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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 25 GORFFENNAF, 2018 am 1.00 o'r gloch yp	WEDNESDAY, 25 JULY 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 O Jones (Is-Gadeirydd/Vice-Chair)
Eric Wyn Jones
Bryan Owen
Dafydd Roberts
Nicola Roberts (Cadeirydd/Chair)
Robin Williams**

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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.

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4 SITE VISITS_(Pages 13 - 14)

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- 6.2 19C232E/FR – 55 Market Street, Holyhead
- 6.3 38C310F/EIA/ECON – Wylfa Newydd, Cemaes
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8 ECONOMIC APPLICATIONS

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None to be considered by this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None to be considered by this meeting.

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11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS_(Pages 83 - 90)

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13 OTHER MATTERS

None to be considered by this meeting.

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Planning and Orders Committee

Minutes of the meeting held on 4 July 2018

- PRESENT:** Councillor Nicola Roberts (Chair)
Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, T LI Hughes MBE,
K P Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen,
Dafydd Roberts and Robin Williams
- IN ATTENDANCE:** Chief Planning Officer (DFJ),
Planning Development Manager (NJ),
Planning Manager (Major Consents) (SO) (for application 7.1),
DCO Lead Case Officer – Wylfa Newydd Nuclear New Building
(AC) (for application 7.1),
Solicitor (PM) (for application 7.1),
Senior Planning Officer (GJ),
Senior Engineer (GWG),
Development Control Engineer (Highways) (JAPR),
Planning Assistant,
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** None
- ALSO PRESENT:** Local Member : Councillor Gwilym O Jones (application 7.3)
-

1 APOLOGIES

None.

2 DECLARATION OF INTEREST

Councillor Nicola Roberts a personal interest in application 10.2 and left the meeting during discussion and voting thereon

Councillor John Griffith declared an interest in application 7.1 as he is a Member of the Wylfa Newydd Project Liaison Group.

Councillor K P Hughes declared an interest in application 7.1 as he is a Member of the Wylfa Newydd Project Liaison Group.

Councillor Richard O Jones declared an interest in application 7.1 as he is a Member of the Wylfa Newydd Project Liaison Group.

The Legal Services Manager said that Councillors John Griffith, K P Hughes and R O Jones have confirmed that they have not taken any discussion within the Wylfa Newydd Project Liaison Group as regard to the works required on the A5025 as part of the Wylfa Newydd Project and therefore it was considered that they were able to take part within the discussion of the application before the Committee and voting thereon.

The Planning Development Manager declared a personal interest in application 6.2 and left the meeting during discussion and determination of the application.

3 MINUTES

The minutes of the Planning and Orders Committee held on 6th June, 2018 were confirmed as correct subject to the inclusion at 7.4 that Councillors John Griffith and Robin Williams abstained from voting on the basis that although the application was acceptable in planning policy terms, they did not agree with the principle of charging.

4 SITE VISITS

The minutes of the Planning Site Visits held on 20th June, 2018 were confirmed as correct.

5 PUBLIC SPEAKING

There were no public speakers.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 34C304Z/1/ECON – Full application for the erection of six buildings, the change of use of field into a heavy plant training area together with the creation of a new car park at Coleg Menai, Ffordd y Coleg, Llangefni

The Planning Development Manager reported that it was considered necessary for members to view the proposal and its context prior to considering the application.

It was RESOLVED to visit the site in accordance with the Officer's recommendation for the reasons given.

6.2 Full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of Star Crossroad, Star

Having declared an interest in this application, the Planning Development Manager withdrew from the meeting during consideration and determination of the item.

The Chief Planning Officer reported that the recommendation was to defer the application and that the application will be discussed at the next meeting of the Planning and Orders Committee to be held on 25 July, 2018.

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 27C106E/FR/ECON – Full application for improvements to the existing highway (A5025) between A5 East of Valley Junction to the proposed Power Station Access Road Junction at eight separate locations together with reconstruction and localised widening of existing pavement and surface dressing, temporary construction compound including temporary pavement recycling facility, creation of 2 attenuation ponds and maintenance access, creation/temporary diversion of cycle routes, creation of alternative parking facilities to mitigate loss of layby together with other associated works including drainage, boundary treatments, planting, new signage and road marking along the A5025 between A5 East of Valley Junction to Power Station Cemaes

(Councillors John Griffith, K P Hughes and R O Jones had declared an interest as regard to this application).

The application was presented to the Planning and Orders Committee as the application includes land in ownership of the Isle of Anglesey County Council. At the meeting held on 6 June, 2018 it was resolved to visit the site in accordance with Officer's recommendation. The site was subsequently visited on the 20 June, 2018.

The Planning Manager (Major Consent) in the first instance, read out a letter of objection which had not been included within the report to the Committee. The letter specified that *'the improvement to the A5025 should be an opportunity to bury power cables to the Grid and ideally removing the existing pylons within that process then thereafter to follow the A55 over the new bridge'*. He assured the Committee that due consideration has been given to the matter but the Officers considered that the objection is unable to be enforced within a planning condition.

The Planning Manager (Major Consents) reported that the application for highways improvement works to the A5025 are linked to the construction and operation of the proposed Wylfa Newydd New Nuclear Power Station. It comprises of works within 8 sections along, and adjacent to the existing highway i.e.:-

- Section 2 runs from the north of the junction of the A5025 and the A5 at Valley to north of Llanynghenedl;
- Section 4 north of Llanfachraeth to the south of Llanfaethlu;
- Section 6 north of Llanfaethlu to the north of Llanrhuuddlad;

- Section 8 north of north of Cefn Coch to proposed Power Station access road junction.

These sections would amount to an overall length of 16.19km and would be largely confined to within the existing highway boundary.

Further improvements to the A5025 are separately proposed on sections 1, 3, 5 and 7 will involve a 'chip and tar' works on the relevant sections and the period of works will be considerably less than sections 2, 4, 6 and 8.

Ancillary works to the improvement of the highway under this application would include creating attenuation ponds and maintenance accesses, creation of cycle routes, drainage, planting, new signage and road markings. To undertake the works, a temporary construction compound including temporary pavement recycling facilities is required and that is located within the junction of section 8 of the turning for Llanfairynghornwy/Mechell.

Horizon, as the proposed developer of Wylfa Newydd, has made this application to allow delivery of the On-line Highway Improvements to improve the poor condition of the existing road. Construction traffic for Wylfa Newydd would use the A5025 from the A55 junction 3 (and following a short length of the A5). Transport and traffic surveys have shown that sections of the route are currently unsuitable for use by construction traffic associated with the construction of Wylfa Newydd. The proposed development will therefore deliver necessary improvements to the A5025 to facilitate the construction of Wylfa Newydd. As this is a public road maintained by this Council as Highways Authority, a Highway Works Collaboration Agreement between the Isle of Anglesey County Council and Horizon has been put in place and the Highways Section has been closely involved in the design of the works within this application. The A5025 On-line Highway Works are part of the enabling works to help facilitate the construction and operation of the Wylfa Newydd DCO Project, the relevant planning policy in consideration of this application are set out with the Officer's report to the Committee. He noted that the Joint Local Development Plan (JLDP), Strategic Policy PS9 addresses early works which may need to be undertaken to develop the Power Station. In order to comply with the JLDP, such works should be designed to deliver or mitigate the impact of the Wylfa Newydd Project. The proposal before the Committee at today's meeting would help to deliver the Power Station on schedule by allowing highway improvements to be undertaken ahead of the DCO and would help mitigate the impacts of construction by improving the transport infrastructure and thereby reducing impacts on other road users. The proposed development was considered by the Council in October 2016 to determine as to whether an environmental impact assessment was required. The Planning Officers, having consulted on the proposal, determined that the proposals do not require an environmental impact assessment to be produced as there are no significant effects within environmental terms.

The Planning Manager (Major Consents) further reported that the proposal has also been considered under the Habitats Regulations and as regards to recent developments within European Case Law on which advice has been taken,

Officers have determined that this proposal can be screened out for habitats and therefore this Committee is able to make a planning determination on the application.

The Officer expressed that the recommendation of the Planning Officers is of approval of the application but he wished to bring to the attention of the Committee that there is condition attached to any approval of the application that the works is to be completed within 2 years from the date of the permission which is clearly shorter than the standard five years which is normally given. This condition is suggested to ensure that the works are carried out within a shorter course and in line with the stated need for the application which is to improve the highway ahead of substantial construction beginning on the main Wylfa site. He further noted that the Welsh Government, Highways Authority have stipulated that an additional condition needs to be attached to any approval of the application which states that improvements to the road to the Wylfa Newydd Site be completed before any works commence on site but the Planning Officers of this Authority have a contrary view as stated within the Committee report which confirmed that the condition did not satisfy the relevant tests within the Circular in their view. It was confirmed however that the condition would be imposed in line the Direction unless following further discussion with WG Highways Authority they agreed to have the condition removed. The formal decision notice when issued would reflect these discussions. If this application is approved a Section 278 Agreement will be entered into between the Council and Horizon under which the Council will deliver the Scheme and Horizon will underwrite the costs. In delivering the works Horizon will use the Highways Authority's contracting arrangements and approved contractors.

Councillor Dafydd Roberts ascertained whether a condition could be imposed that internet fibre cabling dugs be laid under the highway network to the Wylfa Newydd site. The Planning Manager (Major Consents) responded that the matter has been discussed with Horizon and it was easier to lay cabling within sections 2, 4, 6 and 8 compared to sections 1, 3, 6 and 7 as these sections will entail a 'chip and tar' works on the current highway infrastructure.

Councillor John Griffith questioned as to whether the comments by the local Community Councils have been considered as to the reduction within the speed limit in the village of Llanfaethlu as suggested by the Llanfaethlu Community Council and secondly whether the concerns of Mechell Community Council as to the potential that traffic will use country lanes in the area of Llanfachell and through the village to avoid roadworks on the A5025. The Planning Manager (Major Consents) responded that during the consultation period and briefing sessions as regard to this application due consideration has been given to the comments made by the local Community Councils and stringent conditions, some of which relate to the management of traffic, have been imposed on any approval of the application. Councillor John Griffith further questioned as to whether there will be improvements to the highway network through the village of Llanfachraeth. The Planning Manager (Major Consents) responded that it was premature to consider any improvements or speed restriction through the village of Llanfachraeth and that the matter would be address, if needed, as

regard to any restriction through the village. Councillor Griffith further questioned as to concerns as regard to the Wylfa scheme complying with the Welsh Language Standards. The Planning Manager (Major Consents) referred to the Officer's report to the Committee and referred that all temporary construction signage and permanent highway signage will be installed as part of the development as part of the development shall be provided in Welsh first and English after. He noted that a Welsh Language and Culture Co-ordinator is to be appointed as a link with local communities and the local authority.

Councillor Bryan Owen proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report and that an additional condition as imposed as required by the Welsh Government, Highways Agency (despite Officers having a contrary view) that improvements of the road to the Wylfa Newydd Site be completed before any works commence on site.

7.2 46C615/AD – Application for the siting of a non-illuminated sign together with the installation of car parking meter at the car park above the Visitor Centre, South Stack, Holyhead

The application was presented to the Planning and Orders Committee as the development is on Council owned land and has been called in by two Local Members. At its meeting held on 2nd May, 2018, the Committee resolved that a site visit should take place. The site visit subsequently took place on 16th May, 2018. At the meeting held on the 6th June, 2018 the Committee resolved to refuse the planning application contrary to Officer's recommendation as it was considered that the application is unacceptable due to the negative effects of traffic parking on the road which has no footway and which could lead to health and safety issues.

The Planning Development Manager reported that one of the Local Members, who had called-in the application, Councillor Dafydd R Thomas was unable to be present at the Committee and she read out a letter on behalf of Councillor Thomas to the Committee which reaffirmed his objection to the application due to health and safety issues. The Planning Development Manager further report that the Officer's report to the Committee provides a response to the reasons cited by the Committee for refusing the application. As the application is acceptable on planning grounds it was considered that the proposal will not have any adverse effects on the surrounding area nor on the AONB. The recommendation therefore remains one of approval.

Councillor T LI Hughes MBE said that he opposed the application for the siting of a parking meter at the site and reiterated that the piece of land as regard to this application has always been an area for vehicles as a 'turning point' and not a car parking site. Councillor T LI Hughes MBE proposed that the application be refused and Councillor Kenneth P Hughes seconded the proposal of refusal.

The Legal Services Manager said that the Committee must be aware that the nature of the application is the siting of a parking meter on site and the substantive opposition to refuse due to the level of charging and traffic issues would be problematic within a possible appeal.

It was RESOLVED to reaffirm the decision to refuse the application contrary to the Officer's recommendation on the grounds that the erection of a car parking meter on the site is likely to have a negative impact on highway safety; there is no pedestrian footway to the site and the location site has been a turning space for vehicles over the years.

(Councillors John Griffith, R O Jones, Robin Williams abstained from voting on the basis that although the application was acceptable in planning policy terms, they did not agree with the principle of charging).

7.3 49C333A/FR – Full application for change of use of disused chapel into a dwelling together with alterations and the construction of a first floor balcony at Hermon Chapel, Field Street, Valley

The application was presented to the Planning and Orders Committee as it has been called in by two Local Members. At its meeting held on 2nd May, 2018 the Committee resolved that a site visit be undertaken. The site visit subsequently took place on 16th May, 2018. At its meeting held on the 6th June, 2018 the Committee resolved to approve the planning application contrary to Officer's recommendation as it was considered that the existing finished floor levels are acceptable and would withstand any future flooding and that the proposal complies with the requirements of TAN 15. It was also considered that works recently carried out to the culvert have alleviated the flooding problems in the area, therefore there is no longer a flooding risk to the area.

Councillor R A Dew and G O Jones, as Local Members reaffirmed their support in respect of this application. Councillor Jones referred that the only grounds for opposing the application by the Planning Officer's is due to an objection by Natural Resources Wales as they consider that the application is contrary to policy TAN 15 as they consider that the site is identified within their flooding zone maps. He noted that a Planning Inspector has commented recently within a separate appeal process that NRW flood zone maps are out of date and especially within the Valley area. Councillor Jones suggested that this Authority should consult with NRW in respect of flood zone maps for the Island.

The Planning Development Manager reported that there are no objections to the proposal in terms of design, highways impact or effects on neighbouring properties or amenities. She noted that the proposed development is located in a C2 flood zone – TAN 15 which states that no residential development should be permitted in a C2 zone and since the proposed conversion is to be for a residential dwelling it would elevate it into a high-risk use making it a highly vulnerable development. The Planning Development Manager said that NRW have now confirmed that they will not refer the matter the Welsh Government.

Councillor Eric Jones proposed it reaffirm approval of the application contrary to the Officer's recommendation as he considered that the levels of the flooring of the proposal are sufficient to withstand any flow of water from whatever source. Councillor Bryan Owen seconded the proposal of approval as the building has existed on site for a number of years.

It was RESOLVED to reaffirm the decision to approve the application contrary to the Officer's recommendation on the grounds that it was deemed that the proposal complies with TAN 15 in that the building has existed on the site for a number of years and is sufficiently elevated to minimise the risk of flooding.

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

10.1 33C284B/DEL – Application under Section 73 for the removal of conditions (10) (code for sustainable homes), (11) (code for sustainable homes), (12) (code for sustainable homes) and (20) (footway) together with the discharge of conditions (07) (trade descriptions and materials), (08) (means of enclosure) and (09) (drainage details), so as to provide details of trade descriptions of the materials proposed to be used on external surfaces, full details of the proposed means of enclosure around and within the site and drainage details as part of the current planning application together with variation of conditions (13) (windows) and (21) (in accordance with approved plans) so as to amend the approved plans of planning permission reference 33C284A (erection of 3 new dwellings together with the creation of a vehicular access) on land opposite Holland Arms, Pentre Berw

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

The Planning Development Manager reported that the proposal entails the removal of conditions as part of the planning permission reference 33C284A approved in 2013. She noted that the 3 dwellings are now similar in size and context compared to the previous approved application as one dwelling was larger than the other two dwelling. Due to the reduction in size of the dwellings the application site is smaller in context, it is no longer necessary to remove the existing stone wall to the south west of the application site or re-divert the footway near the site. The Planning Development Manager further said that under the approved Joint Local Development Plan, Pentre Berw is identified as a cluster where housing proposals can only be supported for

affordable housing for local need between or adjacent to buildings. This application does not comply with the requirements of Policy TA16 as the dwellings are open market dwellings. However, as the application site has an extant planning permission the recommendation is of approval.

Councillor Vaughan Hughes proposed that the application be approved and Councillor Bryan Owen 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.

10.2 49C289K/VAR – Application under Section 73A for the variation of conditions (02) so as to amend the site layout and the design of units 2, 3, 4, 5, 6, 7, 8, 9 and 12, (06) so as to allow for the submission and discharge of the programme of archaeological works post commencement, (09) so as to amend the car parking provision together with the deletion of condition (11) (finished floor levels) of planning permission reference 49C289 (conversion of outbuilding into 12 dwellings) at Cleifiog Fawr, Lôn Gorad Road, Valley

(Having declared an interest in this application, the Chair, Councillor Nicola Roberts withdrew from the meeting during the consideration and determination thereof).

The Vice-Chair took the Chair in respect of this item.

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

The Planning Development Manager reported that the planning permission was granted as regard to this application in October 2016 for the change of use of the existing dwelling and outbuildings into 12 residential units together with the installation of a treatment plant and consequently the principle of the development has already been established and works have commenced to implement the permission. The application before the Committee deals with 10 of the residential units on site. She noted that there was a condition attached to the previous approved application that archaeological works needed to commence before works commenced on site and that a written scheme of investigation was needed to be submitted to the Local Planning Authority. Gwynedd Archaeological Planning Service, as part of the current application, have confirmed that the information had been supplied directly to them in December 2016 rather than the Local Planning Authority. They have further confirmed that the information was satisfactory and that they subsequently approved the details. The Planning Development Manager said that when the application was firstly considered the site was within an identified flooding zone C1. Natural Resources Wales have assessed the application and deemed it acceptable as there is a flood defence structure to be constructed to address any flood risk and there is no need for a condition

to raise the flooring of levels of the dwellings. She noted that as the Joint Local Development Plan (JLDP) was formally adopted in July 2017 the application must be assessed against the relevant policies within the JLDP. Policy TAI 7 of the JLDP which relates to the conversion of traditional buildings in the open countryside to residential use states that they will only be permitted if employment use of the buildings is not viable and that the development provides affordable units for the community's local need or the residential use is a subordinate element of a wider business use, amongst other listed criteria. The proposal is therefore contrary to the provisions of Policy TAI 7 of the JLDP, however since the site benefits from an extant and implemented planning permission the recommendation is of approval.

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

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12 REMAINDER OF APPLICATIONS

12.1 19C251U/FR/TR – Full application for change of use of vacant land into a car rental site which includes an office on land opposite Travel Lodge, Kingsland Road, Holyhead

The application was presented to the Planning and Orders Committee at the request of a local member.

The Planning Development Manager reported that application is to change the use of the site into a car rental use with an associated office in a porta-cabin and car valet canopy where vehicles would be cleaned. The proposal entails the creation of a tarmaced compound for the parking of 22 rental vehicles and 7 customer car parking spaces. It is anticipated that up to 5 persons will be employed within the application site. She noted that the application was call-in to the Committee for determination by a Local Member due to traffic and parking issues near the site and concerns as regard to the site location which is near the A55. The Officer said that the Highways Authority nor the Welsh Government Highways Agency have objected to the application but a construction management plan dealing with the construction and operation of the proposed development has been stipulated by the Highways Authority. Drainage and surface water comments are awaited as regard to the application. She further noted that details of the equipment to be used, hours of operation and noise levels from the proposed development have been submitted to the Environmental Service who are at present assessing the matter. The application site is within a C2 flood risk zone but the application

has been deemed to be categorised as less vulnerable development under the provision of policy TAN15 within the JLDP.

The Officer said that the application site was formally occupied by shopping units but the site was cleared and has been vacant for many years and therefore no valid planning use exists on site. Due to no valid planning use, Natural Resources Wales have objected to the application as the Flood Consequences Assessment submitted with the planning application has not demonstrated compliance with TAN 15. She noted that as the development is for car lease facility with a porta cabin on site the level of risk of flooding is deemed low. Added to this, substantial positive weight can be attributed to the economic development in terms of the creation of 5 jobs and urban regeneration and improvement to the visual amenities of the site would accrue from the development. The recommendation is of approval of the application.

Councillor T LI Hughes MBE as a Local Member said that whilst it is accepted that the application site has been vacant for many years and needs to be developed he questioned whether a car leasing facility was appropriate on this site. He said that he had concerns as to the level of traffic already near this application site. He noted that the site lies near the Fire Station, the A55 and also lay-byes which are used for parking. He also said that flooding problems has occurred within this area of the application site.

The Planning Development Manager addressed the issues raised as regards to car parking issues and said that the intention of the developer is to target service users who travel to and from the ferries within the port of Holyhead and train station. She noted that the lay-byes near the site should not be used as long term parking areas and it may be a matter for the Highways Authority to consider enforcing a limited time period for parking on these lay-byes. The Officer said that this matter would be considered separately to this application.

Councillor Robin Williams proposed that the application be approved and Councillor Eric W Jones 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.

12.2 39C18C/2/VAR – Application under Section 73 for the variation of condition (09) of planning permission reference 39C18H/DA (erection of 21 dwellings) so as to amend the external appearance at Plot 10, Ty Mawr, Menai Bridge

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

The Chair said that Councillor R Meirion Jones, a Local Member has requested that the site be visited

Councillor Robin Williams as a Local Member said that the reason Councillor R Meirion Jones has requested that the application site be visited was that there are concerns within the Ty Mawr Estate as regards to the context of this application. Councillor Robin Williams proposed that the site be visited and Councillor Eric W Jones seconded the proposal. The reason given for the site visit was the possible effects on neighbouring properties.

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

13 OTHER MATTERS

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

**COUNCILLOR NICOLA ROBERTS
CHAIR**

**COUNCILLOR R O JONES
VICE-CHAIR IN THE CHAIR FOR APPLICATION 10.2**

PLANNING SITE VISITS

Minutes of the meeting held on 18 July, 2018

- PRESENT:** Councillor Nicola Robert - Chair
Councillors John Griffith, T LI Hughes MBE, Vaughan Hughes, Eric Wyn Jones
Robin Williams.
- IN ATTENDANCE:** Planning Officer (MD)
- APOLOGIES:** Councillors Glyn Haynes, R O Jones and Dafydd Roberts.
- ALSO PRESENT:** Local Members : Councillor R Meirion Jones (application 2 only)
-

1 34C304Z/1/ECON – FULL APPLICATION FOR THE ERECTION OF SIX BUILDINGS, THE CHANGE OF USE OF FIELD INTO A HEAVY PLANT TRAINING AREA TOGETHER WITH THE CREATION OF A NEW CAR PARK AT COLEG MENAI, COLLEGE ROAD, LLANGFNÍ

The Planning Officer presented the application and identified the sites and explained the use and form of the proposed buildings and training area.

(Councillor John Griffith had declared a personal interest but following legal opinion he was able to partake during discussion on the application)

2 39C18C/2/VAR – APPLICATION UNDER SECTION 73 FOR THE VARIATION OF CONDITION (09) OF PLANNING PERMISSION REFERENCE 39C18H/DA (ERECTION OF 21 DWELLINGS) SO AS TO AMEND THE EXTERNAL APPEARANCE AT PLOT 10, TY MAWR, MENAI BRIDGE

The Planning Officer presented the application to the Planning and Orders Committee Members. The adjacent property was visited as regard to the impact of the proposal.

**COUNCILLOR NICOLA ROBERTS
CHAIR**

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6.1

Gweddill y Ceisiadau

Remainder Applications

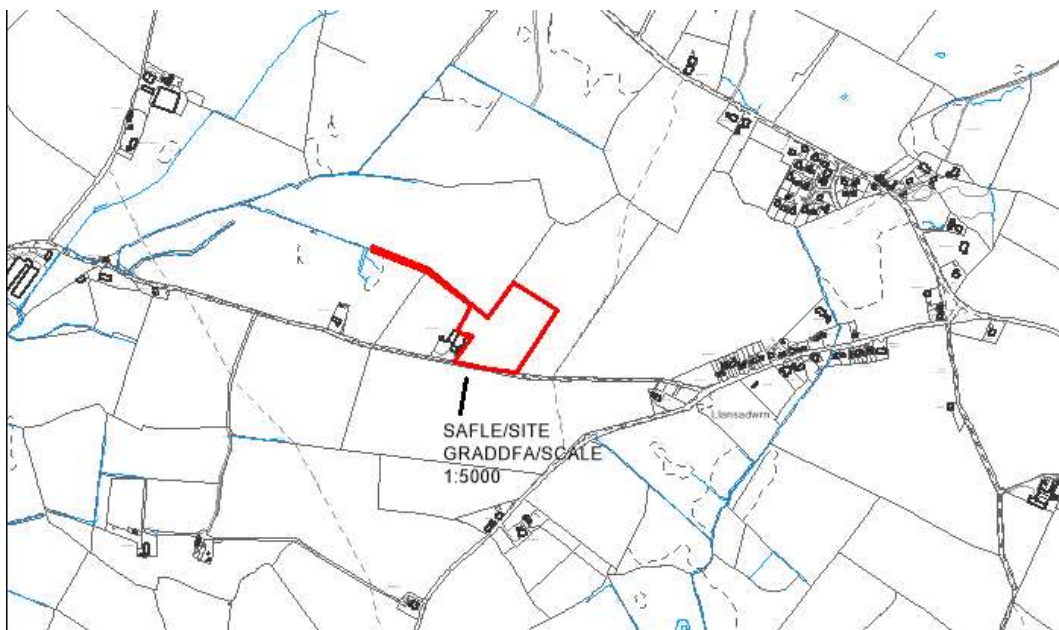
Rhif y Cais: **17C181C** Application Number

Ymgeisydd Applicant

C Jones & Son

Cais llawn ar gyfer codi sied anifeiliaid, codi clamp silwair, gosod llecyn caled ynghyd â gwaith tirlunio cysylltiedig gan gynnwys bwnd tirlunio yn / Full application for the erection of a livestock shed, erection of a silage clamp, laying of hardstanding together with associated landscaping to include formation of a landscaping bund at

Fferam Uchaf, Llansadwrn



Planning Committee: 25/07/2018

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

Recommendation:

Site Visit

Reason for Reporting to Committee:

As impact on the landscape is to be determined it is considered that members should visit the site to appreciate the issues of the case.

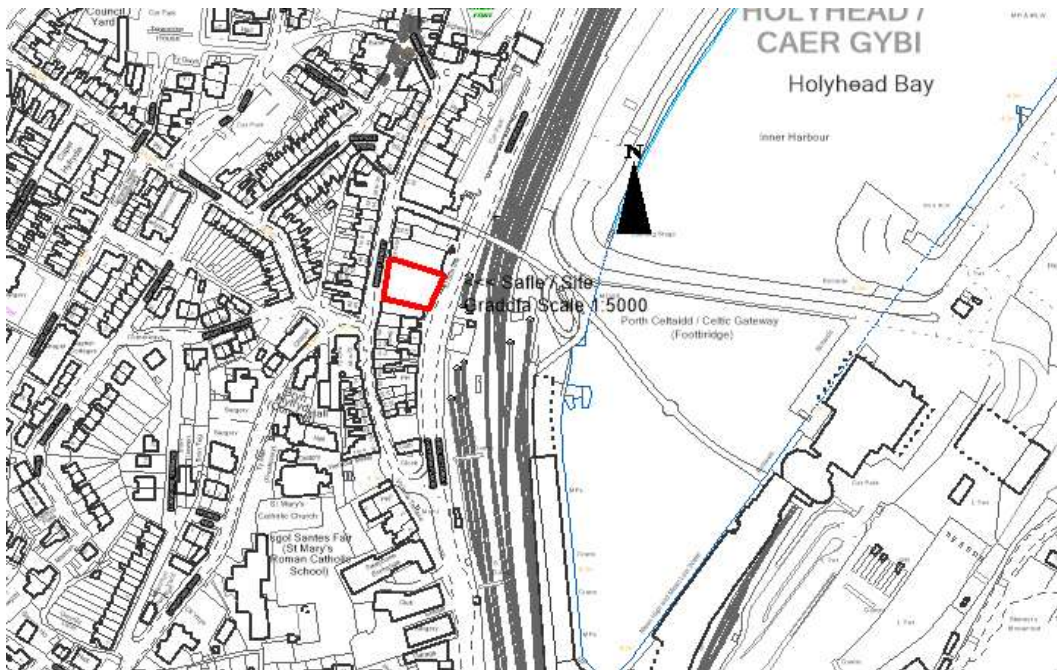
Rhif y Cais: **19C232E/FR** Application Number

Ymgeisydd Applicant

RVDL Developments Ltd

Cais llawn ar gyfer dymchwel yr adeilad presennol ynghyd a chodi gwesty ag uned defnydd masnachol (Dosbarth A3) newydd yn ei le yn / Full application for demolition of the existing shop together with the erection of a hotel and a commercial unit (Class A3) in its place at

55 Market Street, Caergybi/Holyhead



Planning Committee: 25/07/2018

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

Recommendation:

Site Visit

Reason for Reporting to Committee:

It is considered necessary for members to view the proposal and its context prior to considering the planning application.

Rhif y Cais: **38C310F/EIA/ECON** Application Number

Ymgeisydd Applicant

Horizon Nuclear Power Wylfa Limited

Gwaith paratoi a chlirio'r safle ar gyfer datblygu gorsaf bwer Wylfa Newydd, yn cynnwys y gweithgareddau canlynol: clirio'r safle (gan gynnwys clirio a rheoli llystyfiant, tynnu ffensys, waliau, giatau, ffiniau caeau, strwythurau presennol (gan gynnwys adeiladau), prysg, coed a nodweddion eraill sydd ar y tir); gwaith sefydlu'r safle (gan gynnwys gosod croesfan newydd ar draws ffordd fynediad gorsaf bwer bresennol Magnox, ffurfioli pwyntiau croesi presennol i gerbydau ar draws Ffordd Cemlyn, ffurfioli llwybrau i gerbydau, gosod ffens adeiladu o amgylch perimedr y safle, sefydlu ardaloedd gosod, compowndiau storio deunyddiau, compowndiau adeiladu ac adeiladau lles/swyddfa dros dro cysylltiedig, meysydd parcio, cyswllt llwybr troed cysylltiedig rhwng prif gompownd y safle a maes parcio cyn Glwb Cymdeithasol a Chwaraeon Wylfa, lle i storio tanwydd, ffensys diogelwch, a nodweddion diogelwch a draenio); gwaith gwella'r tir (gan gynnwys sefydlu compownd prosesau adfer a ffensys cysylltiedig, storio deunyddiau wedi'u prosesu/wedi'u trin, sefydlu traciau mynediad cysylltiedig, draenio, cloddio a thrin priddoedd sy'n debygol o fod yn halogedig, a thrin a thynnu rhywogaethau estron goresgynnol); dargyfeirio a/neu gau Ffordd Cemlyn dros dro gyda mynediad at Dy Croes (Maes Parcio'r Pysgotwyr) yn cael ei reoli; gwaith cysylltiedig arall a chynllun adfer i ddychwelyd y safle i gyflwr derbynol os na fydd datblygiad gorsaf bwer Wylfa Newydd yn mynd rhagddo yn / Site preparation and clearance works for development of the Wylfa Newydd power station comprising the following activities: site clearance (including vegetation clearance and management, removal of fencing, walls, gates, field boundaries, existing structures (including buildings), scrub, trees, and other above ground features); site establishment works (including installation of a new crossing of the existing Magnox power station access road, formalisation of existing vehicular crossing points across Cemlyn Road, formalisation of vehicular routing, installation of construction fencing around the perimeter of the site, establishment of laydown areas, material storage compounds, construction compounds and associated temporary office/welfare buildings, car parks, associated footpath link from between main site compound to the former Wylfa Sports and Social Club car park, fuel store, security fencing, drainage and security features); ground improvement works (including establishment of a remediation processing compound and associated fencing, storage of treated/processed material, establishment of associated access tracks, drainage, excavation and treatment of soils likely to be contaminated, and treatment and removal of invasive non-native species); diversion and/or closure of Cemlyn Road with controlled access to Ty Croes (Fisherman's Car Park); other associated works; and a scheme of restoration to return the site to an acceptable condition in the event the Wylfa Newydd power station development does not proceed at

Wylfa Newydd, Cemaes



Planning Committee: 25/07/2018

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

Recommendation:

Site Visit

Reason for Reporting to Committee:

It is considered necessary for members to view the proposal and its context prior to considering the planning application.

6.4 Gweddill y Ceisiadau

Remainder Applications

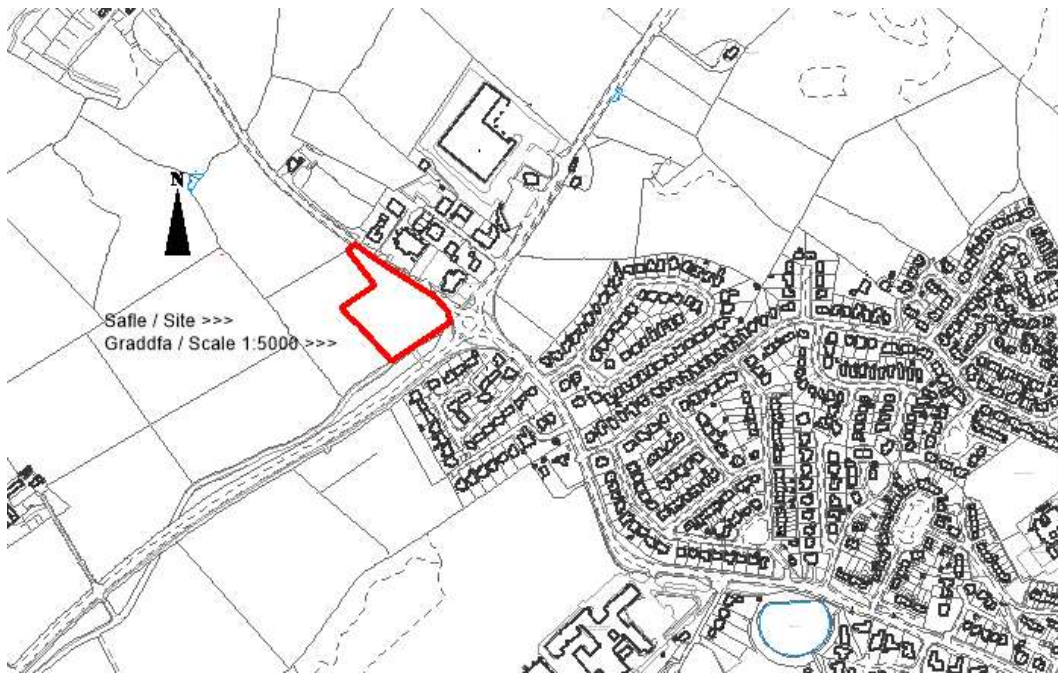
Rhif y Cais: **39LPA1046/CC** Application Number

Ymgeisydd Applicant

Cyngor Sir Ynys Môn

Cais llawn ar gyfer creu cyfleuster Parcio a Theithio ynghyd a chreu mynedfa newydd i gerbydau â datblygiad cysylltiedig ar dir ger / Full application for the formation of a Park and Ride facility together with the construction of a new vehicular access and associated development at

Ty Tafarn Four Crosses Public House, Porthaethwy/Menai Bridge



Planning Committee: 25/07/2018

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

Recommendation:

Site Visit

Reason for Reporting to Committee:

It is considered necessary for members to view the proposal and its context prior to considering the planning application.

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7.1

Ceisiadau'n Economaidd

Economic Applications

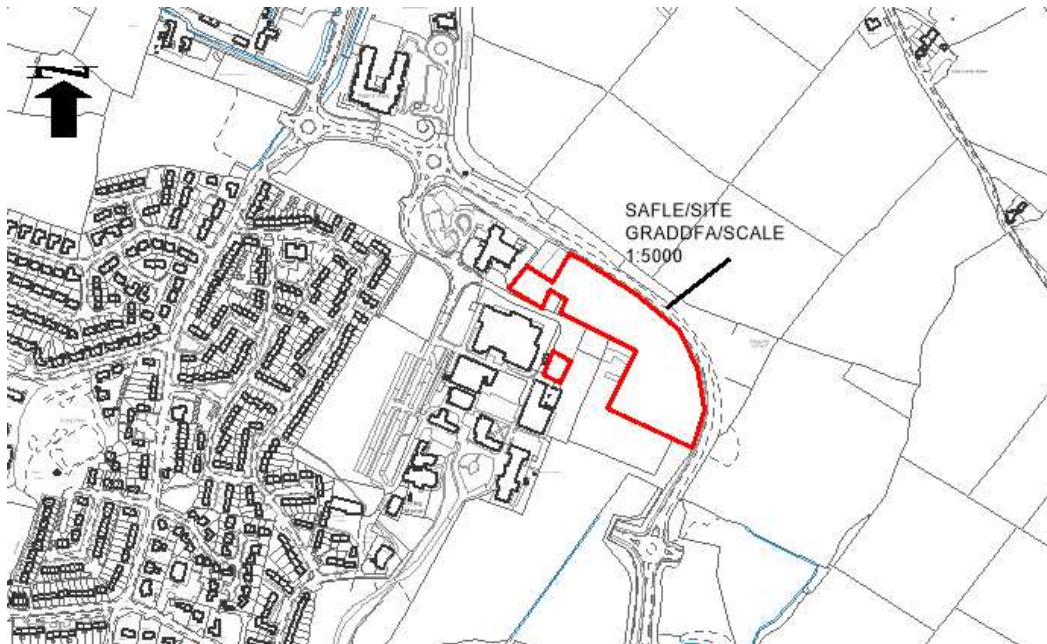
Rhif y Cais: **34C304Z/1/ECON** Application Number

Ymgeisydd Applicant

Grwp Llandrillio-Menai

Cais llawn ar gyfer codi chwech o adeiladau, newid defnydd cae yn ardal hyfforddiant peiriannau trwm ynghyd a chreu maes parcio newydd yn / Full application for the erection of six buildings, the change of use of field into a heavy plant training area together with the creation of a new car park at

Coleg Menai, Ffordd Y Coleg, Llangefni



Planning Committee: 25/07/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

This is a major planning application and the development forms part of the long term masterplan for the campus and town of Llangefni for which, it is considered, members should be part of the determining process.

1. Proposal and Site

The proposed development comprises 6 buildings consisting of;

1. General construction operative equipment store
2. Scaffolding store
3. Casement and shuttering formwork joinery training centre and general operative training building
4. Centre welfare/changing facilities
5. Scaffold training building
6. Heavy plant store

Additionally there will be a change of use of land to a heavy plant training area along with the creation of a carpark and associated landscaping.

The objective being to add to the educational function currently on offer, creating a Centre for Infrastructure Skills Training (CIST). A training centre of excellence for North Wales. It is anticipated this will deliver many of the skill requirements associated with the construction stages of major infrastructure projects.

The buildings vary in scale and reflect the industrial design of those that exist on the campus utilizing blockwork, powder coated metal cladding and roof sheets.

The proposed scaffolding training building (21) is the largest extending up to 15.5m ridge height with a width of 35m and length of 50m. Attached to this are the changing facilities (20) and casement/shuttering training centre (19) these have a height of 8m to ridge a width of 21m and length of 41m.

The scaffold store (18) to the east of the above building measures 8m in height to ridge 19.8m in length and 14.6m width (including a single storey lean-to)

The equipment store (17) to the south of the above has a ridge height of 8.6m a width of 12m and length of 20m.

The final building, the heavy plant equipment store (22) will be located to the south of the above buildings and will be positioned between the existing skills centre and testing centre (not constructed) in the campus. This building will have a ridge height of 8.2m a width of 25m and length of 40m.

The heavy plant training area will be to the east of the proposed new buildings abutting the link road the area will be resurfaced with hardcore.

Car parking is to be provided to the west of units 17 and 18 and will have 41 spaces these will be for the use of the CIST.

Access is to be achieved via the existing road to the new link road roundabout to the north east of the complex

The site is located directly adjacent to the Llangefni development boundary (as defined within the Joint Local Development Plan). Within the Plan's hierarchy of settlements Llangefni is defined as an Urban Service Centre.

It is partly undeveloped and located along the north and north east boundaries of the campus encapsulated by the newly constructed Llangefni link road.

The operation will require 21 staff 20 of which will be newly created posts. Furthermore details provided state that the centre will have the capacity to train between 800 and 1000 individuals annually.

2. Key Issue(s)

Whether the proposals are acceptable in land use/policy terms?

Will there be harm to amenity?

Will there be any highways issues?

Welsh language

3. Main Policies

Strategic Policy PS 1: Welsh Language and Culture

Policy ISA 1: Infrastructure Provision

Policy ISA 3: Further and Higher Education Development

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Policy TRA 1: Transport Network Developments

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Strategic Policy PS 5: Sustainable Development

Strategic Policy PS 6: Alleviating and adapting to the effects of climate change

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and place shaping

Policy PCYFF 5: Carbon Management

Policy PCYFF 6: Water conservation

Strategic Policy PS7: Renewable energy technology

Strategic Policy PS19: Conserving and where appropriate enhancing the natural environment

Policy AMG3: Protecting and enhancing features and qualities that are distinctive to the local character

National Planning Policy

Planning Policy Wales (Edition 9, November 2016)

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

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

4. Response to Consultation and Publicity

Llangefni Town Council No response at time of writing report

Local Members

Cllr N Roberts: No response at time of writing report

Cllr D Rees: No response at time of writing report

Cllr B Parry: No response at time of writing report

Welsh Water: No response at time of writing report

National Resources Wales: No response at time of writing report

GAPS: No response at time of writing report

Highways: Conditions

Ecological Advisor: Section 4.2 Recommendations which are relevant to ecology should be followed, with Planning conditions where appropriate

Environmental Health – No response received

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

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

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

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

The proposed development falls within the definition of major development as defined by (d) Above (4151sqm proposed). The order also requires that there be a 28 day publicity period prior to submitting a planning application and that the following should be undertaken:

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

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

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

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

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

Full details are included in the pre-application consultation report.

5. Relevant Planning History

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34C304F/1/ECON - Extension to the existing campus comprising of the erection of three; three-storey units with 250 no associated car parking, a separate unit comprising of a gym and fitness studio with 60 no associated car parking together with an all-weather outside football pitch, and sustainable drainage system with all matters reserved- Approved 27/10/15

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

34C304K/EIA/ECON - Hybrid application for 153 dwellings, Engineering Centre, hotel, food car parking and drink outlet and associated Works
Approved 25/5/2017

34C304B/2/SCR - Screening opinion for erection of 6 buildings change of use of field into Heavy plant training area along with creation of parking area and landscaping. No EIA required 6/7/2018

6. Main Planning Considerations

Whether the proposals are acceptable in land use/policy terms?

In accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004) it is necessary to ensure that planning applications conforms with the adopted Development Plan unless material planning considerations indicate otherwise. Other planning considerations can include national planning policy along with Technical Advice Notes (TAN). The Joint Local Development Plan (JLDP) was formally adopted on 31st July 2017 and has superseded the previous local planning policy framework for the Isle of Anglesey Local Planning Authority Area. The JLDP forms the development plan for both Gwynedd and Anglesey Local Planning Authority areas and forms the basis for decisions on land use planning in this area

When considering the principle of the development reference should be made to Policy ISA 3 of the Joint Local Development Plan. Policy ISA 3 stipulates that proposals for new facilities or extensions to existing buildings for academic and support purposes or for ancillary social, cultural or leisure activities at further or higher education sites will be granted subject to consideration of scale, location, design, amenity and transportation being acceptable.

In accordance with Policy ISA 3, when considering the location of additional facilities, the sequential test approach should be used with preference given to the re-using of existing sites and buildings. If there isn't a suitable site available for reuse, consideration should then be given to

development of land on existing further or higher education sites and secondly on sites which have a close relationship with the existing campus.

Due to the nature and scale of the proposal it is not considered there are suitable sites available for the proposals within the existing campus.

The proposed site directly adjoins the campus and therefore forms a natural extension, with the Llangefni bypass road forming part of the site boundary.

Will there be harm to amenity?

The impact of the proposal, especially upon the amenity of nearby land users should be considered in accordance with the criteria as set out in policy PCYFF 2 (Development Criteria). Specific consideration should be given to criteria 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupiers of local residences or other land and property users.

Neighbouring land uses can be identified as the following.

To the north and east lies the Llangefni link road with agricultural land beyond. To the south is the College campus, Such uses do not exhibit such amenities that require preservation. However, to the west is Canolfan Plant Llangefni, whilst not a residential use the impact of the buildings has been taken into account. The scaffold training building is of a considerable size and scale and if positioned in close proximity could have an overbearing impact. However at a distance of over 100m away, whilst it will be seen, its impact is not considered to be unacceptable.

The dwellings at Pencraig/Bro Tudur are over double this distance away and it is not considered that there will be harm to their amenity.

In respect of the heavy plant training area, noise will be generated by the machinery used. However, again given the distances from other land uses with existing residential properties over 300m away, it is not considered that the noise generated would be unduly harmful to amenity.

Furthermore, it should be noted that a heavy plant training area was previously approved to the south west of the proposal site in 2013 under reference 34c304D/1. This site was closer to residential properties a condition was however, attached to the permission restricting hours of use to mitigate this.

This permission was not implemented due to changes to future plans.

Visual Amenity

The development involves further development of agricultural land located to the south west of the link road which forms an informal boundary to the site at this point (land beyond being wooded). The buildings proposed are of an industrial finish and scale and will provide a hard edge to the site. The heavy plant training will be an area of hardstanding and frequently occupied by large machinery.

The link road opens up views to the site and to the mainland beyond. The site is also visible from the Penymynydd road on the elevated approach near Cefn Poeth (from the west), and on the final stretch of Lôn Penymynydd approaching the new roundabout at the link road intersection. Travelling south, the site is to the right of the view with significant building elevations to the highway temporarily interrupting views to the mainland. Travelling north, the buildings would be seen in the context of surrounding shelterbelt woodland and existing buildings. From the west views would be filtered by existing woodland with effects varying seasonally.

Mitigation planting in the form of a boundary hedge with trees will in time filter low level roadside views. This will depend on the height at which the hedgerow is maintained. Some hedgerow trees are proposed - of species of more limited stature.

The site is not identified as being of High Landscape and Visual sensitivity and no features and qualities distinctive to local landscape character would be affected as required by policy AMG 3. Views are primarily from the highway and associated cycle and footpaths.

Given the proposed buildings' combined mass and their utilitarian nature on this edge of the site, a greater volume of landscaping would provide greater screening than that proposed in the Landscape Plan. The number of hedgerow trees could be increased along the elevations of building 18 – 21. The volume of landscaping could be increased to the south east of building 21 and on the curving highway boundary with the heavy plant area, and include tree species such as pine and beech of greater potential impact. These measures would ensure greater compliance with PCYFF 4 and as such has been made the subject of a condition.

With the above matters in mind it is considered that the proposals are acceptable in landscape terms in this location.

Will there be any highways issues?

The Highways Authority have been consulted in respect of the application and raise no objection but suggest conditions as listed below.

Welsh Language

A Welsh language statement has been submitted with the application. The statement identifies that Grwp Llandrillo-Menai (GLIM) has a Welsh Language Scheme in place, GLIM is committed to

- 1) Supporting and encouraging staff to make greater use of Welsh in their day to day work, and will ensure that staff members are aware of opportunities to use Welsh, and are confident in doing so;
- 2) Supporting the development of Welsh language skills in its curriculum; and
- 3) Providing and promoting opportunities for learners to receive bilingual education wherever possible to develop balanced language skills in Welsh and English, and to enable learners to play an active role in the bilingual community and economy.

The Welsh Government recognizes that education has a crucial role to play in order to support the aspirations of a bilingual nation strategy (Iaith Fyw, Iaith Byw, Welsh language Strategy 2012-2017) and supporting the use of the Welsh language within communities. The proposed CIST will expand the provision of bilingual education for local people of Anglesey and North Wales.

7. Conclusion

It is considered that the proposals are an acceptable land use and also will not unduly harm residential or visual amenity. The addition of education facilities will benefit not just the location but a far wider area and will assist in creating the centre of excellence providing a type of training which does not presently exist in North Wales.

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

8. Recommendation

To grant delegated powers to **approve** the application following receipt of outstanding consultation responses

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

(02) Full details of any lighting proposed shall be submitted to and approved in writing by the LPA prior to any such installation. The lighting scheme shall be constructed in strict accordance with the approved details.

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

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

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

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

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

- **Protective measures to trees and shrubs**
- **Signage for the construction traffic, pedestrians and other users of the site,**
- **Controls on the arrival and departure times for the construction vehicles;**
- **Piling methods (if employed)**

- **Earthworks**
- **Hoardings to the site,**
- **Hours of working,**
- **Details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated**
- **Waste management and disposal and material re use,**
- **Prevention of mud / debris being deposited on public highway;**
- **Protection of the amenities of nearby residential occupiers**
- **Materials storage; and hazardous material storage and removal.**
- **A system for the management of complaints from local residents**
- **Emergency Containment Procedures**

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

(05) Heavy plant using the training area shall be operated on site only between the hours of 9am and 5pm. No plant shall operate at weekends or Bank holidays

Reason: To define the scope of this permission

(06) Additional planting shall be provided in accordance with a scheme to be approved in writing by the LPA prior to the commencement of the landscaping of the site. The scheme shall be implemented in accordance with the approved details prior to the use hereby approved being commenced and thereafter shall be retained for the lifetime of the development.

Reason: In the interests of amenity

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

Plan	Number	Received
Masterplan		7 th June 2018
Location Plan	D605A.01	7 th June 2018
Proposed Block Plan	D605A.02	7 th June 2018
Floor Plans Elevations (Building 19, 20, 21)	D605A.03	7 th June 2018
Proposed elevations (Building 17)	D605A.11	7 th June 2018
Proposed elevations (Building 17)	D605A.10	7 th June 2018
Proposed floor plan (Building 17)	D605A.09	7 th June 2018
Proposed elevations (Building 18)	D605A.07	7 th June 2018
Proposed elevations (Building 18)	D605A.08	7 th June 2018
First floor plan (Building 18)	D605A.06	7 th June 2018
Ground floor plan (Building 18)	D605A.05	7 th June 2018
Floor plans and elevations (Building 22)	D605A.04	7 th June 2018
Foul and surface water layout	CIST-CAP-HDG-00-DR-C- 0001	7 th June 2018
Landscape planting plan	ENG-CAP-MP-00-DR-L-0002	7 th June 2018
Biosecurity Risk assessment		19th June 2018
Ecological appraisal		7 th June 2018
Drainage strategy		7 th June 2018
Welsh Language Statement		7 th June 2018

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

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

7.2

Gweddill y Ceisiadau

Remainder Applications

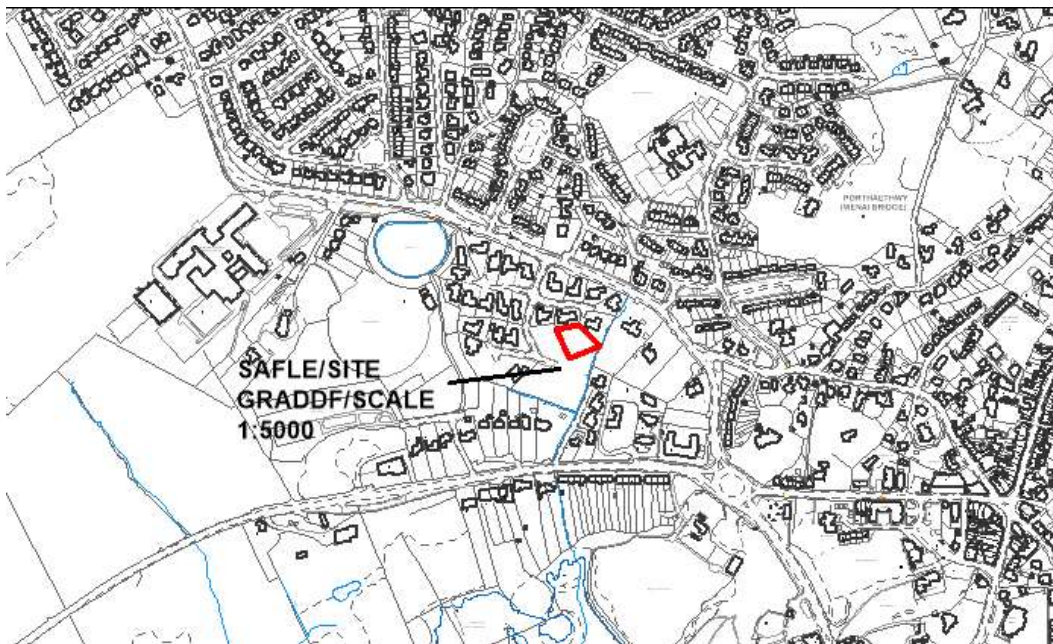
Rhif y Cais: **39C18C/2/VAR** Application Number

Ymgeisydd Applicant

Mr Christopher Hutchinson

Cais o dan Adran 73 i ddiwygio amod (09) o ganiatâd cynllunio rhif 39C18H/DA (codi 21 o dai) er mwyn diwygio yr edrychiad allanol yn / Application under Section 73 for the variation of condition (09) of planning permission reference 39C18H/DA (erection of 21 dwellings) so as to amend the external appearance at

Plot 10, Ty Mawr, Porthaethwy/Menai Bridge



Planning Committee: 25/07/2018

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

Recommendation:

Permit.

Reason for Reporting to Committee:

The application has been referred to the Planning Committee by Cllr M Jones.

At its meeting held on the 4th July, 2018 committee members recommended that a site visit should take place. The site visit took place on the 18th July and the members are now aware of the site and its settings.

1. Proposal and Site

This application has been made to change the design of the previously approved dwelling the planning permission for which is extant.

It is proposed to build a 4 bedroom bungalow with a bedroom in roof space. There will also be a detached double garage.

This vacant site is located on land which is currently being developed. It is identified as plot 10 and is positioned alongside plots 8 and 9 to the west and 5 and 6 Ty Mawr to the north and north east.

Numbers 5 and 6 Ty Mawr are positioned at a higher level and have windows overlooking the site. The new bungalow will be 9m (closest point) from the boundaries with no 5 and 6.

2. Key Issue(s)

- Is the design acceptable in this location?
- Will there be harm to residential amenity?

3. Main Policies

Strategic Policy PS 5 Sustainable Development
Policy PCYFF 3 Design and Place Shaping
Policy PCYFF 4 Design and Landscaping

Technical Advice Note 12 Design
Technical Advice Note 18 Transport

SPG Design Guide for the Urban and Rural Environment.

4. Response to Consultation and Publicity

Menai Bridge Town Council - No observations.

Cllr M Jones has referred the application to the Planning Committee as he considers the development would be harmful to neighbours.

Cllr R Williams - No comments.

Cllr A Mummery - No comments.

Highways - No comments.

4 letters / emails have been received points raised include;

- Concerns regarding finished floor level (FFL) of extant permission in comparison to that proposed
- There has been backfill which has changed the levels since planning permission was granted
- Are FFL's which the agent refers to valid?
- The new house has twice the spatial volume of that approved and the ridge height from eaves will be more than double the ridge height of the original
- The footprint with garage will be 50% larger
- The massing and scale will be double that approved
- The FFL should be at least 5.5m below plot 6 this will lessen harm.

5. Relevant Planning History

39C18H/DA - Detailed plans for the erection of 21 dwellings on land at Ty Mawr, Menai Bridge, approved 25/04/96

6. Main Planning Considerations

The key issues have been identified as

- Is the design acceptable in this location?

It is proposed to build a bungalow on a sloping site. There are other similar modern bungalows in the vicinity and it is not considered that the design or size of the building will detract from the character or appearance of the location.

- Will there be harm to residential amenity?

Concerns have been raised in respect of the impact the new bungalow will have on those properties nearby namely numbers 5 and 6. The occupants of those properties have made representations making comparisons with what has been approved and what is proposed. Of especial concern is the matter of the height of the new build, where the FFL.s should be, and how it is unclear where the approved FFL's are set.

Recognizing this concern, sections through the site have been requested showing the proposed dwelling in relation to those surrounding. These show the heights of numbers 5 and 6 and also the proximity of the new bungalow and its height and floor levels. Additionally the submitted plan indicated the height and outline of the approved dwelling.

The new dwelling will have a roof construction which is hipped on four sides sloping up towards a narrow ridge. This reduces the impact over that approved which has a long central ridge and gable ends. Additionally, the narrow ridge will be 200mm lower than the approved scheme.

Notwithstanding what has been approved, what is to be determined here is whether or not the new proposal is acceptable. It is considered that given the form of the roof construction the impact on nearby properties is not so great as to be unduly harmful to their amenities. The roof will be sloping away from those properties from a single storey height of 2.5. to eaves and given the hip construction the maximum height of the dwelling will only be realized at the centre of the construction. Furthermore the distance from 5 and 6 which is a minimum of 9 m is considered acceptable for a single storey construction especially when the plots lower position is taken into account.

Whilst this will inevitably interrupt the views currently enjoyed by the residents to the side and rear this is not a reason to refuse this application which could be justified at appeal.

Furthermore, given the relationship between the properties with 5 and 6 being higher there will be no direct overlooking from the new bungalow.

The scale of the dwelling is similar to those surrounding and its single storey construction albeit built up at front, will not seem obtrusive or out of place.

7. Conclusion

Whilst it is acknowledged that there will be impact on those dwellings surrounding the form of the proposal ensures that what impact there will be are of an acceptable level not unreasonably detracting from the amenities of the occupants thereof.

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

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

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

Drawing number	Date Received	Plan Description
PL: Hutchinson PL 01	01/03/2018	Proposed floor plan
PL Hutchinson PL 02	01/03/2018	Proposed elevations
PL Hutchinson PL 03	01/03/2018	Proposed elevations
PL Hutchinson PL 04	01/03/2018	Proposed plans and elevations (Garage)
PL Hutchinson PL 05	01/03/2018	Proposed site plan
PL Hutchinson PL 06	01/03/2018	Proposed first floor plan
PL Hutchinson PL 07	15/05/2018	Proposed context sections (FFL 31.82)

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.

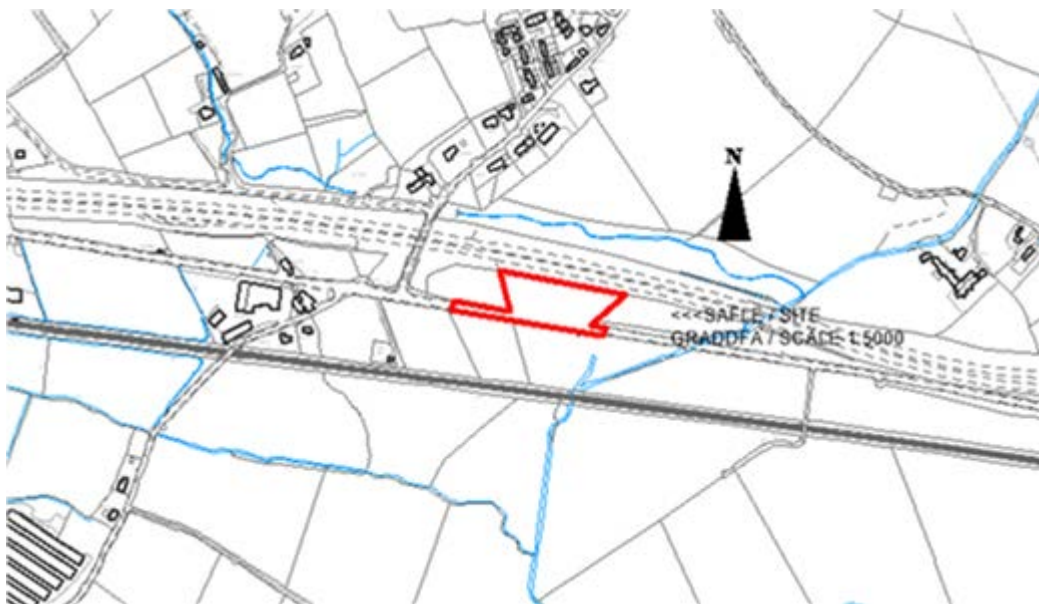
Rhif y Cais: **41LPA1041/FR/TR/CC** Application Number

Ymgeisydd Applicant

Cyngor Sir Ynys Môn

Cais llawn ar gyfer newid defnydd tir amaethyddol i'w ddefnyddio fel man stopio dros dro (10 llecyn) ar gyfer Sipsiwn a Theithwyr, creu mynedfa gerbydau newydd, ffurfio mynedfa newydd i gerddwyr a phafin ynghyd â datblygiadau cysylltiedig ar dir i'r Dwyrain o / Full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of

Star Crossroad, Star



Planning Committee: 25/07/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been submitted by the Isle of Anglesey County Council (Housing Services). Under the Council's present scheme of delegation it is required that the matter of this application be referred for determination to the Planning and Orders Committee, based on the following 3 grounds.

1. The applicant is a department within the Isle of Anglesey County Council, in this case Housing Services;
2. Councillors Robin Wyn Williams, R. Meirion Jones and Alun Mummery, in their consultation responses, have requested that the application be heard and determined by the Planning and Orders Committee; and
3. As a result of the number of 3rd party representations stating objection to the proposed development.

1. Proposal and Site

The application site, which extends to 0.88 Ha, is classed under the Joint Local Development Plan (JLDP) as open countryside. It is identifiable as a narrow strip of land physically constrained by the A55 North Wales Expressway (to the north/rear) and the A5 Holyhead Road (to the south/front), with the rail line of the North Wales Coast Line located further south beyond the A5 carriageway c. 100m distant, the Star road immediately to the west and further agricultural fields to the east toward the direction of Llanfairpwll. It is an area of undeveloped rural/agricultural land which has been separated from the larger field enclosure to the north by the construction of the A55. Uncut and overgrown hedges, have grown into the site and adjoining enclosures, to the west and east.

The site is located c.70m to the south of Star, at the other side of the A55, which acts as a physical barrier between the site and Star. Star however is notably the closest rural settlement. Further distant to the east along the A5 (c. 1.08 km) is Llanfairpwll; the larger of the two local communities.

The description of development reads *"The proposed development is for a temporary stopping place for Gypsies and Travellers on an area of rough grassland between the A5 and the A55. The site will accommodate 10 No caravans and towing vehicles on hard standing pitches. The site will be enclosed by fencing and a new site access provided off the A5."*

Following consultation, and the subsequent refinement of the scheme in order to meet servicing and operational requirements, provision of utilities, site security considerations and access arrangements, the proposal comprises:

- Secure boundary fence and lockable gate;
- Planting strip of evergreen hedge along the southern verge boundary;
- Area measures approximately 38 x 110 metres with a total site area of 0.88 hectares or 8,800 square metres or 2.17 acres;
- Access off the A5 east of the Star junction - visibility splays accepted by Isle of Anglesey County Council's (IACC) Highways Department;
- Footpath provided from Star junction to site entrance for access to Bus Stop;
- Provision of serviced pitches 10 No. temporary pitches - min spacing of 7 metres between bays – spacing approved by IACC;
- Bays designed for large caravans to future proof capacity and to accommodate wide range of vehicles;

- Portakabin toilets and shower facilities provided for each pitch including disabled WC connected to mains sewer – hired on and off as required;
- Waste water discharge points and chemical toilet waste disposal points;
- Acoustic barrier fencing to reduce noise levels from A55;
- Security Fencing along frontage of A5;
- Sliding gates with lockable mechanism;
- LED lighting on 4.5 metre high lamp posts – lighting general circulation area only;
- Electricity and water supply to each pitch;
- Provision of fire points (two fire extinguishers in secure container); and
- Informal amenity area fenced defined by bow top fencing.

2. Key Issue(s)

The key issue in the assessment of this application is the acceptability of the proposed development in principle and compliance with the JLDP. Specifically, the development must comply with the JLDP in respect of:

- Site location and suitability for development in principle;
- Highway, parking and safety considerations;
- Detailed technical considerations (drainage, landscape, ecology);
- Design and appearance; and
- Impact on residential and local amenity.

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

- Relevant national planning policy and advice;
- Local adopted supplementary planning guidance'
- The content of the letters of representation; and
- The responses from consultees.

3. Main Policies

This section of the report sets out the relevant national and local planning policies and associated guidance to the application to be determined by the committee and the weight that should be given to each. Further in the report, the application will be assessed against each relevant planning policy.

The Well-Being of Future Generations Act 2015:

The Well-Being of Future Generations Act 2015 requires that local authorities think more about the long term, work better with people and communities and each other, look to prevent problems and adopt a more joined-up approach. As a result, public bodies when making decisions must take into account the impact they could have on people living their lives in Wales in the future. In this respect, the Act requires public bodies to:

- work together better;
- involve people reflecting the diversity of our communities;
- look to the long term as well as focusing on now; and
- take action to try and stop problems getting worse - or even stop them happening in the first place.

Sustainable development is central to the aims of this Act and in this context the term '*sustainable development*' means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle,

aimed at achieving the *well-being goals*. In doing this, the Act places a well-being duty on public bodies, which states:

“Each public body must carry out sustainable development. The action a public body takes in carrying out sustainable development must include:

- *setting and publishing objectives (“well-being objectives”) that are designed to maximise its contribution to achieving each of the well-being goals, and*
- *taking all reasonable steps (in exercising its functions) to meet those objectives.”*

The seven well-being goals (‘the goals’) show the kind of Wales we want to see. Together they provide a shared vision for the public bodies listed in the Act to work towards. The goals are:

- A prosperous Wales;
- A resilient Wales;
- A healthier Wales;
- A more equal Wales;
- A Wales of cohesive communities;
- A Wales of vibrant culture and thriving Welsh language; and
- A globally responsible Wales.

In terms of the determination of planning applications and of making planning decision, the Act has been aligned with Planning Policy Wales (PPW), which states:

“The planning system manages the development and use of land in the public interest, contributing to improving the economic, social, environmental and cultural well-being of Wales, as required by the Well-being of Future Generations (Wales) Act 2015. It should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, and protecting natural resources and the historic environment. A well-functioning planning system is fundamental for sustainable development.”¹

In February 2017, the Council published its well-being statement and objectives for 2017-18 which will be linked to the Corporate Plan priorities and draws on the Public Services Board’s well-being assessment.

Consideration of how this application can contribute to the well-being principles outlined above are provided within the conclusion at the end of this report.

Local Development Plans:

All planning authorities must prepare a Local Development Plan for its area². Once adopted, decisions about planning applications must be made in accordance with it unless material considerations indicate otherwise.

The statutory development plan consists of the Joint Local Development Plan (Anglesey and Gwynedd) 2017 (the JLDP). At its meeting held on 31st July 2017, the Council resolved to adopt the JLDP and also to retain current Supplementary Planning Guidance documents (SPGs) until new or replacement guidance is produced.

Within the JLDP, the following policies are considered applicable:

- PS 4 – Sustainable Transport, Development and Accessibility.
- PS 5 – Sustainable Development.
- PS 6 – Alleviating and Adapting to the Effects of Climate Change.
- PS 19 – Conserving and Where Appropriate Enhancing the Natural Environment.
- TRA 4 – Managing Transport Impacts.
- PCYFF 1 – Development Boundaries.

¹ Planning Policy Wales, 9th Edition, November 2016. Para 1.2.1

² Planning Policy Wales, 9th Edition, November 2016. Section 1.1.5.

- PCYFF 2 – Development Criteria.
- PCYFF 3 – Design and Place Shaping.
- PCYFF 4 – Design and Landscaping.
- AMG 3 – Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character.
- TAI 8 – Appropriate Housing Mix.
- TAI 19 – New Permanent or Transit Pitches or Temporary Stopping Places for Gypsies and Travellers.
- SPG Parking Standards, 2008.
- SPG Design in the Urban and Rural Built Environment, 2008.

In addition to the statutory development plan, the following national planning policy and advice require to be considered:

- Planning Policy Wales (Edition 9, November 2016) (hereafter referred to as PPW).
- The Enabling Gypsies, Roma and Travellers Plan, June 2018
- Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009).
- Technical Advice Note (TAN) 12: Design (2016).
- Technical Advice Note (TAN) 15: Development and Flood Risk (2004).
- Technical Advice Note (TAN) 18: Transport (2007).
- Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017).
- Technical Advice Note (TAN) 24: The Historic Environment (2017).

Additionally, since the submission of the application, the Welsh Government has adopted *Circular 005/2018 Planning for Gypsy, Traveller and Showpeople Sites*, June 2018. This Circular reflects provisions contained in the Housing (Wales) Act 2014 to ensure local authorities meet the accommodation needs and provide sites for Gypsies and Travellers through the planning system. It outlines how planning authorities and Gypsies and Travellers can work together to achieve this aim.

The Circular supersedes the following documents:

- Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites;
- Circular 78/91 Travelling Showpeople; and
- Circular 76/94 Gypsy Sites Policy and Unauthorised Camping.

4. Response to Consultation and Publicity

Local Members: Councillors Robin Wyn Williams and Alun Mummery request call-in of planning application to committee and notes the following:

- Safety of the site which has been located between A55 on one side and the A5 on the other side.
- Access to the A5 is dangerous.
- Liable to flooding on the site. I have a video which I took on the 23rd of November 2017 showing the site underwater.
- Lack of Isle of Anglesey County Council to consider other suitable sites for this purpose.
- A site visit should take place prior to the application's determination

Councillor R. Meirion Jones, who objects to the application and has intimated that his objection be provided in full within this report for the benefit of committee members. Councillor Jones' representation is therefore provided below as follows:

"Subject: 41LPA1041 – Temporary Stopping Site for Gypsies and Travellers at Star

I would like to comment on the following application. Because of its nature it will be going before the Planning Committee. A site visit will be arranged.

I have waited until now to try and receive all the information. Even so, I have not received the following -

A1. The reports in Welsh.

A2. Report from the Highways Department of Welsh Government in relation to the A55. Some comments have been made in 2016 and are relevant to the A5 but not to this specific application and especially not to the A55 which is the dual carriageway. It is known that work is being done on the A55 in Conwy near the Gypsy and Traveller Site and therefore comments must be asked for in relation to this site near Star. There are a number of relevant factors, especially noise and data (and basis and use of data).

A3. Report and comments of the Police. Comments were made by the Police to the Executive, regarding the unauthorised site on Pentraeth Road, on 31 May 2016.

Chief Superintendent Harrison, in his message on 9 March 2016, requested the opportunity to comment when the planning application had been made. Have the Police had a request to comment?

The Officer stated: "Our concern is one of public safety in so much the proximity of the site to a busy 'A' road gives us concern should there be children resident . . . There are clear concerns of how they would be safeguarded to prevent them from egressing on to the road which is fast moving and busy."

If the Police were concerned about child safety on that site, what would they say about what is intended at Star which is located between the A5 'A' Road and the A55 dual carriageway? Also, the railway track is not far away. Remember that Public Services need access to the site at all times so the site cannot be locked and entry cannot be denied or otherwise.

Therefore, the application is defective without the full comments of the Police regarding safety issues and in general.

Some other comments –

B1. It has been said previously that the Star site is not suitable for the needs of the Gypsies. Is it a Transit site for up to three months or a Temporary stopping site – no more than 28 days? It was stated in the consultation document 2/6/16-1/7/16 "to meet the needs of the Gypsies and Travellers who have a traditional pattern of camping for a few weeks for cultural reasons and while they are working in the area." In paragraph 5.1.17 of the document it is also said ". . .for Gypsies and Travellers that have been camping illegally at Mona in recent years, the intention is to allow them to stay for two weeks, without a right to return within four months." Or is there a possibility the caravans will be there all the time?

B2. In the assessment of the Star Site within the Consultation document, reference is made to "Nearby Use" – "...does not either overlook a domestic or commercial business." – quite possible, but I would like to emphasise that the Star Community is on the raised land and many houses look down over the proposed site! This will become apparent on the site visit.

B3. Guidelines have been put in place regarding Gypsy and Traveller Sites. They should not be in areas which are unsuitable for residential or social housing and should not be near dangerous areas, especially for children and adults e.g. dual carriageways. They should be given the same consideration as other accommodation.

B4. Noise

Briefly (as others have referred to this) – the report itself shows that there are significant noise problems in relation to noise and the noise barrier/fence etc. This application should be rejected based on this alone.

B5. Water and overflow and flooding.

B6. Road Safety and entrance to the site on arrival.

B7. There are a number of other concerns to include shortcomings in the assessments in the relation to animals, pest management, arrangements to ensure that no bonfires etc. are lit.

B8. The basis of the objection locally is that the site is unsuitable for people to live for a short period or for any period of time. The people referred to are Gypsies but I emphasise that we refer to them as people. The application includes so many shortcomings that it isn't acceptable or safe to approve the application. I ask the planning committee to refuse the application."

Penmynydd and Star Community Council:

- The land is unsuitable, wet and dangerous.
- Its location is unsuitable for residents and drivers.
- The location and 3 metre fence will be visible from the residents of Star and tourists.
- The cost of preparing the site will be high.
- There is no footpath to the village of Llanfairpwll and no street lighting.
- The Community Council is also concerned of the noise level between the A5 and A55 roads, and from the nearby railway.
- The Isle of Anglesey County Council have not made a proper assessment of other locations.
- The access is not suitable.

The Community Council is appealing to the Councillors to look at the application as if they were considering an application within their administrative area.

Notably, the Community Council enclosed a petition of 1591 signatures objecting to the scheme on the aforementioned grounds.

Bangor Back Lane Residents Association:

Bangor Bank Lane Residents Association are an organisation formed by members of the local Gypsy and Traveller community to communicate with the County Council and housing departments about accommodation needs. The Association, in their objection state that they recognise the need for transit sites however have raised concerns on the Council's decision to build a temporary stopping place rather than a permanent transit site, where residents can stay for up to three months at a time. The points of objection raised by the association include:

- Misleading information on the pre-application consultation with the Gypsy and Traveller community;
- Inappropriateness of a stopping place rather than a permanent transit site;
- Lack of space within the pitches/size of plots;
- Lack of private individual toilet facilities;
- Concerns regarding safety of the site due to its location between the A55 and A5 roads;
- Concern that the design does not promote a welcoming place, and instead would be built like a cage which will expose residents to abusive behaviour from outwith the community;
- Impact of noise on residents, the inappropriateness of a 3m sound barrier and concern over failure to comply with World Health Organisation noise standards and
- Lack of information on management of the site.

Travelling Ahead:

Travelling Ahead is a Welsh Government funded project working with the Gypsy, Roma and Traveller communities across Wales to provide independent advice, advocacy and support for community members to have a say in local and national plans and decisions that affect them and their families. In their objection, they recognise that more transit site provision is urgently needed across north Wales, however in a similar manner to Bangor Back Lane Residents' Association have concern that what is being proposed is a temporary stopping place and not a true transit site, designed to meet the needs of the Gypsy and Travelling community. Travelling Ahead consider that the current plans require to be substantially revised in order to meet the needs and establish

the confidence of the Gypsy and Traveller communities travelling in and through the Isle of Anglesey.

Further points of objection raised by Travelling Ahead (on behalf of the member community) include:

- Concern over the appropriateness of the location and facilities;
- Negative views on the site's suitability for children, safety, noise levels and the unwelcoming appearance and nature of the site;
- The basic level of facilities being provided;
- The lack of sufficient space within the pitches; and
- The temporary and unhygienic nature of the toilet and washing facilities (advising that members of the community would look after and clean permanent allocated facilities, but temporary facilities such as those proposed will not be well used or cared for).

Public Representations:

In addition to the above, 39 individual letters of objection have been received in respect of this application. These representations are from 3rd party individuals and organisations. The representations include a mix of individually written letters, pro-formas (e.g. a standardised letter with pre-written content circulated to and signed by members of the public in an organised manner before being returned to the planning authority as an individual's objection).

The bulk of objections centre on the unsuitability of the site, the lack of meaningful consultation with both the Gypsy and Traveller community and the local communities and noise, safety and traffic impact.

Of the points raised, those which are material planning considerations may be summarised in more detail as follows:

Object (Social):

- The proposal will result in an increase in antisocial behaviour within the area.
Officer's Response – There is no evidence that the proposed development will result in an increase in anti-social behaviour within the locale. Furthermore, the Welsh Government, within their Enabling Gypsies, Roma and Travellers Plan, June 2018 recognise the marginalisation and discrimination of these groups and seek – at a national level – to support developments which would serve to integrate different groups to overall societal benefit.

Objection (Traffic and Transport):

- The proposed access to/from the A5 will create traffic safety issues for road users and pedestrians, including those who use the site as there is insufficient room for the continuous movement of vehicles belonging to the travellers. These vehicles will be stopping to gain access, or wait for the gates to be opened, thus making it dangerous for road users.
- The formation of a new access to the A5 will result in traffic queuing on the carriageway.
- Due to the proximity of the A5, there is a high likelihood of an accident resulting from children playing within the site (e.g. from a ball being thrown onto the road).

Officer's Response – The proposed access is considered to be sufficient in terms of its design and layout and is not considered to present significant impacts on the transport network. Furthermore, the submitted Site Management Plan provides measures to control access via keypad access in order to mitigate against any potential for accidents resulting from the site's proximity to the A5 carriageway. Further information on this matter, including a summary of the response from the Council's Highways department is provided later in this report.

- This section of the A5 is unlit which poses a safety risk to pedestrians.

- The location of the site next to the A5 is unsafe for pedestrians and in particular those living within the site.

Officer's Response – At present, the current situation is that no street lighting is provided for between the site and the nearby settlement of Llanfairpwll however street lighting is provided for immediately outwith the site in the location of the two bus stops situated near to the Star Crossroads on the A5. Given this, it is considered that while there will be a small section of pedestrian link from the site access which is not lit, this will not pose a significant risk to safety as pedestrians walk to/from the site and the bus stops.

- The level of traffic noise experienced on site will be very high due to the close proximity of the A55 and the A5. This will result in a lack of basic amenity for those who live/use the site.

Officer's Response – The inclusion of a 3m high acoustic barrier in order to mitigate against noise impacts (principally from the A55) is incorporated within these proposals. Further information in the acceptability of this solution is provided later within this report.

- The development will block a designated bus stop access on the A5.
- Officer's Response – The development will not block access to the bus stops for either pedestrians or buses themselves.*

Object (Environmental):

- The development site is located within a C1 flood zone, with parts within and adjacent to a C2 flood zone, where there is a high risk of flooding.

Officer's Response – The development is not located within a C1 or C2 flood zone and further information on this matter is provided later within this report.

- The site has a prior history of flooding.

Officer's Response – See above response.

- The proposal will have a significant and detrimental visual impact on the character and amenity of the area.

Officer's Response – The proposed development is not deemed to present a significant detrimental impact on visual amenity or landscape character within the locale. Further information is provided on this matter later within this report.

- The proposed acoustic barriers would have an adverse effect on an area designated of being of international and national importance for biodiversity and landscape.

Officer's Response – The site is not subject of any statutory international or national designations.

- The submitted noise assessment is insufficient as it was undertaken on a weekend day in December; a date that is not representative of the potential year-round noise impacts.
- The period of measurement taken for the noise assessment is too short to accurately demonstrate the potential noise impacts affecting this development.

Officer's Response – The methodology of the Noise Impact Assessment is considered satisfactory in meeting the requirements of TAN 11: Noise.

- The proposed development was affected by external noise levels in excess of 60 Db LAeq during the daytime, and is expected therefore to fail to achieve World Health Organisation criterion of 50-55dB LAeq (16h) for outdoor gardens and recreational areas.

Officer's Response – Further details on this matter are provided later within this report.

- The submitted Air Quality Assessment does not take account of particulates PM2.5 and smaller, or carbon black, or other pollutants such as PAH's, ozone, etc.

Officer's Response – PM2.5 is a fraction of PM10 and carbon black is likely to be soot and covered under PM10 if its particles are small enough.

Object (Policy):

- The proposals do not meet all of the criteria within policy TAI 19 of the JLDP and therefore fail to comply with the adopted development plan; specifically with regard to site location and design, noise assessment, air quality assessment and visual impact assessment.
- The proposal fails to comply with policy TAI 19 (Criteria 2) as the site is not within reasonable proximity to local services and facilities as it is some distance away from Llanfairpwll and there is no public footpath or street lighting between the site and the nearby settlement.
- The proposal fails to comply with policy TAI 19 (Criteria 4) as noise levels will be unacceptable within the site and cannot be sufficiently mitigated with the proposed 3m high acoustic barriers.
- The proposal fails to comply with policy TAI 19 (Criteria 6) due to the site's location between two busy main roads, close proximity to a rail line and close proximity to a C2 flood zone – all of which indicate that due regard has not been given to the Mobile Homes (Wales) Act 2013 and the Welsh Government Good Practice Guide in Designing Gypsy Traveller Sites in Wales.
- The proposal fails to comply with policy TAI 19 (Criteria 7) as the proposed development will have an unreasonable impact on the character and appearance of the surrounding areas, particularly due to the inclusion of 3m high acoustic barriers surrounding the southern, eastern and western site boundaries.
- Welsh Assembly Government Circular 30/2007 clearly states that enclosing a site with too many high barriers would be visually obtrusive and should be avoided.
- The proposal fails to comply with policy TAI 19 (Criteria 8) as the acoustic barriers would have adverse impacts on an area designated as being of international or national importance for biodiversity and landscape. As stated in Planning Inspectorate Appeal Decision APP/L6805/A08/2085702, the area of this land is a National Landscape Character Area which shows the attractive open character of the local area and the presence of any development will be foreign and obtrusive.
- The proposal fails to comply with policy TAI 19 (Criteria 10) as the site is located within a C1 flood zone and parts of the site are located within and adjacent to a C2 flood zone.

Officer's Response – Due to the number of objections on policy grounds, specifically in relation to policy TAI 19, these are considered in further detail within the policy assessment section of this report below.

Object (Other):

- Since the May 2013 (ref 050463) report to the Executive Committee of the County Council, which considered the suitability of the site, what has changed that allows this site to be considered suitable? At this time, the local Community Council wrote to the County Council to advise that the site was inappropriate owing to its location outside of the Village boundary (Star), that the highway was unsuitable for the additional traffic generated, and that the land was prone to flooding.

Officer's Response – There is no policy position under national policy or within the JLDP which would prevent the proposed development from being located outwith a development boundary.

- In respect of report 050463 above, the Inspector considered that the proposal was inappropriate development in the green barrier, but that the unmet need constituted exceptional circumstances; however he was concerned that proximity to the road would give rise to unacceptable living conditions in terms of noise and air pollution.

Officer's Response – Please see further assessment of noise and amenity impacts later in this report.

- The proposed use of the site as a stopping place rather than a transit site is of concern. The very short term nature of the stays on a stopping place (i.e. 2 – 3 weeks) would not likely meet the need for families who (in the consultation by the County Council) have said the visit the island for several week to months at a time, particularly during the summer months. Therefore while it is acknowledged that there is a need for sites of this nature on the Island, it is questions as to whether this site meets the actual needs of the Gypsy and Traveller community in practical terms.

Officer's Response – The principle of development and the argument for a temporary stopping place vs a transit site are outlined within the policy assessment later in this report.

Object (Design and Siting):

- The trees within the site are deciduous and therefore it will not be possible for these to screen the caravans from view.
- It appears likely that the final appearance of this site will be akin to a floodlit compound.

Officer's Response – The impact of the site on visual amenity and landscape character has been considered later in this report.

- The proposed site does not meet the requirements of The Good Practice Guide in Designing Gypsy Traveller Sites in Wales, 2009 which states:
 - Local authorities should avoid locating sites next to or near hazards which present specific risks to children and adults such as dual carriageways, industrial sites, rivers or canals;
 - If a site is inappropriate for private or social residential use then it should not be considered appropriate for a Gypsy Traveller site and Gypsy Traveller sites should receive the same considerations as other forms of accommodation;
 - Sites should not be considered if they are near hazardous locations such as motorway flyovers. The location of a site should always be in acceptable surroundings or where the surroundings can be made pleasant at a reasonable cost. Sensitive landscaping and boundary definition should provide seclusion for residents.

Officer's Response – A number of objections provide a series of comments on the proposal's failure to comply with The Good Practice Guide in Designing Gypsy Traveller Sites in Wales, 2009. It should however be noted that these comments cannot be considered in the assessment of this application as this document has been superseded by Designing Gypsy and Traveller Sites in Wales, 2015. In respect of this document however, it is advised as being for guidance only and does not have any statutory basis as a material consideration in the assessment of a planning application, instead the statutory mechanism to consider such matters falls to Circular 005/2018 Planning for Gypsy, Traveller and Showpeople Sites, June 2018. Consideration of the Circular is provided within the policy assessment below.

Objections which are Non-Material:

In addition, it is noted that a number of other non-material matters have been raised; namely costs incurred by the County Council, local property values, general personal opinions on the Gypsy and Traveller community, cost of insurance premiums, and comparisons to other unrelated sites, decisions by other local authorities and appeal decisions. In these instances it is advised that non-material matters cannot be considered in the assessment of a planning application and also that it is a fundamental tenet of the Welsh planning system that each application be assessed on its own merits, and not by the virtue of planning and appeal decisions taken on differing development proposals, or at differing sites and under differing local planning regimes.

Furthermore, comments have been raised as the result of a local press article regarding the suitability of the site, both from a local resident and a user perspective. In this instance, it is understood that a number of points for and against the use of this site have been raised. Following publication of the press article, members of the public and Bangor Back Lane Residents

Association have written to the Council voicing concerns over the suitability of the site and in particular safety given the site's position adjacent to the road carriageway. To clarify this matter, it is noted that no new material planning issues have been raised which require further consideration in the assessment of this application.

Consultees:

Highways Section – In their response from 31st January 2018, The Highways Authority provided an outline of previous pre-planning consultation for a temporary Traveller site at this location (and that a consultation response was submitted on the 8th July, 2016). It was then summarised that within that response, the Highways Authority highlighted potential issues with the development proposal that would need to be overcome or justification provided if no mitigation/improvement was proposed.

The access as submitted on the proposed plans is acceptable in terms of size and visibility splay. However, although it does mention in the 'Site Management Report' submitted that the travellers entering the site would have to contact the site manager to gain access before arriving, In reality, this would be difficult to achieve and control. One observation made during the pre-planning consultation was that the Highways Authority would not accept any development that would involve vehicles parking or stopping temporarily on the highway while the access gates were being opened as this would be detrimental to the safety of the public highway and its users. Therefore, the applicant must demonstrate a clear and robust method that mitigates the potential risk of vehicles waiting on the public highway for someone to come to open the gates.

The pedestrian link proposed is satisfactory and would allow occupants of the proposed site to safely walk from the site to the nearest bus stop near the Star crossroads.

Following submission of the amendments made to the site management plan, the Highways Authority wrote to the planning authority to confirm that the proposals were deemed to be acceptable, subject to a series of conditions in relation to the design of the access; provision of the proposal footway as indicated in the revised site management plan; the submission of a full comprehensive and robust Construction Phase Traffic Management Scheme; and the provision of car parking relative to the occupation of the site.

Drainage Section – In their response of 5th February 2018, the Chief Engineer (Highways) confirmed that drainage scheme detailed on the submitted site plan appears satisfactory in principle.

Dŵr Cymr/Welsh Water – In their response of 10th May 2018, Welsh Water wrote to advise that having reviewed the revised proposed drainage layout and supporting letter, that they acknowledge that the developer proposes to dispose of foul flows via the public sewerage system and discharge surface water run-off into the Afon Braint via a land drain. On the basis that only foul drainage flows are discharged to the public sewerage system, Welsh Water have no objection to the proposal.

In addition, the following points are noted:

- No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site; and
- A water supply can be made available to service this proposed development. Initial indications are that a connection can be made from the 9" diameter water main in 'Field Opposite site location'.

Welsh Water have also recommended a safeguarding condition ensuring that no surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage network and that it should be discharged to the Afon Braint unless otherwise agreed by the planning authority.

Landscape Officer – In his response of 6th February 2018, the Council's Landscape Officer advised as follows:

The site is not within a protected landscape; the Southern Anglesey Estate lands lies approximately 120 metres to the South East (across the rail network). The AONB lies some 1.4km further to the south east.

The site is visible obliquely from the A5 for a range of approximately 250 metres in both directions. From the A55 travelling west, there are views to the site from a similar range and travelling east, oblique glimpses from the road cutting up to the site for a short duration (following the fly-over). A new (from the A55's construction) hawthorn hedge with ash trees borders the site with the A55. There is limited vegetation bordering the A5's boundary. The site is overlooked from viewpoints in Star to the north from where there is an extensive rural view to the mainland and coast with the transport corridors less visible in daylight hours.

Key features of the landscape baseline include:

- Transport corridors, road and rail, historic and modern which provide gateways and fine views to the mainland, and occasionally detract from the view.
- Commercial development to the west of the Llanddaniel/Star junction and intermittent development from there to Gaerwen.
- A more rural agricultural landscape to the south east (including the Southern Anglesey Estate lands) with occasional views of domestic and tourist facilities and prominent High Voltage Lines.

These combine in a site within an immediate area that is semi-rural in character but influenced by nearby developments and experienced in peri-urban and rural contexts. It is presented as being of '*low landscape sensitivity*' in the LVA.

Landscape effects are greatest to the site with the loss of grassland, re-profiling and reduction of boundary vegetation and effects to the immediate setting related to boundary treatments and lighting extending cumulative effects from built development at Star further to the east. These effects are in the context of the A5 route rather than the A55.

The proposal would not alter key characteristics of the Landscape Character Area (LCA). It has taken account of the key development issues noted in the LCA (4.2.1) but cannot fully mitigate effects in relation to these.

The sensitivity noted in the LVA is related to the urban features and transport corridors. Sensitivity rises to the east close to and within the Special Landscape Area (SLA).

It is not considered that the proposal has any effect on the following special qualities of the Southern Anglesey Estate lands noted below:

- The strong estate feel of the landscape, as part of the Grade I listed 18th/19th century Plas Newydd estate.
- The mosaic of grazed pastures (including wood pasture), estate woodland plantings and mature specimen trees in fields and hedgerows;
- Its function as an immediate setting to part of the Anglesey AONB;
- Its strong inter-visibility with the adjacent AONB, and scenic views across the Menai Strait to the mountains of Snowdonia;
- The peaceful and strongly rural character of the landscape, with a general absence of modern development.

In respect of potential visual effects, 8 illustrative public viewpoints have been chosen within a 1km radius as shown in Figure 8 of the LVA and summarised in para 7.1.11. These represent a selection of major and minor roads and an A55 pedestrian bridge. Taken in the winter months, they show the site when most visible.

Viewpoint 1: Built development, pylons and trees and hedges feature strongly in the view. Views from here are not anticipated; neither does it appear that there would be views of the site from this point on (to the A5 junction).

Viewpoint 2: Various vertical structures and signage are present in this view along the A5. The site is presently screened by a mix of deciduous/evergreen hedges and scrub on the site boundary, most of which would remain. The proposed fencing would be visible; however, other structures would be substantially screened.

Viewpoint 3: From further along the A5, the number of vertical structures and other clutter is reduced, representative of the more rural view. There will be views of structures towards the site's frontage with the A5, with those closer to the A55 substantially screened.

Viewpoint 4. This a brief view, dominated by the A55 and mainland with views to pylons. The proposed development would be visible but a minor feature. The boundary trees and hedge would provide important screening in summer months.

Viewpoints 5 – 7 represent a sequence of views from Star. Viewpoint 6 is situated close to a bench/sitting area on the roadside verge with good views to the landscape beyond. This (VP 6) is a locally sensitive viewpoint and the site would be a visible feature of this expansive view, particularly in the winter months, with a slight adverse effect. Night time views presently include vehicular lights on the A55 and A5 and roadside lights at the Star/A5 junction.

Viewpoint 8: Elements of the site (fencing and caravans) would be visible against a backdrop of built development in Star.

Several other viewpoints not considered in the LVA are noted below:

There are no stopping points on the A55 near the site. Views travelling west are from within the roadside cutting and the height of the viewpoint and sensitivity of the receptor (commuters/tourist) will vary. The site's proposed acoustic barrier would be visible briefly between (to the rear of existing trees) with a slight-moderate adverse effect, particularly in winter. The proposed lighting is unlikely to be prominent among the vehicular, wider residential and street lighting.

A55 views travelling east are of a shorter duration and oblique with broadly similar effects.

The tree survey notes a life expectancy of 40yrs + for all but one of the boundary trees. Measures are suggested for works within the Root Protection Areas of trees and the development will not have a direct effect on them. As noted above the trees provide an important screen to the site and would break up views of the fence. Ash dieback is not noted in the survey but is present on the A55 (mainly younger trees). NRW predictions are that ash dieback will intensify (although there is no absolute timeframe) and result in the widespread death of ash. The hawthorn hedge would be unaffected and could be allowed to grow taller. Replacement trees (young standards) would take in the region of 10 years+ to reduce the effect on views, unless mature specimens were planted. Some effects would remain in the winter months.

Most of the boundary hedges are retained to the east and west and the works would have negligible effect on their screening capacity. Moss green has been chosen as a colour for boundary fences in keeping with fence colours locally. Trees outside the site are believed to be outside of the applicant's control and changes are likely as noted above.

A new evergreen hedge is proposed on the A5 boundary.

The LVA concludes that the effect of landscape change would be moderate adverse such as the loss of, or partial loss of some landscape features (Policy AMG 3). Effects on landscape quality would be slight adverse. There would not be significant effects on landscapes of international or national importance (TAI 19). There would be no effect on the Special Landscape Area (AMG 2).

The design has taken account of local views and natural screening as advised in the Landscape Character Description and PCYFF 4. Mitigation seeks to further integrate the proposal into the site.

The acoustic barrier is noted in the LVA 5.1.5 as the most visually prominent part of the development and the visual effect of the proposal is considered in the LVA 7.1.14 to be neutral/slight (based on the sensitivity of the receptor). Effects are predicted above to be greatest from a static viewpoint in Star (near VP 6) and the A5 and A55. VP 6 is a wide view and the proposal would be a visible but minor feature of the view. Views from the A55 are brief and more enclosed, particularly travelling west. The vulnerability of the boundary trees outside the site to disease will affect the long-term quality of the screen and the visual effects from the A55 and A5.

Network Rail – Network Rail do not object to this proposal, however do have concerns that this proposal will increase the potential for trespass in this area. An advisory note concerning the location of the railway relative to the development site is recommended by the planning authority in this instance.

North Wales Fire Service – The Fire Authority does not have any observations in regard to access for appliances and water supplies.

North Wales Police – North Wales Police (NWP) offer no objection to the proposals, however make the following observations:

- Consideration should be given to enabling the site at construction stage to facilitate the retro-fitting of CCTV, should future issues with the site emerge.
- NWP continue to seek to be engaged with on any management plans put in place for this site, specifically in relation to out-of-hours provision.
- NWP continue to have concerns about the proximity of the site to the A5 for child safety reasons.

Officer Note – Regarding the points outlined above by NWP, the matter of CCTV was considered and decided against following consultation with the Traveller and Gypsy community over the summer of 2017. This notwithstanding, the Council intends to fit infrastructure to enable the installation of CCTV, should it be required in the future.

In respect of management plans, the submitted Site Management Plan has been considered and agreed by the Project Board within input from NWP. The Council intends on continuing to have NWP input into the detailed plans, which will include out-of-hours provision.

The safety of all users, including children, has been considered by the Council during the design process, and mitigation has been included in the site design process. As a result, a secure boundary along the curtilage of the A5 is proposed as part of the scheme design. The design incorporates a 2.4 metre high security mesh fence along the southern boundary of the site together with mechanical sliding gates and a pedestrian gate both of a similar height to the fence. The gates will be secured and operated by a key pad locking system ensuring safe and secure access and egress.

Joint Planning Policy Unit (JPPU) – No objection on policy grounds, outline of policy requirements.

Natural Resources Wales (NRW) – Within their response of 26th June 2018, NRW advised that following receipt of the revised Flood Consequence Assessment (Capita. FCA Revision 003. 25th June 2018) that they are satisfied that the level of flood risk associated with the site is acceptable and in line with the requirements of TAN 15: Development and flood risk.

Furthermore, NRW state that the hydrology used (and included in the revised FCA as Appendix C) has followed regulatory guidelines and is deemed appropriate and conservative thus adopting a precautionary approach to flood risk. The hydrology/flow estimates have been used in the hydraulic modelling work to determine the impact of blockages on structures which could impact the site during high flows; this was our concern for the site due to historic blockages and flooding from the Afon Braint in the surrounding area.

NRW have also reviewed blockage scenarios within the survey information and note *“Blockage scenarios have followed our guidelines along with increases in flows due to the impacts of climate change (again in line with our guidelines). It is unclear if any time limitations will be attached to the planning permission, however all epochs have been considered with the maximum central estimate of +30% in flows being considered the greatest risk. The model has indicated that for the medium blockage scenario the site is elevated above adjacent flood levels (A55 blockage). As such we are satisfied with the allocation of the site as shown in the latest FCA.”*

NRW then note that the Council as Local Flood Authority should ensure that the final surface water drainage design is considered satisfactory, which as outlined above, it is.

Notably, in order to achieve surface water discharge to the Afon Braint, a Flood Risk Activity Permit may be required from NRW.

From the information contained in the bat report, NRW consider that the proposed development represents a lower risk for bats, as defined in guidance document *‘Natural Resources Wales Approach to Bats and Planning (2015)’*. Bats and Great Crested Newts (GCN) and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Any development that would contravene the protection afforded to bats or GCN’s under the Regulations would require a derogation licence from NRW. A licence may only be authorised if:

- There is no satisfactory alternative and
- The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.
- In addition, the development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN 5) states that the County Council should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any protected species on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

In this case, the report concludes that the proposed development is not likely to harm or disturb protected species or their breeding sites and resting places at this site, if avoidance measures described in the report are implemented. Also, because the development represents a lower risk to protected species in this case, NRW do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Therefore, NRW do not object to the proposed development, subject to all recommendations described in section 7 of the submitted bat report being set out in a method statement and secured through the inclusion of suitable planning conditions and/or a Section 106 agreement.

NRW considers that the controlled waters at this site are not of the highest environmental sensitivity, therefore do not provide any detailed site-specific advice or comments with regards to land contamination issues for this site.

NRW has recommended that the requirements of Planning Policy Wales and the Environment Agency Guiding Principles for Land Contamination (GPLC 1, 2, and 3), March 2010, should be followed – NRW have adopted this guidance.

Ecological Advisor – The Council’s Ecological Advisor had noted from page 1 of the initially submitted Assessment Report (second paragraph) that the scheme design layout was in preliminary stages and that the Report *“is not intended to be submitted for planning unless supported by the further surveys and a detailed assessment of the impacts ... once the scheme is finalised.”* Given this, the advisor had requested that relevant updates/clarifications be made either in a new version of the document, or in further document(s) clarifying the situation. This should

relate to the actual proposed development layout and details (including lighting) and cover relevant ecological mitigation and methodology.

Following this, an updated Ecological Impact Assessment (April 2018) was submitted by the applicant. The Ecological Advisor noted that in view of the S6³ duty for local authorities to seek to conserve and enhance biodiversity, the submitted General Layout Plan and the Phase 1 Habitat Plan would indicate a loss of overall biodiversity at the site. It is advised that a clearer commitment to mitigation actions involving habitat creation be made and that the recommendations within Section 7 of the assessment report be put into place. This notwithstanding, the following clarifications should be made:

- Area(s) of new planting for both hedges and grassland need to be more firmly defined (on main plans). Areas should be marked, with species mix and basic management instructions. The area of proposed evergreen hedge be instead planted with holly and/or beech as a broadleaved alternative closer to native ecology considerations.
- Scrub removal to be either outside March-end August, or following checks by ecologist.
- Excavations to be covered overnight, or with sloping side.

Gwynedd Archaeological Planning Service (GAPS) – The application site is immediately north of an enclosure, provisionally identified as of medieval date, which was originally identified as an upstanding earthwork but has since been largely levelled by ploughing (PRN 2702). The enclosure appears to be wholly contained within the field to the south of the old A5, but associated buried deposits may extend into the application site. During assessment for the then proposed A55, the area including the application site was identified as being within medieval fields, with earthworks in the adjoining field to the east of the site interpreted as the remains of medieval agriculture (PRN 37223). To the west of Star crossroads, fieldwork for the A55 scheme recorded a burnt mound (PRN 31845), one of several recorded along the road and indicative of prehistoric activity in the locality. Fieldwork for the A55 scheme was carried out and reported in several separate events and I have been unable to find further information specifically relating to this section as to whether the possible medieval sites were investigated and the extent to which the construction works affected the application site. Some disturbance appears likely, as well as for utilities that cross the site.

As such, the application site has a potential for medieval and prehistoric archaeological remains, but that these remains are likely to be of no more than local significance and may have been damaged by previous construction work. As the proposed development would result in the loss or further damage to any archaeology present, appropriate mitigation should be put in place to record any remains affected.

Based on the above, and in accordance with Planning Policy Wales (November 2016) and TAN 24: The Historic Environment, it is recommended that the planning authority should require that appropriate mitigation is undertaken, if planning consent is granted. The following condition wording is suggested to secure such a scheme of work:

- No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the planning authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.
- A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the planning authority within six months of the completion of the archaeological fieldwork.

Environmental Health Section – No objection or comments, subject to standard safeguarding conditions and advisory notes.

Economic Development and Tourism Section – No objection subject to substantial visual landscaping/ screening of the site, and adequate ongoing site monitoring and management arrangements which minimise any negative

³ Environment Wales Act 2016

impacts on the local economy, community and environment

In addition, it is noted that the Council's Waste Management Section were consulted in respect of this application but no response was provided.

Travelling Ahead – It is important to fence each plot for privacy/prevention of damage. Recommended that a grassed play area, farthest away from the access is provided to allow children a safe area to play. Car registrations should be provided and a deposit taken.

Officer's note – It is considered that in respect of the fencing, this would not be of the overall benefit of the site and would prevent layout flexibility in the future. With regard to an area for children to play, this is noted however would necessitate a redesign of the layout which would extend beyond the reach of the assessment of this application (although an advisory note to the applicant on this matter is recommended). Other matters, car registrations, deposits are not material planning considerations and cannot be enforced or controlled.

5. Relevant Planning History

25/07/2016 - The Executive resolved “that the County Council should carry out further investigation into Site 1, Strip of land between A55/A5 between Llanfairpwll and Star Crossroads to confirm suitability with regard to further assessment of any safety or technical risks posed by the site, and to consider whether the site design can resolve these issues.”

- This resolution included that an appropriate consultant should be appointed in order to prepare site design and subsequent planning applications.

19/12/2016 – The Head of Housing Services prepared a report to The Executive to provide a progress update, following the resolution of 25/07/2016. The update outlined the undertaking of the tender process and the selection of the relevant consultant.

14/02/2017 – The Head of Housing Services prepared a report to The Executive to provide a further progress report on the preparation of various supporting technical documents supporting the planning application.

18/09/2017 – The Executive resolved to authorise officers to progress to the submission of a detailed planning application in respect of a temporary stopping place at Star (i.e. the site) as well as a separate application for a permanent residential site at Penhesgyn.

Notably at the time of this resolution, the report stated:

“The Housing (Wales) Act 2014 places a duty on Local Authorities to provide sites for Gypsies and Travellers where a need has been identified. The Welsh Government Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites also strengthens the requirement that local authorities identify and make provision for sufficient appropriate sites in their Local Development Plans.

The Anglesey and Gwynedd Gypsy and Travellers Accommodation Needs Assessment 2016 (GTAA) has been produced jointly between Anglesey County Council and Gwynedd Council during the Autumn of 2015 and updates the previous North West Wales GTAA which was published in 2013. The GTAA was approved by Anglesey Council's Executive on the 8th February 2016, and identified the need for the following on Anglesey:

- A permanent residential site to meet the needs of the New Travellers arising from the unauthorised tolerated site at Pentraeth Road (four pitches)
- Two sites to be used as Temporary Stopping Places for Gypsies and Travellers along the A55 on Anglesey, one in the Holyhead area and one in the centre of the Island.

If constructed, the provision of a Permanent Residential Site at Penhesgyn and a Temporary Stopping Place at Star will enable the Council to take appropriate enforcement action to tackle unauthorised encampments elsewhere on the Island. For example, Members may be aware that Mona Industrial Estate has been used by the Gypsy and Travelling Community as an unauthorised

encampment on a regular basis over a number of years. Historically, the lack of alternative authorised facilities has limited the powers of enforcement reasonably available to the Council.

A Site Management Strategy will form part of any future formal application for Planning Permission which will set out terms and conditions for both permanent and temporary use of the sites.”

Furthermore, the report stated:

“The Star site has been identified by IACC as the most appropriate location for a Temporary Stopping Place for the Gypsy and Traveller community following a site selection and Public Consultation process undertaken by IACC in 2016. The original site selected by IACC encompassed three parcels of land in private ownership that lie between the A55 and the A5 south of the village Star.

General site and technical appraisals were undertaken by Capita Real Estate and Infrastructure in November and December 2016; reports were submitted to the Executive in February 2017 and published on the Council’s web-site. The aim of undertaking the technical appraisals was to establish if there were any technical reasons or constraints that could prevent the site being suitable for occupation as a temporary traveller site. In addition to the specific technical appraisals other more general considerations such as size of the site, access and other physical characteristics were also taken into consideration.

The proposed temporary Traveller site was found to be acceptable in planning terms taking into account a number of technical assessments undertaken notably air quality, noise, ecology and flood risk assessment. Subsequently, the design and scheme have been progressed to detailed design in preparation for a planning application to be submitted.”

6. Main Planning Considerations

The below are considered the main planning considerations in respect of this case. The starting point is the LDP and an assessment against key policies and national planning policies, as set out below.

Principle of Development:

National (PPW) and local (JLDP) policy recognises that Gypsies and Travellers have specific accommodation needs, and those needs should be identified through an assessment of housing needs and demand.

The national policy provision stems from the requirements set forth within The Housing (Wales) Act 2014 (the Housing Act), which places a legal duty upon local authorities to ensure that the accommodation needs of Gypsies and Travellers are properly assessed and that the identified need for pitches is met, as per section 101 (1),

“A local housing authority must, in each review period, carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area.”

PPW follows from the Housing Act by ratifying the requirement that accommodation needs and related planning policies must be identified and included within development plans. In this regard, PPW paragraph 9.2.21 states,

*“Local authorities are required to assess **the accommodation needs of Gypsy families**. It is therefore important that local planning authorities have policies for the provision of Gypsy sites in their development plans. In drawing up policies local planning authorities should consult providers of social housing, representatives of Gypsies and Travellers and landowners in areas likely to be appropriate for Gypsy sites, in accordance with their Community Involvement Scheme.”*

Further to the Housing Act and PPW, the Welsh Government has produced the Enabling Gypsies Roma and Travellers Plan, 2018 (replacing the Travelling to a Better Future Framework for Action and Delivery Plan, 2011). The purpose of this Plan is to provide a dedicated strategy which seeks

to improve the outcomes for the Gypsy and Traveller communities (as well as the Roma community). While it is noted that this document is not a planning document, and therefore focussed on a number of non-planning issues, there are still considered to be relevant material considerations, including:

- A requirement to ensure that there is a focus on ensuring sufficient, culturally-appropriate Gypsy and Traveller residential and transit sites are created in Wales;
- An action to ensure that sufficient pitches are provided to meet the identified needs (of Gypsies and Travellers) across Wales which will result in the Welsh Government scrutinising Gypsy and Traveller Accommodation Assessments to ensure they are robust, and to monitor local authorities on an annual basis to ensure sufficient pitches are provided; and
- An action to ensure that Local Authorities are supported to develop a network of Transit sites across Wales to facilitate the nomadic Gypsy and Traveller way of life.

Circular 005/2018 provides the overarching framework under which the planning system in Wales can provide for the Gypsy and Traveller community. In respect of temporary stopping areas, the Circular provides clear guidance, as follows:

“Where a local authority experiences unauthorised encampments due to Gypsies and Travellers ‘passing through’ an area and the authority has an inadequate supply of transit pitches, temporary stopping places could be identified for short-term occupation. Temporary stopping places help to reduce unauthorised encampments preventing social, economic or environmental issues whilst facilitating the traditional Gypsy and Traveller way of life. Temporary stopping places must make provision for waste disposal, water supply and sanitation at a minimum. However, temporary stopping places are only a short term, rather than a long term, solution. They are not planning designations and should not be addressed through land use allocation policies in development plans.”

With regard to this statement, it is noted that the County Council has followed the national policy position insofar as they have identified a need to provide temporary stopping areas to address an ongoing issue on the island concerning unauthorised encampments. This issue has been addressed via the GTAA, which in turn has led to the selection of this site. Furthermore, temporary stopping places are also acknowledged by the Council as fundamentally temporary measures by virtue of the fact they are not included for under site selection policies of the JLDP. In addition, the facilities provided within the proposed development are considered to be consistent with this statement, as well as other advice contained within the Circular.

In addition to the national policy position, local policy contained within JLDP is relevant as follows:

Policy TAI 8 seeks to promote sustainable mixed communities by ensuring that new development contributes to a compatible mix of housing, referring to the need to make provision for specific housing needs, which includes accommodation for Gypsies and Travellers.

Criterion 1 of Policy TAI 19 requires that an accommodation need for Gypsy and Traveller pitches is established. Based on the results of the most recent Gypsy and Travellers Accommodation Needs Assessment undertaken jointly with Gwynedd Council in 2016, the Isle of Anglesey County Council considers that there is a need for sites to accommodate temporary stopping places for Gypsies and Travellers. Furthermore, the Welsh Government has come to the conclusion that the Gypsy & Traveller Accommodation Assessment (GTAA) provides a reasonable assessment of current and future need for Gypsy and Traveller accommodation in Anglesey (and Gwynedd).

Criterion 3 requires consideration of whether the proposed pitches can be located on an existing authorised site. As there are presently no authorised sites on the island, alternative sites were considered and discounted due to lack of suitability, prior to the identification of the proposed site. In review of the suitability of the proposed site, it has been deemed that dedicated temporary stopping places could perform a valuable function in terms of accommodating visiting households, and reducing the formation of unauthorised encampments. A position which is further supported within the recently adopted Circular 005/2018 ‘Planning for Gypsy, Traveller and Showpeople Sites’.

Based on the foregoing, it is considered that there is sufficient evidence from a national and local policy perspective to support the principle of this development. Nationally there is a commitment from the Welsh Government to ensure that local authorities are identifying and delivering appropriate sites which are suitable for Gypsy and Traveller accommodation, and through the GTAA, the Isle of Anglesey County Council has met their obligations, which has, in turn, resulted in the promotion of this site in-line with national policy, guidance and advice.

Further acceptability of the development, beyond its principle, is considered in detail below.

Location of the Proposed Development:

The proposed site lies in the countryside, in that it lies outside any defined development boundary in the JLDP. In this regard, Circular 005/2018 'Planning for Gypsy, Traveller and Showpeople Sites' states:

"Permission to develop Gypsy and Travellers sites outside of settlement boundaries could be granted subject to sustainability criteria set out in national planning policy if there are no realistic, suitable sites available within or adjacent to settlement boundaries to accommodate Gypsies and Travellers".

Central to the consideration of locational suitability for any given development is a need to comply with Policy PS 5. Within this policy a need to achieve sustainable development, whose principles include promoting the effective use of land and infrastructure, reducing the need for travel by private transport, and managing the risk of flooding is identified.

Reflecting national planning policy, Policy PCYFF 1 seeks to manage new development in open countryside. It guides appropriate new development to sites within development boundaries, but also acknowledges that some land uses may be appropriate on sites outside development boundaries or require a countryside location. It sets out the need for proposals for development on sites outside development boundaries to demonstrate compliance with other policies in the Plan or that a countryside location is essential.

Policy TAI 19 supports the release of land to provide pitches for Gypsies and Travellers in locations that wouldn't be normally released for residential development and sets a list of 10 criteria which must be followed:

1. An accommodation need for Gypsy and Traveller Pitches is identified;
2. Where possible, the site will be in reasonable proximity to local services and facilities;
3. It cannot be accommodated on an authorised site;
4. That environmental factors, including ground stability, contaminated land, and proximity to hazardous locations, do not make the site inappropriate for residential development unless mitigation is possible and proportionate;
5. It is capable of being serviced with water, electricity, and waste management;
6. Where appropriate, the standards and design of the development demonstrate that due regard has been given to the Mobile Homes (Wales) Act 2013 and the Welsh Government Good Practice Guide in Designing Gypsy Traveller Sites in Wales;
7. There would be no unreasonable impact on the character and appearance of the surrounding areas including impact on residential amenity of neighbouring occupiers or the operating conditions of existing businesses;
8. There are no adverse effects on areas designated as being of international or national importance for biodiversity and landscape;
9. That satisfactory arrangements are in place to restrict the occupancy of the pitches to Gypsies and Travellers; and
10. That a highly vulnerable development is not located in a C2 flood zone.

Notably, a large number of public objections to the proposed development have raised issue with compliance with TAI 19, specifically with regard to criteria 2, 4, 6, 7, 8 and 10. As outlined earlier in this report, consideration of these points of objection would be addressed within this policy assessment.

Policy TAI 19 is considered to provide the fundamental criteria when considering the suitability of a site for the proposed development and as such is given due weight in the decision making process, particularly concerning the suitability of the location of the site.

In respect of each criterion of the policy, which the development has been considered against, the following comments are provided:

1. The Anglesey and Gwynedd Gypsy and Travellers Accommodation Needs Assessment 2016 (GTAA) identified a need for sites to be used as Temporary Stopping Places for Gypsies and Travellers along the A55 on Anglesey, one in the Holyhead area and one in the centre of the Island. The GTAA also identified this site as being a possible location which would allow for the enforcement of unauthorised encampments while ensuring displacement of the Gypsy and Traveller community from unauthorised sites would not take place without an alternative, and authorised provision being made. The GTAA has been backed by the Welsh Government and its findings are aligned to national policy requirements while extend from the Housing Act through to the Enabling Gypsies Roma and Travellers Plan, 2018 and to the planning regime via PPW.
2. While it is acknowledged that the site is physically removed from the closest facilities and services provided at Llanfairpwll (as well as Gaerwen in the opposite direction), it is nonetheless considered that this is mitigated by virtue of the site's location immediately adjacent to a bus stop which provides ready access by public transport to services and facilities in Llanfairpwll and Gaerwen; both of which are within a reasonable journey time. Both settlements are identified as Local Service Centres in Policy PS 17 (Settlement Strategy), and therefore offer a range of facilities and services that the proposed site's occupiers could access during their temporary stay on the site.
3. There are presently no authorised sites on Anglesey and given this no such alternative provision can be met.
4. There are no environmental factors which would prevent the development and use of this site to support a stopping place for Gypsy and Traveller use.
5. The site is capable of being adequately serviced by the basic requirements outlined under policy and the applicant has demonstrated that these services will be provided within the proposed development.
6. In respect of this criterion, it is firstly noted that the Welsh Government Good Practice Guide in Designing Gypsy Traveller Sites in Wales document has been succeeded by the Welsh Government Designing Gypsy and Traveller Sites Guidance May 2015, since the publication of the JLDP. Using the updated guide, it is considered that the proposed development has been designed to meet the standards outlined within the guide for temporary stopping places and therefore the development meets the requirements of policy in this regard.
7. It is acknowledged that the proposed development will have an impact on the immediate locale, by virtue of the fact that it being sited within a presently undeveloped area of open countryside. This notwithstanding, the impact is contained to the immediate locality and it is not deemed that a significant visual or amenity impact will be created to the nearest settlement (Star) by virtue of its physical separation from the site by the A55. Furthermore the nearest residential property is located c. 70m distant and is again physically separated and removed from the site by the A55 – this distance, and the presence of the North Wales Expressway are considered to be significant in ameliorating potential impacts which could exist between the existing settlement and the proposed development and is noted as one of the determining factors in the initial selection of this site. Furthermore, the site's location is c. 100m from the land occupied by the nearest business (Peninsula Windows) at Star Crossroads and there is not deemed to be any potential conflicts between the proposed development and this site which would impact on the operational activities of the business.
8. The site itself is not located within an area designated as being of international or national importance for biodiversity and landscape, nor is it contained within the list of scheduled sites under Appendix 7 of the JLDP.
9. Contained within the submitted Site Management Plan, the applicant has identified that the Council (Housing Services) will take control of the day-to-day management of the site. This is considered to be a suitable arrangement which, when compared to a privateer venture,

can appropriately control the management of the site in the best interests of both the occupants, surrounding local communities, and the public in general. Furthermore, the within the Site Management Plan, it has been identified that a Site Manager will be appointed whose responsibilities include – among other things – the check-in and check-out of occupants. Again this is considered sufficient as effective management of the site and would ensure that occupancy of the pitches is reserved only for the Gypsy and Traveller community.

10. Notably, the objectors have pointed out that proposed development predominantly lies within a C1 flood risk zone (areas of the floodplain which are developed and served by significant infrastructure, including flood defences.⁴) with small areas of the site within a C2 zone (Areas of the floodplain without significant flood defence infrastructure⁵). Objectors consider that this encroachment into the C2 zone is a fundamental policy failure under TAI 19 and should therefore result in the refusal of this application. In this regard, the applicant has submitted a Flood Consequence Assessment (Capita. FCA Revision 003. 25th June 2018). Within this assessment, which is considered to meet the requirements and methodologies outlined in TAN 15: Development and Flood Risk, 2004, it has been determined that the site is in actuality located within NRW Flood Zone 1/TAN 15 Flood Zone A (considered to be at little or no risk of fluvial or tidal/coastal flooding.⁶). This report, its content and findings, have been reviewed by NRW who agree with its conclusions and recommendations and support position demonstrated by the applicant in respect of the flood zone. Given this, the proposed development is not deemed to be located within a C2 zone and therefore complies with this criteria of the policy.

In addition to the criteria listed above, there is no requirement within Policy TAI 19 for a site for temporary stopping places to be located within development boundaries. Furthermore, national planning policy and guidance does not exclude sites outside settlements for provision of pitches for Gypsy and Travellers.

Consideration has been given to the content of the letters of objection in relation to this policy criteria, however in this instance it is not considered that the points raised sufficiently and unequivocally argue against compliance with the policy.

Furthermore, it is also important to consider the comments raised by the Bangor Back Lane Residents Association and Travelling Ahead when considering this policy. In this regard, both community groups raise concerns with the layout and facilities provided within the site; while expressing a need for transit sites over temporary stopping places. While it is considered that these comments are valid and should be taken seriously as an identifier of the views of the Gypsy and Traveller community, it is nonetheless considered that the purpose of this application is to assess the suitability for a temporary stopping place and not a transit site. Given this, and given the identified need for a temporary stopping place within the GTAA, as well as the facilities, layout and site design complying with the requirements of the Welsh Government Designing Gypsy and Traveller Sites Guidance May 2015 (criterion 6) the proposed development is considered acceptable under policy TAI 19.

Landscape and Visual:

Policy PS 19 seeks to protect and where appropriate enhance the natural environment, reflecting the greater environmental significance of international and national statutory designations, compared to statutory and non- statutory local designations. The proposed site isn't within the AONB or a Special Landscape Area. The site lies within Landscape Character Area 12: East Central Anglesey. The scenic quality of the A55 corridor is described as low. The site itself is unremarkable. It is contained within the boundaries of the A55 and the A5. Star lies to the north of the A55 and is classified as a Cluster in Policy PS 17. A number of commercial properties lie on the A5 to the west of the site. Due to the site's containment within two major highways, its proximity with Star and other development along the A5 as well as main railway line that runs to the south of the A5, it is reasonable to conclude that the proposed site's encroachment into the countryside is

⁴ Technical Advice Note 15: Development and Flood Risk, Welsh Government, 2004.

⁵ Technical Advice Note 15: Development and Flood Risk, Welsh Government, 2004.

⁶ Technical Advice Note 15: Development and Flood Risk, Welsh Government, 2004.

limited. It is noted from the Planning, Design and Access Statement that some existing vegetation is retained, that there is already mature highway planting to the north west of the site, and that an evergreen hedge is proposed along the southern boundary. It is also noted that the proposed colour of the acoustic fencing has been selected in order to help reduce the impact of this aspect of the development and reinforced grass will be used in the main circulation area. The existing highway planning also helps to screen the development from Star. There is no requirement that sites are completely screened from view. The aim is to seek to ensure that they have adequate landscaping rather than isolating them.

Policy PCYFF 4 requires applications to demonstrate due consideration to landscape character assessments and other elements associated with seeking to ensure that new development is well integrated into its surrounding area despite the inevitable change to the character and appearance of the site from an unused field to a developed area occupied hardstandings etc. and for short periods by caravans.

In this regard, the planning authority has consulted with the Council's Landscape Officer, who has considered the findings of the submitted Landscape and Visual Appraisal and who has offered no objection to the proposed development on the ground of potential landscape impact.

Given this, it is considered that the proposed design and layout has taken appropriately taken account of local views and natural screening, as advised within the Landscape Character Description as well as PCYFF 4. Furthermore, the proposed mitigation measures seek to further integrate the proposed development into the site.

The Council's Landscape Officer did note that the acoustic barrier as being the most visually prominent part of the development and also that the visual effect of this element is considered in the LVA and found to be of a neutral/slight effect based on the sensitivity of the receptor.

Specifically, the LVA finds that effects are predicted to be greatest from a static viewpoint within Star, however this is a wide view and therefore while the proposed development would result in a visible intervention within the landscape, it would also be only a minor feature of the view. Other views from the A55 are brief and more enclosed, particularly travelling west.

Based on the foregoing, it is considered that the proposed development satisfies policy PCYFF 4 of the JLDP and that due consideration has been taken of landscape character and appropriate mitigation has been included to offset any potential visual effects on the LCA.

Traffic and Transport:

Policy TRA 4 requires that development avoids unacceptable harm to the safe and efficient use of highways. Temporary stopping places are intended to provide accommodation on a short-term basis for Gypsies and Travellers in the course of travelling and use of the site to provide such accommodation would not extend long-distance journeys away from the main road network onto a network of rural routes.

The planning supporting statement submitted alongside this proposal highlights the merits of the proposed site as well as details of the access arrangements, stating *"A new safe vehicular access point would be provided to the site on its southern boundary, providing direct access to the A5. The position of the access and visibility splays have been accepted by IACC Highways Department. To increase the safety of the junction and to facilitate access within the site lighting will be provided on the A5 and near the amenity blocks within the site."*

While it is undoubtedly recognised that the A5 remains a fast and busy road, and that this has also raised significant comment from members of the public on the grounds of road traffic safety, it is considered that the development is acceptable in terms of its transport impacts. It is considered that the proposed access, visibility splays and site management all combine to ensure that any vehicles turning into and out of the site do so in a carefully controlled and appropriate manner with minimal disruption to the carriageway. Furthermore, due to the acceptance of the access arrangements, access design and proposed visibility splays by the Highways Authority it is

considered that the points of objection, while valid, do not outweigh the proposed development's compliance with the JLDP.

Finally it is also noted that at 10 pitches, the level of vehicle movements associated with this development are not deemed to be significant to such a degree that further assessment of transport impacts is required.

Amenity:

Criterion 7 of Policy PCYFF 2 requires consideration of impacts on the health, safety or amenity of local residents, other land and property users or characteristics of the locality due to a number of factors cited in the Policy, which include noise and fumes. The Cluster of Star is located on the northern side of the A55 and therefore the site does not immediately adjoin dwellings and is physically segregated from the nearby settlement. On this basis, it is considered that it is reasonable to conclude that the activity generated by the proposed use, i.e. caravans arriving and leaving and the temporary occupancy of the site would not have an adverse effect on the living conditions of existing residents in Star. Furthermore, the proposed scale of development, the degree of separation between the settlement of Star, other properties and the proposed site suggests that the proposed development would not dominate existing settlements.

In addition, it is considered that the proposed boundary treatments (inc fencing and hedgerow), soft landscaping and acoustic barrier are sufficient to provide a suitable means of enclosure, as well as an appropriate degree of privacy when viewed from the A5 but balanced with a need to ensure that the site does not feel like a compound which has been closed off from the outside environment. In respect of noise impact, the acoustic barrier at 3m in height is considered to be sufficient to address internal noise impacts in line with TAN 11: Noise. On this point, it is however considered that a number of objections discuss the failure to meet WHO criteria in respect of noise levels externally. While this is noted, and raised within the submitted Noise Impact Assessment report accompanying the proposed development, this also needs to be balanced with the overarching policy position that such development's should be located on routes used by the Gypsy and Traveller community in order to prevent further unauthorised encampments appearing. Given this, the noise impact externally will be mitigated to some degree by the acoustic barrier, and the impact externally – while beneath WHO recommendations – is, on balance, considered to be acceptable.

Flood Risk:

Reflecting national policy, Policy PS 6 requires development to be located away from flood risk areas and aim to reduce the overall risk from flooding within the Plan area and areas outside it unless it can clearly be demonstrated that there is no risk or that the risk can be managed. It is noted that the proposed site is not located within a C Flood Zone and therefore the development is acceptable from a flood risk perspective, furthermore NRW offer no objections to the proposed development on this basis.

Ecology

Strategic policy PS 19 seeks to manage development so as to conserve and where appropriate enhance the area's distinctive natural environment, countryside and coastline. The policy requires that when assessing a planning application, development proposals must "*protect or enhance biodiversity through networks of green/blue infrastructure*". This is further supplemented by policy AMG 5, which provides criteria by which to assess the biodiversity impacts of developments.

In this respect, it is noted that the submitted General Layout Plan and the Phase 1 Habitat Plan would indicate a loss of overall biodiversity at the site. In such an instance, policy AMG 5 advises that a development can be supported where:

1. There is no other satisfactory sites available for the development;
2. The need for the development outweighs the importance of the site for local nature conservation; and
3. That appropriate mitigation or compensation measures are included.

Based on these 3 criteria, it is considered that 1) there are no other satisfactory alternative sites, as expressed by the GTAA, 2) the need for this development in order to manage unauthorised encampments by providing an authorised stopover facility would outweigh local nature conservation in this particular locale, and 3) the proposal does contain mitigation measures as expressed within the submitted Ecological Assessment.

The above notwithstanding, and on the advice of the Council's Ecological Advisor, it is agreed that a clearer commitment to mitigation actions involving habitat creation must be made and that the recommendations within Section 7 of the assessment report be put into place. In this instance, it is considered that such matters are appropriate to address as suspensive planning conditions.

Furthermore, the submitted Ecological Assessment report has identified that no protected species records were identified at the application site, and that the site had limited value for protected species due to the poor habitat and due to it being relatively isolated from the wider landscape by virtue of its location between the A55 and A5 roads. Additionally, the submitted bat report demonstrates a lower risk for bats.

Given this, there are not considered to be any significant impacts on protected species which would necessitate further assessment in the determination of this application.

Historic Environment

The development site does not contain any statutory designations which may be affected by this development. Given this, it is not considered that the development will interrupt or otherwise detrimentally impact on the historic environment. It is noted that a number of objections refer to the historic route of the A5 in this location, however this route is not subject to any statutory designation, nor included within Appendix 7: Schedule of Protected Sites or Areas of the JLDP. Furthermore, the use of the A5 as a tourist route to Holyhead is not considered to be significantly detrimentally affected by this development.

Consideration against The Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 sets a framework for local authorities across Wales to ensure the 'sustainable development principle' (meeting the needs of the present without compromising the ability of future generations to meet their own needs) is met. Section 4 of the Act puts in place a number of well-being goals which authorities are to seek to achieve in order to meet this principle. These goals include achieving 'a Wales of cohesive communities', containing attractive, viable, safe and well-connected communities, and 'a Wales of vibrant culture and thriving Welsh language', containing a society that promotes and protects culture, heritage and the Welsh language.

In assessing the proposed development, it has been found that it – to a lesser or greater degree - meets and does not conflict with the aims of the seven well-being goals as follows:

A prosperous Wales. The proposed development is not considered to conflict with this aim, which seeks an innovative, productive and low carbon society which recognises the limits of a global environment and therefore uses resources efficiently and proportionately.

A resilient Wales. The proposed development is not considered to present any significant conflicts with the natural environment which would conflict with this aim.

A healthier Wales. The proposed development is neither in support or conflict of this aim, which seeks to promote a society where people's physical and mental well-being is maximised.

A more equal Wales. The proposed development directly supports this aim, which seeks to promote a society that enables people to fulfil their potential no matter of their background or circumstances.

A Wales of cohesive communities. The proposed development offers the opportunity to provide a viable transient solution for the Gypsy and Traveller community which moves through the island, as well as fulfilling the aim of creating a safe and secure environment for this community.

A Wales of vibrant culture and thriving Welsh language. The proposed development is neither in support or conflict of this aim, which seeks a society that promotes and protects culture, heritage and the Welsh language.

A globally responsible Wales. The proposed development will contribute positively on a societal level in particular, which supports the aim of this goal.

7. Conclusion

Having regard to the policy support discussed in this report, other material considerations along with the assessment of the impacts listed above in mind that it is considered that the application should be approved.

8. Recommendation and Conditions

Permit, subject to conditions listed below with authority delegated to the Head of Planning to add, amend or delete conditions as necessary.

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

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

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

**AGS-CAP-ELS-01-DR-L-1001 Revision P01;
AGS-CAP-ELS-01-DR-L-1003 Revision P01;
AGS-CAP-HSC-01-DR-C-0201 Revision P01;
AGS-CAP-HFE-01-DR-C-0301 Revision P01;
AGS-CAP-HFE-01-DR-C-0302 Revision P01;
AGS-CAP-HDG-01-DR-C-0501 Revision P03;
AGS-CAP-HGT-01-DR-C-0601 Revision P01;
AGS-CAP-HLG- 01-DR-C-1301 Revision P01; and
AGS-CAP-HML-01-DR-C-0001 Revision P01**

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

Reason: For the avoidance of doubt.

(03) Notwithstanding the submitted information, hereby approved, no surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage network and that it should be discharged to the Afon Braint, unless otherwise agreed in writing with the planning authority, in consultation with Welsh Water.

Reason: To ensure the proper drainage of the site and to protect the integrity of the public sewerage network.

(04) Notwithstanding the submitted information, hereby approved, the applicant shall provide a statement and accompanying plan which demonstrates a clear and robust method that mitigates the potential risk of vehicles waiting on the public highway for someone to come to open the gates. This statement and plan shall be submitted to the planning authority and receive approval, prior to the commencement of development on site.

Reason: To prevent detrimental impacts on the safe operation of the public highway and in the interests of pedestrian and vehicular safety.

(05) The proposed pedestrian link, hereby approved, shall be constructed and in place prior to the occupation of the site and shall remain in place at all times thereafter.

Reason: In the interests of pedestrian and vehicular safety.

(06) The access shall be laid out and constructed strictly in accordance with the submitted plan, drawing No “AGS-CAP-HDG-01-DR-C-0501 rev. P03” 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 prevent detrimental impacts on the safe operation of the public highway and in the interests of pedestrian and vehicular safety.

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

Reason: To prevent detrimental impacts on the safe operation of the public highway and in the interests of pedestrian and vehicular safety.

(08) The access shall be constructed with 2.4 metre by 215 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: To prevent detrimental impacts on the safe operation of the public highway and in the interests of pedestrian and vehicular safety.

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

Reason: To prevent surface water shedding onto the carriageway.

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

Reason: In the interests of the residential amenity for occupants and internal site safety.

(11) The applicant shall submit a full comprehensive and robust Construction Phase 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**
- VI. Management and operation of construction and delivery vehicles.**

This Construction Phase Traffic Management Scheme shall be approved in writing by the planning authority, in consultation with the Highways Authority prior to the commencement of development works on site.

Reason: In the interests of pedestrian and vehicular safety and in the interests of the proper traffic management of the site during construction.

(12) The applicant shall submit supporting design calculations for the attenuated surface water drainage system. This information shall be approved in writing by the planning authority prior to the commencement of development works on site.

Reason: In the interests of the proper drainage of the site.

(13) Notwithstanding the approved information, any trees, plants or hedgerows, which are included within the development for the express purpose of providing visual screening, which die shall be replaced on a like for like basis, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of visual and residential amenity.

(14) The applicant shall submit a method statement setting out that all recommendations described in section 7 of the submitted Ecological Assessment report are adhered to and adopted. This method statement shall be approved in writing by the planning authority prior to the commencement of development on site.

Reason: In order to preserve and protect the ecological interests of the development site.

(15) Notwithstanding the submitted information hereby approved, the applicant shall provide updated plans which indicate firmly defined area(s) of new planting for both hedges and grassland. Furthermore the areas of proposed evergreen hedge be instead planted with holly and/or beech as a broadleaved alternative closer to native ecology considerations. This plan shall be approved in writing by the planning authority, prior to any development works on site relating to the implementation of the planting scheme.

Reason: In order to enhance the ecological interests of the site and safeguard visual and residential amenity.

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

Reason: In order to safeguard local archaeological interests.

(17) A detailed report on the archaeological work, as required by condition (16), shall be submitted to and approved in writing by the planning authority within six months of the completion of the archaeological fieldwork.

Reason: In order to safeguard local archaeological interests.

Informatives:

(01)The applicant is advised that consideration should be given at construction stage to facilitate the retro-fitting of CCTV, should future site issues emerge.

(02)The applicant is recommended to engage with North Wales Police on the preparation of any future amendments or further detail to the Site Management Plan.

(03)The applicant is advised that any development that would contravene the protection afforded to bats of Great Crested Newts under the Conservation of Habitats and Species Regulations 2010 (as amended) would require a derogation licence from Natural Resource Wales. Furthermore, a licence may only be authorised if:

- a. There is no satisfactory alternative.
- b. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range; and

- c. The development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- (04)The applicant is recommended to contact Natural Resource Wales about how the guidance contained within Planning Policy Wales and the Environment Agency Guiding Principles for Land Contamination (GPLC 1, 2 and 3), March 2010 can be adopted in relation to this development.
- (05)The Highway Authority shall not be responsible for any road surface water entering the site as the result of the development.
- (06)Any adjustments, resiting and/or protection of any statutory services in the highway shall be his responsibility and carried out at his own expense.
- (07)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.
- (08)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.
- (09)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.
- (10)It is a requirement under law to serve an abnormal load notice to the police and to Highway and Bridges Authorities under “The Motor Vehicle (Authorisation of Special Types) General Order 2003”.
- (11)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.
- (12)The culverting of the land drainage ditch to provide for the vehicular access, will require a consent from this Authority under Section 23 of the Land Drainage Act 1991.
- (13)The applicant is advised that in order to achieve surface water discharge to the Afon Braint, a Flood Risk Activity Permit may be required from Natural Resource Wales.
- (14)Construction waste should only be disposed of to sites which can prove that they are registered as exempt, or licensed under the Environmental Permitting Regulations. There is a legal requirement (Duty of Care requirements of Section 34 the Environmental Protection Act 1990) on the site owner, contractor etc. to ensure that the re-use or disposal of this waste is appropriate and complies with the Environmental Permitting Regulations. Under the Duty of Care requirements, appropriate Waste Transfer Notes must be produced and kept. Any waste which is imported as part of the construction is also subject to Environmental Permitting Regulations 2010. The applicant should ensure they have appropriate exemptions/permits in place for the waste activities.

- (15) Pollution prevention methods should be in place for any work taking place at the eastern side of the site within close proximity to the Afon Braint. The applicant should be aware of the contents of the latest Pollution Prevention Guideline with regards to working near water i.e. GPP5 via the NetRegs website.**
- (16) Care should be taken with all work involving concrete so as not to pollute watercourses. Any water that meets wet concrete must be treated as contaminated and must not be allowed to discharge into any watercourse. Should pollution occur, Natural Resources Wales should be notified immediately on 03000 653000.**
- (17) All fuel, oil and chemicals used on site should be stored away in a locked store which is bunded to 110% capacity of the total volume stored. Oil spill kits should be available at key locations on site for dealing with any oil spill. All staff on site should be aware of their location and trained in their use.**
- (18) The applicant is advised that scrub removal should be carried out either outside March-end August, or following checks by a qualified ecologist.**
- (19) The applicant is advised that Excavations to be covered overnight, or bunded with sloping sides.**
- (20) The applicant is advised that the development should cause no nuisance by dust, fumes, noise, odour or artificial light.**
- (21) Any construction works should be carried out between the following times: 0800 – 1800 (Monday to Friday); 0800 – 1300 (Saturday) and no working on Sundays or Bank Holidays.**
- (22) It is recommended that the applicant undertake construction works in accordance with CIRIA document – C650 C741, 2015 – Environmental Good Practice On Site (Fourth Edition).**
- (23) The applicant is advised that there should be an Information board provided on site to display details such as site rules, emergency contact information, fire safety, general info on GPs etc.**

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10.1

Ceisiadau'n Tynnu'n Groes

Departure Applications

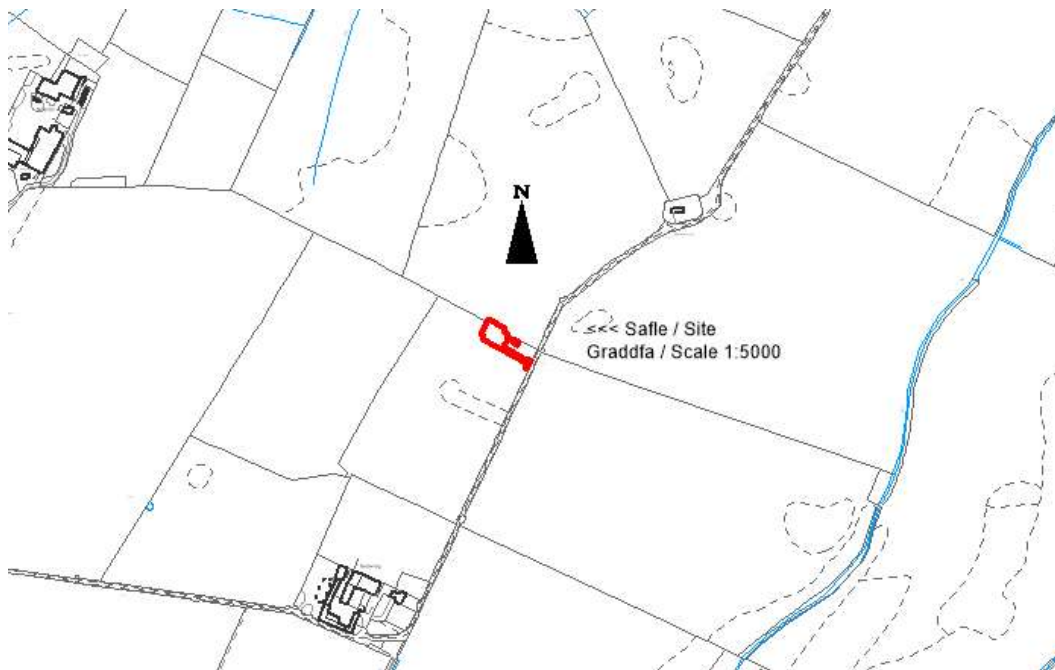
Rhif y Cais: **14C245B/VAR** Application Number

Ymgeisydd Applicant

Miss Bethan Jones

Cais o dan Adran 73 ar gyfer amrywio amodau (04) (mannau pasio) a (07) (cynlluniau a gymeradwywyd) o ganiatâd cynllunio cyfeirnod 14C245A (newid defnydd adeilad allanol i annedd) er mwyn diwygio'r dyluniad a gymeradwywyd a lleihau nifer y manau pasio o ddau i un ynghyd â thynnu amod (06) (cofnod ffotograffig) ar dir i'r gogledd o / Application under Section 73 for the variation of conditions (04) (passing bays) and (07)(approved plans) of planning permission reference 14C245A (conversion of outbuilding into a dwelling) so as to amend the approved design and reduce the number of passing bays from two to one together with the removal of condition (06) (photographic record) on land north of

Bodwrog, Tyn Lon



Planning Committee: 25/07/2018

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 where the Local Planning Authority is minded to recommend a split decision, approving part of the application and refusing part of the application.

1. Proposal and Site

Application under Section 73 for the variation of condition (04) (passing bays) and (07) (approved plans) and removal of condition (06) (photographic record) of planning permission reference 14C245B/VAR (conversion of outbuilding into a dwelling) at Rhos Bella, Llansadwrn

The application site is located within an isolated and rural open countryside setting that overlooks the listed church of St Twrog.

2. Key Issue(s)

The key issue is whether the proposal is an improvement to that originally approved under application reference 14C245B/VAR and whether specialist consultees are satisfied for condition (07) (passing bays) to be varied and condition (06) (photographic record) to be removed.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

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

4. Response to Consultation and Publicity

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

Local Member (Dylan Rees) – No response at the time of writing the report.

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

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

Highways Authority – Satisfied that 1 passing bay is acceptable instead of 2 as previously approved. Confirmation condition (04) can be varied accordingly.

Gwynedd Archaeological Planning Service – Satisfied that condition (06) (photographic record) can be deleted.

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 was the 6th July, 2018. At the time of writing the report no letters were received.

5. Relevant Planning History

14C245 – Full application for the conversion of an outbuilding into a dwelling, creation of a new vehicular access together with the installation of a septic tank on land to the north of Bodwrog, Tyn Lon – Refused 17/02/16.

14C245A – Full application for the conversion of an outbuilding into a dwelling, creation of a new vehicular access together with the installation of a septic tank on land to the north of Bodwrog, Tyn Lon – Granted 23/11/16.

6. Main Planning Considerations

The principle of developing the site has already been established under planning application 14C245A where permission was granted for conversion of an outbuilding into a dwelling on the 23/11/16.

Joint Local Development Plan

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

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

Application reference 14C245A was approved on the 23/11/16 and it is likely to be implemented.

Condition (07) (Approved Plans)

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

- Erection of an extension to accommodate a first floor bedroom.
- Rear elevation – changing 2 doors as previously approved to 2 windows and the re-location of French doors closer to the corner of the building.
- Front elevation – Insertion of an additional roof light, amending a French door to a window and the insertion of an additional French door opening to the side elevation.

Since the adoption of the Joint Local Development Plan, any application for the conversion of outbuilding into a residential dwelling must be for business use or to provide an affordable dwelling. This application is for a residential dwelling; however, there is a fall-back position and an extant permission on the site. Therefore, consideration must be given to whether the proposal is an improvement to that originally approved under planning application 14C245A. It is not considered that the extension and amendments referred to above are an improvement to that originally approved under 14C245A. The proposed extension will raise the existing ridge of the outbuilding from single storey to two storey resulting in the loss of the outbuilding's character and features contrary to the advice contained within the Supplementary Planning Guidance (SPG) on Conversions in Rural Areas. The amendments to the doors and windows fails to respect the character of the outbuilding. The SPG states that existing openings should be re-used in order to retain a building's character and reduce the impact of any new works. New openings should be kept to an absolute minimum and take into account of the overall proportions of the building. Having considered the above this this element of the proposal is considered to be unacceptable.

Condition (04) (Passing Bays)

The applicant also wishes to vary condition (04) relating to passing bays. The original planning application stated that 2 passing bays should be provided. The applicant now requested that only 1 passing bay is provided. The Highways Authority has confirmed that this is acceptable and are satisfied for the condition to be varied accordingly.

Condition (06) (Photographic Record)

The applicant has requested that this condition is deleted, however the local planning authority considers that the condition should be discharged rather than removed. Photographic evidence was provided with the planning application and Gwynedd Archaeological Planning Service has confirmed that they are satisfied with the photographic evidence provided with the application. The condition can now be discharged.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 06/07/18. At the time of writing the report no objections were received. It is not considered that the proposal will have a negative impact upon neighbouring properties.

7. Conclusion

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.

Approve

Variation of condition (04) (Passing Bays) – The Highways Authority has confirmed that providing 1 passing bay instead of 2 as previously approved is acceptable.

Deletion of condition (06) (Photographic Record) – Gwynedd Archaeological Planning service has confirmed that the photographic evidence is acceptable and satisfied for the condition to be removed.

Refuse

Variation of condition (07) (Approved Plans) - It is considered that the previous application 14C245B/VAR is likely to be implemented; however the amendments proposed are not considered to be an improvement to the previously approved scheme. This element of the application will therefore be refused.

8. Recommendation

Approve

(01) The development to which this permission relates shall be begun before 23/11/21.

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

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

Reason: To enable vehicles to draw off clear of the highway for the safety and convenience of the highway user.

(03) 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 enable vehicles to draw off clear of the highway for the safety and convenience of the highway user.

(04) A passing bay shall be provided as shown in red on the location plan received 01/06/2018. The passing bay as approved shall be completed and made available for use before the other part of the development is commenced.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development.

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

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

(06) Prior to development (including any demolition, site clearance or stripping-out) taking place, a full photographic record of the building must be undertaken. The record must be approved by the Local Planning Authority before being deposited with the regional Historic Environment Record.

Condition (06) has been discharged under application 14C245B/VAR.

Reason: To ensure that an adequate record is made of all structures affected by the proposals and that the record is held within the public domain for future reference and research.

(07) The development shall proceed in accordance with the following, submitted under reference 14C245B/VAR, and in accordance with the requirements of the conditions as imposed:

Location Plan	Received on 1/6/18 submitted with planning application 14C245B/VAR
Proposed Block Plan	Submitted with planning application 14C245A
Proposed Floor Plan	Submitted with planning application 14C245A
Proposed Elevations	Submitted with planning application 14C245A
Green Man Ecology Preliminary protected Species Survey	received 20/11/15 submitted with planning application 14C245A
Datrys Structural Report	December 2015 submitted with planning application 14C245A

Reason: To define the scope of this permission.

Refuse

(Variation to condition (07) (As approved plans)

(01) The Local Planning Authority considers that the proposal would fail to respect original features and character of the existing building and therefore the proposal conflicts with the requirements of Policy TAI7 of the Joint Local Development Plan and advice contained

within Planning Policy Wales (Edition 9) and advice contained within Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment.

Proposed Elevations (Amendments)	Received 01/06/2018 submitted with planning application 14C245B/VAR
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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.

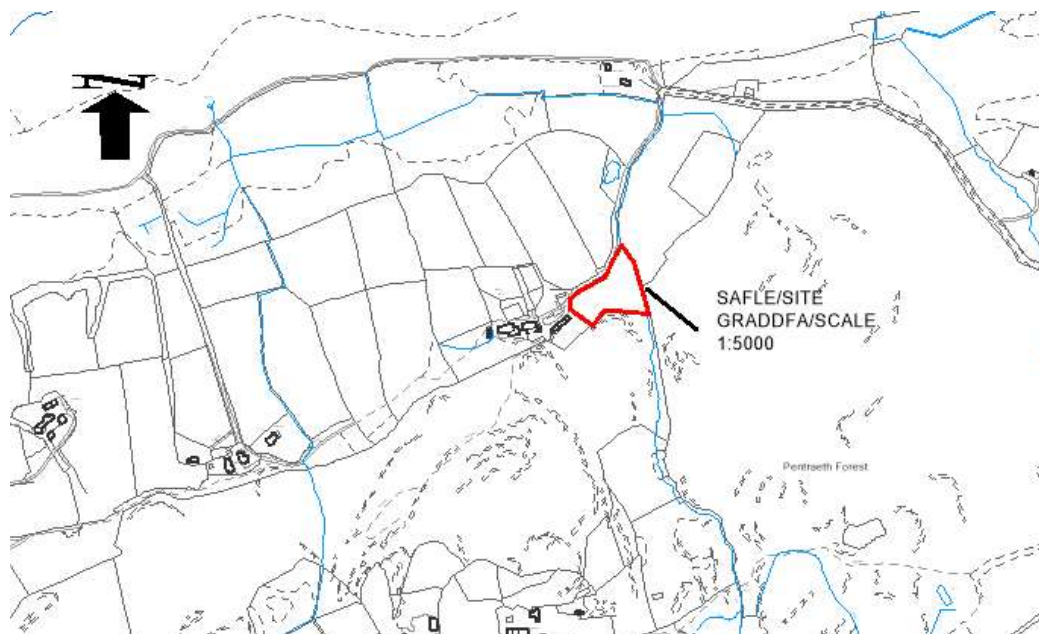
Rhif y Cais: **42C135F/VAR** Application Number

Ymgeisydd Applicant

Mrs Libby Bricknell

Cais o dan Adran 73 i ddiwygio amod (11) (cynlluniau a gymeradwywyd) o ganiatâd cynllunio rhif 42C135C (Cais cynllunio hybrid: Cais amlinellol gyda'r holl wybodaeth o fynedfa, edrychiad, tirlunio, gosodiad a graddfa ar gyfer codi bloc stablau. Cais llawn ar gyfer gosod 4 pod gwyliau a man parcio) er mwyn diwygio dyluniad y podiau a gosodiad y maes parcio ynghyd a rhyddhau amod (09) (cynllun tirlunio) yn / Application under Section 73 for the variation of condition (11) (approved plans) of planning permission reference 42C135C (Hybrid application: Outline application with full details of access, appearance, landscaping, layout and scale for the erection of stable block. Full application for 4 holiday pods and car parking) so as to amend the design of the pods and the car parking layout and discharge condition (09) (landscaping scheme) at

Coch y Meiri, Wern y Wylan, Llanddona



Planning Committee: 25/07/2018

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

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 in 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 (11) (approved plans) of planning permission reference 42C135C so as to amend the design of the pods and the car parking layout and the submission of details to discharge condition (09) (landscaping scheme) at Coch y Meiri, Llanddona.

The extant Hybrid application: Outline application with full details of access, appearance, landscaping, layout and scale for the erection of stable block together with a full application for 4 holiday pods and car parking was approved on the 20/02/2017 under reference number 42C135C.

2. Key Issue(s)

The applications key issue is the existence of the fall-back position and the relatively minor nature of changes proposed.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

PCYFF 4 – Design and Landscaping

TWR3 – Static Caravan and Chalet Sites and Permanent Alternative Camping Accommodation

ISA1 – Infrastructure Provision

PS5 – Sustainable Development

AMG1 – Area of Outstanding Natural Beauty Management Plans

Supplementary Planning Guidance “Design Guide for the Urban & Rural Environment”

4. Response to Consultation and Publicity

Community Council – Requested that the original conditions remain as part of the any approval.

Local Member (Margaret Murley Roberts) – No response

Local Member (Vaughan Hughes) – No response

Local Member (Alan Roberts) – No response

Landscape Adviser – Following receiving amended plans the proposal complies with local development plan policies.

The application was afforded three means of publicity; these were by the posting of a notice near the site, the serving of personal notifications on the owners of neighbouring properties and an

advert within the local press. The latest date for the receipt of representations is the 25/07/2018. At the time of writing this report no representations had been received at the department following the publicity period.

5. Relevant Planning History

42C135 - Retention of the extension on the dwelling at Coch Y Mieri, Wern Y Wylan, Llanddona. Approved 7/2/1997.

42C135A/LUC - Application for a Lawful Development Certificate for the existing use of the extension to the main dwelling as a separate permanent residence, use of land and buildings for equestrian use and use of static caravan and chalet for holiday use at Coch y Meiri, Llanddona. Approved 22/10/2015.

42C135B/SCR - Screening opinion for holiday pods and the erection of a building for horses at Coch y Mieri, Wern y Wylan, Llanddona. EIA not required.

42C135C - A hybrid planning application proposing:- Outline application with full details of access, appearance, landscaping, layout and scale for the erection of a stable block. Full application for the siting of 4 holiday pods and car parking at Coch y Mieri, Wern y Wylan, Llanddona. Approved 20/2/2017.

42C135D/MIN - Minor amendments to scheme previously approved under planning permission 42C135C so as to amend the design of the pods at Coch y Mieri, Wern y Wylan, Llanddona. Approved 1/8/2017.

42C135E/MIN - Minor amendments to scheme previously approved under planning permission 42C135C so as to amend the parking layout at Coch y Mieri, Llanddona. No decision to date.

6. Main Planning Considerations

The principle of development has already been established under planning application 42C135C.

Joint Local Development Plan

Since the application is located within the Areas of Outstanding Natural Beauty (AONB) the application is considered contrary to Policy TWR3 (Static Caravan and Chalet sites and Permanent Alternative Camping Accommodation) of the JLDP. However, the fact that an extant permission exist at the site is material for the determination of this application.

Discharge the Requirements of Condition 09

The landscaping plan submitted with the application is considered acceptable, complies with policy PCYFF4 of the JLDP and subsequently discharges the requirements of condition 09.

Variation of Condition 11

Condition 11 of planning permission 42C135F list a set of plans in which the proposed development should carried out.

Amended plans have been submitted as part of the proposal which seeks to vary the design of the proposed pods and associated parking spaces. The proposed variations are considered relatively minor and will not have a detrimental impact upon the Areas of Outstanding Natural Beauty to such a degree it would warrant refusal of the application.

7. Conclusion

The application is contrary to Policy TWR3 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission.

It is considered that the previous extant application 42C135C is likely to be implemented and the proposed variations and details submitted are acceptable to vary and discharge the relevant 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 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

Approve

(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) Following implementation of this permission no part of the planning unit as identified outlined in blue on drawing reference L101 in the planning application shall be used as a caravan site or for the siting of any chalet type construction.

Reason: To define the scope of this permission.

(03) Immediately following the implementation of this permission the use of the residential/holiday unit attached to the existing barn as outlined on drawing reference L101 shall cease.

Reason: To define the scope of this permission.

(04) The holiday units shall be occupied for holiday purposes only; the holiday units shall not be occupied as a person's sole or main residence; the owners/operators shall maintain an up to date register of the names of all occupiers of individual units on the site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To define the scope of this permission.

(05) The approval of the Council shall be obtained before any development of the barn is commenced to the following reserved matters viz. the layout, scale, appearance of the building, means of access thereto and the landscaping of the site.

Reason: This part of the permission is given in outline form only.

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

Reason: This part of the permission is given in outline form only.

(07) The barn hereby approved shall be for the private use of the occupiers of the main dwelling and those occupying the holiday units.

Reason: In the interests of highway safety.

(08) A passing bay shall be provided along the highway leading to the site in a location to be agreed in writing with the Local Planning Authority. The passing bay shall be completed to

the written satisfaction of the Local Planning Authority prior to the commencement of any other works.

Reason: In the interests of highway safety.

(09) Notwithstanding the submitted plan no consent is hereby given for any alterations, repositioning or works to the public footpath which abuts the site.

Reason: To define the scope of this permission.

(10) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 42C135C & 44C135F/VAR.

Date Received	Drawing Number	Plan Description
24/10/2016	TB1 01B	Site Sections
16/05/2018	B1 02 C	Pods – Proposed
16/05/2018	B1 02	Pods - Proposed
24/10/2016	B1 01A	Stable Block - Proposed
16/05/2018	SB1 01F	Site Plan
24/10/2016	SP1 01	Site Plan - Existing
24/10/16	L1 01	Location Plan
02/07/2018	18/13/PP/01	Landscaping 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.

11.1

Gweddill y Ceisiadau

Remainder Applications

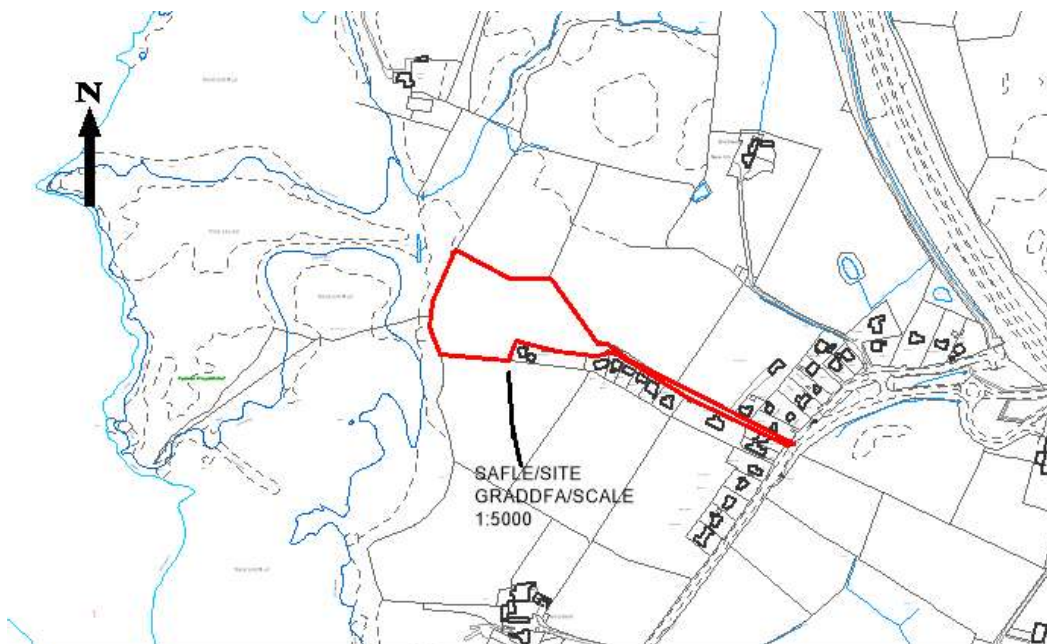
Rhif y Cais: **49C175C** Application Number

Ymgeisydd Applicant

Miss Rachel Pursgrove

**Cais llawn ar gyfer newid defnydd y modurdy dwbl presennol i anecs hunangynhaliol yn /
Full application for conversion of the existing double garage into a self-contained annexe at**

Bryn Y Mor, Y Fali/Valley



Planning Committee: 25/07/2018

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

Recommendation:

Refuse

Reason for Reporting to Committee:

The application is being presented to the committee as the applicant is related to a senior officer of the council.

1. Proposal and Site

This is a full application for the conversion of existing garage into a self-contained annexe.

The site is located outside the development boundaries of Valley and Four Mile Bridge and is located in an open field beyond the curtilage of Bryn y Mor. The site is located within the designated Area of Outstanding Natural Beauty (AONB) overlooking the Inland sea.

A new access and track will be constructed, together with new car parking arrangements. Pavings and a decking area will be constructed around the new annexe.

2. Key Issue(s)

The key issue is whether the proposal addresses the concerns of the Planning Inspector in an appeal dismissed on the 6th January, 2009 and whether the proposal complies with relevant policies of the Joint Local Development Plan.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

PCYFF4 – Design and Landscaping

PS5 – Sustainable Development

PS6 – Alleviating and Adapting to the Effects of Climate Change

AMG1 – Area of Outstanding Natural Beauty

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

Planning Policy Wales (9th Edition)

Technical Advice Note 6: Planning and Sustainable Rural Communities

Technical Advice Note 12: Design

Supplementary Planning Guidance for Urban and Rural Environment.

4. Response to Consultation and Publicity

Community Council – No objection in principle; however, attention is drawn to the fact that the property is located within an Area of Outstanding Natural Beauty.

Local Member (Cllr Gwilym O Jones) – No response

Local Member (Cllr Richard Dew) – No response

Welsh Water – Comments

Highways Authority – No comments

Natural Resources Wales – Standard comments

Site notices were placed near the site and neighbouring properties were notified by letter. The expiry date for receiving representations was the 21 May, 2018. At the time of writing the report no letters were received.

5. Relevant Planning History

49C175 – Retention of stables adjacent to Bryn y Mor, Bryn y Mor Road, Valley – Approved 21/9/95

49C175A – Conversion of the existing outbuilding into a dwelling together with the construction of a new vehicular access at Bryn y Mor, Bryn y Mor Road, Valley. – Refused 6/7/07

49C175B – Conversion of the existing outbuildings into a dwelling together with the construction of a new vehicular access at Bryn y Mor, Valley – Refused 10/4/08 – Appeal Dismissed 6/1/09

6. Main Planning Considerations

This is a full planning application for the change of use of a stable into a self-contained annexe, construction of an access track and car parking arrangements. Significant external elevation changes to the building are being proposed including the provision of a pitched slate roof over what is currently a flat roofed structure, introduction of window and door openings.

A residential annexe may be described as accommodation ancillary to a main dwelling within the residential curtilage and must be used for this purpose. It is acknowledged that an extension of a house or conversion of an outbuilding may provide an opportunity to accommodate a person clearly associated with the occupants of the principal dwelling house e.g. dependent relative or staff working for the residents of the principal dwelling. The layout, design and physical relationship between the house and the proposed annexe will be important considerations, as will the size and scale of the accommodation to be provided. This is because the Local Planning Authority must avoid consenting a new house in the countryside at the outset and to reduce/ avoid a risk of the annexe becoming a self-contained dwelling, separate and apart from the original dwelling house. This is of particular importance because the site is located in open countryside.

It is noted that the proposed annexe has no link to the main house. Whilst there is no requirement for an annexe to form an extension to the main house, its functional relationship with the main dwelling is of particular relevance.

Principle of the Development: The site is located outside the development boundary of both Valley and Four Mile Bridge. It is located in what is regarded as a countryside location for the purposes of planning policy. Policy PCYFF 1 requires development outside development boundaries to demonstrate that it conforms to relevant policies in the Plan, national planning policy or that a location in the countryside is essential.

The site is within the designated AONB under Policy AMG1. National and local planning policy in respect of new development in such areas is very clear – new development in such areas should be strictly controlled and in respect of the AONB, the primary objective is the conservation and enhancement of its natural beauty.

A public footpath runs to the north and west of the site along the coastline to the east; forming part of the Wales Coastal Path.

Joint Local Development Plan

Policy PCYFF1 states that outside the development boundaries development will be resisted unless it is in accordance with specific policies in the plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential. The development boundaries are essential to prohibit inappropriate development from being located in the countryside.

Policy PCYFF2 states that proposals shall demonstrate compliance with relevant policies of the plan and national planning policy and guidance.

Policy PCYFF3 states that proposals are expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places.

Policy TAI 7 states that in the open countryside the conversion of traditional buildings for residential use will be permitted when all the following criteria are met:

- There is evidence that employment use of the building is not viable
- The development provides an affordable unit for the community's local need for an affordable dwelling or the residential use is a subordinate element associated with a wider scheme for business re-use
- The structure is structurally sound
- No extensive alterations are required to enable the development
- Any architectural characteristics of merit and traditional materials are retained and that the proposal does not lead to the loss of the original structure's character.

The applicant has not provided evidence that employment use of the building is not viable and the proposal is not intended to provide an affordable unit. A structural survey has been provided with the planning application, which states that the building is structurally sound with need to extend the existing foundation at least 200mm. The proposed alterations and additional openings would be more than minor external alterations. The proposal also includes the construction of a new access track and car parking arrangements with pavings and patio area surrounding the annexe. The proposal therefore does not comply with the criteria 1, 2 or 4 of Policy TAI 7 of the Joint Local Development Plan.

Given the extent of alterations, the self-contained nature of the residential use (2 bedrooms, bathroom, store, kitchen/eating area) its distance and physical separation from the main dwelling at Bryn y Mair and the creation of its own separate drive, parking area, decking and garden, the proposal is more akin to a new dwelling in the countryside than an annexe which would operate as ancillary accommodation to Bryn y Mair.

Policy AMG1 states that proposals within or affecting the setting and/or significant views into and out of the Areas of Outstanding Natural Beauty must, where appropriate, have regard to the Area of Outstanding Natural Beauty Management Plan. This policy aims to ensure that the aims and objectives of the AONB Management Plans are fully taken into account when considering development proposals.

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. The main components of AONB's are their **resources** and **activities**. 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.'

'Activities are the pressure, changes and trends which have either a positive or negative effect on the special qualities, and consequently the well-being of the AONB. These activities represent the diverse environmental, economic and social elements of the AONB and its communities. Identifying the activities which impact upon the resources is essential to the development of effective policies aimed at the protection of the AONB.'

The development would need to conserve or enhance the AONB, and proposals that have a significant effect 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.

The proposal create a new separate drive, car parking area and garden. No boundary treatment for the garden has been provided as part of the proposal. Significant external elevational changes are proposed to the building including a new pitched roof structure over the whole building.

A previous planning application was refused to change the use of the stable into a dwelling as it would detrimentally affect the character and appearance of the AONB. An appeal was also dismissed and the Planning Inspector confirmed the following:

'The proposal would be harmful to the character and appearance of the surrounding rural area which has been designated as an AONB'.

It is considered that the principle of changing the use of the stable into an annexe is the same as the previous application. The proposed alterations and additional openings would be more than minor external alterations.

The proposal for conversion to an annexe would further consolidate the residential character of this group of buildings and erode the rural qualities of the location, detrimentally impacting the AONB.

The proposal therefore does not address the reason for dismissing the previous appeal.

Affect on amenities of surrounding properties

Neighbouring properties have been notified of the development. The expiry date to receive representations was the 21st May, 2018. At the time of writing the report no objections were received.

It is not considered that the proposal will have a negative impact upon the amenities currently enjoyed by neighbouring properties.

7. Conclusion

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 use of the site as a residential annexe would not comply with the provisions of Policy TAI 7. The proposal by virtue of its siting and level of accommodation to be provided can be likened to an independent unit of living accommodation located in the open countryside contrary to Policy PCYFF1 and PCYFF2. It is also considered that the extent of the development and alterations to the building involved would further erode the rural qualities of the Area of Outstanding Natural Beauty, which will be contrary to Policy AMG1 of the Joint Local Development Plan and Planning Policy Wales.

8. Recommendation

Refuse

(01) The proposals cannot be considered as a conversion due to the extensive works required furthermore it has not been proven that an employment use is not viable and the proposal does not relate to an affordable unit for local need, the proposal is hence contrary to the provisions of policy TAI7 of the Anglesey and Gwynedd Joint Local Development Plan (July 2017) and the advice contained in SPG Design Guide for the Urban and Rural Environment.

(02) The proposal by virtue of its siting and the level of accommodation to be provided can be likened to an independent unit of living accommodation located in the open countryside for which no rural enterprise justification has been submitted as such it is contrary to the provisions of policy PCYFF1 and PCYFF2 of the Anglesey and Gwynedd Joint Local Development Plan (July 2017), the requirements of Technical Advice Note 6 and provisions of Planning Policy Wales (9th Edition).

(03) The proposal would introduce substantial alteration to the building, together with a separate drive, parking area and curtilage which would consolidate the residential character of the area and would further erode its rural qualities through its use and that of its associated curtilage, detrimentally affecting the character and appearance of the designated Area of Outstanding Natural Beauty and as such would be contrary to Policy AMG1 of the Joint Local Development Plan and the advice contained within Planning Policy Wales (Edition 9).

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12.1

Gweddill y Ceisiadau

Remainder Applications

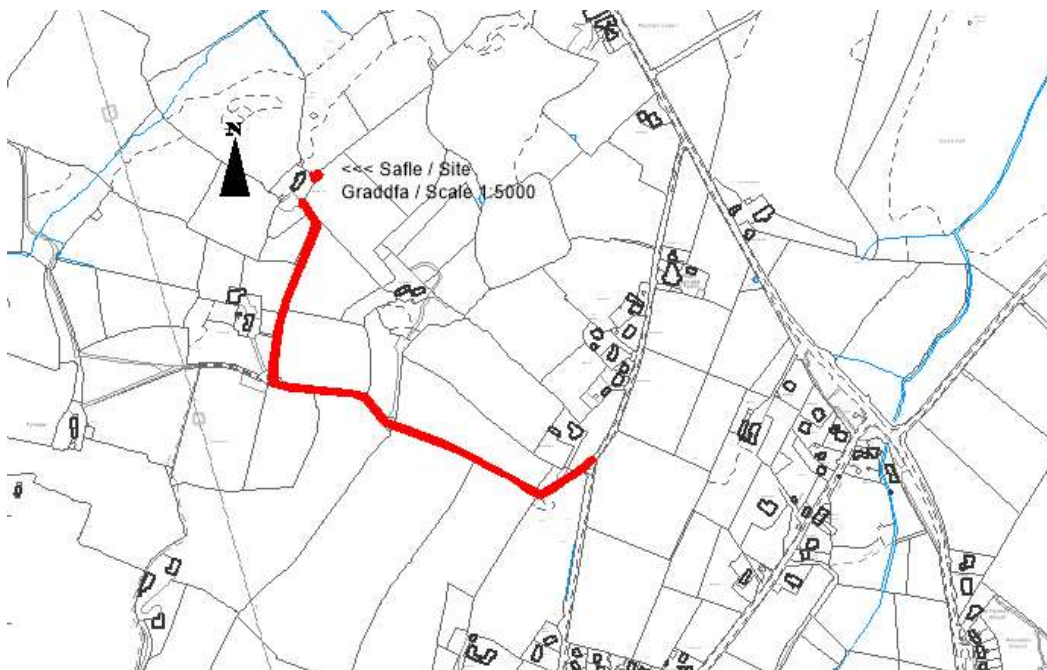
Rhif y Cais: **23C301C** Application Number

Ymgeisydd Applicant

Mr & Mrs Boulderstone

Cais llawn ar gyfer newid defnydd adeilad allanol i anecs i defnydd llety gofalwr yn / Full application for conversion of outbuilding into an annex as carers accommodation at

Pen y Garreg, Talwrn



Planning Committee: 25/07/2018

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

Recommendation:

Refuse

Reason for Reporting to Committee:

At the request of Local Member Councillor Bob Parry OBE

1. Proposal and Site

The application is made for the conversion of an outbuilding into an annex for use as a carers accommodation required to assist an occupant of Pen y Garreg.

The proposed development is located west to the existing dwellinghouse. The site lies within the open countryside. The proposed two-storey unit would include both ground and first floor living areas.

2. Key Issue(s)

The key issue is whether the proposal complies with relevant policies of the Joint Local Development Plan.

3. Main Policies

Joint Local Development Plan (JLDP)

PCYFF1 – Development Boundaries

PCYFF 2 – Development Criteria

PCYFF3 – Design and Place Shaping

PCYFF 4 – Design and Landscaping

PS5 – Sustainable Development

PS6 - Alleviating and Adapting to the Effects of Climate Change

TAI 7 – Conversion of Traditional Buildings in the Open Countryside to Residential Use

Planning Policy Wales (9th Edition)

Technical Advice Note 6: Planning and Sustainable Rural Communities

Technical Advice Note 12: Design

SPG: Design Guide for the Urban and Rural Environment

4. Response to Consultation and Publicity

Councillor Bob Parry OBE –The Local Member has called the application to the Planning Committee for determination.

Councillor Nicola Roberts – No Response

Councillor Dylan Rees – No Response

Community Council – No Response

Gwynedd Archaeological Planning Service – No significant archaeological implications.

Welsh Water – No Objection

Policy – General policy comments relating to the application which have been set out within the main body of the report.

Ecology – Due to the building's condition protected species survey not required.

Built Environment – Rebuilding works required for conversion would be extensive and as such would be beyond the norm of what is acceptable without becoming in effect a new build in the open countryside. The layout of the proposal would suggest that it provides all the facilities expected of a detached self-contained unit rather than an annex.

Landscape Officer – The application site is not located within the Area of Outstanding Natural Beauty nor a Special Landscape Area.

Local Highways Authority – No Response

Footpath Officer – Public Footpath 23/019/1 is adjacent but should be unaffected by the proposed development.

Response to publicity:

The proposal was advertised with the posting of notifications to adjacent properties. Site notices have also been displayed near the application site. The expiration of the publicly period was the 6th July, 2018.

At the time of writing this report, no letters of representations were received as a result of the publicity afforded to the application.

5. Relevant Planning History

23C301 – Conversion of building into a dwelling together with alterations and extension thereto at Pen y Garreg, Talwrn – Approved 02/12/2011

23C301A – Application to determine whether prior approval is required for the erection of an agricultural building for storage purposes on land at Pen y Garreg, Talwrn – Not Required 09/11/2011

23C301B - Full application for the conversion of outbuilding into annex for carer at Pen y Garreg, Talwrn – Refused 03/04/2018

6. Main Planning Considerations

Policy PCYFF1 states that outside the development boundaries development will be resisted unless it is in accordance with specific policies in the plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential. The development boundaries are essential to prohibit inappropriate development from being located in the countryside. The site lies outside development boundaries and is therefore in the countryside.

Policy PCYFF2 states that proposals shall demonstrate compliance with relevant policies of the plan and national planning policy and guidance.

Policy PCYFF3 states that proposals are expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places.

Policy TAI 7 states that in the open countryside the conversion of traditional buildings for residential use will be permitted when all the following criteria are met:

- There is evidence that employment use of the building is not viable
- The development provides an affordable unit for the community's local need for an affordable dwelling or the residential use is a subordinate element associated with a wider scheme for business re-use;

- The structure is structurally sound
- No extensive alterations are required to enable the development
- Any architectural characteristics of merit and traditional materials are retained and that the proposal does not lead to the loss of the original structure's character.

The applicant has not provided evidence that employment use of the building is not viable and the proposal is not intended to provide an affordable unit.

A residential annexe may be described as accommodation ancillary to a main dwelling within the residential curtilage and must be used for this purpose. It is acknowledged that an extension of a house or conversion of an outbuilding may provide an opportunity to accommodate a person clearly associated with the occupants of the principal dwelling house e.g. dependent relative or staff working for the residents of the principal dwelling. The layout, design and physical relationship between the house and the proposed annexe will be important considerations, as will the size and scale of the accommodation to be provided. This is because the Local Planning Authority must avoid consenting a new house in the countryside at the outset and to reduce/ avoid a risk of the annexe becoming a self-contained dwelling, separate and apart from the original dwelling house. This is of particular importance because the site is located in open countryside.

It is noted that the proposed annexe has no link to the main house. Whilst there is no requirement for an annexe to form an extension to the main house, its functional relationship with the main dwelling is of particular relevance.

It is noted that the occupier (the carer) will only be employed on a part-time basis. This raises the issue as to whether there is a need for permanent accommodation for the carer, i.e. that the carer can't live in an existing property in a nearby settlement.

The existing building appears to be in very poor condition. However, although the accompanying structural report suggests that the building is not beyond the scope of conversion albeit some walls would require underpinning and rebuilding, it is considered the rebuilding work required for conversion would be extensive.

The extent of structural works required for conversion is beyond the norm of what is acceptable without becoming in effect a new build in the open countryside.

The proposed unit includes facilities for independent day-to-day private domestic existence. It is therefore considered the extent of the proposed living accommodation provided and detached nature of the building does not appear to adhere to the definition of an annex.

The layout of the proposed annex suggests that it provides all the facilities expected of a detached self-contained property as opposed to providing an ancillary function to the main property.

7. Conclusion

Although it is acknowledged several letters of support have been submitted with the application, the existing masonry which exists is not sufficient to lend itself to a conversion. Extensive new build will be required far beyond that which could be considered acceptable under local and national planning policy. As such it is considered that the proposal is for a new dwelling.

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

8. Recommendation

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

(01) The proposal by virtue of its siting and the level of accommodation to be provided can be likened to an independent unit of living accommodation located in the open countryside for which no rural enterprise justification has been submitted as such it is contrary to the provisions of policy PCYFF1 and PCYFF2 of the Anglesey and Gwynedd Joint Local Development Plan (July 2017), the requirements of Technical Advice Note 6 and provisions of Planning Policy Wales (9th Edition)

(02) The proposals cannot be considered as a conversion due to the extensive works required furthermore it has not been proven that an employment use is not viable and the proposal does not relate to an affordable unit for local need, the proposal is hence contrary to the provisions of policy TAI7 of the Anglesey and Gwynedd Joint Local Development Plan (July 2017) and the advice contained in SPG Design Guide for the Urban and Rural Environment.

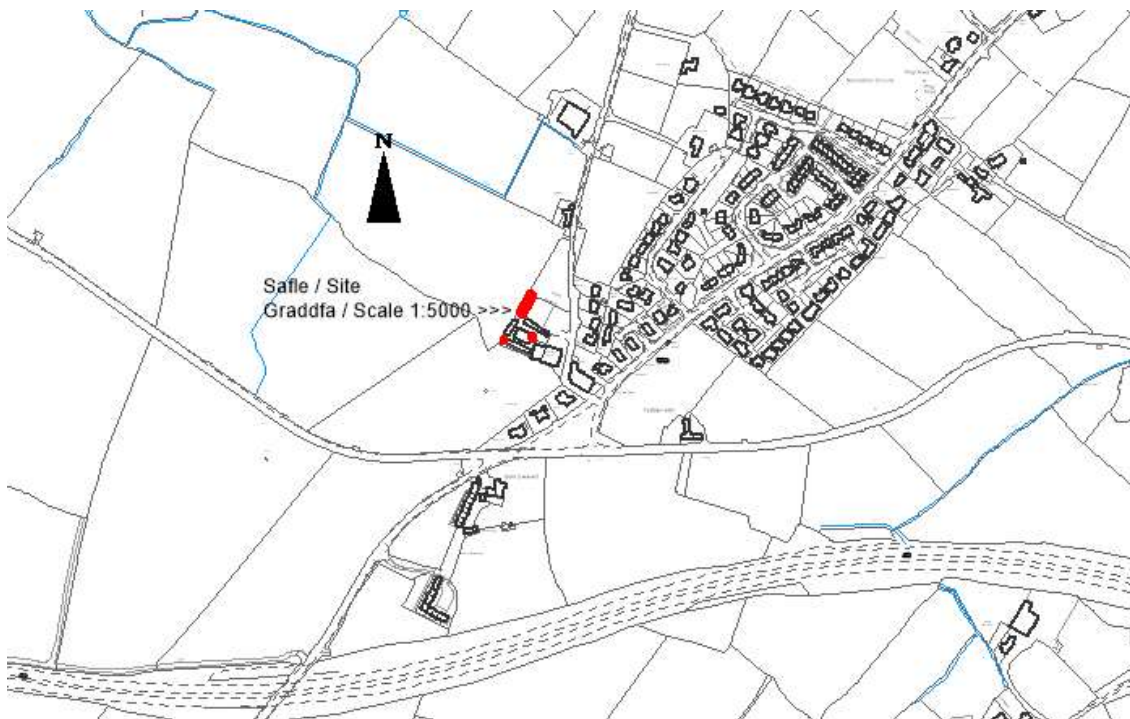
Rhif y Cais: **36C193P/ENF** Application Number

Ymgeisydd Applicant

Mr Geraint Williams

Cais llawn ar gyfer cadw dau o gynwysyddion storio ynghyd â lleoli 10 o gynwysyddion storio ychwanegol ar dir yn / Full application for the retention of two storage containers together with the siting of 10 additional storage containers on land at

Cefn Uchaf, Rhostrehwfa



Planning Committee: 25/07/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the Local Member.

1. Proposal and Site

The proposal is to retain two additional containers within the existing container compound together with the siting of 10 additional containers on the neighbouring land, making a total of 73 containers

2. Key Issue(s)

The main planning issues associated with the proposed development are whether the proposal complies with current policies and whether the development will have a detrimental impact on the amenities of the surrounding properties and locality.

3. Main Policies

Joint Local Development Plan

Policy PCYFF3 – Design and Place Shaping

Policy PCYFF4 – Design and Landscaping

Policy CYF6 – Reuse and Conversion of Rural Buildings, Use of Residential Properties or New Build for Business/Industrial Use

Policy TRA2 – Parking Standards

Planning Policy Wales (9th Edition, 2016)

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

Technical Advice Note 12 – Design (2016)

Technical Advice Note 23 – Economic Development (2014)

4. Response to Consultation and Publicity

Community Council – Do not agree with the location due to the close proximity with the neighbouring properties

Local Member, Cllr. Dafydd Roberts – Call-in due to local concerns regarding the extension of the site

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

Drainage Section – No response to date

Highway Authority – No comments

Environmental Health – Standard comments and requested further information regarding the proposed lighting scheme. Following receipt of the proposed security lighting confirmed there was no objection provided that the lighting arrangements do not give rise to statutory nuisance and referred the applicant to 'Guidance Notes for the Reduction of Obtrusive light' for the applicants

The application was afforded two means of publicity. These were by the posting of a notice near the site and the serving of personal notification letters on the occupiers of the neighbouring property. The latest date for the receipt of representations was the 4th June, 2018 and at the time of writing this report two letters of representation had been received at the department from the owners of four neighbouring properties. The main issues raised can be summarised as follows;

- i) Conflicts with Policy 6.8 of the Joint Local Development Plan as the development will have a serious impact on the neighbouring properties standard of living by way of overlooking, loss of privacy, noise nuisance and visually overbearing.
- ii) Proposal is unsympathetic to the appearance and character of the local environment and will have a harmful impact on the open, rural and undeveloped character.
- iii) Highway safety – potential conflicts between pedestrian, cyclist and vehicular movements and vehicles overhanging the adopted highway and insufficient parking spaces..
- iv). Site is located in a predominantly residential area and will be an un-neighbourly form of development.
- v) No landscaping proposed as part of the development
- vi) Access to the existing containers is advertised as being 24/7 and this will have impact on the amenities of the neighbouring properties

Other issues were raised that are not material planning considerations.

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

i) It is not considered that the retention of the two additional units, which amounts to a 4% increase in the total numbers, within the existing container compound will have an adverse effect on the occupants of the neighbouring properties. The 10 additional containers that are to be situated in the former car parking area and along the boundary of the site with the adjoining field will not have an adverse impact on the amenities currently enjoyed by the occupants of the nearby properties. The additional containers will be located more than 46 metres away from the boundary of the car park with the adjoining highway (at its shortest point). As the proposed containers will be located on a lower ground level than the adjoining properties and set further back into the site towards the agricultural field the proposal will not have a detrimental visual impact on the surrounding properties or surrounding area. The containers will be located on part of the existing car park and the change of use of the land from a car park to a container compound will not harm the amenities currently enjoyed by the occupants of the surrounding properties to such a degree as to warrant the refusal of the application.

Due to the difference in levels of land between the application site and adjoining properties the proposal will not result in overlooking to the adjoining properties. As the land is currently used as a car park it is not considered that the development will generate additional noise nuisance that would have a detrimental impact on the surrounding properties to such a degree to justify the refusal of the application.

ii) The site is located next to four industrial units and to the south of the application site lies the existing storage container compound. To the south east of the application site lies the local public house. As part of planning application reference 36C193L to site 9 additional containers on the middle section of the car park fencing were proposed to the rear of the containers (along the boundary of the application site with the adjoining (front section) car park and landscaping was proposed along the boundary of the site with the adjoining agricultural land. Due to the existing commercial use of the adjoining land and the proposed fencing and landscaping it is not considered that the proposal will be out of character with the surrounding area or have a detrimental impact on the surrounding landscape.

iii) The existing access which serves the existing site will serve the proposed development. The Highway Authority have been consulted and have raised no objection to the scheme.

iv) Whilst it is acknowledged that 4 residential properties are located immediately opposite the application site as stated above the adjoining land has an established commercial use and due to the former use of the land it is not considered that the development will be an un-neighbourly form of development.

v) As stated above fencing and landscaping works were required as part of planning application reference 36C193L. The proposed site plan submitted as part of the current application illustrated the number and type of fencing and landscaping proposed along the boundary of the site.

vi) Conditions imposed on the previously approved application restricted access to the site outside the hours of 7.00 am to 9.00 pm. This matter will now be the subject of further investigation and should a breach be identified the matter will be dealt with accordingly.

5. Relevant Planning History

36C193: Conversion of outbuilding into a conference room and community workshop, erection of 6 new community workshop units and the installation of a new septic tank at Tafarn y Rhos, Rhostrehwfa – Approved 7/1/02

36C193A - Demolition of the existing hall and the erection of a replacement conference facility, conversion of the existing outbuilding to form part of the facility together with alterations to the existing access – Refused 15/12/03

36C193B - Full plans for the erection of a lean-to agricultural implement shed on land at Cefn Uchaf, Rhostrehwfa – Approved 1/5/03

36C193C - Change of use of agricultural building to a children's play centre at Cefn Uchaf, Rhostrehwfa - Approved 20/05/2010 - Section 106 18/05/2010

36C193D/ECON - Change of use of part of the agricultural building into 4 number industrial units at Cefn Uchaf, Rhostrehwfa – concurrent application – Approved 27/05/2010 – Section 106 18/05/2010

36C193E - Full application for the siting of 10 no. storage containers at Cefn Uchaf, Rhostrehwfa – Approved 19/05/2010

36C193F – Full application for the siting of 10 no. storage containers at Cefn Uchaf, Rhostrehwfa – Approved 23/06/2010

36C193G/AD – Erection of 3 signs at Cefn Uchaf, Rhostrehwfa – Approved 24/06/2010

36C193H – Full application for the siting of 15 additional containers at Cefn Uchaf, Rhostrehwfa – Approved 05/04/2012

36C193J – Full application for the retention of 7 container units together with the siting of an additional 10 container units for storage purposes at Anglesy Self Storage, Rhostrehwfa – Approved 28/11/2014

36C193K/DEL – Application under Section 73 for the removal of condition (12) (operating days and times) from planning permission reference 36C193D/ECON (change of use of part of the agricultural building into 4 industrial units) at Cefn Uchaf, Rhostrehwfa – Withdrawn 17/03/2017

36C193L - Full application for the siting of nine additional containers at Cefn Uchaf, Rhostrehwfa – Approved 26/02/2018

36C193M/VAR - Application under Section 73 for the variation of condition (12) (operating days and times) from planning permission reference 36C193D/ECON (change of use of part of the agricultural building into 4 industrial units) so as to allow change of hours of operation at Cefn Uchaf, Rhostrehwfa – Refused 20/02/2018

36C193N/VAR - Application under Section 73 for the removal of condition (14) (No retailing shall take place from the premises) from planning permission reference 36C193D/ECON (change of use of part of the agricultural building into 4 no. industrial units) at Cefn Uchaf, Rhostrehwfa – Approved 05/03/2018

6. Main Planning Considerations

Policy Context - Policy PCYFF 3 requires that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Innovative and energy efficient design will be particularly encouraged. In respect of this application, the proposal includes a landscaping scheme which will ensure that the proposal does not have a detrimental impact on the surrounding area. The scheme is similar to the existing use on the adjoining land.

Policy PCYFF 4 requires that all proposals should integrate into their surroundings. Proposals that fail to show (in a manner appropriate to the nature, scale and location of the proposed development) how landscaping has been considered from the outset as part of the design proposal will be refused. In respect of this proposed development, consideration has been given to the harm that the proposal may have on

the surrounding area and the proposed screening and landscaping details submitted as part of the application will ensure that the development will not have a detrimental impact on the surrounding area. Due to the existing commercial use of the adjoining buildings and land the proposal is considered acceptable.

Policy CYF6 is supportive of proposals for business/industrial use in rural areas provided that the scale and nature of the development is acceptable and that the development would not lead to a use that conflicts with nearby uses. Paragraph 7.3.2 of Planning Policy Wales supports the principle of Policy CYF6 and states that:-

“The expansion of existing businesses located in the open countryside should be supported provided that are no unacceptable impacts on local amenity”.

Policy TRA 2 aims to ensure that suitable parking provision is made for all new development. In this regard, the policy requires that parking provision be met by means of compliance with the adopted Supplementary Planning Guidance – Parking Standards. As stated above the Highway Authority have been consulted and have raised no objection to the proposal.

Impact on surrounding properties and surrounding area - The site lies next to the existing storage container compound and to the rear of the 9 additional containers that were approved under planning application reference 36C193L although these containers have not been placed on the site to date. Four commercial units are situated to the front of the existing storage container compound and the local public house is located opposite the highway (to the south east) and the application site forms part of the existing large car park. As stated above the front of the additional containers on the former car park will be located to the rear of the previously approved 9 container and are situated more than 46 metres away from the boundary of the adjoining car park with the Highway. The two containers which are to be retained within the existing compound will have no impact on the neighbouring properties due to the existing number of containers on the site.

The issues raised by members of the public following the publicity of the application have been addressed in the Consultation and Publicity Section above.

7. Conclusion

The development complies with current local and national policies. Due to the existing use of the application site and surrounding land the proposed development will not have a detrimental impact on the amenities of the surrounding properties or surrounding landscape.

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

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

(02) The landscaping scheme as detailed on drawing number 1469:18:3a shall be planted within 10 months of the commencement of the use hereby permitted. The said trees and shrubs shall be maintained for a period of ten years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation.

Reason: In the interest of visual and residential amenity.

(03) The timber fence as detailed on drawing number 1469:18:3a shall be installed prior to the use hereby permitted is commenced. The fencing shall not be removed at any time and if the screening needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position.

Reason: In the interest of residential amenity

(04) The use shall not be carried out outside the hours of 7.00am to 9.00pm Monday to Saturday and 10.00 am to 5.00 pm Sunday.

Reason: In the interest of residential amenity

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

Drawing / Document number	Date Received	Plan Description
1469:18:2(a)	11/06/2018	Existing site plan
1469:18:1	02/05/2018	Location plan
Lighting details	11/06/2018	Lighting details
Container details	02/05/2018	Container details
1469:18:3(a)	12/06/2018	Proposed site plan

under planning application reference 36C193P/ENF.

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.

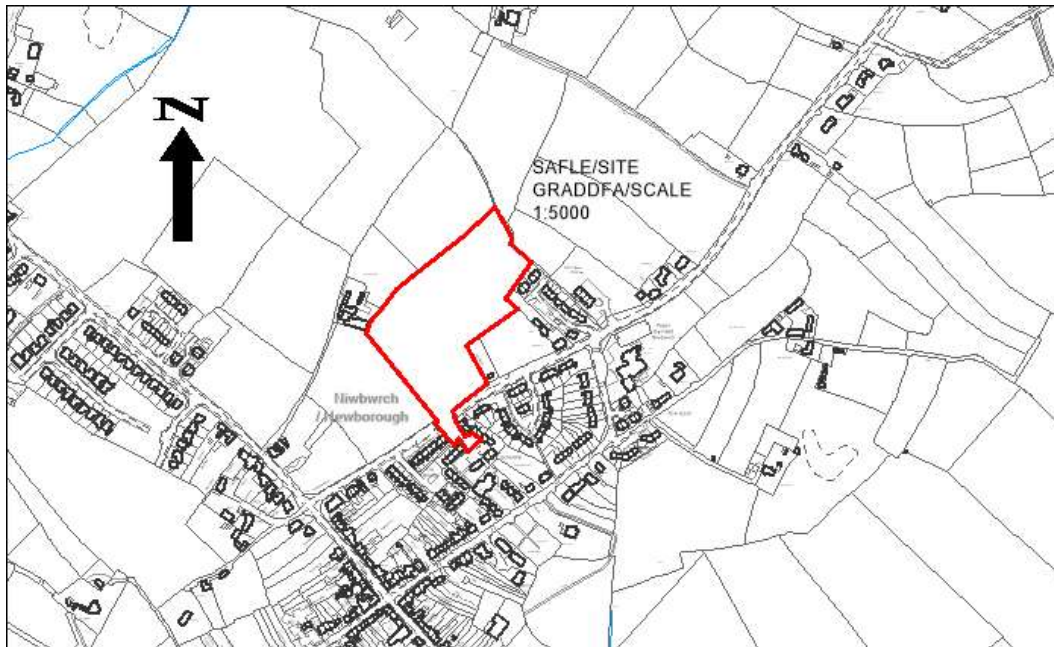
Rhif y Cais: **45LPA1029D/CC/DIS** Application Number

Ymgeisydd Applicant

Pennaeth Addysg/Head of Learning

**Cais i ryddhau amod (10) (goleuadau gweithredol) o ganiatâd cynllunio
45LPA1029A/CC/ECON yn / Application to discharge condition (10) (operational lighting) of
planning permission 45LPA1029A/CC/ECON at**

Ysgol Santes Dwynwen, New School Site, Lon Twnti, Niwbwrch/Newborough



Planning Committee: 25/07/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application is being presented to the Planning and Orders committee as the land is owned by the Council.

1. Proposal and Site

This is an application to discharge condition (10) (operational lighting) of planning permission 45LPA1029A/CC/ECON at Ysgol Santes Dwynwen, Lon Twnti, Newborough.

Condition (10) stated that no operational lighting shall be installed until full details of the proposed lighting has been submitted to and approved in writing by the local planning authority.

Full details of the external lighting have been submitted for consideration under this application.

2. Key Issue(s)

The applications key issue is whether the lighting details are acceptable and do not have an impact on residential amenity and protected species.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

4. Response to Consultation and Publicity

Community Council – No objection

Local Member (Cllr Bryan Owen) – No response

Local Member (Cllr Peter Rogers) – No response

Environmental Health – Standard comments. The proposal must comply with Table 2 of the Guidance Notes for the Reduction of Obtrusive Light document (GN01:2011).

As this is an application to discharge the requirements of a planning condition, no statutory publicity requirements apply.

5. Relevant Planning History

45LPA1029/CC/SCR - Screening opinion for the erection of a new primary school on land to the rear of Morawelon, Newborough – 2/11/16 – EIA not required

45LPA1029A/CC/ECON - Full application for the erection of a new primary school together with the creation of a new vehicular access on land adjacent to Morawelon, Newborough – 12/7/17 – Granted

45LPA1029B/CC/DIS - Application to discharge conditions (04) (construction traffic management plan), (05) (operational traffic management plan), (06) (scheme for the glint/glare of the solar

panels), (07) (programme of archaeological works) and (09) (details on the construction lighting) of planning permission 45LPA1029A/CC/ECON at Morawelon, Newborough – 22/9/17 – Conditions Discharged

45LPA1029C/CC/DIS - Application to discharge condition (03) (construction details of the proposed access) of planning permission 45LPA1029A/CC/ECON at Morawelon, Newborough – 22/9/17 – Condition Discharged.

6. Main Planning Considerations

Discharge of Conditions (10)

Condition (10) requested that full details of the proposed lighting be submitted to and approved in writing by the local planning authority. The lighting design should comply with the recommendation of Table 2 of the Guidance Notes for the Reduction of Obtrusive Light document (GN01:2011). Details have been received and it is considered that the lighting material is acceptable and will not have a negative impact upon the amenities of adjacent residential properties or any protected species.

Policy Context – The principle of the development has already been established by extant permission 45LPA1029A/CC/ECON approved on the 12/07/2017.

Policy PCYFF2 states that consideration must be given to health and safety of occupiers of local residences, other land and property uses or characteristics of the locality due to light pollution, or other forms of pollution or nuisance.

The lighting information provided with the application confirms that limited light will spill outside of the application site. Some light spill will occur outside of the application site to the East and South; however, the light spillage will be very low ranging from 5 – 0.5lux. The area already has street lighting in the area; therefore the proposal will not have any further light pollution more than what is already present in the area. The neighbouring property known as Mor Awelon has large mature trees located on the rear boundary that will obstruct light from the application site and the gable end of the property does not have any windows.

All lighting fittings will be LED downward facing floodlights to alleviate any unnecessary lighting of the sky.

Protected Species

The biodiversity officer has confirmed that the external lighting is satisfactory in terms of ecology.

Affect on amenities of surrounding properties

It is not considered that the proposed external lighting will have a negative impact upon the amenities of existing residential properties.

7. Conclusion

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.

It is considered that the lighting details provided with the application are acceptable and will not harm the amenities of adjacent residential properties or harm any protected species in the area.

8. Recommendation

Discharge of condition (10)

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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