

# Public Document Pack



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

Mrs Annwen Morgan  
Prif Weithredwr – Chief Executive  
CYNGOR SIR YNYS MÔN  
ISLE OF ANGLESEY COUNTY COUNCIL  
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<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>	
<b>PWYLLGOR CYNLLUNIO A GORCHMYNION</b>	<b>PLANNING AND ORDERS COMMITTEE</b>	
<b>DYDD MERCHER, 1 GORFFENNAF, 2020 am 1:00 y. p.</b>	<b>WEDNESDAY, 1 JULY 2020 at 1.00 pm</b>	
<b>CYFARFOD RHITHIOL (Ar hyn o bryd, nid oes modd i'r cyhoedd fynychu'r cyfarfod)</b>	<b>VIRTUAL MEETING (At present, members of the public are not able to attend)</b>	
<b>Swyddog Pwyllgor</b>	<b>Ann Holmes 01248 752518</b>	<b>Committee Officer</b>

## **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**

**At present this Committee is not being webcast live. A recording of the meeting will be made available on the Council's website as soon as possible.**

## **A g e n d a**

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.

### **MEMBERS OF THE PLANNING AND ORDERS COMMITTEE**

Councillors:

**John Griffith  
Glyn Haynes  
T LI Hughes MBE  
K P Hughes  
Vaughan Hughes  
Richard O Jones (Is-Gadeirydd/Vice-Chair)  
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Robin Williams**

***INDEX - The Link to the Public Register is provided for each individual application as shown***

#### **1 APOLOGIES**

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

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

#### **3 MINUTES OF THE PREVIOUS MEETING\_(Pages 1 - 4)**

To submit, for information, the minutes of the previous meeting of the Planning and Orders Committee held on 20 May, 2020.

#### **4 SITE VISITS**

None held since the previous meeting.

#### **5 PUBLIC SPEAKING**

At present this Committee is not being webcast live. A recording of the meeting will be made available on the Council's website as soon as possible.

## **6 APPLICATIONS THAT WILL BE DEFERRED**

6.1 FPL/2019/223 – Pen-Wal Bach, Pen Lon, Newborough

[https://ioacc.force.com/s/papplication/a1G4H00000Jt1YBUAZ/fpl2019223?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000Jt1YBUAZ/fpl2019223?language=en_GB)

6.2 19C1231 – Cae Rhos Estate, Porthdafarch Road, Holyhead

[https://ioacc.force.com/s/papplication/a1G5800000HzFxcEAF/19c1231?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G5800000HzFxcEAF/19c1231?language=en_GB)

## **7 APPLICATIONS ARISING**

None to be considered by this meeting.

## **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

## **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

## **10 DEPARTURE APPLICATIONS**

10.1 VAR/2020/7 – 8 Ger y Mor, Rhosneigr

[https://ioacc.force.com/s/papplication/a1G4H00000M6D4CUAV/var20207?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000M6D4CUAV/var20207?language=en_GB)

10.2 VAR/2020/8 – Bryn y Felin, Newborough

[https://ioacc.force.com/s/papplication/a1G4H00000IzgU9UAJ/var20208?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000IzgU9UAJ/var20208?language=en_GB)

10.3 VAR/2020/6 – Tan Rallt, Carmel

[https://ioacc.force.com/s/papplication/a1G4H00000LqKbUUAV/var20206?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000LqKbUUAV/var20206?language=en_GB)

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

None to be considered by this meeting.

## **12 REMAINDER OF APPLICATIONS**

12.1 HHP/2020/37 – Y Bwthyn, Llanddaniel

**At present this Committee is not being webcast live. A recording of the meeting will be made available on the Council's website as soon as possible.**

[https://ioacc.force.com/s/papplication/a1G4H00000Izfh2UAB/hhp202037?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000Izfh2UAB/hhp202037?language=en_GB)

12.2 FPL/2020/71 – Ysgol Gyfun Llangefni, Cildwrn Road, Llangefni

[https://ioacc.force.com/s/papplication/a1G4H00000MffKUUAZ/fpl202071?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000MffKUUAZ/fpl202071?language=en_GB)

12.3 FPL/2020/70 – Ysgol Llanfawr, Holyhead

[https://ioacc.force.com/s/papplication/a1G4H00000MffEMUAZ/fpl202070?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000MffEMUAZ/fpl202070?language=en_GB)

### **13 OTHER MATTERS**

13.1 LBC/2020/1 – Trwyn Du Lighthouse, Penmon

[https://ioacc.force.com/s/papplication/a1G4H00000Iy1OnUAJ/lbc20201?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000Iy1OnUAJ/lbc20201?language=en_GB)

## Planning and Orders Committee

### Minutes of the Virtual meeting held on 20 May 2020

- PRESENT:** Councillor Nicola Roberts (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.
- Councillor Richard A Dew – Portfolio Holder for Planning
- IN ATTENDANCE:** Chief Planning Officer (DFJ),  
Development Planning Manager (NJ),  
Legal Services Manager (RJ),  
Committee Officer (MEH).
- APOLOGIES:** Councillor Richard Owain Jones.
- ALSO PRESENT:** Deputy Chief Executive,  
Head of Democratic Services.
- 

**1 APOLOGIES**

As noted above.

**2 DECLARATION OF INTEREST**

None received.

**3 MINUTES**

The minutes of the previous meeting of the Planning and Orders Committee held on 4 March, 2020 were confirmed as correct.

**4 DELEGATION TO THE CHIEF PLANNING OFFICER OF THE COMMITTEE'S POWERS TO MAKE DECISIONS DURING THE PERIOD OF THE COVID-19 PANDEMIC**

Submitted – a report by the Director of Function (Council Business)/Monitoring Officer in relation to the above.

The Legal Services Manager reported that in light of the public health emergency caused by the coronavirus and the restrictions on holding public meetings, there is still a need to maintain a planning service and to make decisions on planning

matters. A delegation needs to be put in place to allow the Chief Planning Officer the Committee's powers to make decisions during the period of the pandemic and any reoccurrence of the pandemic in the future with the possible illness or redeployment of essential staff from the Planning Service which would make it difficult to maintain a full planning service over the coming months. The proposed delegation will allow Officers to take decisions on planning applications which the Planning and Orders Committee would previously have taken. This would also cover times when convening a meeting of the Committee is not possible i.e. due to the Committee not being quorate due to illness or availability of members of the Committee. He further reported that the proposed delegation will be reviewed on a monthly basis by the Chief Planning Officer in consultation with the Group Leaders and Senior Officers to make sure that the delegation is used reasonably and to gauge as to how it is administered and its effectiveness. The proposed delegation also protects the rights of local members, who have called-in an application to the Committee, in that they be given a reasonable opportunity to make specific comments in writing by a certain date before the Chief Planning Officer can make a decision on the application.

The Legal Service Manager further stated that, in lieu of public speaking at the Committee, the Chief Planning Officer will notify all those members of the public who have commented on an application which he proposes to determine under this delegation and allow them the opportunity to make further comments before a decision is taken. Whilst already within the Council's Constitution, the Legal Service Manager said that where the Chief Planning Officer has the power to determine an application under this delegation he may for whatever reason choose not to exercise that power and then the application will have to be determined by the Planning and Orders Committee. Whilst the proposed delegation does not prevent the Planning and Orders Committee from meeting. It provides flexibility to having provision in place to allow the Planning Service to continue to process planning applications when the service may be under pressure of it is not possible to convene a meeting of the Committee for whichever reason. It was further noted that the Chair and Vice-Chair of the Committee would be notified of any decisions made under this provision.

Councillor Dafydd Roberts said that he appreciated that it has been possible to convene this meeting virtually and questioned whether the meetings of the Planning and Orders Committee can in future be convened virtually on a monthly basis. The Legal Service Manager responded that the report before the Committee does not address the practical issues of convening meeting of the Planning and Orders Committee. Due to the pandemic the workload of the Planning Service, as with all other services, has been affected. Discussions need to be taken place with Planning Officers as regards to the practicalities of what applications are ready for a decision. He expressed the view that whilst he did not see any reason why the Committee may not be convened virtually he considered that adequate training would need to be given before convening a virtual meeting of the Planning and Orders Committee to determine planning applications.

The Chair ascertain the practicalities of reconvening the Planning and Orders Committee in July. The Chief Planning Officer responded whilst that the Planning Service wishes to see the democratic processes of dealing with planning

applications being open and transparent, there have been constraints on the some elements of the planning process such as the ability to conduct site visits and comply with the publicity requirements; there will therefore initially be a limit on the number of planning applications that are ready to be submitted to the Committee for determination. Planning Officers will need a period of time to deal with the backlog of such applications. The Development Planning Manager said that there are elements of statutory procedures that have been difficult due to the restrictions due to the Covid19 pandemic and there will be an element of catch up with statutory consultees before planning applications can be submitted for decision by the Planning and Orders Committee.

Councillor K P Hughes said that he considered that the Planning and Orders Committee needs to be reconvened for the Committee to make decisions of planning applications. The Legal Services Manager responded that the recommendations before the Committee is to enable a fall-back position if a situation arose when the Planning and Orders Committee could not meet because it was inquorate or Planning Officers were unavailable to service the Committee due to illness.

Councillor Robin Williams said that he accepted that the number of applications before the Committee will be limited due to the back-log of dealing with such applications. He accepted that the recommendations before the Committee will be a fall-back position as explained by the Legal Services Manager.

Councillor K P Hughes proposed to approve the recommendations subject to an amendment that a virtual meeting be held of the Planning and Orders Committee on a monthly basis, as soon as it is practically possible. Councillor Eric W Jones seconded the proposal.

**It was RESOLVED that meetings of the Planning and Orders Committee be held virtually, on a monthly basis, as soon as it is practically possible, however, in the meantime :-**

- **To delegate to the Council's Chief Planning Officer the right to make all decisions which are reserved to the Committee under the Council's Constitution, be that under paragraphs 3.4.3.1 to 3.4.3.16 (inclusive) or elsewhere;**
- **That this delegation remain in force whilst the restrictions on holding public meetings are in place, but that it shall be reviewed every month by the Chief Planning Officer in consultation with Group Leaders (or their nominees) and Senior Officers so as to gauge its effectiveness;**
- **In respect of those applications already called-in to the Committee by local members, no decision will be made under this delegation until those local members have been given a further, reasonable opportunity to make specific comments in writing in respect of that application before a certain date. The Chief Planning Officer will take due regard to those comments before exercising his delegated power in respect of that application;**

- **In lieu of public speaking at the Committee, the Chief Planning Officer will notify all those members of the public who have commented on an application which he proposes to determine under this delegation. He will invite those members of the public to make further written representations by a specified date and will take due regard to those further written representations before exercising his delegated powers in respect of that application;**
- **Where the Chief Planning Officer has the power to determine an application under this delegation he may, nevertheless and for whatever reason, choose not to exercise that power and, in that case, the application will have to be determined by the Committee. The Chief Planning Officer will take into account the views of those mentioned in paragraph 2 above in reaching his decision under this paragraph;**
- **That the delegation shall automatically fall into abeyance once a summons is published for the Committee to again meet in person in the Council Chamber but, if such a meeting is cancelled or does not take place, for whatever reason, this delegation shall be revived and acted upon by the Chief Planning Officer until the time that such a meeting is held;**
- **That the Chair and Vice-Chair of the Committee are notified in a timely manner of any decisions made under this delegation;**
- **That meetings of the Planning and Orders Committee be held virtually, as soon as practically possible, until a time when meetings of the Council will reconvene as per usual within the Council Offices;**
- **That a training session is arranged before the next meeting of the Committee held in person in the Council Chamber so that Members and Officers can re-familiarise themselves with the Committee's usual procedures and relevant requirements.**

**COUNCILLOR NICOLA ROBERTS  
CHAIR**



Planning Committee: 01/07/2020

6.1

Application Reference: FPL/2019/223

Applicant: Mrs J Usher

**Description:** Cais llawn ar gyfer newid defnydd tir amaethyddol i fod yn faes gwerysyla pebyll tymhorol ar dir ger / Full application for change of use of agricultural land into a seasonal tent camping site on land adjacent to

**Site Address:** Pen-Wal Bach, Pen Lon, Niwbwrch / Newborough



**Report of Head of Regulation and Economic Development Service (David Pryce Jones)**

**Recommendation:** Gohirio / Defer

**Reason for Reporting to Committee**

The planning application has been called to the planning committee by local members.

**Conclusion**

Amended plans have been submitted which introduce an additional vehicular access onto the public highway to the west to address highway objections to the single access point onto the A4080. Officers require an opportunity to assess the implications of this amendment and it also needs to be advertised and this has been delayed by the current Covid 19 restrictions.

**Recommendation**

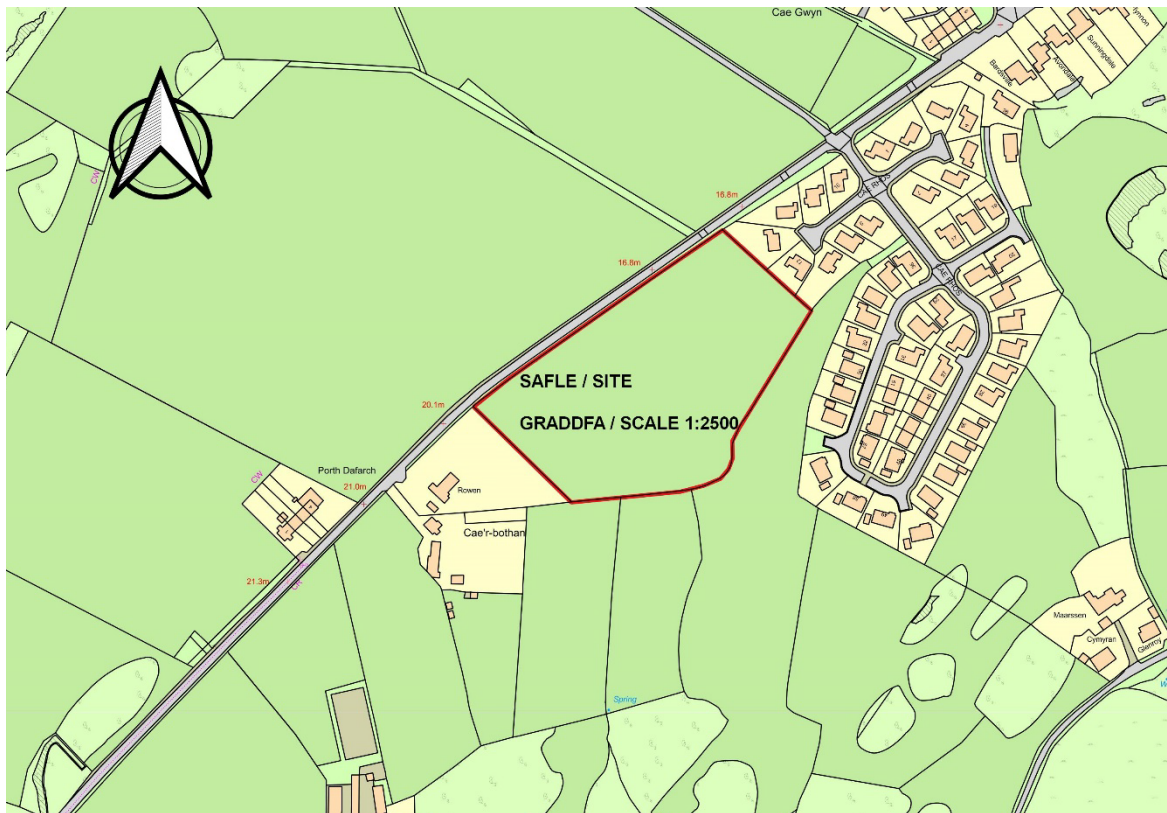
Defer

**Application Reference: 19C1231**

**Applicant:** Mr David & Mr Tom Nevin & Mrs Barbara Earnshaw

**Description:** Cais amlinellol ar gyfer codi 32 annedd marchnad a 4 annedd fforddiadwy, adeiladu mynedfa newydd i gerbydau a cherddwyr, darparu man chwarae a mannau agored ynghyd â manylion llawn y fynedfa a'r gosodiad ar dir ger / Outline application for the erection of 32 market dwellings and 4 affordable dwellings, construction of new vehicular and pedestrian access, provision of play area and open spaces together with full details of access and layout on land adjacent to

**Site Address:** Cae Rhos Estate, Ffordd Porthdafach Road, Caergybi/Holyhead



**Report of Head of Regulation and Economic Development Service (David Pryce Jones)**

**Recommendation:** Gohirio / Defer

**Reason for Reporting to Committee**

The planning application has been called to the Planning Committee by Local Members.

**Proposal and Site**

The application site comprises 1.76 hectares of agricultural land located on the south western approach to Holyhead. The application site is situated along Porthdafarch Road which leads via Henddu Terrace and Mountain View to Kingsland Road (B4545) in proximity to junction 2 of the A55 expressway. There is an existing dry stone wall and hedgerow present along the frontage with the public highway. The south

western boundary of the application site abuts the Area of Outstanding Natural Beauty "AONB". The application site is abutted to the north east by the Cae Rhos residential estate and to the south west by a residential property (Rowen). There is a public footpaths on the opposite side of Porthdafarch Road and to the south east leading from the Cae Rhos estate.

This is an outline planning application with access and layout included for determination. The proposal is made for 36 dwellings including 4 affordable dwellings. The layout plan illustrates a T junction access with Porthdafarch Road and an internal circular access road. As part of the proposal a pavement will be provided at the frontage of the application site either side of the vehicular access with the public highway which will extend to the existing pavement footpath at the entrance to the Cae Rhos Estate.

There is an equipped play area and playing field provided in the south western corner of the development adjacent to the boundary of the AONB and the residential property (Rowen).

In terms of external materials the submitted details indicate the use of natural slate roofs and white painted render walls with white UPVC detail.

No detailed drainage plans are submitted with the planning application but the submission states that foul drainage from the development would be discharged into the public sewer which runs along Porthdafarch Road. Surface water run-off would be discharged into an existing watercourse within the application site which runs along the south eastern boundary.

This is a major planning application which has been subject to statutory pre-application discussions. In the course of determining the planning application amended plans which reduced the total number of dwellings by 2 (from 38 to 36) and also increasing the distances from the rear elevations to the rear boundaries on a number of plots. Additional highway and ecological information were also submitted as described in the main body of the report.

## **Key Issues**

- Principle of Residential Development
- Highway Considerations and Sustainability
- Relationship with the Surroundings and the AONB
- Relationship with Adjacent Properties
- Ecology and Biodiversity Considerations

## **Policies**

### **Joint Local Development Plan**

Joint Local Development Plan

PS 1: Welsh Language and Culture

ISA 1: Infrastructure Provision

ISA 5: Provision of Open Space in New Housing Developments

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable Development

PS 6: Alleviating and Adapting to the Effects of Climate Change

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PCYFF 6: Water Conservation

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

TAI 8: Appropriate Housing Mix  
TAI 15: Affordable Housing Threshold & Distribution  
AMG 1: AONB Management Plans  
AMG 3: Protecting and Enhancing Features and Qualities that are distinctive to the local Landscape Character  
AMG 5: Local Biodiversity Conservation  
PS 19: Conserving and where appropriate Enhancing the Natural Environment  
PS 20: Preserving and Where Appropriate Enhancing Heritage Assets  
AT 4: Protection of Non Designated Archaeological Sites and their Setting

Planning Policy Wales (Edition 10 December 2018)

Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)  
Technical Advice Note 5 (TAN): Nature Conservation and Planning (2009)  
Technical Advice Note Wales TAN 11 Noise (1997)  
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)

Supplementary Planning Guidance Affordable Housing (2004)  
Supplementary Planning Guidance IOCC Design Guide for the urban and Rural Environment (2008) "SPG Design Guide"  
Supplementary Planning Guidance Parking Standards (2008)  
Supplementary Planning Guidance Planning Obligations (Section 106 Agreements) (2008)  
Supplementary Planning Guidance Housing Mix (October 2018)

Anglesey AONB Management Plan 2015-2020 "AONB Management Plan"

### **Response to Consultation and Publicity**

Cynhorydd Glyn Haynes: No observations received.

Cynhorydd Shaun James Redmond: No observations received.

Cynhorydd Dafydd Rhys Thomas: Concern expressed as regards the traffic situation.

Cynhorydd John Arwel Roberts: No observations received.

Cynhorydd Robert Llewelyn Jones: No observations received.

Cynhorydd Trefor Lloyd Hughes: Requested that the planning application is called to the planning committee because the creation of such a large estate would have a serious effect on highway issues.

Cyngor Tref Caergybi / Holyhead Town Council: No observations received.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: Conclusions as follows:

- The site is within the development boundary and forms site T11 in the JLDP which is designated as a housing allocation. Policy PCYFF 1 and Policy TAI 1 support residential development on allocated sites within development boundaries.
- Consideration needs to be given to any justification provided by the applicant for any local circumstances or site constraints that justifies a lower density otherwise the proposal is not in line with policy PCYFF 2 of the JLDP.
- The Housing Service will be able to advise you to enable you to reach a conclusion about Policy TAI 8 and whether the proposal provides an appropriate housing mix.

- Provided the proposal aligns with Policy TAI 8, a formal assessment of its impact on the Welsh language and culture is not required.
- You will need to be satisfied that the proposal complies with more generic policies that relate, e.g. to landscaping, vehicular access.

Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer: No observations received at the time of writing.

Dwr Cymru/Welsh Water: Conditional permission requiring the submission of a scheme for foul and surface water drainage and these comments have been confirmed as valid in relation to the amended proposals subject to the re-consultation.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Following the initial consultation further ecological information was requested including consideration of reptiles and ecological enhancements. Following the submission of a revised ecological report it was confirmed that generally that there were no objections subject to planning obligations and conditions recommended including: amphibian friendly drainage features, retention of existing boundary features and a method statement being provided by way of a planning condition to rebuild/repair existing walls, boundary features to be separated from gardens by fencing and modification made on plans and management notes in the Biodiversity Conservation Management Plan & topsoil turf translocated to an area in the centre of the application site, table provided listing which bird boxes are to be installed on which houses, ecological report amended to identify that existing scrub will be retained include scrub management in the Conservation Management Plan, Biodiversity Conservation Management Plan required by way of a planning condition and managed in the lifetime of the development by way of a legal agreement, amendment required to include the fill species list in Appendix c, ecological report amended to require no vegetation clearance between March to August.

Prior to the last planning committee the existence of the sett was brought the Local Planning Authority's attention by NRW and North Wales Police and on the basis of this new information it was indicated that a further survey should be undertaken to inform the case, in view of the protections in law which relate to badgers and badger setts, and of WG policy (TAN 5) for ensuring that there is a thorough ecological understanding of the site. It has now been confirmed that ecological information submitted with the planning application which included the additional information in relation to a badger set adjacent to the application site is acceptable subject to planning condition.

Gwasanaeth Addysg / Education Service: Taking into account comments from the applicants which points to educational capacity being available in the locality the council's Education Service have now confirmed that a reduced amount of £73, 542 will now be required towards education provision at Ysgol Kingsland.

Iechyd yr Amgylchedd / Environmental Health: Considerations are described in relation to working hours, the use of pneumatic rock machinery, contaminated land and noise. A Construction Environmental Management Plan "CEMP" is required by way of a planning condition.

Llwybray Cyhoeddus / Public Rights of Way: No comments.

Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service: Given the archaeology and the investigations undertaken in the vicinity the application site must be regarded as having the potential for as yet unidentified buried deposits. A staged archaeological evaluation prior to determination is not considered effective for a development of this scale and having regard to planning guidance a condition is recommended requiring an archaeological strip, map and record in advance of the development.

Ymgynghorydd Treftadaeth / Heritage Adviser: The proposed development would be some 500m to W of the grade II\* listed Kingsland Windmill. In my opinion, although possibly visible from the listed building, the proposed development site does not make a significant contribution to the heritage asset and consequently the proposals would not impact on the setting of the lb.

Strategol Tai / Housing Strategy: The need for affordable housing based on the council housing waiting list and the Tai Teg register is confirmed. To achieve the Local Development Plan the aim is to achieve 10% of affordable units. We are therefore satisfied that 4 out of the 36 dwellings will be developed as affordable units. We are satisfied with the housing mix, although properties suitable for older persons have not been considered.

Priffyrdd a Trafnidiaeth / Highways and Transportation: Initially confirmed that the design within the development was acceptable in principle subject to standard conditions. Also that insufficient information on what effect the additional traffic produced would have on the local highway network leading to the site especially at the bottom of Porthdafarch Road in the area of Henddu Terrace and Mountain View where there are presently restrictions on traffic. It was considered that a transport statement was necessary in accord with policy TRA 1 since this is a sensitive area locally and additional traffic could have an adverse impact on existing problems.

The Highways Authority previously acknowledged that a Transport Assessment has been provided as part of the application but they have significant concerns with regards to the existing substandard situation on the public highway leading up to the site due to vehicles being parked along this highway constantly, reducing the road to a single carriageway for a significant length, that this part of the highway has become saturated and has reached its capacity. If the road has reached its capacity then they suggest no additional traffic. A Transport assessment has been commissioned by the highway authority to consider these concerns which should take up to 4 weeks to complete and then will need to be analysed before comments are provided. If the report confirms stated concerns the highway authority will be recommending refusal unless the applicant can provide an improvement. If the report suggests that the capacity has not been reached then they will be recommending conditional approval. Since the planning application was last considered by the planning committee in February the Highways Section have confirmed that a video survey was undertaken on the 4th February 2020 between the junction of Kingsland Road and the Tan yr Efail Estate to record any traffic problems on this section of the road including any queuing of vehicles. Further if queuing occurred it was recorded how many cars were involved and the duration of time taken in queuing, it was also recorded whether it was necessary for vehicles to mount the pavement to pass each other. Further that analysis of this video survey should occur by the week ending the 21.02.20 and that a recommendation should be available by the end of February 2020.

Highways also require that a pedestrian footway be provided along the whole frontage of the site and that it connects into the existing footway network leading into Holyhead. This is outside the red line plan submitted within this application. However, this land is Highway Land and not private 3rd party land therefore there should be no issues.

The Highway Authority's commissioned a traffic and parking survey along Porthdafarch Road, from its commencement at the B4545/Kingsland Road Junction to the Tan yr Efail Estate junction. The survey was conducted on Tuesday 4 February 2020 and was for a duration of 24 hours and incorporated traffic queue analysis, vehicle parking occupancy and duration of stay and instances of vehicle movement conflict (reversing, pavement mounting, pulling in behind parked cars).

On the basis of the aforementioned survey and having provided the applicant and opportunity to comment and submit their own assessment of the survey results the council's Highways Section have come to the conclusion that the increase in traffic from the development is significant on a highway where there is existing danger and is unacceptable without an improvement that would reduce this danger.

Adain Dechnegol (Draenio) / Technical Section (Drainage): Further to your consultation regarding the outline application for the above residential development, I can confirm that the foul and surface water drainage systems as detailed appear to be satisfactory in principle. However, it would be advisable to request the applicant to provide a Flood Risk and Hydrological Assessment for this site, to demonstrate the effects of an obstruction/structural failure of the culverted watercourse downstream and confirm any mitigation which may be necessary. In addition, should any subsequent application be submitted which amends the drainage scheme or site layout, then this would require an equivalent application to the

Authority's SuDS Approval Body (SAB), incorporating a surface water drainage scheme which complies with new SuDS Statutory Guidance.

Following the submission of amended plans it has been confirmed that surface water drainage can be dealt with by way of a planning condition. Further that unless there are local flooding issues surrounding the site of which I wouldn't be aware I agree that a flood risk assessment isn't necessary for the development.

Ymgynghorydd Tirwedd / Landscape Advisor: Following the initial consultation it was recommended that house types were re-considered in relation to their position relative to the site's topography, boundaries affected by visibility splays will require mitigation and that planning conditions should also include landscaping and its maintenance and boundary treatments. In relation to the amended plans it was confirmed that the layout had removed housing from the more elevated part of the site closest to the AONB. House types A and B (single storey) are located on the site boundaries with house type D (two storey) on the centre of the site. With regard to effects on the AONB and integration into the site, the layout now proposed addresses previous comments (layout is part of the Outline Planning application). The appearance of the buildings (materials and design) and landscaping will be subject to a Reserved Matters application. Further that the plan proposes native hedgerow and tree planting along the site's boundaries and in the open space area. The species proposed and mix are suitable. Final details of numbers will be required as a pre-commencement condition. The landscape strategy is broadly suitable (suitable to confirmation of the access and visibility splay) and no more information is required at this time.

Cyfoeth Naturiol Cymru / Natural Resources Wales: Does not object but the following comments are made in relation to the appropriateness of the landscaping and boundary treatment. No issues were raised in relation to protected species and it was not considered that the proposal was likely to have a significant effect on the Special Area of Conservation "SAC" or the Special Protection Area "SPA" at Glannau Ynys Cybi (because the application site is not under suitable management for choughs and is adjacent to existing developments).

NRW have also confirmed that they are content with the ecological information submitted with the planning application which included the additional information in relation to a badger set adjacent to the application site.

Following detailed comments on the landscaping scheme it has now been confirmed that NRW are content with the proposal subject to the requirement for a detailed landscaping scheme and management plan. Further that they are satisfied that the proposed development has taken into account the Anglesey AONB and rural context.

Llywodraeth Cymru (Prifysgol) / Welsh Government (Highways): No direction.

Bwrdd Iechyd Prifysgol Betsi Cadwaladr/ Betsi Cadwaladr University Health Board: No observations received.

The planning application has been advertised as a major planning application on three occasions as follows:

Following the initial publicity in November 2018 eight objections were received on the following grounds:

- Increase in construction and operational traffic and resultant highway dangers (including access by emergency vehicles) specifically along Arthur Street and Mountain View where there are already issues due to the width of the road and visibility available due to parked cars along the street. Also the impact of traffic on the environment. No improvements are proposed as part of the planning application.
- Porthdafarch Road is already in a poor condition and additional traffic will exacerbate this.
- There should be a mechanism for preventing the houses being sold as rental or holiday homes so that they are affordable to local families.

- Unfair that letters are only sent to properties adjacent to the application site.
- Need for the development given the housing development in Llaingoch which it is understood are not being sold.
- Redevelopment should be preferred to the development of a greenfield site.
- The proposed development does not include access to the writer's land such that it will become landlocked and unavailable for further residential development.
- Concerns are raised and assurances requested as regards the drainage ditch along the existing Cae Rhos boundary

In December 2019 amended plans were submitted which reduced the total number of dwellings by 2 (from 38 to 36) increased the distances from the rear elevations to the rear boundaries on a number of plots and changed one of the house types. A transport Assessment was also provided. This information was advertised in November 2019 and (number) objections received on the following grounds:

- Issues are raised in relation to existing problems, the volume of traffic likely to result from the development, damage to parked vehicles, congestion, speed, emergency vehicle access along Porthdafarch Road having regard to the transport assessment submitted in support of the planning application.
- Loss of light on the adjacent bungalows at Cae Rhos.
- Ecology including bats present on the application site.
- Need for additional housing on this greenfield sites given other residential developments which are occurring in the vicinity.
- Morlais scheme has selected Porthdafarch – Mill Road route for onshore cabling, cable trenching will result in additional traffic problems.

At the time of writing additional information comprising an update of the ecology report and the applicant's response in the form of a technical note to the Arup Report produced by the Highway Authority are being advertised. This information is being advertised at the time of writing and the publicity period expires on the 01.07.20, no observations have been received at the time of writing.

### **Relevant Planning History**

No material planning history.

### **Main Planning Considerations**

Principle of Residential Development Holyhead is identified as an urban service centre with the JLDP which is the highest level of settlement on the island. Because of the sustainability credentials of these settlements a higher proportion (53%) of new development will be expected to take place in them.

The application site is located on an allocated site (T11) within the settlement boundary of Holyhead under the provisions of PCYFF 1 and the principle of residential development is therefore acceptable and aligns with policy TAI 1, further the JPPU have confirmed that at present capacity exists in the settlement and that no Welsh Language Statement is required with the planning application. A satisfactory record of how the Welsh language was considered in drawing up the planning application has been provided with the Design and Access Statement submitted with the planning application.

The proposal is made for 36 units (which equates to a density of 0.26 units per hectare) whereas it is estimated in the JLDP that the enquiry site could accommodate 53 units (based on 30 a hectare). As per the comments of the JPPU Consideration needs to be given to any justification provided by the applicant for any local circumstances or site constraints that justifies a lower density otherwise the proposal is not in line with policy PCYFF 2 of the JLDP. The Design and Access Statement submitted with the planning application explains that the development has been designed to be in keeping with surrounding sites in a semi-rural setting adjacent to the AONB that it has also not been possible to achieve the density sought in the JLDP due to onsite provision of open space requirements, spacing requirements for dwellings and road adoption standards. Added to these considerations are the ecological and landscaping considerations described in the relevant sections of the report below.



Policy TAI 8 of the JLDP requires that the mix of housing in a development are appropriate and align with the need of the area. The mix of dwellings comprises eight 3 bed two storey semi-detached (type a), twenty 2 bed one and a half storey semi-detached (type b) and eight 2 bedroom two storey terrace dwellings (type c). The Design and Access Statement explains how the mix was derived having regard to The SPG Housing Mix and concludes that the scheme meets the need 2 and 3 bedroom dwellings in Holyhead. The council's Housing Service confirm that they are satisfied with the housing mix proposed in the development, although the comments note that properties suitable for older persons have not been considered as part of the assessment.

Policy TAI 15 requires that part of the proposed development is provided for affordable housing purposes and in Holyhead this equates to 10% of the overall number of units which equates to 3.6 units. The council's Housing Service has confirmed that there is a need for affordable housing based on the council housing waiting list and the Tai Teg register is confirmed and have also confirmed that they are satisfied for 4

Highway Considerations and Sustainability: The planning application has been called to the planning committee by a local member who considers that the scale of the development would result in significant highway issues. As detailed in the consultation section of this report principal objections received relates to the adequacy of the highway network at the bottom of Porthdafarch Road at Arthur Street and Mountain View. The primary concern is that the additional traffic produced by the proposed development would exacerbate existing congestion and a lack of visibility of oncoming vehicles which is tantamount to a single carriageway along these streets due to cars owned by occupants of the terraced houses being parked along one side of the highway.

It is material that the application site is allocated for residential purposes in the JLDP and that at part of this process the adequacy of the highway network serving the development would have been assessed in preparing the plan. It is also material that the number of dwellings proposed at 36 is 17 units (approximately 30%) less than that forecast in the JLDP.

As explained in the consultation section of this report the Highway Authority have a commissioned a survey and having provided the applicant and opportunity to comment and submit their own assessment of the survey results the council's Highways Section have come to the conclusion that the increase in traffic from the development is significant on a highway where there is existing danger and is unacceptable without an improvement that would reduce this danger. The applicant has requested that that the planning application is deferred given that they only recently received confirmation of the Highway Authority's position and they require additional time to facilitate further discussions as they consider that the proposed development is acceptable in highway terms and that the enhancements that are being offered as part of the planning application (being the formalisation of passing places on the western side of Porthdafarch Road) can be delivered through a planning condition. On this basis the planning application is recommended to be deferred.

Relationship with the Surroundings and the AONB: The south western boundary of the application site abuts the AONB. Policy AMG 1 states that proposals must where appropriate have regard to the relevant AONB Management Plan and there are also statutory requirements in this regard. The AONB Management Plan requires assessment of proposals within 2km of the AONB. The amended plans received address the comments of the council's Landscape Adviser in removing two storey developments from the elevated part of the application. Since the last committee report in February NRW have confirmed that they are content with the proposals subject to a requirement for a detailed landscaping and management plan the requirements of which can be drafted into a planning condition by the Local Planning Authority.

Relationship with Adjacent Properties The council's SPG Design Guide provides guidance on the proximity of development to other properties and boundaries to prevent overlooking and other unacceptable impacts. Amended plans were received in the course of determining the planning application which increased the distances from the rear elevations of the dwellings to the boundaries at

the bottom of their rear gardens. The distances are now acceptable such that there will not be any unacceptable impacts on the residential amenities of the existing residential property to the south west at Rowen or to the north east at Cae Rhos. The distances from the rear elevations of the dwellings on plots 9 and 10 to the boundary with the agricultural land to the rear is around 6.7 metres whereas the guidance prescribes 7.5 metres. Given that the distance deficit is less than 1 metre and that the dwellings back on to agricultural land this is considered acceptable in this instance.

In terms of the impact of the proposed development on the residential amenities of adjacent residential and other properties it is considered that this can be satisfactorily regulated by the use of a Construction Environmental Management Plan which will regulate working times and other construction activities as recommended in the comments of the council's Environmental Health Section.

Ecology and Biodiversity: It has previously been brought to the Local Planning Authority's attention by NRW that following a report from a member of the public that there is a badger sett in close proximity to the application which has not been identified in the ecological survey submitted with the planning application. Additional ecological information was provided by the applicant and both NRW and the council's Ecological and Environmental Adviser are content subject to conditions that the development is undertaken strictly in accord with this information including necessary mitigation measures.

No issues were raised by NRW in relation to protected species and it was not considered that the proposal was likely to have a significant effect on the Special Area of Conservation "SAC" or the Special Protection Area "SPA" at Glannau Ynys Cybi.

The retention of scrub areas, proposed indigenous landscaping and the provision of bird nesting boxes on the dwellings would provide an enhancement of the type required under the Environment (Wales) Act 2016.

Other Matters: Policy ISA 5: of the JLDP requires that new housing proposals for 10 or more dwellings in areas where existing open space cannot meet the needs of the proposed development, will be expected to provide suitable open space provision in accord with the policy. As part of the proposed development 972m<sup>2</sup> of equipped play space is to be provided and 1450m<sup>2</sup> of open space and the JPPU have confirmed that this meets the requirements of the policy.

The application site comprises agricultural land and PPW states Grade 1, 2 and 3a agricultural land should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. In this instance the application site is allocated such that the aforementioned considerations would have been systematically assessed as part of the overall process of preparing the JLDP.

The council's Education Section have confirmed that a financial contribution will be required towards providing additional year 12 and 13 pupil capacity at Holyhead High School and on this basis a planning obligation has been recommended requiring a financial contribution of £73, 542 as part of the development.

Surface water from the development will need to be disposed of via a SuDS system and approval will be required from the Suds Approving Body which is an arm of the council. Based on the information provided by the agent the council's Drainage Advisor is content to deal with this by way of a planning condition. Similarly Welsh Water are content with the proposal on surface water drainage grounds subject to a requirements for a planning conditions requiring that full details of the scheme are provided.

## **Conclusion**

The applicant has requested that that the planning application is deferred given that they only recently received confirmation of the Highway Authority's position and they require additional time to facilitate

further discussions as they consider that the proposed development is acceptable in highway terms and that the enhancements that are being offered as part of the planning application (being the formalisation of passing places on the western side of Porthdafarch Road) can be delivered through a planning condition. On this basis the planning application is recommended to be deferred.

**Recommendation**

That the planning application is deferred.

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Planning Committee: 01/07/2020

10.1

Application Reference: VAR/2020/7

Applicant: Mr. Alan Kelly

**Description:** Cais o dan Adran 73 i ddiwygio amod (02) (Cynlluniau a gymeradwyd) (03)(Cynllun rheoli a chynnal a chadw) (15)(Sgrin derfyn) o caniatâd cynllunio rhif VAR/2019/34 (Codi 4 flat) er mwyn newid y gosodiad traenio ac cyflwyno manylio y screen derfyn yn / Application under Section 73 for the variation of condition (02) (Approved plans) (03)(Management and maintenance plan) (15)(Boundary screen) of planning permission reference VAR/2019/34 (Erection of 4 flats) so as to change the drainage layout and provide details of boundary screen at

**Site Address:** 8 Ger y Mor, Rhosneigr



## Report of Head of Regulation and Economic Development Service (Gwen Jones)

**Recommendation:** Caniatáu / Permit

### Reason for Reporting to Committee

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

### Proposal and Site

This is an application under Section 73 for the variation of conditions (02) (Approved plans), (03) Management and Maintenance Plan, (15) (Boundary Screen) of planning permission reference

VAR/2019/34 (Erection of 4 flats) so as to change the drainage layout and provide details of boundary screen at 8 Ger y Mor, Rhosneigr.

### Key Issues

The key issue is whether the proposal is an improvement to that originally approved under application reference VAR/2019/34.

### Policies

#### Joint Local Development Plan

PCYFF2 – Development Criteria  
 PCYFF3 – Design and Place Shaping  
 TAI 5 – Local Market Housing  
 PCYFF6 - Water Conservation  
 TAI 8 – Appropriate Housing Mix  
 TAI 15 – Affordable Housing Threshold + Distribution  
 TRA2 – Parking Standards

#### Response to Consultation and Publicity

Consultee	Response
Draenio Gwynedd / Gwynedd Drainage	Comments
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Cynghorydd Richard Dew	No response
Cynghorydd Gwilym O Jones	No response
Cyngor Cymuned Llanfaelog Community Council	No response
Dwr Cymru Welsh Water	No objection
Cyfoeth Naturiol Cymru / Natural Resources Wales	Standard Comments
Iechyd yr Amgylchedd / Environmental Health	No comments
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No Comments

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 11/3/20. At the time of writing the report no letters had been received.

#### Relevant Planning History

28C511 – Outline application with some matters reserved for demolition of the existing dwelling together with the erection of 4 flats (1 bedroom) and the construction of an access at 8 Whispering Sands, Rhosneigr – Approved – 16/11/15

28C511A/DA – Application for reserved matters for demolition of the existing dwelling together with the erection of 4 flats (1 bedroom) at 8 Whispering Sands, Rhosneigr – Approved – 14/2/19

VAR/2019/34 - Application under Section 73 for the variation of conditions (13) (access) and (15) (car parking) of the outline planning permission 28C511 (outline application for demolition of the existing dwelling together with the erection of 4 flats) and conditions (02) (landscaping), (03) (access), (07) (car parking) and (08) (approved plans) from the associated reserved matters 28C511A/DA (application for reserved matters for the erection of 4 flats) so as to amend the approved plans enabling alterations to the site access, parking and landscaping at – 8 Ger y Mor, Rhosneigr – Approved 5/8/19

### **Main Planning Considerations**

The principle of the proposed scheme has already been established. An outline planning application was approved on the 16/11/15 a reserved matters application was approved on the 14/2/19 and a Section 73 application was approved on the 5/8/19.

### **Joint Local Development Plan**

Since the adoption of the Joint Local Development Plan, Rhosneigr is identified as a Local Service Centre under the provisions of Policy TAI 5. The policy does not support the provision of open market housing. 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.

A Section 73 application was approved under VAR/2019/34 on the 2/8/19 and the applicant has until 14/02/2021 to implement the planning application. The likelihood of it being implemented is very likely.

### **Amendments**

The proposed amendments are as follows:

- Variation of Condition (02). The site layout has as the approved drainage layout did not correspond with the drainage scheme proposed for the application site. The drainage scheme is being amended to ensure that sustainable drainage methods are used.
- Variation of Condition (03). The previous permission required the submission and approval of a management and maintenance plan for the communal surface water drainage system, demonstrating how all aspects would be managed and maintained for the lifetime of the development. A SuDS Management + Maintenance Plan has been received to confirm that the management and maintenance will be managed by a single property owner who will have ownership of the entire scheme and will be responsible for the on-going maintenance and management of the drainage system. Condition (03) will be varied to refer to the SuDS Management and Maintenance Plan submitted with the planning application.
- Fencing detail has been provided with the planning application to meet Condition (15) of the previous permission. A boundary screen between the application site and 7 & 12 Ger y Mor was required in order to provide adequate amenity for neighbouring properties. The detail submitted with the planning application is acceptable and confirmation has been received that the fence will be erected prior to any work commencing on the building.

The drainage section has confirmed that the applicant has considered the use of a sustainable drainage system with the application site, and includes discussion regarding proposed run-off destination and rate. However until an application is made to the SAB there remains some uncertainty whether the proposed site layout would enable full compliance with the suite of national SuDS standards.

## **Adjacent residential properties**

Neighbouring properties have been notified of the development. The expiry date to receive representations being 11/3/20. At the time of writing the report no letters has been received. It is not considered that the proposal will have a negative impact upon adjoining residential properties.

## **Conclusion**

The application is contrary to Policy TAI 5 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for the erection of 4 flats.

It is not considered that the amended drainage layout is a deterioration over that of the previous approved scheme.

## **Recommendation**

**(01) The development to which this permission relates shall be begun not later than 14/02/2021.**

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) and document(s) submitted below:**

- **Proposed site plan – 2600:18:3E – Received with planning application VAR/2020/7**
- **Proposed Elevations and Floorplans – 2600:18:6A- Received with planning application VAR/2019/34**
- **Wall Mounted Ventilation Unit details – Received 31/1/19 with planning application VAR/2019/34**
- **Location Plan – 2600:18:1A Received with planning application VAR/2020/7**
- **Military Jet Noise Assessment – Martec Environmental Consultants Ltd dated 1/11/18**
- **Acoustic Fence Detail – 2600:18:4 Received with planning application VAR/2020/7**
- **SUDS Management + Maintenance Plan – AO/SMMP/01 – Received with planning application VAR/2020/7**

under planning application reference VAR/2019/34 and VAR/2020/7.

Reason: For the avoidance of doubt.

**(03) The communal surface water drainage system for the scheme must be operated and maintained in accordance with the details set out in the SUDS Management and Maintenance Plan Reference AO/SMMP/01 dated 2<sup>nd</sup> January, 2020.**

Reason: To ensure the development is adequately drained.

**(04) The landscaping works shall be carried out in accordance with the approved details during the first planting season immediately following completion / occupation of the development. The completed scheme shall be maintained for the lifetime of the permission.**

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

**(05) 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: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

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

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

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

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

**(08) The access shall be completed with a bitumen surface for the first 5 metres from the nearside edge of the highway with the surface water drainage system completed and fully operational before any work is commenced on the remainder of the development before the use hereby permitted is commenced.**

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

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

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

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

Reason: To ensure a satisfactory appearance of the development

**(11) The provisions of Classes A, B,C,D,E and F of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any Order re-voking or re-enacting that Order) are hereby excluded.**

Reason: In the interests of residential and visual amenity

**(12) Foul water and surface water discharges must be drained separately from the site**

Reason: To protect the integrity of the public sewerage system

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

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

**(14) No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.**

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

**(15) The boundary screen between the application site and 7 Ger y Mor and 12 Ger y Mor shall be erected prior to the erection of the building hereby approved. The boundary screen shall be erected in accordance with drawing reference 2600:18:4, the screen shall be retained, in perpetuity, with any replacement required due to general wear or accidental or other damage being of the same specification as that originally approved.**

Reasons: In the interest of amenity and privacy.

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.

**Application Reference: VAR/2020/8**

**Applicant:** Anglesey Lifetime Homes Ltd

**Description:** Cais o dan Adran 73 i ddiwygio amod (02) (Adroddiad Madfallod Cribog), (04) (Goleuadau allanol), (12) (Cynllun Draenio), (13) (Cynllun Rheoli Traffig) a (16) (Cynlluniau a gymeradwywyd) o ganiatâd cynllunio rhif 45C133B (codi tri annedd) er mwyn diwygio amodau drwy ddarparu'r wybodaeth y gofynnwyd amdani ynghyd â diwygio dyluniad yr annedd ar dir yn / Application under Section 73 for the variation of condition (02) (Crested Newt Statement), (04) (External Lighting), (12)(Drainage details), (13) (Traffic Management Plan) and (16) (Approved plans) of planning permission reference 45C133B (erection of three dwellings) so as to vary the conditions by providing the requested information together with amending the dwelling design on land at

**Site Address:** Bryn y Felin, Niwbwrch/Newborough



**Report of Head of Regulation and Economic Development Service (David Pryce Jones)**

**Recommendation:** Caniatáu / Permit

**Reason for Reporting to Committee**

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

## **Proposal and Site**

The application relates to land on the north western periphery of the settlement which is located within the Area of Outstanding Natural Beauty. Access is from the A4080 with an access road leading to three dwellings behind the existing dwelling at Bryn Felin. To the east there are existing residential properties forming part of the Bryn Rhedyn residential estate.

The planning application is made under section 73 to vary the planning conditions listed in the description such that the information required under conditions in respect of Crested Newts, external lighting, drainage and traffic management are provided as part of this application. Amendments are also proposed to the design of the proposed dwellings as follows:

- Windows at first floor level at the rear are changed from flat roof dormer types to standard type windows constructed within the wall.
- Velux window in the roof in the front elevation changed to a standard type window.

## **Key Issues**

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

## **Policies**

### **Joint Local Development Plan**

Anglesey and Gwynedd Joint Local Development Plan (2017)

TRA 2: Parking Standards  
TRA 4: Managing Transport Impacts  
PCYFF 1: Development Boundaries  
PCYFF 2: Development Criteria  
PCYFF 3: Design and Place Shaping  
PCYFF 4: Design and Landscaping  
PCYFF 5: Carbon Management  
PCYFF 6: Water Management  
AMG 1: Area of Outstanding Natural Beauty Management Plans  
AMG 5: Local Biodiversity Conservation  
AMG 6: Protecting Sites of Regional or Local Significance  
TAI 5: Local Market Housing

Planning Policy Wales Edition 10 2018 "PPW"

TAN 12: Design

SPG Parking Standards, 2008.

SPG Design in the Urban and Rural Built Environment, 2008 "SPG Design Guide"  
Supplementary Planning Guidance Housing Mix (October 2018)

Anglesey AONB Management Plan 2015-2020 "AONB Management Plan"

## **Response to Consultation and Publicity**

Cynghorydd Peter Rogers: No observations.

Cynghorydd Bryan Owen: No observations.

Cyngor Cymuned Rhosyr Community Council: No observations.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: No objections to the type of lights specified and considers that they will lessen the impacts on wildlife.

Ymgynghorydd Tirwedd / Landscape Advisor: There is a condition on the extant approval regulating tree work in the future. It would be more appropriate if this were supported by an Arboricultural Impact assessment (which outlines the tree works necessary for the currently approved layout focusing on an Impact Assessment Plan and Tree Protection Plan. This plans could be conditioned as part of any consent.

Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer: No observations received.

Prifffyrdd a Trafnidiaeth / Highways and Transportation: The details submitted are satisfactory and I have no objection to the conditions relating to Highways previous recommendation within the original approval being discharged.

Cyfoeth Naturiol Cymru / Natural Resources Wales: The Reasonable Avoidance Measures in respect of Great Crested Newts appear acceptable. No objections to the type and number of lights as specified on the plans.

Dwr Cymru/Welsh Water: Having assessed the revised proposed drainage layout plan (dwg ref: J/A0/SP/01 Rev D), we note foul flows are now proposed to connect into a transferred public sewer reference SH41668106. We understand surface water flows are proposed to be discharged into soakaway systems. On this basis, we have no objection to the discharge of condition 12.

Iechyd yr Amgylchedd / Environmental Health: No observations.

Ymgynghoriadau Cynllunio YGC: Provisions regarding Suds approval requirements are described.  
GCAG / GAPS: No archaeological implications.

Education: No contribution requested.

Joint Planning Policy Unit: The original application 45C133B was approved on the 4th April 2017 prior to the adoption of the JLDP, it was therefore considered under the Ynys Môn Local Plan (1996) and the stopped UDP (2005). In the Ynys Môn Local Plan and the stopped UDP the site lied within the Newborough development boundary. The development boundary in this part of Newborough was amended in the JLDP which means the majority of this site now falls outside the development boundary. Under the JLDP the units on this site falling outside the development boundary would have to be considered under Policy TAI 16 Exception Sites for affordable housing. However the existing permission on the site will be a material consideration in your assessment of the current application. The weight afforded to the extant consent as material planning consideration will be a matter for the decision maker. The JLDP anticipated a growth level of 40 units for Newborough, in the period 2011 to 2019 a total of 16 units have been completed with a further 25 units in the land bank at April 2019. However in light of the extant permission on this site granting permission for this application would not lead to an increase in the number of units in the settlement.

The planning application was advertised with a press notice, site notice and adjacent properties were notified in writing. The publicity period expired on the 18.03.2020 and at the time of writing no representations have been received.

### **Relevant Planning History**

SCR/2020/9 Screening opinion for the erection of three dwellings together with the construction of a vehicular access No EIA required 25.02.2020.

HHP/2019/94 - Full application for alterations and extensions together with the relocation of existing garage - Permit 06.96.2019.

45C133B - Full Planning Full application for the erection of three dwellings together with the construction of a vehicular access Conditionally Approved 04/04/2017.

45C133C/SCR - Screening opinion for the erection of three dwellings, the construction of a vehicular access together with the installation of a sewage No EIA required 07.12.2018.

45C133A Alterations and extensions to the dwelling along with the formation of a self-contained flat Conditionally approved 13.04.1993.

### **Main Planning Considerations**

Context This application under section 73 seeks minor seeks relatively minor changes to the design of the dwellings previously approved and also seeks to discharge planning conditions by submitting details required by planning conditions attached to this permission. Whilst the changes are of a minor nature any permission granted under section 73 results in a new planning permission being granted which must be assessed in relation to the development plan and other material planning considerations.

Planning History: The principle of residential development on the application site has been established under the full planning permission approved for 3 dwellings under reference 45C133B which was granted conditionally on the 04.04.2017 under the former development plan which has now been superseded by the JLDP which forms the new development plan. This extant planning permission is a material consideration which is termed a “fallback” position as there is a two year period at the time of writing this report in which this planning permission can be implemented. The acceptability of the proposals subject to this section 73 application need to be assessed in relation to policies in the JLDP and other material planning considerations described in the report taking into account the “fallback”.

Principle of the Development The majority of the application site is located outside the settlement boundary of Newborough defined under the provisions of PCYFF 1 of the JLDP. Policy PCYFF 1 states that outside settlement boundaries development will be resisted unless it is in accordance with specific policies in the JLDP or national planning policies or that the proposal demonstrates that a location in the countryside is essential. Newborough is identified as a Service Village under the provisions of Policy TAI 3 of the JLDP and this policy permits housing within the settlement on suitable allocated and windfall sites but resists general market housing such as that being applied for on sites outside the settlement boundary. The proposal being applied for therefore comprises a departure from the development plans which would normally be recommended for refusal as the principle of the development is unacceptable as a matter of principle. In this instance, however, there is an extant planning permission which could be implemented within the next two years and it is material to consider the following:

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

Given that there is a two year period left to implement the extant planning permission there is more than sufficient time in which to implement the “fallback” position, the applicants have also indicated that they wish to commence the development at the earliest opportunity. Information required under planning conditions of the extant planning permission has been submitted with this application subject to this report and subject to the comments of outstanding consultees there do not appear to be any impediments which would prevent implementation of this extant planning permission. On this basis it is concluded that there is a likelihood of the extant planning permission being implemented.

An assessment of detailed considerations having regard to whether the amendments can be regarded as being better than that previously approved is undertaken below.

**Affordable Housing** Following the adoption of the JLDP there is a requirements to provide 30% affordable housing for 2 units or more in Newbrough where there is evidence of housing need. Given the extant planning permission (which has no affordable housing requirements) no affordable housing units are being offered as part of the proposals subject to this planning application.

**Design and External Appearance** The amendments proposed in this planning application are of a minor nature with little difference in design terms to that proposed in the extant planning permission. Greater detail of the proposed external materials, fencing and landscaping has been provided with the current application compared to the consent being varied and this is considered a betterment in comparison with the extant planning permission. An additional condition has also been recommended to protect the existing along the southern boundary during construction and to retain them following the development.

**Area of Outstanding Natural Beauty** The application site is within the AONB and paragraph 5.3.5 of PPW states that the primary objective of designating AONB'S is the conservation and enhancement of their natural beauty and that development management decisions should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well-being of the areas. There is also a statutory requirement to have regard to the provisions of the AONB Management Plan. Similar considerations to those described in the preceding section are applicable here in that the provision of the information on external materials, fencing, landscaping and mitigating any impact on the existing trees would provide a betterment in terms of conserving and enhancing the AONB.

**Ecology and Biodiversity** The provision of additional landscaping and mitigation of any impact on the existing trees would provide a betterment in comparison with that approved under the extant planning permission. The planting of indigenous landscaping also provides a biodiversity improvement which aligns with the council's duties under the Environment Act.

The information provided as part of the planning application to mitigate impacts on Great Crested Newts and wildlife generally by the use of the lights specified is considered acceptable by the council's Ecological and Environmental Adviser and NRW.

**Other Matters** Following the submission of amended plan Welsh Water have confirmed that they are content with the planning application.

In making a recommendation on this planning application regard has been taken of the planning permission granted under reference HHP/2019/94 for alterations and extension and relocation of the existing garage which was granted planning permission in 2019.

## **Conclusion**

This planning application under section 73 is being recommended for approval because there is an extant planning permission which can be implemented in the next two years. The proposal is being recommended for approval because of the betterments described in the report which would accrue from the proposal subject to this planning application in comparison with the extant planning permission.

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.

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more resilient and cohesive Wales in terms of the economic benefits which will accrue as a result of the construction of the dwelling and in meeting the communities housing needs.

## Recommendation

That subject to the receipt of the outstanding information described in the report and responses from outstanding consultees that planning permission is granted subject to the following planning conditions:

(01) The development to which this permission relates shall be begun not later than 04/02/2022.

Reason: Planning permission is only being granted on the basis that there is an extant planning permission under reference number 45C133B.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

(04) The access shall be constructed with 2.4 metre by 90 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: In the interests of highway safety.

(05) The access shall be completed with a bitumen surface or other suitable surfacing material for the first 5 metres from the nearside edge of the public highway.

Reason: In the interests of highway safety.

(06) The estate road(s) and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey' (copy enclosed with this decision notice).

Reason: In the interests of highway safety.

(07) Rhaid gosod cyrbin ar y ffordd/ffyrdd stad, gosod wyneb terfynol ar y llwybrau cerdded a darparu goleuadau cyn i neb symud i fyw i'r annedd olaf ar y stad neu cyn pen 2 blwyddyn i ddechrau'r datblygiad.

Rheswm: Er budd diogelwch y briffordd.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.



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

Reason: In order to safeguard the amenities of the area by enabling the local planning authority to consider whether planning permission should be granted for extensions having regard for the particular layout and design of the development.

(11) No surface water and / or land drainage shall be allowed to connect either directly or indirectly to the public sewerage network.

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

(12) The landscaping scheme as shown on drawing reference 2733:19:3A shall be implemented not later than the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner.

Reason In the interests of visual amenities of the locality.

(13) The trees shown for retention on the approved plan reference 2733:19:3A shall be protected from damage during the whole period of site excavation and construction.

Reason In order to ensure that damage does not occur to the trees during building operations.

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

Location Plan 2733:19:1  
Site Plan /AO/SP/01 Revision D  
Proposed Elevations Plot 1, 2,3 2733:19:6a  
Proposed Site Plan 2733:19:3A  
Proposed Floor Plan Plot 1 2733:19:4  
Proposed Floor Plan Plot 2 & 3 2733:19:5

Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

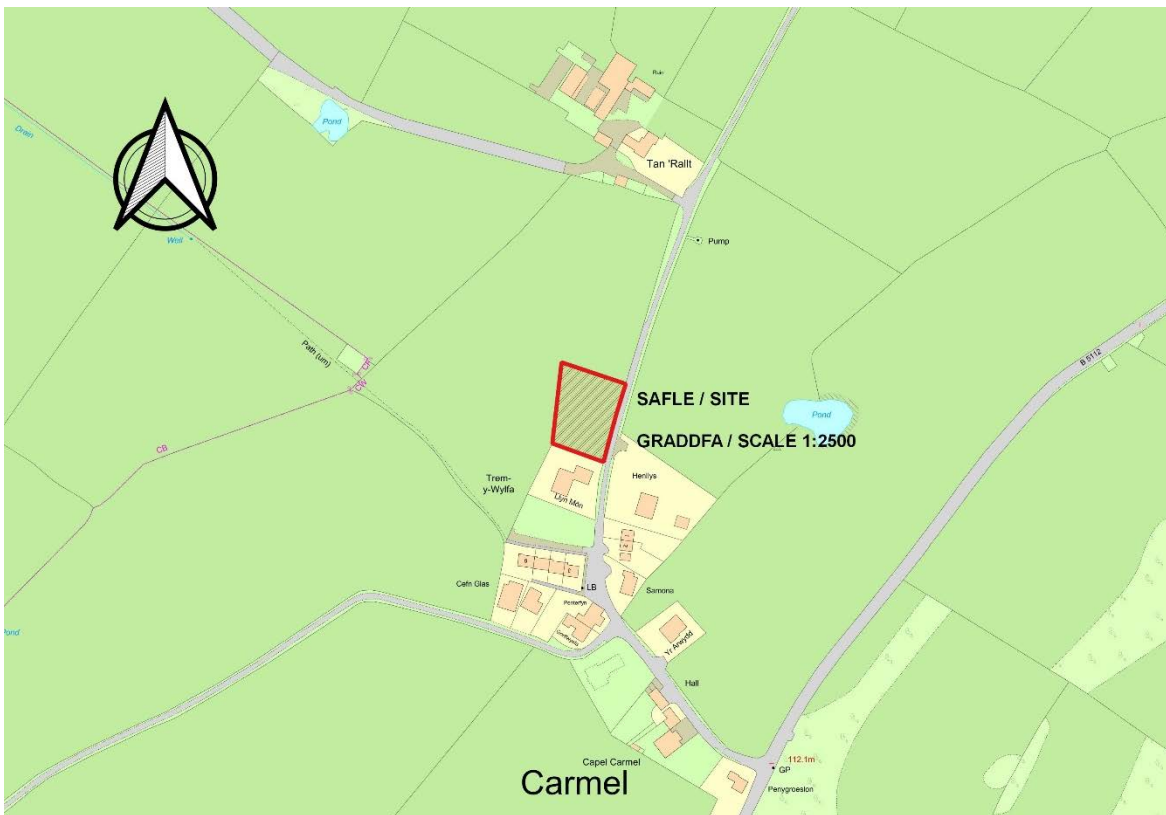
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2020/6

Applicant: Mr & Mrs Dennis & Gaynor Thomas

**Description:** Cais o dan Adran 73 i ddiwygio amod (01) o ganiatâd materion wedi eu cadw yn ol rhif RM/2019/6 (dyluniad yr annedd) er mwyn diwygio dyluniad yr annedd ynghyd a thynnu y modurdy ar dir yn / Application under Section 73 for the variation of condition (01) of reserved matters permission reference RM/2019/6 (design of the dwelling) so as to allow an amended design and removal of the garage on land at

**Site Address:** Tan Rallt, Carmel



**Report of Head of Regulation and Economic Development Service (Iwan Jones)**

**Recommendation:** Caniatáu / 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.

**Proposal and Site**

The application is submitted under Section 73 for the variation of condition (01) of reserved matters permission reference RM/2019/6 in order to allow an amended design. An extant outline application and reserved matters application for the erection of a dwelling with a rear balcony, erection of a detached

garage, construction of a vehicular access together with the installation of a septic tank has been previously approved on the application site.

**Key Issues**

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

**Policies**

**Joint Local Development Plan**

- Policy PCYFF 2: Development Criteria
- Policy PCYFF 4: Design and Landscaping
- Policy PCYFF 3: Design and Place Shaping
- Policy PCYFF 1: Development Boundaries
- Policy PCYFF 6: Water Conservation
- Policy PCYFF 5: Carbon Management
- Strategic Policy PS 5: Sustainable Development
- Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
- Strategic Policy PS 2: Infrastructure and Developer Contributions
- Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
- Strategic Policy PS 3: Information and Communications Technology
- Strategic Policy PS 1: Welsh Language and Culture
- Policy TRA 2: Parking Standards
- Policy TRA 4: Managing Transport Impacts
- Policy TAI 6: Housing in Clusters

**Response to Consultation and Publicity**

Consultee	Response
Cyngor Cymdeithas Llanerchymedd	No Response
Cynghorydd John Griffith	No Response
Cynghorydd Llinos Medi Huws	No Response
Cynghorydd Kenneth P. Hughes	No Response
YGC (Ymgynhoriaeth Gwynedd Consultancy)	<p>Due to the size and nature of the development it may be necessary to provide an application to the SAB for approval prior to the commencement of the building work.</p> <p>The drainage strategy provided with the application indicates that the developer has considered the use of sustainable drainage within the site, and includes discussion regarding proposed run-off destination and rate. A drainage plan has also been submitted illustrating the approach discussed in the strategy. However until an application is made to the SAB there remains some uncertainty whether the proposed site layout would enable full</p>

	compliance with the suite of national SuDS standards.
Iechyd yr Amgylchedd / Environmental Health	No Objection
Dwr Cymru Welsh Water	No Comments
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval
Ymgynghorydd Treftadaeth / Heritage Advisor	No Comments

Adjoining properties have been notified of the development. The expiry date to receive representations being 11/03/2020. At the time of writing the report no objections were received. It is not considered that the proposal will have a negative impact upon adjoining residential properties.

### Relevant Planning History

25C255 - Outline application for the erection of a dwelling with all matters reserved – Withdrawn  
27/05/2016

25C255A - Outline application for the erection of a dwelling with all matters reserved – Approved  
11/10/2016

RM/2019/6 - Application for reserved matters for the erection of a dwelling with a rear balcony, erection of a detached garage, construction of a vehicular access together with the installation of a septic tank – Approved 10/10/2019

DIS/2019/92 - Application to discharge condition (04)(Fencing, walling or other means of enclosure), (11)(Drainage systems) and (13)(Traffic Management Scheme) of planning permission 25C255A – Conditions Discharged 10/10/2019

### Main Planning Considerations

The principle of a dwelling has already been established under planning application 25C255A. The Outline planning permission for the erection of a dwelling and double garage was approved on the 11/10/2016. A reserved matters application was subsequently approved on the 10/10/2019.

### Joint Local Development Plan

Since the adoption of the Joint Local Development Plan, Carmel is now identified as a Cluster where any new dwelling must be for an affordable local need on an infill site. The application is therefore contrary to Policy TA16 of the Joint Local Development Plan; however, as the application site has an extant planning permission the following must be considered:-

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

Application reference 25C255A was approved on the 11/10/2016 and the likelihood of it being implemented is very likely as all matters reserved are also approved.

The scheme previously approved under RM/2019/6 was for a two storey dwellinghouse which was approximately 17.1metres (length) x 13 meters (width) and a height of 8.5 meters. The proposal also includes a garage measure at 7.3 meters (width) x 7.0 meters (length) and a height of 6.2 meters. The current application is for a two storey dwellinghouse measured at 16.8 meters (length) x 12.9 meters (width) and a height of 8.3 meters. No garage is being proposed as part of the current application.

The current application reduces the scale and floor space together with the omission of a detached garage in comparison to what was previously approved. It is therefore considered that the proposed development will be an improvement to what was previously granted permission at the site. The proposed materials are also considered acceptable to the area.

### **Adjacent residential properties**

Neighbouring properties have been notified of the development. The expiry date to receive representations being 11/03/2020. At the time of writing the report no objections were received. It is not considered that the proposal will have a negative impact upon adjoining residential properties.

### **Conclusion**

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

It is considered that the previous application 25C255A is likely to be implemented and the amendments are an improvement to that originally approved.

### **Recommendation**

Approve the Application subject to conditions

**(01) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.**

- **Location Plan - A-SITE**
- **Site Layout - 2743:19:3C**
- **Proposed Floor Plans - 2743:19:4a**
- **Site Elevations: 2743:19:5a**

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

**(02) The development hereby approved shall be constructed strictly in accordance with the mitigation and enhancement measures contained in the report of Cambrian Ecology Ltd Ecological Input Report V2 received on the 02/10/2019**

Reason: To safeguard bats and protected species present.

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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**Planning Committee:** 01/07/2020

**12.1**

**Application Reference:** HHP/2020/37

**Applicant:** Mr Colin Davies

**Description:** Cais llawn i godi modurdy newydd i ddefnydd preifat yn/Full application for the erection of a private garage at

**Site Address:** Y Bwthyn, Llanddaniel



**Report of Head of Regulation and Economic Development Service (Gwen Jones)**

**Recommendation:** Gwrthod / Refuse

**Reason for Reporting to Committee**

The planning application has been called into the Planning Committee at the request of the Local Member as it is felt that the proposal complies with policies of the Joint Local Development Plan.

**Proposal and Site**

This is a retrospective application for the retention of a private garage at Y Bwthyn, Llanddaniel.

## Key Issues

The key issue is whether the proposed development complies with policies of the Joint Local Development Plan and whether the scale, height and appearance of the proposal is acceptable given its location within the open countryside.

## Policies

### Joint Local Development Plan

Policy PCYFF1 – Development Boundaries  
Policy PCYFF2 – Development Criteria  
Policy PCYFF3 – Design and Place Shaping  
Strategic Policy PS5 – Sustainable Development

Planning Policy Wales Edition 10  
Technical Advice Note 12: Design

## Response to Consultation and Publicity

Consultee	Response
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval requiring the use to be incidental to the main dwelling and not to be used as a business.
YGC (Ymgynhoriaeth Gwynedd Consultancy)	No response at the time of writing the report.
Dwr Cymru/Welsh Water	Standard Comments received.
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No comments.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Standard Advice.
Cynghorydd Eric Wyn Jones	Requested that the planning application be presented to the planning committee for consideration as it is considered that the proposal complies with policies of the Joint Local Development Plan.
Cynghorydd Dafydd Roberts	No response at the time of writing the report.
Cyngor Cymuned Llanddaniel Fab Community Council	No objection.

Neighbours were notified of the development by individual letters, a site notice was also placed near the development. The expiry date to receive representations was the 26th February, 2020. At the time of writing the report 1 letter of objection had been received. The main reasons for objecting as follows:-

- There is a garage on the site already
- This is a commercial shed erected without planning permission
- Scale
- The site is of outstanding natural beauty and the building is a monstrosity
- Applicant removed trees and shrubs



## **Relevant Planning History**

HHP/2019/237 - Cais llawn i godi garej newydd i ddefnydd preifat yn/Full application for the erection of a private garage at - Y Bwthyn, Llanddaniel - [object Object] - Tynnwyd yn ôl / Withdrawn

## **Main Planning Considerations**

### **Policy Considerations**

Strategic Policy PS5: Sustainable Development states that development will be supported where it is demonstrated that it is consistent with the principles of sustainable development

Policy PCYFF1: Development Boundaries states that outside 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 policy aims to direct new development to sites or buildings within development boundaries. Development boundaries prohibit inappropriate development from being located in the countryside. Development in the open countryside will be subject to more control and mainly restricted to developments which require a location in the countryside.

Policy PCYFF2: Development Criteria sets out the priority criteria, not covered elsewhere in the plan which new development will need to meet, in principle, in achieving sustainable and appropriately located development.

Policy PCYFF3: Design and Place Shaping states that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places.

Policy AMG2: Special Landscape Area states that appropriate consideration should be given to the scale and nature of the development to ensure that there is no significant adverse detrimental impact on the landscape.

PPW Paragraph 3.4.6 states that new building in the open countryside away from existing settlements or areas allocated for development must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

Paragraph 5.5.2 of Technical Advice Note 12: Design states that 'good design will always be dependent on working with the natural constraints and the historic character and landscape and this should be the starting point from which the design of development evolves. The aim should be to achieve good design solutions which maximise the natural landscape assets and minimise environmental impact on the landscape.

Paragraph 6.1.6 states that the appearance and function of the proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications. Development that does not address the objectives of good design should not be accepted.

### **Justification for the proposed building**

The applicant confirms that the building is required to house classic vehicles and a large campervan owned by the applicant.

The vehicles are:-

- Campervan 9m long x 3.6m high
- Escort MK1 1973
- Land Rover S1 1956

- Land Rover S11 1966
- Land Rover S11 dormobile camper 1965
- 3 x Range Rovers 1974, 1979 and 1988

The applicant has confirmed that the vehicles are currently being stored in the owners yard elsewhere on the island. The applicant has also confirmed that not all of the vehicles would be stored in the proposed new garage and some would remain to be stored at the owners yard. The building would only be used to store the vehicles and for no other activity

During a recent site visit it was noted that the steel frame of the building had been erected; therefore, this is a retrospective application for the retention of the building. The building measures 13.8m long x 9.2m wide x 5.7m high and the construction of the building is a portal framed building with steel sheeting and 2 large Roller Shutter doors to the front elevation. The scale, height and appearance of the building is very industrial and is typical of what can be seen on industrial estates.

The proposed garage is higher and has a greater floor area than the main dwellinghouse known as Y Bwthyn. The main dwelling has a floor area of approx. 84.7 square metres and the proposed garage has a floor area of 126 square metres. Any new building within the curtilage of a dwellinghouse for ancillary use should be subservient to the main dwelling. The applicant has confirmed that the building needs to be 5.7 metres high as the applicant owns a large campervan measuring 3.6m high; however, the door height is 4.6m (a metre above the height of the campervan), this brings the ridge height of the building to 5.7m. Whilst the building may need to be high enough to accommodate the campervan, it does not require the remainder of the building to be at a height of 5.7m as the applicant will only be storing classic cars.

Consideration has been given to other buildings nearby. The neighbouring site has various steel portal framed buildings on the land, these buildings have been erected on site for a considerable time, the land is also used to store numerous buses. The neighbouring site is very untidy and the boundary of the site has been landscaped by leylandi trees, these trees are not native species and we would not encourage planting leylandi trees to screen a development within this rural setting.

Explanation text 6.2.9 of Policy PCYFF3 states that no two sites are the same and that the proximity of poor quality or indistinct development is not a justification for standard or poor design solutions.

Having considered the policy requirements it is considered that the proposal would be contrary to the provisions of Policy PCYFF1, PCYFF3 and Strategic Policy PS5 of the Joint Local Development Plan. Criteria 1 of the policy PCYFF3 states that proposals should complement and enhance the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment. Strategic Policy PS5 states that proposals should promote high standards of design that makes a positive contribution to the local area.

### **Special Landscape Area**

The application site is located within the Special Landscape Area known as 'Southern Anglesey Estatelands' Policy AMG2: Special Landscape Area states that appropriate consideration must be given to the scale and nature of the development to ensure that there is no significant adverse detrimental impact on the landscape.

Consideration has been given to whether the development would harm the special qualities of the Special Landscape Area. The application site is fairly concealed from a visibility point of view. It is considered that if the design, scale and materials were similar to a traditional domestic garage it would fit into the area much better.

## Highways

The Highways Authority has confirmed that they are satisfied with the development, providing the garage is used incidental to the main dwelling and not for any business use whatsoever. The applicant has confirmed that the use of the garage would be incidental to the main dwelling.

## Affect on Surrounding Residential Properties

It is not considered that the proposal will have a negative impact upon the amenities of adjacent residential properties. The shed will be hidden from view from the adjacent property known as Charabanc due to the existing garage and existing mature high trees on the boundary of the site. Other properties include Gelli Wen (located approx. 49m) away and Tyn Llidiart (located approx. 93m) away. It is not considered that the proposal will have a negative impact upon the amenities of Gelli wen or Tyn Llidiart due to the distance and intervening trees/hedges.

## Conclusion

The application site is located in the open countryside, Policy PCYFF1 aims to direct new development to sites or buildings within development boundaries. The application site is located in the open countryside and greater control is required to prohibit inappropriate development.

Strategic Policy PS5 states that proposals should promote high standards of design that makes a positive contribution to the local area. Policy PCYFF3 states that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Criteria 1 of this policy states that proposals shall complement and enhance the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment. It is not considered that the proposal complements or enhances the character and appearance of the site due to its industrial appearance, height and scale and therefore is contrary to Strategic Policy PS5, Policy PCYFF1 and Policy PCYFF3 of the Joint Local Development Plan.

## Recommendation

**(01) The Local Planning Authority considers that the proposed garage would fail to enhance the character and appearance of the site in terms of scale, height and appearance. The application site lies in the open countryside where development is strictly controlled from inappropriate development. It is considered that the proposal is contrary to Strategic Policy PS5, Policy PCYFF1 and Policy PCYFF3 of the Joint Local Development Plan, Advice contained within Planning Policy Wales Edition 10 and Technical Advice Note 12: Design.**

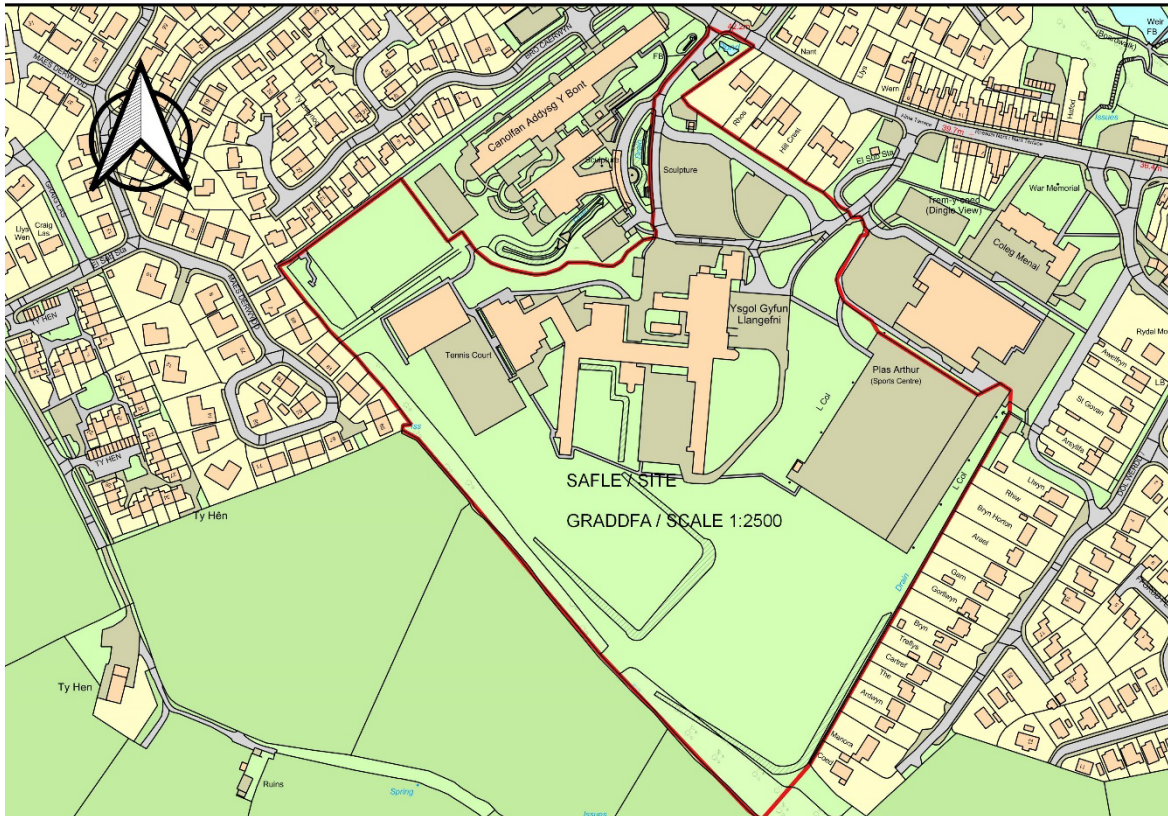
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** FPL/2020/71

**Applicant:** Director of Education, Skills and Young People

**Description:** Cais llawn ar gyfer estyniad yn cynnwys lifft yn/Full application of an extension containing a lift at

**Site Address:** Ysgol Gyfun Llangefni, Ffordd Cildwrn / Ysgol Gyfun Llangefni, Cildwrn Road



**Report of Head of Regulation and Economic Development Service (Lowri Williams)**

**Recommendation:** Caniatáu / Permit

**Reason for Reporting to Committee**

The Isle of Anglesey County Council are the applicant and the landowner.

**Proposal and Site**

The application is for alterations and extensions to incorporate a lift for school pupils/staff to the south eastern elevation at Ysgol Gyfun Llangefni

**Key Issues**

The key issue is the design of the extension, whether the extension fits in with the building and surrounding area and the effect on neighbouring residential properties.

## **Policies**

### **Joint Local Development Plan**

Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Planning Policy Wales (Edition 10, December 2018)  
Technical Advice Note 12: Design (2016)  
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

### **Response to Consultation and Publicity**

Llangefni Town Council - No objections

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

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

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

A site notice was placed near the site. The expiry date for receiving representations was the 20/06/2020. At the time of writing this report, no letters have been received at the department.

### **Relevant Planning History**

34LPA121E/CC -Siting of a mobile classroom unit – 1/2/89 – GRANTED

34LPA121F/CC - Formation of a new synthetic hockey pitch, 4 lane running track, long jump pit, together with the erection of a 3m high perimeter fence and floodlighting – 9/4/01 – GRANTED

34LPA121G/CC - Erection of an extension to the South Elevation – 8/7/02 – GRANTED

34LPA121H/CC - Formation of a bus and car park – 22/6/05 – GRANTED

34LPA121J/CC - Alterations and extensions – 7/5/09 – GRANTED

34LPA121K/CC/SCR - Screening Opinion for the erection of a new school – 5/7/11 – EIA NOT REQUIRED

34LPA121M/CC/ECON - Re-location of Ysgol y Bont from Llangefni Industrial Estate onto the Ysgol Gyfun Llangefni Campus. Works to include the construction of a new Special Educational Needs School, together with relevant enabling works including the re-location of playing field, car park, modifications to site entrance and a covered games area – 18/10/11 – GRANTED

34LPA121N/CC - Variation of conditions (06) and (07) of planning permission 34LPA121M\CC\ECON - 3/8/12 – GRANTED

34LPA121P/CC - Installation of a biomass wood pellet boiler unit in connection with the new school to be erected on land 28/7/12 – GRANTED

### **Main Planning Considerations**

The application is for the erection of a 2 storey, flat roof extension on the south-eastern block of the school, in order to provide a lift for the school.

The extension will fit in with the existing building without having a negative impact upon the surrounding area.

Due to the location and distance of the extension from residential properties, it is not considered that the proposal will have a negative impact upon the amenities of neighbouring neighbours.

### **Conclusion**

The proposal is acceptable in policy terms; the extension will fit in with the existing building without harming the amenities of nearby residential properties.

### **Recommendation**

That planning permission is granted subject to the following planning conditions:

**(01) The development shall begin not later than five years from the date of this decision.**

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

**(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.**

- **Location & Block Plan - ED197-PL-SK-04 a**
- **Proposed Elevations - ED197-PL-SK-06**
- **Proposed Floor Plans - ED197-PL-SK-05**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application:

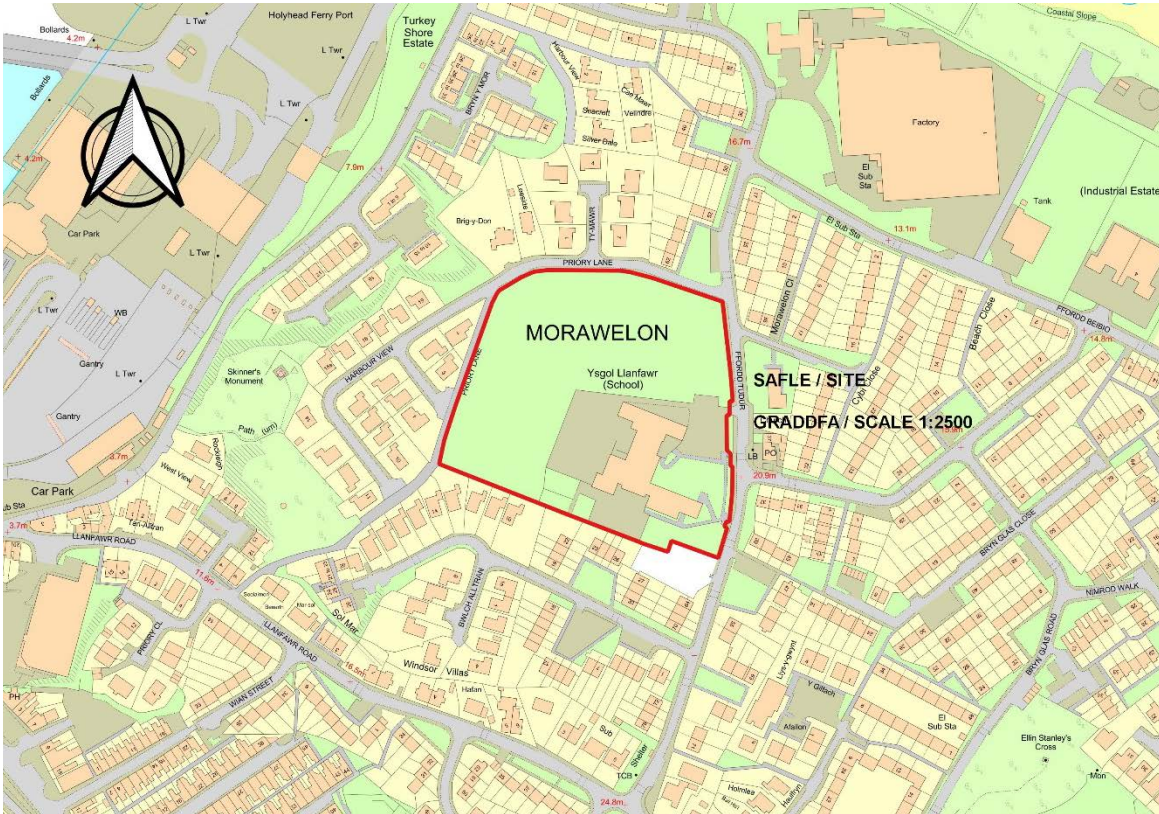
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/70

Applicant: Director of Education, Skills and Young People

Description: Cais llawn ar gyfer estyniad yn cynnwys lifft llwyfan yn/Full application of an extension containing a platform lift at

Site Address: Ysgol Llanfawr School, Caerdybi / Holyhead



**Report of Head of Regulation and Economic Development Service (David Parr-Sturgess)**

**Recommendation:** Caniatáu / Permit

**Reason for Reporting to Committee**

The Isle of Anglesey County Council are the applicant and the landowner.

**Proposal and Site**

The application is for alterations and extension so as to erect a 3 storey flat roof extension within a corner of the existing U-shaped building so as to provide a lift for the school.

## **Key Issues**

The applications key issue is whether the proposal would have a negative impact on the existing building, the surrounding area or neighbouring residential properties.

## **Policies**

### **Joint Local Development Plan**

Policy PCYFF 2: Development Criteria  
Policy ISA 2: Community Facilities  
Policy PCYFF 3: Design and Place Shaping  
Technical Advice Note 12: Design (2016)  
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

### **Response to Consultation and Publicity**

**Community Council** – No observation at the time of writing.

**Local Member (Cllr Robert Llewelyn Jones)** – No objection.

**Local Member (Cllr Glyn Haynes)** – No observation at the time of writing.

**Highways** – No observation at the time of writing.

### **Response to Publicity**

Site notice was placed near the site. The expiry date for receiving representations is the 20/06/2020. At the time of writing this report no letters were received.

### **Relevant Planning History**

19C1195/RE/SCO - Scoping Opinion - Barn sgopio ar gyfer y datblygiad cysylltiedig ar y glannau a'r lleoliad tirlenwi ceblau sy'n gysylltiedig â datblygiad arfaethedig Parth Datblygu Llanwol Morlais oddi ar arfordir Caergybi ar rhannau o / Scoping opinion for the on-shore associated develo - Caergybi ac Y Fali / Holyhead and Valley

19C771 – Application to determine whether prior approval is required for the removal of 3 existing equipment cabinets and the installation of 10 new equipment cabinets on Llabfawr Primary School, Holyhead – Proposal does not require permission of the LPA. 25/05/2001

### **Main Planning Considerations**

#### **Policy Considerations**

POLICY PCYFF2 sets out the priority criteria, not covered elsewhere in the Plan which new development will need to meet, in principle, in achieving sustainable and appropriately located development. The policy also states that proposals should not impact on the surrounding areas amenities or on adjacent land. The proposed development will have little to no impact on the on the amenities of the surrounding area.

POLICY PCYFF3 states 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. The proposed development is considered to be a high quality of design and with the choices of materials will intergrate well into the existing buildings character and appearance.



POLICY ISA2 states that applications to enhance school facilities will be supported. The proposed development will enhance the schools accessibility for all members of the public but especially the children and staff that use the building from day to day.

The proposed development is to erect a 3 storey flat roof extension within a corner of the existing U-shaped building so as to provide a lift for the school.

The proposed extension is 2.1 metres width, 2.1 metres length and 9.4 metres in height. The siting and scale is considered acceptable within the corner of the 3 storey section of the school.

The proximity of the proposed development to neighbouring residential properties is considered more than adequate so as not cause any negative impact.

The extension will be rockclad cladding panels and white render to match the existing render. This appearance is considered acceptable and would not detract from the existing buildings appearance.

The 3 storey section of the existing school does not have an existing lift and the proposed development will provide greater accessibility to people using the school.

### **Conclusion**

It is considered that proposed development is acceptable in policy terms, improve the buildings accessibility and the extension will integrate well into the existing building's character and appearance.

### **Recommendation**

That planning permission is granted. 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.

#### **(01) The development shall begin not later than five years from the date of this decision.**

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

#### **(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission FPL/2020/70.**

- **Proposed Location & Block Plan – ED198-PL-SK-04 Revision A**
- **Proposed Floor Plans – ED198-PL-SK05**
- **Proposed Elevations & Section – ED198-PL-SK-06**

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

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

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**Planning Committee:** 01/07/2020

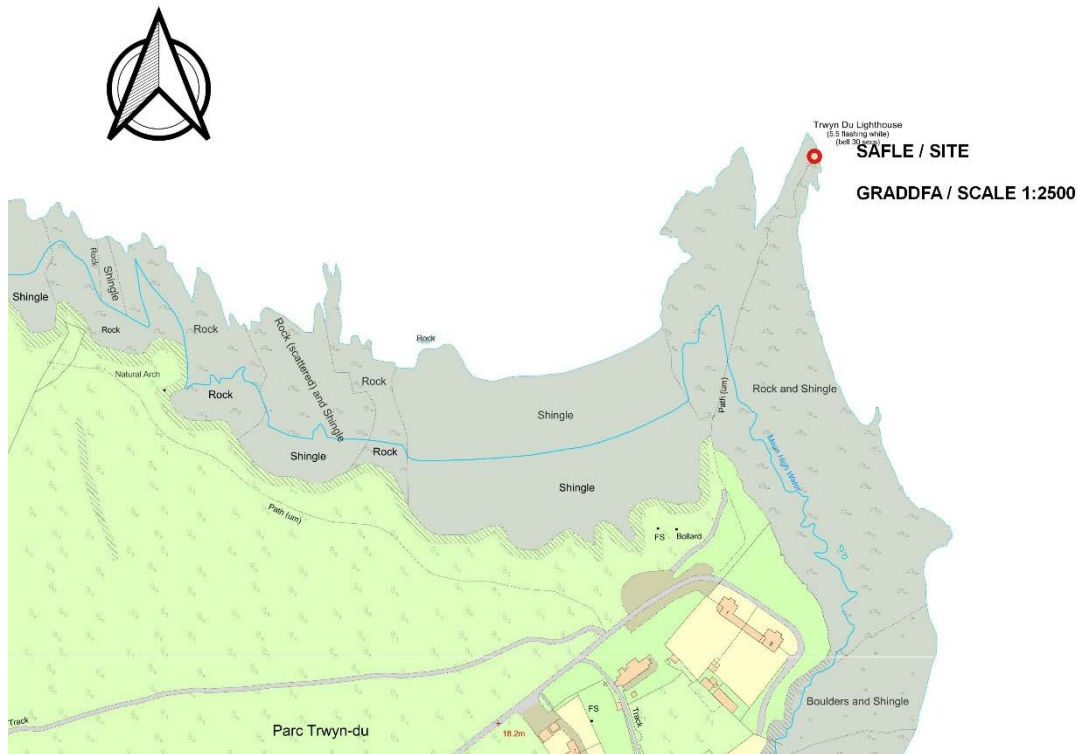
**13.1**

**Application Reference:** LBC/2020/1

**Applicant:**

**Description:** Caniatâd Adeilad Rhestredig ar gyfer mynedfa newydd, signal niwl newydd a phaneli solar newydd yn / Listed Building Consent for new access, new fog signal and replacement solar panels at

**Site Address:** Goleudy Trwyn Du Lighthouse, Penmon



**Report of Head of Regulation and Economic Development Service (Keith Williams)**

**Recommendation:** Er gwybodaeth / For Information

**Reason for Reporting to Committee**

To report on a procedural error in the determination of an application for Listed Building Consent to install a new access, new fog signal, and replacement solar panels at Trwyn Du Lighthouse, Penmon

**Consent requirements**

It is useful to have an understanding of the consent requirements in this case, the main issue being that planning permission for the development was not required due to the permitted development rights afforded to lighthouse authorities in the General Permitted Development Order (GPDO).

It is by virtue of the listing of the lighthouse that an application for listed building consent (LBC) had to be made. The relevant part of the GPDO (Schedule 2, Part 17, Class I) allows lighthouse authorities to undertake "Development required for the purposes of the functions of a general or local lighthouse authority under the Merchant Shipping Act 1894 and any other statutory provision made with respect to a local lighthouse authority, or in the exercise by a local lighthouse authority of rights, powers or duties acquired by usage prior to the 1894 Act."

Determination of a LBC application rests on the impacts of the proposed development upon the character of the listing. In this instance, it was considered that the works did not adversely impact upon this character, a stance supported by Cadw.

### **Determination of application**

A Listed Building application was approved by Planning Function Officers under delegated powers despite initially being the subject to a Committee 'call-in' by two local members. The 'call-ins' were received separately by email on the 17/01/2020 and the 19/01/2020.

The application was originally scheduled for consideration by the Planning & Orders Committee on the 01/04/2020, however, this meeting was cancelled due to the Covid-19 pandemic.

Following further discussion with the Planning Built and Natural Environment Manager concerning the nature of the application, one of the local Members agreed to withdraw the 'call-in' request, confirmed in an email dated 01/04/2020. The application was subsequently approved by officers under current delegated powers on the 15/04/2020, with the notice of decision being issued on the same day.

Despite securing the withdrawal of a 'call-in' request by one of the Members, no such request was made of the other until the error was discovered and a retrospective request made on the 04/05/2020. This request was rejected.

Legal advice was subsequently sought in the matter and this confirmed that the decision stood unless challenged and overturned in the Courts.

As can be seen from the application title, there was no intention to remove the bell from its position on the lighthouse, an issue which generated a wide response. Such a proposal would have adversely impacted upon the character of the listing and would have been resisted by the local planning authority (LPA), a position that was shared by Cadw. The decision not to use the bell as a means of warning, a reason provided for justifying the application's call-in, is a decision that could be taken outside the auspices of the planning/consenting system and was not a matter for consideration in the determination of this application. Despite attempts made by the case officer at compromise on this issue, where a reduced frequency of the sounding of the bell would be retained, the applicant refused to accede on the basis of additional maintenance and cost burdens.

Taking the above and other material circumstances into consideration, particularly from a heritage planning perspective, the LPA is satisfied that the appropriate considerations were taken into account in determining this application.

### **Actions arising from decision**

In the light of this decision, a review of procedures in relation to the call-in procedure was undertaken by the Chief Planning Officer. A summary of the findings and actions arising from these findings is provided below.

### **Context**

Recent remote working arrangements imposed by Covid-19 restrictions have proved challenging and have tested established procedures and management arrangements, as it has not been possible to replicate

'normal' office interactions. However, an audit of call-in requests over the last 12 months revealed that no other incidents of 'call in' applications being determined under delegated powers without prior discussion and agreement with local member(s).

### Mitigating Circumstances

The urgency with which new remote working arrangements were established as a result of the Covid-19 pandemic, meant that the usual 'checks and balances' were difficult to replicate and test robustly whilst continuing to process the Function's active caseload.

### Conclusion

The findings of the review suggest that the failure to respond to the Elected Member's 'call-in' request was as a result of human error.

### Actions arising from review of situation

In order to improve the robustness of processes in order to mitigate against a recurrence (thereby providing reassurance to the Interim Head of Service, the Senior Leadership Team and Elected Members), the actions listed in the table below have been implemented.

Ref	Action		Date Implemented
a	The CPO convenes and leads a weekly meeting of the Planning Function Management Team, assisted by the Business Systems Manager, to carry out a weekly audit of applications to identify those subject to 'call in'.		Week commencing 18.05.2020
b	A new document type for inputting member 'call in' into the electronic document management system is created.		Week commencing 18.05.2020
c	Clear guidelines are put in place (and training provided) in respect of the accurate filing of submissions received.		By the 22.05.2020
d	Officers to be reminded of the importance of carefully scrutinising all submissions received.		By the 22.05.2020
e	The delegated report template is amended to include an additional check on member 'call ins' before being authorised.		By the 22.05.2020
f	Case officers provide regular weekly updates to local members on the status of applications subject to 'call in'.		Week commencing 18.05.2020

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