Edition)

Technical Advice Note 5: Conservation and Planning

Technical Advice Notes 12: Design

4. Response to Consultation and Publicity

Councillor Trefor Lloyd Hughes – No response to consultation

Councillor Dafydd Rhys Thomas – No response to consultation

Councillor John Arwel Roberts – No response to consultation

Community Council – No response to consultation

Natural Resources Wales – No response to consultation

Education Department – No response to consultation

Welsh Water – No response to consultation

Highways – Comments

Housing – Comments regarding the need for affordable housing.

The application was afforded two means of publicity. These were by the posting of a site notice near the site and the serving of personal notifications on the occupants of neighbouring properties. The application was also advertised in the local newspaper as the development is contrary to policies of the Joint Local Development Plan. The expiry date for the receipt of representations was 22nd March 2018. No representations were received.

5. Relevant Planning History

46C402 - Demolition of existing bungalow and the erection of 3 storey apartment block (consisting of 7 apartment 4, 2 bedrooms, 3, 3 bedrooms) together with alterations to the existing vehicular/pedestrian access at Pendorlan, Lon Isallt, Trearddur Bay. REFUSED 07/10/2004

46C402A - Outline application for the demolition of the existing bungalow and the erection of 13 houses to include the closure of the existing vehicular access to Pendorlan and the improvement of the access to the cliff hotel to serve the development including the formation of a new pedestrian and cycle access at Pendorlan, Lon Isallt, Trearddur Bay APPROVED 02/10/2006

46C402B/DA - Detailed application for the erection of 13 houses to include the closure of the existing vehicular access to Pendorlan and the improvement of the access to the Cliff Hotel to serve the development including the formation of a new pedestrian and cycle access following demolition of the existing bungalow at Pendorlan, Lon Isallt, Trearddur Bay APPROVED 06/06/2012

46C402C - Full application for drainage works to serve the housing development approved under planning ref no 46C402A on land adjoining Pendorlan, Trearddur Bay - APPROVED 06/06/2012

46C402D - Full application for the erection of 13 houses to include the closure of the existing vehicular access to Pendorlan and the improvement of the access to Cliff Apartments to serve the development at Pendorlan, Lon Isallt, Trearddur Bay. APPROVED 08/12/2015

46C402E/DIS - Application to discharge conditions (03) (details of the external finishing materials of the buildings), (04) (details of all fencing, walling or other means of enclosure), (07) (measures to secure the future maintenance of the access and estate roads), (08) (future management and

maintenance of the drainage system serving the development) and (11) (details of the proposed site mitigation) from planning permission 46C402D (erection of 13 houses) at Pendorlan, Lon Isallt, Bae Trearddur Bay. Discharged 22/03/2017.

6. Main Planning Considerations

Background: Application reference 46C402D was approved on the 8/12/15 for the erection of 13 houses at Pendorlan, Lon Isallt, Trearddur Bay. The application was determined under delegated powers as being acceptable under policies prevailing at the time subject to Section 106 agreement providing 30% affordable housing.

Effect on surrounding properties – Planning permission was granted for housing development on the site in 2015 which comprised 13 houses in total. The applicant wishes to vary wording of highways and drainage conditions on the original permission. The general character of the scheme remains very much in keeping with the original consent.

Effect on the locality – The design of the proposal reflects the pattern of development in the vicinity and no adverse impacts will occur.

Policy Context: Policy TAI 5 requires housing development in Trearddur to be supplied as local market housing units in accordance with the criteria set within the policy. The development has not yet commenced, and a mix of open market and affordable housing units has been approved under the Ynys Mon Local plan policies. The proposal now under consideration involves amendments to wording of highways and drainage conditions as follows:

Condition (05) – request that the wording is amended so that the existing access is sealed prior to completion of the work instead of prior to commencement of work.

Condition (06) – request that the wording of the condition is amended and a phased condition of the estate road, carriageway and footway with phased 2 being complete by 01/03/2021.

It is considered that the wording of the condition should be worded as follows: 'Notwithstanding the submitted plan A(200)23 Rev A. No development shall take place until a scheme, including a phasing plan and timetable for proposed works, has been submitted to and approved in writing by the Local Planning Authority showing how the estate road shall be kerbed and the carriageway and footways finally surfaced and lighted'.

'The timetable shall show that the works for each phase shall be completed in accordance with the approved scheme before the next phase of works is begun and before any of the dwellings in the relevant phase are occupied. The final phase works shall be completed in accordance with the approved scheme before any of the dwellings in the relevant phase are occupied'.

Condition (09) – request that the wording of the condition is amended so that the drainage system is completed in a phase with phase 2 being complete by 01/03/2021 instead of prior to occupation of the dwellings.

It is considered that the condition should be worded as follows: Notwithstanding the submitted plan A(200)25 Rev A. No development shall take place until a scheme, including a phasing plan and timetable for proposed works, has been submitted to and approved in writing by the Local Planning Authority showing how the drainage system serving the site shall be installed and operational

'The timetable shall show that the works for each phase shall be completed in accordance with the approved scheme before the next phase of works is begun and before any of the dwellings in the relevant phase are occupied. The final phase works shall be completed in accordance with the approved scheme before any of the dwellings in the relevant phase are occupied.'

Condition (10) – request that the wording of the condition is amended to refer to drawing number 3966/1/A (200) 19A in accordance with condition (05).

Condition (10) links with condition (05) which refers to pedestrian/cycle access. The new condition will refer to drawing number 3966/1/A (200) 19A.

In relation to the closure of the existing access, it is necessary on highway safety grounds that it is permanently sealed by the construction of a stone wall to match the existing boundary walls in both colour and texture in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

Whilst technically contrary to policy TAI 5, given the fallback position and given the length of time remaining on the previous permission it is not considered reasonable to require compliance.

7. Conclusion

The site has the benefit of full planning permission. The proposed amendment to the wording of the conditions are relatively minor in nature and the Highways Department and Drainage Department has confirmed they are satisfied with the new wording. Given the fallback position and the length of time remaining on the planning application, although contrary to the provisions of Policy TAI 5, the recommendation is to approve the application.

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.

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 subject to a Deed of Variation in relation to affordable housing.

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

Reason: To ensure a satisfactory appearance of the development.

(03) The external finishing materials of the buildings shall be in accordance with details as submitted under covering letter reference A(600)03 Rev A dated 22/1/16 approved under application 46C402E/DIS. The development shall thereafter proceed in accordance with the details as approved.

Reason: To ensure a satisfactory appearance of the development.

(04) Fencing, walling and other means of enclosure or demarcation shall be in accordance with details submitted under reference A(200)18D, A(200)14, A(200)15, A(200)16 and A(200)17 approved under application 46C402E/DIS.

Reason: To ensure a satisfactory appearance of the development.

(05) The existing access marked A on the plan attached to this permission and currently serving the dwelling at Pendorlan (apart from the width required to provide pedestrian / cycle access the full details of which shall be agreed in writing with the local planning authority prior to the completion of the development) shall be permanently sealed by the construction of a stone wall to match the existing boundary walls in both colour and texture in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the approved details. No use of this existing access shall be made for construction traffic.

Reason: In the interests of highway safety

(06) Notwithstanding the submitted plan A(200)23 Rev A. No development shall take place until a scheme, including a phasing plan and timetable for proposed works, has been submitted to and approved in writing by the Local Planning Authority showing how the estate road shall be kerbed and the carriageway and footways finally surfaced and lighted'.

'The timetable shall show that the works for each phase shall be completed in accordance with the approved scheme before the next phase of works is begun and before any of the dwellings in the relevant phase are occupied. The final phase works shall be completed in accordance with the approved scheme before any of the dwellings in the relevant phase are occupied'.

Reason: In the interests of amenity

(07) Securing the future maintenance of the access and estate roads shall be in accordance with details submitted under 46C402E/DIS. The scheme shall proceed in accordance with the approved details.

Reason: In the interests of amenity

(08) Securing the future management and maintenance of the drainage system serving the development shall be in accordance with details submitted from Gamlins solicitor dated 20/2/17 approved under 46C402E/DIS. The scheme shall thereafter proceed in accordance with the approved details.

Reason: To ensure that the development is satisfactorily drained.

(09) Notwithstanding the submitted plan A(200)25 Rev A. No development shall take place until a scheme, including a phasing plan and timetable for proposed works, has been submitted to and approved in writing by the Local Planning Authority showing how the drainage system serving the site shall be installed and operational.

'The timetable shall show that the works for each phase shall be completed in accordance with the approved scheme before the next phase of works is begun and before any of the dwellings in the relevant phase are occupied. The final phase works shall be completed in accordance with the approved scheme before any of the dwellings in the relevant phase are occupied'.

Reason: in the interests of amenity

(10) The existing garden area to the west of Pendorlan and outlined in red on the plan attached to this permission shall not be used for the parking or turning of vehicles or boats or for the erection of temporary or permanent buildings or structures, but shall be retained as a grassed area and shall at no time be hard landscaped other than that which is necessary to allow for pedestrian and / or cycle access as approved under drawing 3966/1/A(200)19A in accordance with condition 05 above.

Reason: In the interests of visual amenity

(11) The development shall take place in accordance with the Cliff Apartments and Pendorlan Sites Badger Activity Survey July 2014 and Badger Mitigation report received by Enfys ecology dated 18th March 2016 received with application 46C402E/DIS. The scheme shall thereafter proceed in accordance with the approved details.

Reason: To protect badgers on the site

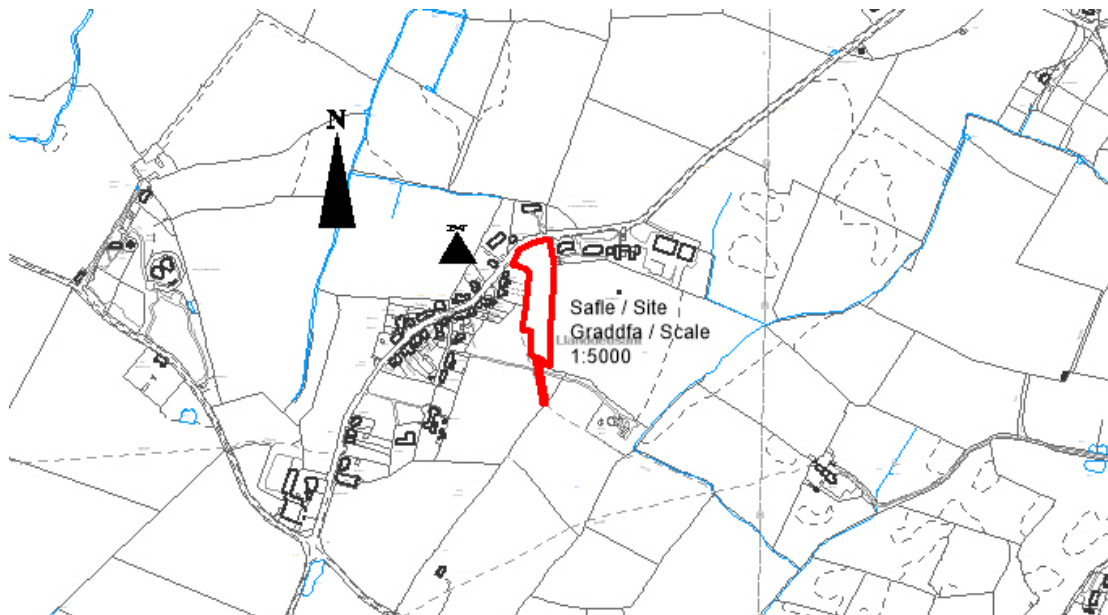
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

Rhif y Cais: **47C149B/VAR** Application Number

Ymgeisydd Applicant

Mr Mark Blackwell

Cais o dan Adran 73A i ddiwygio amodau (02) (defnydd allanol), (04) (cynllun draenio), (05) (cynnal a chadw ffordd y stad a'r system draenio), (07) (manylion mynedfa), (09) (llygredd), (10) (gwaith coed a gwyrchoedd) a (11) (rhaglen o waith archeolegol) o caniatâd cynllunio rhif 47C149 (ddymchwel rhan o'r ysgol presennol, newid defnydd yr ysgol i swyddfa, codi 10 annedd ynghyd a chreu mynedfa newydd i gerbydau) er mwyn cyflwyno'r gwybodaeth ar ôl i waith ddechrau ar y safle yn / Application under Section 73A for the variation of conditions (02) (external materials), (04) (drainage scheme), (05) (future maintenance of the estate road and drainage), (07) (access details), (09) (access details), (10) (tree and hedge works) and (11) (programme of archaeological works) of planning permission reference 47C149 (part demolition of existing school, change of use from school to office, the erection of 10 dwellings and new vehicular access) so as to submit the details after works have commenced on site at

Hen Ysgol Gynradd Llanddeusant, Llanddeusant

Planning Committee: 04/04/2018

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 (hereinafter referred to as Local Planning Authority) are minded to approve.

1. Proposal and Site

Planning permission 47C149 was granted on 28.07.2017 for the following:

1. Alterations to the school building and change of use to offices.
2. Erection of 10 dwellings on the former playing fields.

Part 1. of the proposal has now been completed and is occupied, and part 2. of the development is under construction. There are number of planning conditions needing to be approved prior to the commencement of the development which were not discharged and the intention of this planning application under section 73A of the Town and Country Planning Act 1990 (as amended) is to regularise the position by submitting information required under these conditions. 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 take place until samples of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development.

Reason To ensure a satisfactory appearance of the development.

(04) No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless the local planning authority gives its written consent to any variation. None of the dwellings hereby approved shall be occupied until the drainage systems for the site have been completed and are operational.

Reason In the interests of residential amenity and to ensure that the site is adequately drained.

(05) No development shall commence until measures are in place to secure the future maintenance of the estate road and drainage in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason To comply with the requirements of the highway authority, in the interests of safety and amenity to ensure that there is safe and convenient access to the properties it serves.

(07) A visibility splay of 2.4m (x-distance) x 40m (y-distance) to the left and right of the proposed access estate road junction with the public highway shall be provided and nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted within the vision splays at any time and they shall be available before any dwelling is occupied and thereafter be retained solely for that purpose. No development shall commence until details of the access have been submitted to an approved in writing by the local planning authority.

Note: where necessary, the existing boundary wall shall be reduced in height to comply with this condition.

Reason To comply with the requirements of the Highway Authority, to ensure there is adequate inter-visibility between traffic at the junction, in the interest of highway safety.

(09) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If during the course of development, any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority.

The remediation of the site shall incorporate the approved additional measures before the development is occupied.

Reason: In the interests of amenity.

(10) No development shall commence until a method statement for the development of the site including tree and hedge works and works for the conversion of the school, including a timetable for the works, has been submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the approved details.

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

(11) No development (including any groundworks or site clearance) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the local planning authority. The development shall subsequently be carried out and all archaeological work completed in strict accordance with the approved specification. A detailed report on the said archaeological work shall be submitted to and approved in writing by the local planning authority shall be submitted to and approved after the completion of the archaeological field work and before any use is made of the site for holiday purposes.

Reason: To ensure the implementation of an appropriate programme of archaeological mitigation.

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.

3. Main Policies

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

PS 1: Welsh Language and Culture

ISA 1: Infrastructure Contribution

ISA 4: Safeguarding Existing Open Space

ISA 5: Provision of New Open Space in New Housing Developments

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
PCYFF 6: Water Conservation
PS 17: Settlement Strategy
CYF 6: Reuse and Conversion of Rural Buildings, Use of Residential Properties or New Build Units for Business/Industrial Use.
PS 18: Affordable Housing
AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
AMG 5: Local Biodiversity Conservation
PS 20: Preservation and Where Appropriate Enhancing Heritage Assets
AT 3: Locally or Regionally Significant Non Designated Heritage Assets

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Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)

Technical Advice Note 5, Nature Conservation and Planning (2009)

Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)

Technical Advice Note (TAN) 12: Design (2016)

Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017)

Supplementary Planning Guidance: Design in the Urban and Rural Built Environment (2008).

4. Response to Consultation and Publicity

Local Member – No response received at the time of writing.

Community Council – The part demolition of the existing school building and its change of use to an office is accepted. In relation to the proposal for 10 dwellings this is accepted with reservations and it is asked whether a site visit would be advisable. Concern is expressed regarding highway safety given the number of traffic movements and it is suggested that more detailed surveys are necessary as to the potential impact on the local highway network as well as the safety of the visibility splay of the proposed entrance. In addition it is stated there is a need for a plan of landscaping and boundary treatment to be undertaken prior to the occupation of the development in order to safeguard the privacy of existing residents.

Highways – In relation to the conditions the following comments are made:

(04) (Drainage Scheme) The surface water drainage scheme has been discussed as part of s38 agreement.

(05) (Future Maintenance of the Estate Road and Drainage) We are in discussion regarding a S38 Adoption Agreement for the adoption of the road and associated surface water drainage system. The Agreement is not yet in place. The condition cannot be discharged until the Agreement has been signed.

Footpaths Officer – Public footpath no 1 Tref Alaw as recorded on the definitive map crosses the development area. However, it is believed that this is wrongly recorded and that it in fact follows a different route. A Definitive Map Modification Order will be instigated to correct this error.

Further comments awaited at the time of writing.

Drainage – A management and maintenance plan in relation to communal elements of the surface water system is requested.

Environmental Health Officer – Comments made in relation to matters which could potentially cause nuisance, rock breaking, hours of operation and so on. At the time of writing further

comments have been requested specifically on the contaminated report submitted to regularise the position as regards condition (09) Contaminated land.

Gwynedd Archaeological Planning Service "GAPS" - No objection to the proposed variation to the wording of Condition 11. GAPS received and approved the WSI by "Brython" before they attended site and therefore the archaeological works to date have been compliant with planning requirements. GAPS are yet to receive a report on the work.

Ecological Advisor – Concerns were initially expressed that the Methodology Statement submitted under condition (10) did not meet the requirements. Following the information submitted (Llanddeusant Works Report for DU Construction, Kehoe Countryside Ltd, 22/05/2017) it is noted that the report confirms that there were no nesting birds present, nor signs of bats in the trees on site at the time of the survey. As such the indication is that there were no breaches of wildlife legislation though the information was not provided prior to the development taking place.

Joint Planning Policy Unit – Material planning policies and in relation to the residential element of the proposal it is explained that the proposal is not in compliance with policy but that the weight to be attributed to the extant consent is matter for the decision maker.

Welsh Water – Conditional permission recommended requiring the submission of a drainage scheme.

Natural Resources Wales – No comments. In further comments it is stated that the information submitted (Llanddeusant Works Report for DU Construction, Kehoe Countryside Ltd, 22/05/2017) regarding an inspection prior to felling and dismantling of trees under condition (10) found no features suitable for roosting bats.

The planning application was advertised by way of neighbour notification letter and a press notice was published. The publicity period expired on 08.12.17. No representations have been received at the time of writing.

5. Relevant Planning History

47LPA966/CC: Outline application for residential development together with demolition of the former school on land at Ysgol Gynradd Llanddeusant – Approved 03/10/2013.

47C149 Full planning application for the part demolition of the existing school, change of use of school into an office (Class B1), the erection of 10 dwellings together with the creation of a new vehicular access, conditionally approved 28.07.17.

47C149A/AD Application for the siting of 3 non-illuminated signs, conditionally approved 03.08.17.

47C149 Full application for part demolition of the existing school, change of use of school into an office (Class B1), the erection of 10 dwellings together with the creation of a new vehicular access - Conditionally approved 28.07.2017.

6. Main Planning Considerations

Introduction – The application site subject to this application is located in the countryside under the provisions of PCYFF 1 of the JLDP. As described below there has been a change in development plan policies since approval of planning permission 47C149.

Principle of the Development – Planning permission (47C149) was granted for the change of use of the school to an office and for the erection of 10 dwellings on 28.07.17, these elements of the proposal are assessed separately below.

Under the former development plan the application site was within the settlement boundary of Llanddeusant and the material planning policies permitted the conversion of existing buildings to an office use subject to the listed criteria. The JLDP was adopted on 31.07.17 and under the

provisions of this plan Llanddeusant is not identified as a settlement and the application site is located in the countryside under the provisions of PCYFF 1.

Policy CYF 6 of the JLDP still permits the conversion of buildings in the countryside to an employment use such as an office subject to the listed criteria being complied with and this element of the proposal is thus still acceptable in principle.

Being within the settlement boundary of Llanddeusant the material planning policies in the former development plan permitted residential development of the application site subject to affordable requirements which are considered further below. As Llanddeusant and the application site are now located in the countryside under the JLDP the principle of residential development is now not acceptable. The application has been advertised as a departure to the current development plan for this reason and is being reported to the planning committee because the LPA are recommending approval.

In addition there are other policies in the JLDP which are now applicable in relation to Affordable Housing (TAI 8), (ISA 4) Safeguarding Existing Open Space, Open Space Provision (ISA 5) and Water Conservation (PCYFF 6) and the proposal is assessed in relation to these provisions following consideration of the fall-back position below.

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 47C149 has been lawfully implemented and there then remains what is termed a “fall-back position” whereby the permission remains extant. 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) (external materials), (04) (foul and surface water drainage), (05) (maintenance of estate roads), (07) (visibility splays), (09) (contaminated land), (10) (method statement hedge works) and (11) (archaeology) are all conditions precedent which have not been complied with.

Moving on to criterion 2. conditions (02) (external materials), (05) (maintenance of estate roads) and (10) (method statement hedge works) are not considered central to the development approved such that non-compliance would render the development unlawful.

In relation to the third criterion as regards conditions (04) (foul and surface water drainage), (07) (visibility splays) and (11) (archaeology) sufficient details have been submitted to effectively discharge these conditions (which is also the case with the other conditions) and as can be seen from the consultation section of this report all the relevant drainage consultees are satisfied. Condition (07) in relation to highways is considered in further detail below. It would therefore not be expedient to instigate enforcement action.

To sum up therefore it is considered that planning permission 47C149 has been lawfully implemented and is extant as there thus remains a “fall-back position”. The proposal subject to this report can be considered acceptable notwithstanding the fact that it is now located in the countryside under the current development plan where such new housing developments are not permitted.

As planning permission 47C149 remains extant the principle of development of the school grounds and playing fields has been established notwithstanding the provisions of ISA 4 which can be applied to protect such areas where the criteria apply. Similarly it is not possible to require a Welsh

Language Statement under policy PS 1, open space provision in accord with policy ISA 5 or a water conservation statement (PCYFF 6).

The extant planning permission was approved subject to a legal agreement requiring 3 affordable housing unit (30%) under the former development plan, and given the evidence of need supplied by the council's Housing Services this is considered to be applicable to the current application and a variation of the existing legal agreement will be necessary so that it is made to the application subject to this report.

Access - Planning permission 47C149 was granted subject to planning condition (07) that required that details of the proposed visibility splays which provide unimpeded vision for drivers either side of the vehicular access of the development with the public highway were provided prior to the commencement of the development. As explained previously these details were not provided and the development is in breach of this planning condition. These details have now been submitted with the application subject to this report and as detailed in the consultation section of the report these details are acceptable subject to the planning conditions recommended.

At the time of writing an amended plan illustrating minor changes to the vehicular access and the requisite visibility splays is being considered. The plan will be notified to neighbours and the views of the Highways section obtained and the recommendation requests that delegated powers are granted on these matters.

Landscaping – Condition (03) of planning permission 47C149 though not a condition precedent required details of landscaping, fencing and so on to be approved in writing by the LPA. As these details have not been submitted with the planning application a planning condition has been attached requiring submission and approval of these details.

7. Conclusion

Given the extant planning permission although the residential part of the proposal now comprises a departure from the development plan which would not normally be acceptable it is recommended for approval because planning permission 47C149 remains extant.

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more prosperous and resilient Wales in terms of the economic improvements that would accrue as part of the development.

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 planning permission is granted under section 73A subject to a deed of variation being completed in relation to the legal agreement dated 07.07.17 and completed in connection with planning permission 47C149 so that it relates to the application subject to this report. Thereafter that planning permission is granted subject to the following planning conditions:

(01) 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 Location Plan	A.00.1	

Existing Layout	12515 EL (--) 01	
Extent Demolition	12515 EL (--) 03	
Site Topo Survey	A.00.2	
Proposed Visibility Splay at Entrance (2.0m Set Back)	EL (92) 05	B
Proposed Road 1 Highway Long Sections & Cross Sections	EA (92) 01	B
Proposed Road 2 Highway Long Sections & Cross Sections	EA (92) 01	C
Drainage Long Sections Sheet 1 of 2	EA (95) 01	D
Drainage Long Sections Sheet 2 of 2	EA (95) 02	B
Proposed Highway Setting Out Layout	EL (92) 01	F
Proposed Highway Construction Details	EA (92) 03	
Proposed Section 38 Highway and Drainage Adoption Layout	EL (95) 03	D
Proposed Surfacing, Kerbing & White Lining Layout	EL (94) 01	C
Proposed Section 104 Drainage Layout	EL (95) 01	I
531 Houses	A.02.1	
421 Houses	A.03.1	
Proposed Drainage Details Sheet 1 of 2	EA (95) 03	
Proposed Drainage Details Sheet 2 of 2	EA (95) 04	
Llanddeusant Works Report (Kehoe Countryside Ltd) 22.05.2017.		
Written Scheme of Investigation for Archaeological Watching Brief Ysgol Llanddeusant (Brython Archaeology) July 2017	B1704.01.01	
Method Statement (DU Construction Ltd)		

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

(02) The development shall proceed in accordance with the drainage details hereby approved. None of the dwellings hereby approved shall be occupied until the drainage systems for the site has been completed and is fully operational.

Reason: In the interests of residential amenity and to ensure that the site is adequately drained.

Reason: To ensure a satisfactory appearance of the development.

(03) Within 1 month of the date of the planning permission hereby approved detailed design & construction details of the proposed surface water drainage system shall be submitted to the Local Planning Authority for its written approval and the development shall thereafter proceed in accordance with the details approved under the provisions of this condition before any of the dwellings are occupied.

Reason: To ensure that the site is adequately drained.

(04) Within 1 month of the date of the planning permission hereby approved detailed design and construction details of the proposed estate road including a street lighting system shall be submitted to the Local Planning Authority for its written approval. The details to be submitted shall include a timetable for the carrying out of the works and the development shall thereafter proceed in accordance with the details approved under the provisions of this condition and before any of the dwellings are occupied.

Reason: In the interests of highway safety.

(05) Within 1 month of the date of the planning permission hereby approved a Management and Maintenance Plan for the estate road and surface water drainage system and a timetable for the carrying out of these measures shall be submitted to the Local Planning Authority for its written approval. The development shall thereafter proceed and be maintained in accordance with the Management and Maintenance Plan approved under the provisions of this condition.

Reason: To ensure that the site has an adequately functioning drainage system and in the interests of highway safety.

(06) The car parking accommodation for each dwelling shall be completed in full accordance with the details as approved before that dwelling is occupied and shall thereafter be retained solely for those purposes.

Reason: In the interests of highway safety.

(07) Within 1 month of the date of the planning permission hereby approved a Construction Traffic Management Plan "CTMP" shall be submitted to the Local Planning Authority for its written approval. The Plan shall include as a minimum, but not limited to:

- i) The type size and number and the routing to and from the site of construction vehicles, plant and deliveries**
- ii) The parking of vehicles for site operatives and visitors**
- iii) Loading and unloading of plant and materials**
- iv) Storage of plant and materials**
- v) Wheel washing facilities or similar measures to prevent mud and debris being carried onto the highway**
- vi) A pre-start condition survey of the highway in the vicinity of the site**

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

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

(08) None of the dwellings hereby approved shall be occupied until the visibility splays shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 1 metres in height above the nearside channel level of the carriageway.

Reason To provide adequate inter-visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

(09) Within 3 months of the planning permission hereby approved full details of the landscaping of the site and all fencing, walling and other means of enclosure shall be submitted for the written approval of the Local Planning Authority. The details to be submitted under the provisions of this condition shall include landscaping along the western boundary of the application site.

Reason In the interest of the amenities of the locality.

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

Reason In the interest of the amenities of the locality.

(11) The development hereby approved shall be carried out and all archaeological work completed in strict accordance with the approve specification (Written Scheme of Investigation for Archaeological Watching Brief Ysgol Llanddeusant (Brython Archaeology) July 2017).

Reason To ensure the implementation of an appropriate programme of archaeological mitigation.

Informatives

1. This decision notice does not confer any consent under relevant highway legislation. The written consent of the highway authority under the Highways Act 1980 and/or the new Roads and Street Works Act 1991 will be required in respect of any works within the highway to connect the proposed estate road to the highway maintainable at public expense. Note: it is a criminal offence to carry out any unlicensed or unauthorized work on the highway. As part of the consenting process, it may be necessary to provide additional detail and/or carry out additional works within the highway over and above that shown on approved planning permission plans in order to fully comply with the highway authority's requirements.
2. The Highway Authority shall not be responsible for any road surface water entering the site as the result of the development. It is the developer's responsibility to ensure that adequate measures are in place to deal with surface water and to drain the site effectively.
3. Any adjustments, re-siting and/or protection of any statutory services and/or street furniture within the highway that may be necessary as a consequence of the development hereby approved shall be the applicant's responsibility and shall be carried out at his own expense. Where any apparatus or street furniture is owned by the highway authority, any adjustment, replacement or protection of that apparatus may be carried out by the highway authority at the applicant's expense.
4. Street naming and numbering is a legal function of the Council, to allocate property numbers and road names to new developments and conversions. Information is available on our website to explain the process for requesting postal addresses and street names, which can be accessed via the following link: <http://www.anglesey.gov.uk/transport-and-roads/roads-highways-and-pavements/street-naming-and-property-numbering/>
5. The Highway Authority reserves the right to utilise Section 59 of the Highways Act 1980 "Recovery of expenses due to extraordinary traffic" as deemed necessary, to recover its costs in connection with any damage done to the public highway as a result of construction of the development.

6. Where a planning condition requires the submission and approval of a Management and Maintenance Plan, such a condition can normally only be discharged upon production of evidence of a completed signed & sealed Adoption Agreement or evidence that an incorporated Management Company has been formed. Where a new estate road is intended to be adopted by the highway authority, the applicant is advised to apply for the necessary adoption agreement under Section 38 of the Highways Act 1980 at the earliest opportunity. The highway authority will not be responsible for any delays to the developer's project or their failure to comply with such a condition as a result of a late application for the necessary agreement(s).
7. Attach Public Rights of Way memo 04.12.18.

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.

11.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **13C183E/ENF** Application Number

Ymgeisydd Applicant

Mr John Rowlands

Cais llawn i gadw carafan sefydlog ar gyfer defnydd preswyl gan weithiwr menter gwledig am gyfnod dros dro o 3 mlynedd ar dir yn / Full application for the retention of the use of a static caravan for residential purposes by a rural enterprise worker for a temporary period of 3 years on land at

Bodlas, Bodedern



Planning Committee: 04/04/2018

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

Recommendation:

Permit.

Reason for Reporting to Committee:

The applicant is a 'relevant officer' as defined within paragraph 4.6.10 of the Constitution.

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

1. Proposal and Site

The application is for full planning permission for the retention of the use of a static caravan for residential purposes by a rural enterprise worker for a temporary period of 3 years.

The static caravan is located towards the Northern end of the applicant's land some 75m East of the dwellings known as Seren Las, Windy Ridge and Eithinog on the outskirts of the village of Bodedern.

2. Key Issue(s)

The key issue is whether or not the temporary siting and residential use of the static caravan in connection with a rural enterprise is acceptable and in accordance with relevant local and national policies and guidance.

3. Main Policies

PCYFF 1 – Development Boundaries

PCYFF 2 – Development Criteria

Planning Policy Wales (Edition 9)

Technical Advice Note 6: Planning for Sustainable Rural Communities - paragraphs 4.6 – 4.12

4. Response to Consultation and Publicity

Local Member (Cllr Llinos Medi Huws) – No response at the time of writing the report.

Local Member (Cllr John Griffiths) - No response at the time of writing the report.

Local Member (Cllr Kenneth Hughes) - No response at the time of writing the report.

Drainage – Confirmation that ground conditions appear suitable for soakaways to be utilised as a means of disposal, whilst the percolation value is faster than the maximum value recommended, provided a suitable filter media is utilised within the soakaway the rate may be reduced such that it falls within accepted range.

Welsh Water – No comments as a septic tank is intended to be utilised.

Natural Resources Wales – No comments

Highways – Recommend conditional approval.

Footpaths – No objection

Community Council - No response at the time of writing the report.

JPPU – Provisions of TAN 6 allows for temporary accommodation to be provided where the case is not completely proven for a permanent dwelling.

Reading Agricultural Consultants – Assessment of the application provided and no objection to temporary use of static caravan.

Response to Publicity

At the time of writing the report no representations had been received in response to statutory publicity.

5. Relevant Planning History

13C183 - Application to determine whether prior notification is required for the erection of an agricultural shed for storage of animal feed and machinery on land adjacent to Seren Las, Bodedern - Permitted Development 19.11.13

13C183A - Outline application with access included for the erection of a dwelling together with alterations to the existing access and the installation of a package treatment plant on land adjacent to Seren Las, Bodedern - Refused 8.1.14

13C183B/RUR - Full application for the erection of a rural enterprise dwelling, installation of a package treatment plant together with the construction of a vehicular access on land adjacent to Seren Las, Bodedern - Refused 2.7.15

13C183C - Application to determine whether prior approval is required for the erection of a polytunnel on land at Eithinog, Bodedern - Permitted Development - 20.4.15

13C183D/RUR - Full application for the erection of an agricultural dwelling on land at Bodlas, odedern - Withdrawn – 20.11.17

6. Main Planning Considerations

A planning application was submitted for a rural enterprise dwelling on the land in February 2015, but was refused in July 2015 on the basis that insufficient evidence had been provided to demonstrate a need for a permanent dwelling on the site.

A further application was submitted in August 2017 and subsequently withdrawn in November 2017.

The applicants' long term aim is to secure planning permission for a permanent rural enterprise workers dwelling on the site and work full-time on the enterprise, but has thus far been unable to satisfy the functional and financial requirements necessary for such permission to be granted.

There is no specific policy contained within the Joint Local Development Plan relating to applications for housing in the countryside and paragraph 6.4.36 of the JLDP states that development will have to satisfy national policy and Technical Advice Note 6: Planning for Sustainable Rural Communities (TAN 6).

Paragraph 9.3.6 of Planning Policy Wales (Edition 9) states that new houses in the open countryside require special justification, for example where they are essential to enable a rural enterprise worker to live at or close to the place of work. Paragraph 9.3.7 confirms that in such circumstances that the criteria set out in TAN 6 must be met.

Paragraph 4.6.2 of TAN 6 states that where the case for new dwellings on new enterprises is not completely proven for a dwelling it may be appropriate for the planning authority to test the

evidence by granting permission for temporary accommodation for a limited period. It further states that three years will normally be appropriate to ensure that the circumstances are fully assessed.

It is clear from previous applications that the applicant has, thus far, been unable to satisfy the functional and financial requirements to enable permission for a permanent dwelling to be granted. The existing enterprise is relatively new and small scale with plans for expansions such that the requirements may be met at some later date.

The existing holding extends to 6.8ha (16.8ac) of owned land at Bodlas and 14.6ha (36ac) of recently occupied rented grassland at Llanddeusant and the existing business is based on the following:

- The rearing and sale of weaned calves or stores from herd of 28 suckler cows and 22 bought-in calves
- The rearing and sale of finished lambs from a resident flock of 51 ewes and 100 annually bought in hill ewes.
- The finishing of 35 bought-in weaner pigs
- The training and sale of 6 bought-in sheep dogs
- The production of haylage bales.

Proposals to expand the enterprise include:

- Renting a further 56.7ha (140ac) of land at Llanddeusant, with the option to rent additional land should that be necessary to support the holding
- to increase the ewe flock to 265 (250 commercial and 15 pedigree)
- to extend the calf rearing activity to two batches of 40 bought calves per year
- to finish outdoors 35 bought in weaner pigs
- To produce 8 sheep dog puppies and 4 trained sheep dogs per year.

For a permanent dwelling to be granted, it is also necessary for there to be an existing functional need for the on-site presence of a worker. Where the functional need is dependent upon some proposed change in the scale and/or nature of an enterprise, then it would in the first instance normally be met by means of temporary accommodation until such time as the changed circumstances were in place.

Whilst the existing enterprise is stated to be profitable and sound, and the expanded enterprise being sufficiently profitable to meet all actual and predicted future finance and labour costs, the applicant currently manages the farm while being in full-time employment elsewhere and the submitted Business Plan accepts that, in its present state of development, is unable to sustain a full time worker and is therefore currently unable to meet the evidential requirement such that a permanent dwelling could be granted and is reliant upon a proposed business expansion and forecast economic performance.

Where there is uncertainty, the approach in TAN 6 is that worker's accommodation be provided for a temporary period which would allow the proposed circumstances to develop and be capable of a full assessment.

The submitted Business Plan sets out the basis for the expansion of the existing enterprise at Bodlas such that, in its proposed form, it would be of a scale and nature requiring the supervisory presence of a full time worker, and be substantially more profitable. Those circumstances are subject to some uncertainty, and it would therefore be appropriate to enable the development of the enterprise through the provision of temporary worker's accommodation.

The enterprise has developed recently with the addition of rented land, and has been assisted by the permanent occupation of the static caravan. The extended occupation of this accommodation would potentially enable the circumstances proposed in the Business Plan to be achieved, and the tests for permanent accommodation to be more clearly met.

On this basis and in accordance with the guidance contained within TAN 6, the provision of temporary accommodation on site is therefore considered acceptable to enable the applicant to grow the business.

It is confirmed in the application that the static caravan has been occupied since December 2016 and this period of occupation will need to be taken into account in determining the duration of the temporary permission.

Therefore on the basis that the static caravan has already been occupied for 1 year and 3 months, a temporary period of 2 years is therefore considered appropriate in this instance, which will allow the applicant sufficient time demonstrate a need for a permanent dwelling on the site in accordance with the requirements of TAN 6.

7. Conclusion

In accordance with advice contained within TAN 6, the temporary retention of the use of the static caravan for residential purposes by a rural enterprise worker is considered acceptable subject to conditions.

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

(01) The static caravan hereby granted shall be removed from the land by the 31st March 2020.

Reason: The Local Planning Authority has granted permission for a temporary period only.

(02) A car parking space shall be provided within the curtilage for a minimum number of 3 cars, together with a vehicle turning space to enable vehicles to enter and leave the site in a forward gear and thereafter shall be maintained for the lifetime of the development.

Reason: To ensure vehicle parking and turning is confined to the site, in the interests of highway safety.

(03) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 13C183E/ENF and listed below:

Drawing number	Date Received	Plan Description
BOD/17/01	11/10/2017	Location plan
BOD/17/02	11/10/2017	Site Plan

Reason: For the avoidance of doubt.

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

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12.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **14C47R/ENF** Application Number

Ymgeisydd Applicant

Mr Richard Burns

Cais ôl-weithredol ar gyfer codi porth car yn / Retrospective application for the erection of a carport at

19 Cae Bach Aur, Bodffordd



Planning Committee: 04/04/2018

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

Recommendation:

Permit.

Reason for Reporting to Committee:

At the request of the Local Member – Councillor Dylan Rees due to its design and that it appears out of character with the rest of the estate.

1. Proposal and Site

The application is for retrospective planning permission for the erection of a car port constructed at the front of the bungalow.

The application site is located within the development boundary of the village of Bodffordd on the Cae Bach Aur estate.

2. Key Issue(s)

The key issues are whether the development is in compliance with local and national planning policies, and whether it is acceptable in terms of siting and design and impact upon the character and appearance of the area and amenities of neighbouring properties.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries

PCYFF3 – Design and Place Shaping

4. Response to Consultation and Publicity

Local Member (Cllr Dylan Rees) – Request that the application be referred to the Planning and Orders Committee for determination due to its design and that it appears out of character with the rest of the estate.

Local Member (Cllr Nicola Roberts) – No response at the time of writing report.

Local Member (Cllr Bob Parry) – No response at the time of writing report.

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

Highways – No objection, car port does not have any adverse effect on the public highway.

Response to Publicity

The application was afforded two means of publicity. These were by the posting of notices 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 07/02/2018 and at the time of writing this report, two letters had been received and the main points raised are summarised below:

- That the structure is not in keeping with the surrounding dwellings by virtue of its height and appearance.
- The structure is located to the front of the property and close to the estate road
- Concern regarding the impact of the structure on property values.

5. Relevant Planning History

14C47G – Alterations and extensions to 19 Cae Bach Aur, Bodffordd – Granted 05/03/1997

14C47N – Erection of a conservatory together with the retention of a car port at 19 Cae Bach Aur, Bodffordd – Granted 29/07/2010

6. Main Planning Considerations

The application is submitted following an enforcement investigation, for retrospective planning permission for the retention of a car port.

The fact that the application is made retrospectively is irrelevant in its determination. It is not a criminal offence to carry out development without first obtaining any necessary planning permission. There are provisions within the Planning Act to allow for planning permission to be applied for retrospectively.

Paragraph 14.2.3 of the Development Management Manual states that when considering enforcement action, the decisive issue for the local planning authority should be whether the breach of planning control would unacceptably affect public amenity or the existing use of land and building meriting protection in the public interest. Enforcement action should be commensurate with the breach of planning control to which it relates; it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to public amenity. The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought but is otherwise acceptable.

Policy PCYFF1 of the JLDP states that proposals within development boundaries will be approved in accordance with other policies and proposals of the plan, national planning policies and other material planning considerations.

On the basis that the site is located within the development boundary it is therefore in compliance with the principle of policy PCYFF1 subject to compliance with other relevant policies.

The most relevant policy applicable to the development under consideration is policy PCYFF 3: Design and Place Shaping.

It requires that developments demonstrate a high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Developments are required to conform with the listed criteria where relevant and which include that developments complement and enhance the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment.

The car port is located to the front of the bungalow constructed primarily of timber with brick built pillars on one side and roofed with box profile sheets and is constructed to a high standard.

As the property is located on a cul-de-sac the impact of the car port on the character and appearance of the area is therefore limited to its immediate vicinity, its function is to provide a covered parking area for the occupant's vehicles and does not therefore impact upon the amenities of neighbouring properties.

Although it may be the case that the structure neither complements nor enhances the character and appearance of the area, on balance, neither is it considered that its impact gives rise to such significant detriment that refusal of the application can be warranted.

7. Conclusion

The development is considered to be acceptable and it is not considered that the development gives rise to a significant detrimental impact upon the character and amenities of the area or nearby residential occupiers.

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 permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 14C47R/ENF and listed below:

Drawing number	Date Received	Plan Description
	10/01/2018	Location Plan (1:2500)
	10/01/2018	Location Plan (1:1250)
	10/01/2018	10 x various photographs denoting dimensions

Reason: For the avoidance of doubt.

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

12.2

Gweddill y Ceisiadau

Remainder Applications

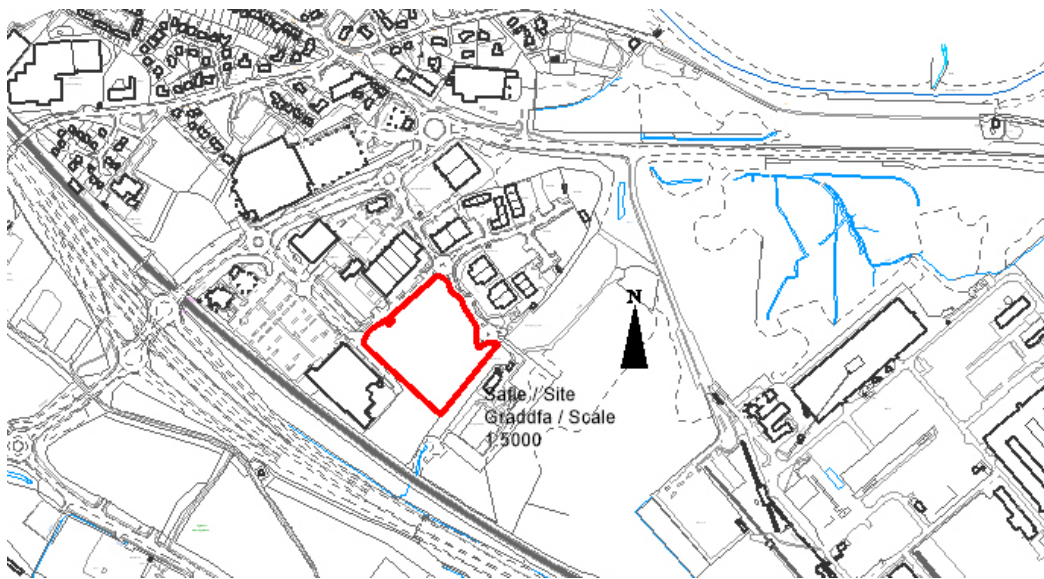
Rhif y Cais: **19LPA1023B/CC** Application Number

Ymgeisydd Applicant

Cyngor Sir Ynys Môn

Cais llawn ar gyfer codi 10 uned busnes (Dosbarth B1, B2 a B8) ar dir yn yr hen / Full application for the erection of 10 business units (Class B1, B2 and B8) on land at the former

Safle Heliport Site, Stad Diwydiannol Penrhos Industrial Estate, Caergybi/Holyhead



Planning Committee: 04/04/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

The Isle of Anglesey Council is the applicant.

1. Proposal and Site

The application site comprises previously developed land located on the Penrhos Industrial Estate. The application site amounts to an area of 1.70 hectares.

The application sites is bounded by existing retail properties to the west (Morrison's) and north west. To the east there are existing industrial units forming part of the Penrhos Industrial Estate. To the south east there is the Welsh Water waste water treatment plant.

This is a full planning application is made for 10 business units for B1, B2 and B8 industrial purposes with floor area measured externally of 2, 766m². Access is from a mini roundabout off the Penrhos Industrial Estate. The proposals include car parking spaces for 61 vehicles, cycle stores, bin stores and landscaping.

This is a major planning application which has been subject to statutory pre-applications requirements.

2. Key Issue(s)

Principle of Development on an Industrial Allocation
Locational Sustainability Considerations
Impact on the AONB
Economic Considerations
Welsh Language Considerations

3. Main Policies

Development Plan (2017)

PS 1: Welsh Language and Culture
ISA 1: Infrastructure Provision
PS 4: Sustainable Transport, Development and Accessibility
TRA 2 Parking Standards
TRA 4: Managing Transport Impacts
PS 5: Sustainable Development
PS 6: Alleviating and Adapting to the Effects OF Climate Change
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 Conservation
PS 7: Renewable Energy Technology
PS 13: Providing Opportunity for a Flourishing Economy
CYF 1: Safeguarding, Allocating and Reserving Land and Units for Employment Use
PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
AMG1: Area of Outstanding Natural Beauty Management Plans

AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
AMG 5: Local Biodiversity Conservation

Planning Policy Wales Edition 9 (2016) “PPW”

Technical Advice Note 5 Nature Conservation and Planning (2009) “TAN 5”

Technical Advice Note (TAN) 12: Design (2016) “TAN 12”

Technical Advice Note (TAN) 18: Transport (2007) “TAN 18”

Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017) “TAN 20”

Technical Advice Note (TAN) 23: Economic Development (2014)

4. Response to Consultation and Publicity

Holyhead Town Council – No objections.

Local Members - No response received.

Highways – Conditional permission.

Drainage – Conditional permission requiring the drainage information.

Environmental Services – Matters set out in relation to environmental protection, Holyhead Waste Water Treatment and Health and Safety considerations.

Ecological and Environmental Adviser – No objections on the basis of the updated ecological information provided; the mitigation measures in submitted ecological report should be adhered to.

Landscape Adviser – The application site is adjacent to the AONB boundary and within Landscape Character Area 2: Holy Island. It is not considered that landscape effects are likely and the proposal should conform with AMG 3 (Protecting and Enhancing Features and Qualities that are distinctive to the local Landscape Character). There are no details regarding landscaping with the proposal and in order to comply with Policy PCYFF4 they should be a condition of consent. In order to reduce visual effects from the A55 (the AONB boundary), the area for landscaping could include an area indicated and require details of material colour.

Having assessed NRW's comments recommends a more detailed landscaping/building colours condition is attached as advised by NRW.

Gwynedd Archaeological Planning Service “GAPS” - No significant archaeological implications in this case.

Welsh Language Officer –

- The Welsh Language Statement includes a response to a soft market testing exercise to establish local need for additional business units. The response rate (5 companies) is low and it should be asked whether it is adequate to reach a definitive conclusion on the level of need locally.
- The current business park current occupancy level is a factor that should be considered.
- It appears to be an assumption that the business units will meet local demand and therefore that they will be sourced locally. If this is not the case then incomers will place a demand on housing, schools and local services. This scenario should be addressed.
- Marketing should be targeted towards potential local occupancy. Promotional material and signage should be bilingual.

Natural Resources Wales “NRW” – Does not object but provides the following comments:

Protected Landscapes - The proposed development would be located within an open elevated position above the A55 and would extend and intensify the influence of existing development in a very visible location. Techniques for landscape integration are therefore important to imbed within the proposal and NRW consider that this aspect has not been addressed within the current proposal. NRW recommend that the LPA undertake a landscape and visual analysis of the development and its context, to develop recommendations for landscape framework planting and colour design of the building, but adjustment to the planning layout might be necessary to include trees/woodland planting along the site’s south western boundary. In addition viewpoint analysis from the AONB and A55 gateway to Holyhead/Wales would be recommended to be undertaken by a landscape professional.

Protected Species – On the basis of the protected species survey protected species are not likely to be affected.

Geoscience – NRW consider that the controlled waters at this site are not of the highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. It is recommended that the requirements of Planning Policy Wales and the Guiding Principles for Land Contamination (GPLC) should be followed.

Network Rail – No objections subject to a drainage conditions requiring a catchment survey as part of its provisions and other considerations listed.

Fire Authority – Will comment on the Building Regulations stage.

Welsh Government (Highways) – No objection.

Response from members of the public

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The publicity period expired on 25.01.18. At the time of writing no observations have been received.

5. Relevant Planning History

46LPA910/CC Demolition of heliport buildings, the change of use of land to a civic amenity site and waste transfer station together with the siting of two portable buildings and the installation of a weighbridge, conditionally approved 04.08.09.

19LPA1023/SCR/CC – Screening opinion for the erection of business units, EIA not required 30.09.15.

19LPA1023A/CC Full application for the erection of 10 flexible business units together with associated parking and service yard, landscaping, electrical vehicle charging point, solar panels and two bin/recycling and cycling stores, conditionally approved 07.12.15.

6. Main Planning Considerations

Planning History - As indicated in the planning history section of the report above the principle of residential development on the application site has been established by planning permission 19LPA1023A/CC.

Principle of Industrial Development on the Application Site – The application site is located within the settlement boundary of Holyhead under the provisions of PCYFF 1 of the JLDP. Strategic policy PS 13 of the JLDP states that the council will facilitate economic growth by safeguarding and allocating sites and land for employment /business purposes under the provisions of CYF 1. The application site is allocated as proposal C10 under the provisions of CYF 1 which safeguards land for employment industrial purposes.

The application site also comprises previously developed land and it government policy in section 4.9 of PPW on the grounds of sustainability to re-use such sites in existing settlements where there is vacant or under-used land for suitable uses such as that being applied for.

Given the considerations described above and that planning permission has previously been granted for industrial development the principle is clearly acceptable.

Impact of the development on the Character and Appearance of the Area and the Area of Outstanding Natural Beauty – The application site is essentially surrounded by existing commercial/industrial and developments and a waste water treatment plant. The boundary of the AONB at the nearest point runs along the railway line to the south west, and views from the AONB are available through the area to the rear of the Morrison's store. The AONB also borders the northern boundary of the Penrhos Industrial Estate near Penrhos Beach.

Whilst the application site is not within the AONB given the proximity of the AONB to the south west the impact on the setting of this landscape designation is a material consideration. Paragraph 5.3.5 of PPW explains that the primary objective of designating AONB's is the conservation and enhancement of their natural beauty. Development Management decisions affecting AONB's should favour conservation of natural beauty, although it will be appropriate to have regard to the economic and social well-being of the areas.

As previously explained the application comprises previously developed land on an existing industrial estate where the principle of development has clearly been established as explained in the planning history and the allocation under CYF 1 of the JLDP means that there is an expectation that the application site will come forward for industrial development. These are significant material considerations which not only establish the principle of development in proximity to the AONB but are also significant economic and social well-being considerations which are appropriate for the LPA to assess under the provisions of PPW as described in the preceding paragraph.

In terms of the objectives of enhancing and conserving the AONB the following considerations are material that the proposal will enhance previously developed land, as will the landscaping and external appearance subject to the considerations described below.

NRW indicate that the application site is prominent and that the development needs to be integrated into the landscape via consideration of colour, landscaping but may require amendments to the proposal, and this should be assessed by a landscape professional. These comments have been considered by the council's Landscape Adviser who considers that in order to comply with the listed policies a planning condition requiring details of the colour of the development and of landscaping which will be required. This condition has been worded to require tree planting on land within the applicant's control nearest the railway line at the rear of the Morrison's store to mitigate impacts on the AONB.

There is a statutory requirement for the LPA to have regard to the AONB purposes. Regard has been taken of these statutory requirements in terms of the use of appropriate external materials, enhancing the application site via landscaping.

Welsh Language – The planning application is accompanied by a Welsh Language Statement which states that the business units will draw on the local employment market in both construction and operation and that overall minor beneficial effects on the Welsh language are likely and as well as providing enhancements via bi lingual signage and utilising the council's Economic Development Unit to support the local supply chain. The final comments of the councils Strategy and Policy Manger on the Welsh Language Statement are awaited at the time of writing.

Other Material Considerations – In terms of ecology no objections are raised by the council's Ecological and Environmental Officer or NRW subject to the mitigation measures in submitted ecological report (which include an ecological enhancement area along the south eastern boundary) being adhered to and this has been regulated via a planning condition.

The proposed development is over 1000m²; in accord with policies PCYFF 5: (Carbon Management and Energy Conservation Statement) and PCYFF 6 (Water Conservation) an Energy Assessment and a Water Conservation Statement is required. These details are awaited at the time of writing.

Subject to the conditions recommended by the council's Highways Section the proposal is considered acceptable. WG Highways make no observations on the proposal in terms of considerations relating to the A55 Expressway adjacent.

7. Conclusion

The principle of industrial development is clearly acceptable. The proposed development is in close proximity to the AONB and it is considered that the proposed development conserves and enhances this statutorily designated landscape subject to the planning conditions described. Outstanding matters remain in terms of the Welsh Language, Energy Assessment and a Water Conservation Statement and an update will be provided at the planning committee.

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 planning permission is **permitted** subject to the planning conditions listed below:

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990.

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

Drawing / Report	Reference / Revision	Date
Location Plan	39695-XX-DR-A-0001	
Existing Site Plan	39696-XX-DR-A-0001	
Site Plan	39696-XX-DR-A-1001	
GA Plans Block A	39696-XX-DR-A-2001 Rev P01	
GA Plans Block B	39696-XX-DR-A-2003 Rev P01	
GA Elevation Block A	39696-XX-DR-A-3001 Rev P01	
GA Elevation Block B	39696-XX-DR-A-3002 Rev P01	
Reptile and Badger Survey (Green Man Ecology)		15.08.15
Technical Note (Amec Foster Wheeler)		February 2018

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

(03) No development shall commence until a catchment survey and a drainage scheme for the application site have been submitted to and approved in writing by the local planning authority "Drainage Scheme". The Drainage Scheme shall provide for the disposal of foul, surface and land water, include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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

(04) 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 ensure a safe and convenient access to/from the highway in the interests of highway safety.

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

Reason: To ensure a safe and convenient access to/from the highway in the interests of highway safety.

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

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

(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 fully operational before the use hereby permitted is commenced.

Reason: To ensure a safe and convenient access to/from the highway in the interests of highway safety.

(08) Before any development commences, plans shall be submitted and approved in writing by the Local Planning Authority of the following details:

- The surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.
- The location and the type of street lighting furniture.

The development shall thereafter proceed in accordance with the details to be approved in writing under the provisions of this condition.

Reason: To ensure a safe and convenient access to/from the highway in the interests of highway safety.

(09) The estate road(s) and its access shall be designed and constructed in accordance with 'Industrial Estate Road Adoption Specification Requirements, Anglesey'.

Reason: To ensure a safe and convenient access to/from the highway in the interests of highway safety.

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

Reason: To ensure a safe and convenient access to/from the highway in the interests of highway safety.

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

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

(12) No surface water from the within the curtilage of the application site shall discharge onto the public highway.

Reason: To ensure no direct adverse effect on the adjoining highway in the interests of amenity and highway safety.

(13) All construction, maintenance, repair work(s) in connection with the development hereby approved shall proceed strictly and entirely in accord with the Reptile and Badger Survey report, v2.0 (15/08/15) by Green Man Ecology.

Reason: To safeguard any protected species present.

(14) 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 surrounding land have been submitted to an approved in writing by the Local Planning Authority. The development shall be constructed in accord with the slab and proposed levels approved under the provisions of this condition.

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

(15) No development shall commence until full details of a lighting scheme for the development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the scheme approved under the provisions of this condition and shall be operational before the use hereby permitted is commenced and then operated and maintained in accordance with the approved scheme for the lifetime of the development.

Reason: To conserve the Area of Outstanding Natural Beauty and safeguard ecology, highway safety and prevention of light pollution.

(16) No development shall commence until full details of all external materials and finishes (which shall include such details for all building(s)), Hard Landscaped Areas, engineering operations, fencing and works associated with the development) which shall include colours, construction details (where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The details approved under this condition shall be implemented in full and adhered to in the completion of the development hereby approved.

Reason: In the interests of visual amenities of the locality also to ensure that the development conserves and enhances the Area of Outstanding Natural Beauty.

(17) 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, the Area of Outstanding Natural Beauty and to secure an ecological enhancement.

(18) No development shall take place until a scheme of landscaping and tree planting for the application site (outlined in red) and land within the applicant's control (outlined in blue on the plans hereby approved has been submitted to and approved in writing by the Local Planning Authority "Approved Scheme". The Approved Scheme shall be implemented not later than the first planting season after the occupation of the buildings or completion of the development, whichever is the sooner.

Reason: In the interest of the visual amenities of the locality, the Area of Outstanding Natural Beauty and to secure an ecological enhancement.

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.

12.3

Gweddill y Ceisiadau

Remainder Applications

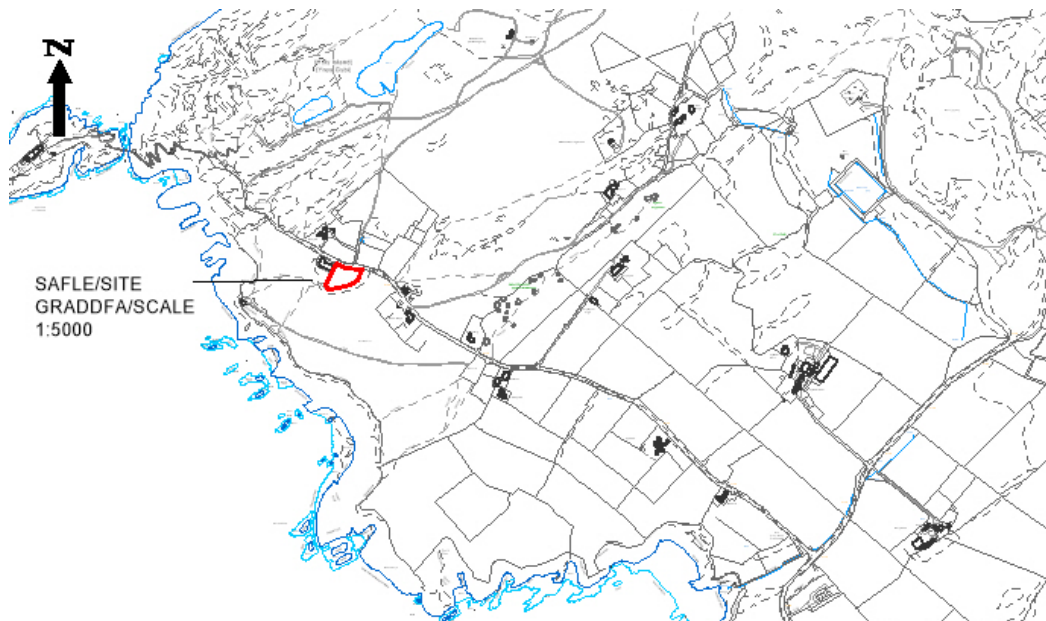
Rhif y Cais: **46C88K/AD** Application Number

Ymgeisydd Applicant

Ms Tove Hubbard

Cais i leoli dau arwydd heb eu goleuo ynghyd a gosod dau fesurydd parcio yn / Application for the siting of two non-illuminated signs together with the installation of two car parking meters at

Canolfan Ymwelwyr RSPB Visitor Centre, Ffordd South Stack Road, Caergybi/Holyhead



Planning Committee: 04/04/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called into the planning committee by two local members, Cllr Trefor Lloyd Hughes and Cllr Dafydd Rhys Thomas due to concerns that motorists will park on the highway and that there is no pedestrian walkway available on the road.

1. Proposal and Site

This is a full application for the siting of 2 non-illuminated signs and 2 car parking meters at RSPB Visitor Centre, South Stack Road, Holyhead.

2. Key Issue(s)

The applications key issue is whether the signs and parking meters comply with relevant planning policies and whether the proposal would preserve or enhance the Area of Outstanding Natural Beauty.

3. Main Policies

PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping
PS20 - Preserving and Where Appropriate Enhancing Heritage Assets
AMG1 - Area of Outstanding Natural Beauty
PS1 – Welsh Language and Culture

Planning Policy Wales (9th Edition)

Technical Advice Note 12: Design

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Cllr Trefor Lloyd Hughes) -

Call in to the planning committee, concerns motorists will park on the road

Local Member (Cllr Dafydd Rhys Thomas) – Call in to the planning committee, concerns motorists will park on the road. No pedestrian walkway available on the road.

Local Member (Cllr John Arwel Roberts) – No response.

Highways – The Highway Authority raises no objection to the application but has indicated that they will look into the current parking situation on South Stack Road.

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 16th February, 2018 and at the time of writing this report, one letter of objection had been received.

The main reasons for objection being as follows:-

The proposed application will cause people to park on the narrow road and cause danger to walkers and cyclists. Parking on the roadside makes access to residential properties a struggle.

In response to the objection raised:

The decision as to whether to charge customers to park in the existing car park is not a planning matter. The development in this instance is the erection of parking meters and signage. The result of the decision to charge for parking may consequently lead to on-street parking but this is a matter for the Highway Authority to consider under The Highway Act.

5. Relevant Planning History

46C88 -Conversion of dwelling into two self-contained flats, the ground floor flat to form a granny flat at Southstack Kitchens, Southstack, Holyhead – Refused 04/02/1987

46C88A - Conversion of dwelling into first floor flat with new stairway and ground floor "granny flat" at ~ Southstack Kitchens, Southstack, Holyhead – Approved 16/04/1987

46C88B - Alterations and extensions to create a ticket office and an extension to the restaurant at Southstack Kitchens, Southstack, Holyhead – Approved 08/10/1996

46C88C/SCR - Screening opinion for demolition of the existing buildings, erection of a visitor centre, cafe, retail area on the ground floor, 10 holiday apartments on the first & second floor, changes to the parking facilities and installation of a private treatment plant at South Stack Café, Southstack, Holyhead - EIA not required - 17/09/2008

46C88D -Full application for demolition of the existing buildings, erection of a visitor centre, café and retail area on the ground floor, 10 holiday apartments on the first & second floors, changes to the parking facilities and installation of a private treatment plant at South Stack Café, Southstack, Holyhead – Withdrawn 17/06/2010

46C88E – Full application for the installation of solar photovoltaic panels on the roof of RSPB Reserve, South Stack, Holyhead. Approved on 15/08/2012.

46C88F - Full application for the creation of a playground and nature pond at RSPB, Ynys Lawd/South Stack, Caergybi/Holyhead. Approved 9/9/2016.

46C88G - Full application for the provision of temporary accommodation for staff welfare facilities and storage for the existing cafe and shop for an 18 month period - Granted 20/12/2017.

46C88H/SCR - Screening opinion for the provision of temporary accommodation for staff welfare facilities and storage for the existing cafe and shop for an 18 month period at RSPB, South Stack Road, Caergybi/Holyhead. EIA is not required 05/12/2017.

6. Main Planning Considerations

The proposal entails the installation of 2 non-illuminated signs and 2 parking meters at the RSPB car park, South Stack Road, Holyhead.

The proposed signs are non-illuminated and measure 420mm x 594mm placed on a 1.7m high pole. The signs are bilingual and provide details of parking charges.

The parking meter measures 1.8m high x 325mm wide x 400mm long.

Area of Outstanding Natural Beauty

The site is located within the Anglesey Area of Outstanding Natural Beauty (AONB). Policy AMG1 of the Joint Local Development Plan states that proposals within or affecting the setting of the AONB shall have regard to the AONB Management Plan.

The AONB Management Plan states 'The management of AONB's requires an understanding of the different components that combine to make each AONB distinctive and nationally important. Resources are the distinctive features and special qualities of the area, which define the AONB's character. The maintenance of these resources is central to the sustainability of the AONB.'

The development will need to conserve or enhance the AONB, and proposals that have a significant effect on them will be refused unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area.

It is not considered that the erection of 2 non-illuminated signs and 2 parking meters will have a negative impact upon the AONB and will comply with policy AMG1 and the AONB's Management Plan.

Highways

Concerns have been raised that the proposal will cause further parking on the narrow South Stack Road to avoid parking charges. The Highway Authority raises no objection to the application but has indicated that they will look into the current parking situation on South Stack Road.

Affect on nearby residential properties

It is not considered that the proposal will have a negative impact upon nearby residential properties due to its location. Objections have been raised by residential properties that the installation of the parking meter will encourage people to park on South Stack road. This is not a planning matter and consideration will have to be made by the Highway Authority on its powers under the Highway Act to prevent parking on South Stack road.

7. Conclusion

The proposed development is considered acceptable to the Local Planning Authority. Consequently, the recommendation is one of approval subject to conditions.

8. Recommendation

Permit

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

Reason: For the avoidance of doubt

(02) The sign shall not be illuminated by intermittent or flashing lights.

Reason: In the interest of amenity and highway safety.

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

Date Received	Plan Description	Plan Reference
20/2/18	Location Plan	A-03-03 Rev 01
20/2/18	Main car park meter locations	A-03-05 Rev 01
15/1/18	Proposed Car Park Charge fees and info	A-03-09
15/1/18	Main Visitor Centre Topo Survey	A-03-01

	Sprite Parking Meter Drawing	A-03-08
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under planning application reference 46C88K/AD.

Reason: For the avoidance of doubt.

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

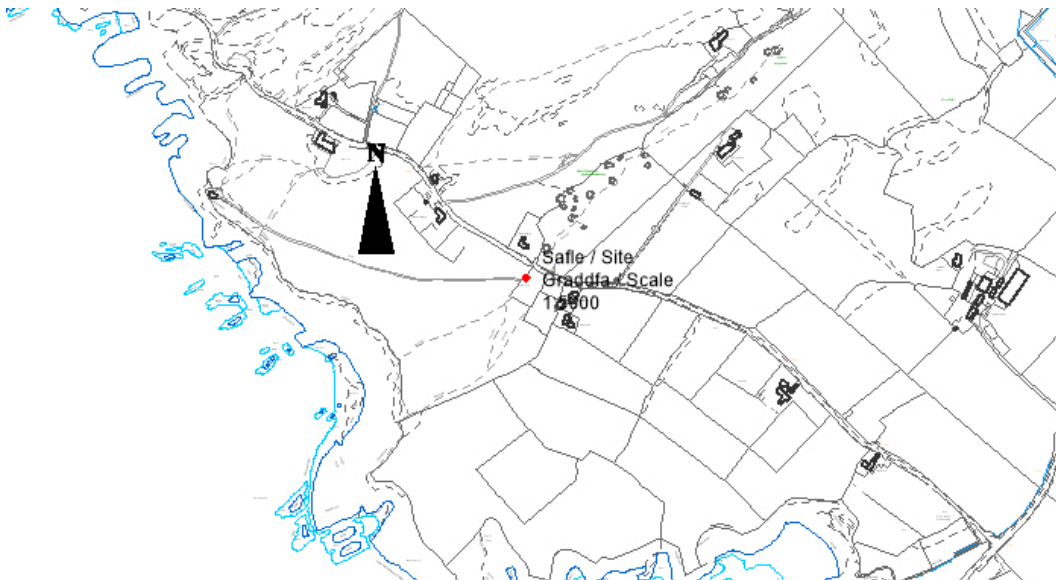
Rhif y Cais: **46C612A/AD** Application Number

Ymgeisydd Applicant

Ms Tove Hubbard

**Cais i leoli arwydd heb ei oleuo ynghyd â gosod mesurydd parcio ym maes parcio /
Application for the siting of a non-illuminated sign together with the installation of a car
parking meter at cark park**

Ellin's Tower, Ynys Lawd/South Stack



Planning Committee: 04/04/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called into the planning committee by local member, Cllr Trefor Lloyd Hughes due to parking concerns.

1. Proposal and Site

This is a full application for the siting of a non-illuminated signs and a car parking meters at RSPB car park (Ellin's Tower) along South Stack Road, Holyhead.

2. Key Issue(s)

The applications key issue is whether the signs and parking meters comply with relevant planning policies and whether the proposal would preserve or enhance the Area of Outstanding Natural Beauty.

3. Main Policies

PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping
PS20 - Preserving and Where Appropriate Enhancing Heritage Assets
AMG1 - Area of Outstanding Natural Beauty
PS1 – Welsh Language and Culture

Planning Policy Wales (9th Edition)

Technical Advice Note 12: Design

4. Response to Consultation and Publicity

Community Council – Objection

Local Member (Cllr Trefor Lloyd Hughes)

Call in to the planning committee, parking concerns

Local Member (Cllr Dafydd Rhys Thomas) – No response

Local Member (Cllr John Arwel Roberts) – No response.

Highways – The Highway Authority raises no objection to the application but has indicated that they will look into the current parking situation on south Stack Road.

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 22nd March, 2018 and at the time of writing this report, no letters of objection had been received.

5. Relevant Planning History

46C612/AD - Application for the siting of a non-illuminated sign together with the installation of car parking meter at Ellin's Tower car park, South Stack Road, Holyhead Withdrawn 16/01/2018

6. Main Planning Considerations

The proposal entails the installation of a non-illuminated signs and a parking meter at the Ellin's Tower car park, South Stack Road, Holyhead.

The proposed sign are non-illuminated and measure 420mm x 594mm placed on a 1.7m high pole. The signs are bilingual and provide details of parking charges.

The parking meter measures 1.8m high x 325mm wide x 400mm long.

Area of Outstanding Natural Beauty

The site is located within the Anglesey Area of Outstanding Natural Beauty (AONB). Policy AMG1 of the Joint Local Development Plan states that proposals within or affecting the setting of the AONB shall have regard to the AONB Management Plan.

The AONB Management Plan states 'The management of AONB's requires an understanding of the different components that combine to make each AONB distinctive and nationally important. Resources are the distinctive features and special qualities of the area, which define the AONB's character. The maintenance of these resources is central to the sustainability of the AONB.'

The development will need to conserve or enhance the AONB, and proposals that have a significant effect on them will be refused unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area.

It is not considered that the erection of a non-illuminated signs and a parking meter will have a negative impact upon the AONB and will comply with policy AMG1 and the AONB's Management Plan.

Highways

Concerns have been raised that the proposal will cause further parking on the narrow South Stack Road to avoid parking charges. The Highway Authority raises no objection to the application but has indicated that they will look into the current parking situation on South Stack Road.

Affect on nearby residential properties

It is not considered that the proposal will have a negative impact upon nearby residential properties due to its location. 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. Consequently, the recommendation is one of approval subject to conditions.

8. Recommendation

Permit

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

Reason: For the avoidance of doubt

(02) The sign shall not be illuminated by intermittent or flashing lights.

Reason: In the interest of amenity and highway safety.

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

Plan Reference	Plan Description	Date Received
A-03-04	Location Plan	19/02/2018
A-03-06	Proposed Site Plan	19/02/2018
-	Planning Statement	19/02/2018
-	Sprite Parking Meter Information	19/02/2018
A-03-08	Sprite Parking Meter Drawing	19/02/2018
A-03-09	Proposed Car Park Charge fees and Information Plan	19/02/2018

under planning application reference 46C612A/AD.

Reason: For the avoidance of doubt.

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

13.1

Materion Eraill

Other Matters

Rhif y Cais: 12LPA1042D/LB/CC Application Number

Ymgeisydd Applicant

Isle Of Anglesey County Council

Caniatâd Adeilad Rhestredig ar gyfer ail doi ynghyd a newid ffenestri ac ail rendero yn /
Listed Building Consent for re roofing together with changing the windows and re rendering
at

1 Green Edge, Biwmares/Beaumaris



Planning Committee: 04/04/2018

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

Reason for Reporting to Committee:

12LPA1042D/LB/CC - 1, Green Edge, Beaumaris . For information only : An application for listed building consent for alterations including re-roofing, replacement windows and works to the chimney stack has been made by the Council on Council owned land.

Proposals: The proposal entails the removal of the existing roof covering – re-roofing including breathable membrane and roofing insulation together with alterations to the existing chimney stack at 1, Green Edge, Beaumaris. The application has been referred to the Planning Division of the Welsh Government for determination.

Rhif y Cais: 12LPA1042E/LB/CC Application Number

Ymgeisydd Applicant

Isle Of Anglesey County Council

Caniatâd Adeilad Rhestredig ar gyfer ail doi ynghyd a newid ffenestri ac ail rendero yn /
Listed Building Consent for re roofing together with changing the windows and re rendering
at

2 Green Edge, Biwmares/Beaumaris



Planning Committee: 04/04/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

12LPA1042E/LB/CC 2, Green Edge, Beaumaris. For information only : An application for listed building consent for alterations including re-roofing, replacement windows and works to the chimney stack has been submitted by the Council on Council owned land.

The proposal entails the removal of the existing roof covering – re-roofing including breathable membrane and roofing insulation together with replacement lead flashings to the existing chimney stack and replacement windows at 2, Green Edge, Beaumaris.

The application has been referred to the Planning Division of the Welsh Government for determination.

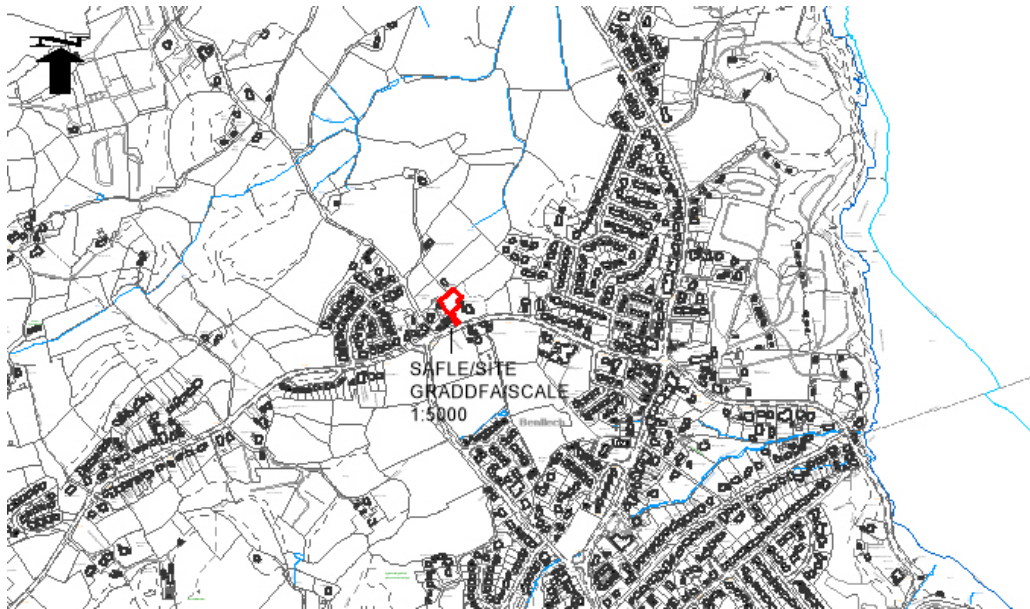
Rhif y Cais: **30C246K/VAR** Application Number

Ymgeisydd Applicant

Mr A Chilton

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

Tyn Pwll, Benllech



Planning Committee: 04/04/2018

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

Application reference 30C246K/VAR 'Application under Section 73 for the variation of condition (12) of planning permission reference 30C246H (erection of three dwellings) so as to move the location of one dwelling (P1) on land opposite Ty'n Pwll, Tynyngogl' was presented to the 4th October, 2017 Planning Committee where it was resolved to approve the application subject to a Section 106 agreement to prohibit implementation of the previous consent under reference 30C246H.

The Local Planning Authority has however been able to issue the permission subject to a condition preventing the implementation of the previous consent, obviating the need for a Section 106 legal agreement.

The matter is therefore reported for information purposes only.