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**CYNGOR SIR
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ISLE OF ANGLESEY
COUNTY COUNCIL**

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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 2 MEDI, 2020 am 1.00 o'r gloch yp	WEDNESDAY, 2 SEPTEMBER 2020 at 1.00 pm
CYFARFOD RHITHIOL (AR HYN O BRYD NID OES MODD I'R CYHOEDD FYNYCHU'R CYFARFOD)	VIRTUAL MEETING (AT PRESENT MEMBERS OF THE PUBLIC ARE UNABLE TO ATTEND)
Swyddog Pwyllgor	Mrs Mairwen Hughes 01248 752516 Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

**John Griffith
Glyn Haynes
T LI Hughes MBE
K P Hughes
Vaughan Hughes
Richard O Jones (Is-Gadeirydd/Vice-Chair)
Eric Wyn Jones
Bryan Owen
Dafydd Roberts
Nicola Roberts (Cadeirydd/Chair)
Robin Williams**

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)
Eric Wyn Jones
Bryan Owen
Dafydd Roberts
Nicola Roberts (Cadeirydd/Chair)
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_(Pages 1 - 14)

To submit, for information, the minutes of the Planning and Orders Committee held on 5 August, 2020.

4 SITE VISITS

No site visits convened.

5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED

None to be considered by this meeting.

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.

7 APPLICATIONS ARISING_(Pages 15 - 26)

7.1 – 19C1231 - Cae Rhos Estate, Porthdafarch Road, Holyhead.

https://ioacc.force.com/s/papplication/a1G5800000HzFxcEAF/19c1231?language=en_GB

8 ECONOMIC APPLICATIONS

None to be considered by this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None to be considered by this meeting.

10 DEPARTURE APPLICATIONS_(Pages 27 - 32)

10.1 –VAR/2020/43 – Tyddyn Llywarch, Llanddaniel

https://ioacc.force.com/s/papplication/a1G4H00000MhDdFUAV/var202043?language=en_GB

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

None to be considered by this meeting.

12 REMAINDER OF APPLICATIONS_(Pages 33 - 36)

12.1 – HHP/2020/114 – 23 Craig y Don, Amlwch

https://ioacc.force.com/s/papplication/a1G4H00000MTKWbUAP/hhp2020114?language=en_GB

13 OTHER MATTERS

None to be considered by this meeting.

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Planning and Orders Committee

Minutes of the meeting held on 5 August 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 – Planning and Public Protection
- IN ATTENDANCE:** Chief Planning Officer (DFJ),
Development Management Manager (NJ),
Planning Built & Natural Environment Manager (JIW),
Development Control Engineer (Highways) (JAR),
Lead Case Officer, Major Projects (Environment)(AC) (for application 12.2),
Senior Planning Officer (JR),
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** Councillor Richard O Jones.
- ALSO PRESENT:** Local Members: Councillors Peter Rogers (application 7.2); Dafydd R Thomas (application 7.1).
-

1 APOLOGIES

As noted above.

2 DECLARATION OF INTEREST

Declarations of interest were made as follows:-

The Development Management Manger declared a prejudicial interest in application 11.3 on the agenda.

Councillor Eric W Jones declared a prejudicial interest in application 11.1 on the agenda.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 1 July, 2020 were presented and were confirmed as correct.

4 SITE VISITS

No site visits convened since the previous meeting of the Planning and Orders Committee.

5 PUBLIC SPEAKING

There were representation forwarded by supporters and objectors to be read out at this meeting of the Planning and Orders Committee in respect of application 7.2 and 11.2.

6 APPLICATIONS THAT WILL BE DEFERRED

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

7 APPLICATIONS ARISING

7.1 19C1231 – 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 Cae Rhos Estate, Porthdafarch Road, Holyhead

The Development Management Manager reported that the applicant's agent has this morning offered a piece of land at Mountain View, Holyhead for parking for local residents and also to respond to highways concerns in the area. There has been an agreement between the applicant's and the Highways Authority that the application be deferred so as to allow further discussions as regards to the application.

Councillor Robin Williams proposed that the application be deferred and Councillor Eric W Jones seconded the proposal.

It was RESOLVED to defer the application for the reasons given at the meeting.

7.2 FPL/2019/223 – Full application for change of use of agricultural land into a seasonal tent camping site on land adjacent to Pen-Wal Bach, Pen Lon, Newborough

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

It was reported that a letter was received by Mr Richard Wyn Owen on behalf of the Pen Lon community in opposition of the application. The letter was read out to the meeting as follows:-

'The Pen Lon community strongly object to the above planning application to change the use of the current agricultural field into a camp site. The Planning Department has received over 30 letters objecting to the proposal and a petition

with 46 names has also been received objecting to the planning application. Pen Lon is a quiet rural hamlet and is known for its tranquillity, the application site is located within an Area of Outstanding Natural Beauty.

Last year the owners of the land used the land for tents under the 28-day temporary planning rule. They failed to comply with the 28-day temporary rule and used the land in excess of 60 days. The noise generated from the site was tremendous and loud music, shouting and people drinking could be heard coming from the site between 2-3am in the morning. The amount of additional traffic generated on the single track, unclassified highway by the tent site last year was incredible. The planning application submitted states that cars will enter via the main road and exit on the unclassified road directly opposite an existing property known as 'Rushmead'. The location of this site means that people will be dependent on their private cars to travel around due to the lack of public transport in the area. This will have a negative impact upon the amenities of this property as there will be a constant flow of traffic leaving the site together with car headlights at night-time.

Hypothetically, as an example, should there be 30 Campers on site on any time, this will incur up to 90 no vehicle trips per day onto the single track unclassified highway due to numerous trips per day to the shops / beach / local attractions and evening trips for dinner / restaurants in the area. This is also assuming the vehicles will not start using the egress as an access route / entrance instead of that suggested on the A4080 main road. The proposal involves widening the existing vehicular access that exits the site and removing the existing hedges to a total of 68 metres to form a visibility splay. This will remove the existing hedge that provides a natural screening to the site. The campsite would then be highly visible and within approx. 30m of principal elevations of existing residential properties and the noise pollution would be even worse than it was previously under the temporary rule and I must stress that it was unbearable with the hedge in place. Planning Policy PCYFF2 states that any application that would have an adverse impact upon the amenities of adjacent residential properties should be refused.

The application site is within an Area of Outstanding Natural Beauty and it is known for its beauty and tranquillity. The proposed development would have a negative impact on the AONB and the noise generated from the site would affect the area's natural tranquillity. Removing 68m of existing hedging would open up the site and be detrimental to the AONB.

This site is not high-quality as there is no mention on how many tents will be placed on site and no layout has been provided with the planning application. Last year the site looked like something from Glastonbury with tents of all shape, size and colour dotted here, there, and everywhere. There has been no mention of any landscaping proposals and no form of boundary treatment to the application site. If this application was approved what would stop them from using the rest of the field for camping. I would like to point out that there are at least 6 caravan/tent site facilities within a mile radius of this application site. One caravan site is next door to this site and is known as the 'Marram Grass', why is there a need for a 7th tent site?

The application site was for sale some years ago; however, it did not sell as it did not achieve the value they desired. The applicant is deliberately seeking planning approval for financial gain in selling the property and land. The applicant's parent is known by two local occupants in Pen Lon to have said 'its worthless as agricultural land, once I get planning it will be worth a fortune'. We urge the planning committee to follow the recommendation of the officers and refuse the planning application. A tent site on this site would destroy the Pen-Lon community, it would have a negative impact on our well-being. The planning application is against several policies of the Joint Local Development Plan and will impact the AONB. We fear that by allowing / approving such a potential development will encourage a much larger future expansion / proposal for a "Haven style park" destroying the area entirely. This could also open doors to future applications locally and set a precedence going forward. We urge the committee to spend the time in reading all the local opposition letters and emails as its very important to the future of the area.'

A letter by the applicants, Mr Terry Usher and Mrs Jane Usher in support of their application. The letter was read out to the Committee as follows:-

'We moved to join our family in Newborough, after my mum was left here alone, following the death of my father. The house and land were simply too much for her to manage alone. The property has been in the family for very nearly 100 years, and as such, we would have been very sad to have to sell up. We did however need to ensure we could support ourselves financially, and the idea of running a small campsite to assist us to achieve this, was one that really excited us. We both have part-time employment as well. Myself as a Childcare Assistant at the Bangor University Nursery and my husband as a Grocery Home Delivery Driver.

Following some research, we have very much tried to ensure that we can adhere to the guidance set out in Policies TWR 3 and TWR 5; no excessive areas of hardstanding, utilisation of existing buildings, only for holiday use, etc. As a tent only development, we feel we fully meet all these requirements. We have had an ecological survey completed that concluded that the type of development we plan to undertake would have minimal negative impact on the environment.

We have, were at all possible, tried to reduce the impact the change of use could potentially have on surrounding properties, by moving the location of the camping field from where it was originally proposed, so it is no longer directly adjacent to Pen Lon, creating a kind of 'buffer' between the camping field and Pen Lon. We do wish to be good neighbours, and would act swiftly to address any issues with our neighbours, should any arise.

As the proposed development is for tents only, there are no plans to install any electrical hook-up points, which would clearly be more ecologically and environmentally friendly.

The feedback we had from last season, was that people really liked the fact that the site was for tents only. We are therefore really happy to have this as our USP, when so many other sites seem to be prioritising touring caravans and motorhomes. We are happy to continue with the arrangement with a local farmer to utilise the land for grazing during the closed season. The proposed development would have positive impact on local and wider economy. The proposed development would promote the area and support other tourist attractions.

We have gained support for the proposed development from a local Councillor and from some members of the Rhosyr Community Council. We have gained letters of support from a range of local businesses and a petition of support from scores of local people. These have all been forwarded to the local Councillor, but details of these can be passed to you if required.

We have concluded that in a small community such as ours, there is an inevitability that people's intentions can be misconstrued, and we have certainly had some very imaginative interpretations of what we intend to do filter back to us. We can assure you that we only intend to undertake that which is set out in our planning application; a basic, tent only, seasonal campsite, managed and owned by us. Overall, we feel that the proposed development would be an asset to Newborough and the surrounding area, presenting it in a very positive light and producing predominantly good outcomes for a wide range of people and the area.'

Councillor Peter Rogers, a Local Member said that he fully supported the application as the applicant's only wish is to have a tent only site and it would be an asset to the area and local businesses support the application. He referred to the comments within the letter of objection to the development as regards that people who use the camp site will have to use their cars to travel around the area. Councillor Rogers said that people enjoy walking and are not dependent on their cars. He further said that following the public consultation period coming to an end in February 2020 the applicant's changed the details of the plans following objections to the application. Following amended plans only 3 objections had been received and none of the statutory consultees objected to the development. Councillor Rogers expressed that the applicant's should be supported as the family members, over the years, have been hard working within the community of Newborough.

The Development Management Manager reported that the application relates to change of use of land to a campsite for the use of tents only between Easter and October in any calendar year. The amended plans submitted offered a one way system for traffic entering the site from an existing vehicular access for the A4080 through land within the applicant's control to the agricultural field and thereafter exiting the site through the road to the west. It was noted that the Highways Authority has submitted no objection to the proposal for a one way system subject to conditions. However, she reported that the proposal is considered to be unacceptable on the basis that it is not considered to be of high quality in terms expected under material planning policies, as it would have

an unacceptable impact in terms of the AONB, residential amenity and on sustainability grounds as noted within the report. The recommendation was of refusal of the application.

Councillor Bryan Owen said that he is a Local Member and has been approach by objectors to the application. Councillor Owen said that he would abstain from voting.

Councillor Robin Williams proposed that the application be refused as the application did not meet the required planning criteria. Councillor John Griffiths seconded the proposal as it would have an impact on the AONB and the amenities of neighbouring residents.

It was RESOLVED to refuse the application in accordance with the Officer's recommendation for the reasons outlined in the written report.

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

10.1 VAR/2020/14 – Application under Section 73 for the variation of condition (02) (Approved Plans) of planning permission reference VAR/2019/19 (Conversion of outbuilding into a dwelling) so as to change the roofing material from metal panels to slate at Neuadd, Cemaes

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

The Development Management Manger reported that the application is made under Section 73 in relation to change to the approved roofing material from metal to natural slates. It is considered that such an amendment is acceptable and will result in an overall improvement to the approved scheme. However, since the adoption of the Joint Local Development Plan, conversion of traditional buildings into residential use will only be permitted where there is evidence that employment use of the building is not viable and that it provides an affordable unit for local need. The application is contrary to Policy TAI 7 of the Joint Local Development Plan, however a fall-back position exists as the site benefits from an extant permission for the conversion of the outbuilding into a dwelling.

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

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

10.2 18C223M/VAR – Application under Section 73 for the variation of conditions (02) (drainage details) and (06) (passing place details) of planning permission reference 18C223C (conversion of outbuildings into 8 holiday cottages) so as to allow the submission of information after works has commenced at Caerau, Llanfairynghornwy

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

The Development Management Manager reported is contrary to Policy TAI 7 of the Joint Local Development Plan, however fall-back position is that the permission has sufficient time to be implemented and submitted details are considered acceptable by relevant consultees.

Councillor K P Hughes proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

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

10.3 VAR/2020/15 – Application under Section 73 for the variation of condition (03) (the development permitted by this consent shall be carried out in strict accordance to the plans submitted) of planning permission reference 36C49H (Change of use of barn into a dwelling, alterations and extensions to the former derelict cottage into a garage together with the installation of a septic tank) so as to amend design at Tithe Barn, Henblas, Bodorgan

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

The Development Management Manager reported that the application is contrary to Policy TAI 7 of the Joint Local Development Plan, however the fall-back position is that the application site has an extant planning permission for the conversion of the barn into a dwelling and alterations to the derelict cottage and change the use to a garage. It is not considered that the amended plans are detrimental to those of the previous approved scheme.

Councillor Bryan Owen proposed that the application be approved and Councillor Dafydd Roberts seconded the proposal.

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

10.4 VAR/2020/28 – Application under Section 73A for the variation of condition (05) (details of materials) (06) (details of fencing and walls) (07) (Construction Traffic Management Plan) of planning permission 46C410H on land adjacent to Garreg Fawr, Lôn Garreg Fawr, Trearddur Bay

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

The Development Management Manager reported that the application is contrary to Policy TAI 5 of the Joint Local Development Plan, however the fall-back position is that the application site has an extant planning permission for an open market dwelling. The details submitted with the planning application are acceptable and the conditions have been amended to reflect the submitted information.

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

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 HHP/2020/82 – Full application for alterations and extensions, erection of an annexe together with an extension to the curtilage at Erw Goch, Brynsiencyn

The application was presented to the Planning and Orders Committee as the applicant is related to an Elected Member and is also an employee of the Local Authority. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Having declared a prejudicial interest in this application, Councillor Eric W Jones left the meeting during discussion and voting thereon.

The Planning Built & Natural Environment Manager reported that the proposed extension of the property to provide an annexe which is to the north east of the existing dwelling and would necessitate the extension of the existing curtilage into the adjoining field which is in the ownership of the applicants. In order to mitigate the loss of hedgerow the developer will be required to submit a planting scheme and subsequent management of the replacement hedgerow which will provide screening to reduce any visual

impact and provide biodiversity benefits. A traffic management plan has been submitted with the application which confirms that delivery of materials to the site will be co-ordinated to arrive between 9.00 a.m. and 3.00 p.m., so as to avoid conflict with children arriving/leaving the nearby primary school. The intention is for the applicant's to move into the proposed annexe whilst their daughter and family would occupy the main dwelling. The applicant's granddaughter has special needs and the applicants assist in her daily care and provides support to the child's parents. The design and the location of the development is acceptable under planning policies and is comparable in size to neighbouring property.

Councillor Dafydd Roberts said that the local Community Council supports the application and he proposed that the application be approved subject to the conditions within the Officer's written report. Councillor Bryan Owen seconded the proposal.

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

11.2 OP/2019/17 – Outline application for the erection of 30 dwellings together with full details of layout and access at Tre Angharad, Bodedern

The application was presented to the Planning and Orders Committee as the applicant is a relevant officer. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

A letter by the applicant's agent in support of the application was read out as follows:-

'The application is an outline application for the building of 30 properties as well as details of access to the site which is located within the Bodedern development boundary and is part of the JLDP T33 housing allocation. Six of the proposed properties will be affordable dwellings and the Housing Service has confirmed that these satisfy the identified need. As well as the general requirement for affordable housing the Council's Rural Housing Facilitator arranged an event in Bodedern on the 29th January, 2020 as part of a survey of affordable housing need in the village. A number of local residents attended the event and confirmed that there was a significant demand for affordable housing as well as open market housing in the village. This development would contribute significantly towards satisfying the identified need.

The site has been carefully designed in order to provide new, quality homes with private gardens and sufficient space to plant additional trees and hedges and to have a play area on site. The proposals include good links for walkers including crossings to enable safe access to the village. The site is in a good location to be able to gain access to the main amenities of the village including primary and secondary schools, leisure parks, shops, post office, church, pub

and other local businesses. There is also bus stops within walking distance of the site. The site will be attractive for local people and many have already expressed an interest in the site as it is so convenient for local schools and other amenities. Local support for the development is highlighted by the fact that the number of people who have expressed any concern about the application is low. The local Community Council have not raised any objections to the application either.

The development will provide a mix of housing including family homes and bungalows. It is considered that the development satisfies the new Welsh Government guidelines on life after the pandemic which encourages us to provide local places and developments of high quality. The intention is to create places and homes where people want to live and work in their communities with a good quality of life. In this case, the nearby amenities ensure that residents can make the most of the facilities on their doorstep without having to travel by car every day for essential journeys such as going to school, local shops or for leisure purposes.'

The Development Management Manager reported that the application is an outline application for 30 dwellings which includes 6 affordable dwellings together with full details of layout and access. The application site is within the development boundary and forms part of the T33 housing allocation which is land allocated as a housing site within the Joint Local Development Plan. Amended plans were submitted to address local residents concerns which included amended site layout to ensure the dwellings comply with distances are required by planning policies. The Highways Authority has confirmed that they are satisfied with the proposal. She further reported the recommendation is of approval of the application subject to the Section 106 legal agreement that 6 of the dwellings on site be affordable, a piece of land is to be designed for a play area and that an education contribution of £12,557 be afforded.

Councillor John Griffiths said that local concerns have been made as regards to the safety of pupils attending the Secondary School which is opposite the proposed site. Councillor Griffiths questioned whether the Highways Authority has considered the issue of increased traffic through the village of Bodedern and the excess speed of vehicles near the site. He further referred that the local village shop is located a short distance from the site and is near a narrow bend which has traffic issues already. The Development Control Engineer (Highways) responded that a Traffic Management Plan has been submitted with the application and it states that there will be no adverse effect on the traffic through the village.

Councillor K P Hughes said that as there will be a Section 106 legal agreement attached to the proposed application he proposed that the application be approved. Councillor John Griffiths seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions and a Section 106 legal agreement as listed within the written report.

11.3 FPL/2020/73 – Full application for alterations and extensions including annexe, extension to the curtilage together with the creation of a new agricultural access at Parciau, Llanddaniel

The application was presented to the Planning and Orders Committee as the applicants work within the Planning Service. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the constitution.

Having declared a prejudicial interest in this application, the Development Management Manager left the meeting during discussion and voting thereon.

The Planning Built & Natural Environment Manager reported that at the meeting of the Planning and Orders Committee held on 4 March, 2020 it was resolved to approve an application to alter and extend the property to include an annex together with extending the curtilage. This application seeks to secure permission to amend the approved design and layout of the extension in addition to increasing the extended area of curtilage and providing a new agricultural access to the enclosure into which the curtilage is to be extended. The new access provides an appropriate design that will secure a safer means of access and egress to the enclosure than that already existing. The amended design includes the provision of a balcony to the extension's front elevation in addition to providing bi-fold doors in lieu of windows to both floors of the protruding part of the extension where the balcony is to be located.

Councillor K P Hughes proposed that the application be approved and Councillor Eric W Jones seconded the proposal.

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

12 REMAINDER OF APPLICATIONS

12.1 VAR/2020/37 – Application under Section 73 for the variation of condition (01) of planning permission reference 19C845J/VAR (siting of temporary club and shop) to renew the planning application for a further 5 years at Clubroom and Club Shop, Cae Annar Leisure Centre, Kingsland Road, Holyhead

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

The Development Management Manager reported that application is for the extension of the siting of the existing porta cabin previously approved for a further 5 years. The existing porta cabin is located within the existing football club. Under the existing planning permission the existing porta cabin will have to be removed by 31 July, 2021. It is considered that the application complies with the requirement of Policy ISA2 of the Joint Local Development Plan where community facilities are encouraged. She further said that a correction

to the date of condition (01) within the written report should read 'the land reinstated to its former condition by the 30/9/2025'.

Councillor Robin Williams proposed that the application be approved and Councillor Bryan Owen seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions outlined within the written report together with a correction to the date at condition (01) which should read 'the land reinstated to its former condition by the 30/9/2025).

12.2 VAR/2020/24 – Section 73 application to vary condition (01) of application 27C106E/FR/ECON (Full application for improvements to the existing highway (A5025) between A5 East of Valley Junction to the proposed Power Station Access Road Junction at eight separate locations together with reconstruction and localised widening of existing pavement and surface dressing, temporary construction compound including temporary pavement recycling facility, creation of 2 attenuation ponds and maintenance access, creation/temporary diversion of cycle routes, creation of alternative parking facilities to mitigate loss of lay by together with other associated works including drainage, boundary treatments, planting, new signage and road markings) so as to extend the implementation period of the development by a further three years (up to 13th July 2023) along the A5025 between A5 East of Valley Junction to Power Station Cemaes

The application was presented to the Planning and Orders Committee as the application includes land in ownership of the Isle of Anglesey County Council.

The Chief Planning Officer reported that the proposal is for the variation of Condition (01) of planning application 7C106E/FR/ECON to extend the implementation period of the development by a further three years (up to 13 July, 2023). The Wylfa Newydd Project was suspended on the 17th January, 2019 and consequently the applicant has not been able to implement the consent prior to its expiration on the 13th July, 2020. A decision on the Wylfa Newydd Development Consent Order (DCO) is expected by the Secretary of State for Business, Energy and Industrial Strategy on the 30th September, 2020. If the DCO is granted on the 30th September, 2020, the applicant will have 6 years to implement the consent. The DCO Phasing Strategy which forms part of the DCO's suite of Control Documents, confirms that the off-line highways improvements must be undertaken within the first 2 years of the implementation period. The Environmental Statement for the DCO is based on the on-line works being completed prior to the implementation of the off-line works. The highways improvements is essential on the A5025 to mitigate increase in the potential traffic associated with the Wylfa Newydd Project before and during construction. The proposed works will also bring about much needed improvements to the existing highway. The Chief Planning Officer confirmed that although the proposal is exactly the same as that which

was approved in 2018, extensive consultation has taken place with statutory consultees, local residents and the local communities.

Councillor John Griffiths referred to the Policy and Strategy Managers report which highlights concerns by the County Council as regards to the mitigation strategy with regards to the Welsh language; the wording has been revised and weakened from a commitment to consideration. The Chief Planning Officer responded that further work has taken place since the application was approved in 2018 and he expressed that the strategy refers to the Wylfa Newydd Project in its entirety rather than referring specifically to this application. Further work has been undertaken by the applicant in response to the Policy and Strategy Managers Report and confirmation has been received by the Joint Planning Unit that the additional work undertaken meets the requirements of the Supplementary Planning Guidance 'Maintaining and Creating Distinctive and Sustainable Communities'. The Lead Case Officer, Major Projects (Environment) said that the Joint Planning Policy Unit has also acknowledged the series of conditions associated with the permission and Horizon Nuclear Power will need to provide further information for approval with regard to measures to safeguard, promote and improve the Welsh language before any works can commence on site.

Councillor John Griffiths further said that there are local concerns that country lanes will be used to avoid any works on the A5025. The Chair said that the application has received planning approval already and this application is to extend the implementation period of the development by a further three years.

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

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

12.3 FPL/2020/29 – Full application for the change of use of open air amenity land to be a children's play area together with the installation of play equipment on land adjacent to 24 to 99 Maes Llwyn, Amlwch

The application was presented to the Planning and Orders Committee as the land is in the ownership of the County Council.

The Development Management Manager reported that the application is made for the change of use of vacant parcel of council owned amenity land into a formal children's play area. Policy ISA 2 of the Joint Local Development Plan relates to Community Facilities and states that the plan will help sustain and enhance community facilities by granting the development new community facilities. The proposal is considered to be acceptable and accords with relevant local development plan policies and it is not considered that the proposal gives rise to a significant detrimental impact upon the amenities of neighbouring properties. It was noted that there has been no objections to the application locally.

Councillor Eric W Jones proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

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

13 OTHER MATTERS

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

**COUNCILLOR NICOLA ROBERTS
CHAIR**

Planning Committee: 02/09/2020

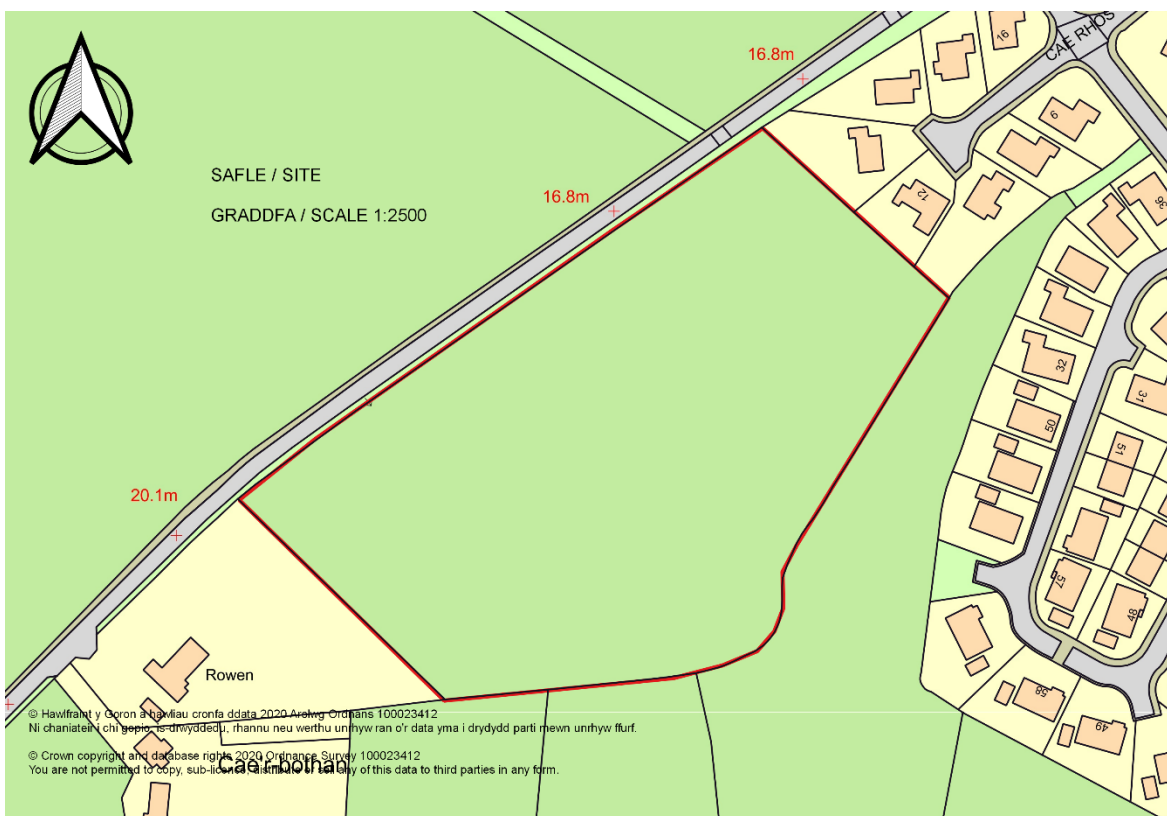
7.1

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: Gwrthod / Refuse

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

Cynghorydd Glyn Haynes: No observations received.

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

Cynghorydd John Arwel Roberts: No observations received.

Cynghorydd Robert Llewelyn Jones: No observations received.

Cynghorydd 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 reia 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 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.

Following further discussions with the applicant's the Highway Authority have confirmed that they are unable to support the application unless a suitable Traffic Regulation Order "TRO" can be made and implemented. Without a TRO the Highway Authority object on the basis of the detrimental effect of the additional traffic generated by the proposal. The applicant's Consultants (SCP) have confirmed that the applicant has agreed to fund the consultation process for a TRO and to implement any measures that are approved. They are also of the view that if the Council were to decide that the TRO were not to be

approved following the consultation process, then it is a clear acceptance that the existing situation is tolerable and the development can proceed without further works. However, the highway authority does not agree with this view. It is likely that if there is local opposition to a TRO, this would more than likely be on the grounds that the affected residents would not want to lose the existing parking from in front of their properties, rather than a sign that they are content with the proposed development and the additional traffic generated thereby. In order to gauge the likelihood of a TRO being achievable, it is the highway authority's intention to seek to confer with the Local Members for the area and the Town Council when a mutually convenient date and time for an online meeting can be convened in the next week or so. In conclusion therefore, if a suitable TRO cannot be implemented, the highway authority's position remains one of objection.

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 that 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 (Prifffyrdd) / 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.

In May 2020 additional information comprising an update of the ecology report and the applicant's response to the Arup Report produced by the Highway Authority were received. The advertising of this information was delayed by the Covid situation but the publicity period has now expired on the 01.07.20. Three objections have been received on the following grounds:

- Development would impact on wildlife notably badgers.
- Impacts generally on the AONB which would impact on tourism.
- There is previously developed land available within the settlement boundary.
- Extra traffic resulting from the development. Issues in relation to existing problems along Lon Porthdafarch are reiterated and it is stated that the construction and operation of this development will exacerbate these problems.
- Perceived inaccuracies and differences of opinion are expressed in relation to the highway information submitted by the applicant's is listed including that Arthur Street is one way, that there are no passing places available when residents are at home in Arthur Street and Hendy Terrace.

- 36 residential units is excessive.
Houses would be out of place adjacent to bungalows at Cae Rhos.

Relevant Planning History

No material planning history.

Main Planning Considerations

Background Following the submission of the amended plans and additional information in December 2019 it was recommended that a site visit was convened at the Planning Committee in January 2020 and this was convened on the 22.02.20.

At the February Planning Committee the planning application was deferred due to outstanding matters in relation to: Highway concerns, the provision of upper and lower limits in relation to the amended house types in the Design and Access Statement and clarification of NRW's position in relation landscaping/along the south eastern boundary of the application site.

At the March planning committee it was explained that additional ecological information on badgers would be required as NRW.

The planning application was scheduled to be considered at the April 2020 Planning Committee but this meeting was cancelled due to the Covid 19 situation.

The next planning committee where planning application were being considered took place in July 2020 and in accord with the applicant's request the planning application was deferred to enable further discussions to take place with the Highway Authority.

The planning application has been deferred at planning committee since February for a variety of reasons. The highway and ecological reasons for the deferral are considered in more detail in the relevant sections of the committee report below. The applicant have now instructed that the wish the Local Planning Authority to determine the planning application at this planning committee.

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 Henddu Terrace 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.

At the Planning Committee in February 2020 it was reported that the Highway Authority had significant concerns that the public highway leading to the application site along Henddu Terrace and Mountain View was substandard due to parked vehicles reducing the carriageway width for a significant length such that it may be saturated and at capacity. A transport assessment was commissioned by the Highway Authority which concluded 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's were provided with a copy of the transport assessment in April and thereafter submitted a rebuttal in May which was further considered by the Highway Authority who confirmed that they maintained their objection. At the July planning committee the planning application was deferred at the applicant's request as they only recently received confirmation of the Highway Authority's position and required additional time to facilitate further discussions. In the August Planning Committee the recommendation was that the planning application was refused but it was agreed by all parties that the application was deferred so as to enable consideration of the applicant's offer to transfer land at the rear of Porthdafarch Road to the council for use as a car park.

The Highway Section have considered the applicant's offer to transfer the land for car parking purposes and liaised locally on the offer as agreed with the applicant's but they do not consider that it will resolve their objection due to funding being required for the development and maintenance of this car parking area. At the time of writing discussions are ongoing with the applicant's as regards other mitigation measures.

The current position of the council's Highways Section is that is that they are unable to support the planning application unless a suitable Traffic Regulation Order "TRO" can be made and implemented. A TRO is a legal document which can only be prepared by the Highway Authority that restricts or prohibits the use of the highway network with the aim of improving road safety and access. In this instance the TRO would restrict on street car parking on sections of the northerly end of Porthdafarch Road so as to create passing places between the parked vehicles such that cars can give way to oncoming vehicles.

The applicant's position is that the scheme is acceptable given its allocation for residential purposes in the JLDP and based on the work of both highway consultants there are no existing queues or delays along Porthdafarch Road and that there have been no accidents in the last 5 year period further that the proposed development will not cause any material detriment to the highway network and that planning permission should be approved. The applicant's has agreed to fund the consultation process for a TRO and to implement any measures that are approved. They are also of the view that if the Council were to decide that the TRO were not to be approved following the consultation process, then it is a clear acceptance that the existing situation is tolerable and the development can proceed without further works. The applicant's have also indicated their willingness to discuss any alternative form of mitigation if appropriate but have instructed that the planning application is considered by the August Planning Committee and their intention to appeal and recover their costs if a recommendation of approval including any requirements for a legal agreement (to fund the TRO) is not made.

The highway authority take a different position and consider that if a suitable TRO cannot be implemented, the highway authority's position remains one of objection. It appears from their consultation response that they are unsure of the likelihood of a TRO being achievable, it is the highway authority's intention to seek to confer with the local Members for the area and the Holyhead Town Council to pursue this matter. Taking into account the advice of Highway Authority an objection is therefore raised to the proposal on the basis that the proposed development would add to the existing delays and congestion at the northerly end of Porthdafarch Road between the Tan yr Efail junction and Kingsland Road to the detriment of the free flow of traffic and road safety at this location.

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: At the March planning committee it was reported that it had 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 in May 2020 to address this matter 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 972m² of equipped play space is to be provided and 1450m² 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 application site is allocated for residential purposes in the JLDP and all matters remain resolved but there is a difference of opinion between the Highway Authority and the applicant's in relation to the impacts of development on existing delays and congestion at the northerly end of Porthdafarch Road in relation to the form of mitigation required. Discussions are ongoing in relation to these matters as explained in the committee report. The applicants have, however, instructed that the planning application is reported to the Planning Committee and taking into account the advice of the Highway Authority in the interests of the free flow of traffic and road safety at this location it is necessary to recommend refusal. As explained previously the applicant's indicated that they intend to appeal on this basis as seek to recoup their costs as part of the appeal process.

Recommendation

That the planning application is Refused for the following reason:

(01) The additional traffic generated by the proposed development would add to the existing delays and congestion at the northerly end of Porthdafarch Road between the Tan yr Efail junction and Kingsland Road to the detriment of the free flow of traffic and road safety at this location and would be contrary to the provisions of Planning Policy Wales (Edition 10 December 2018) and Technical Advice Note 18 Transport (March 2007).

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Planning Committee: 02/09/2020

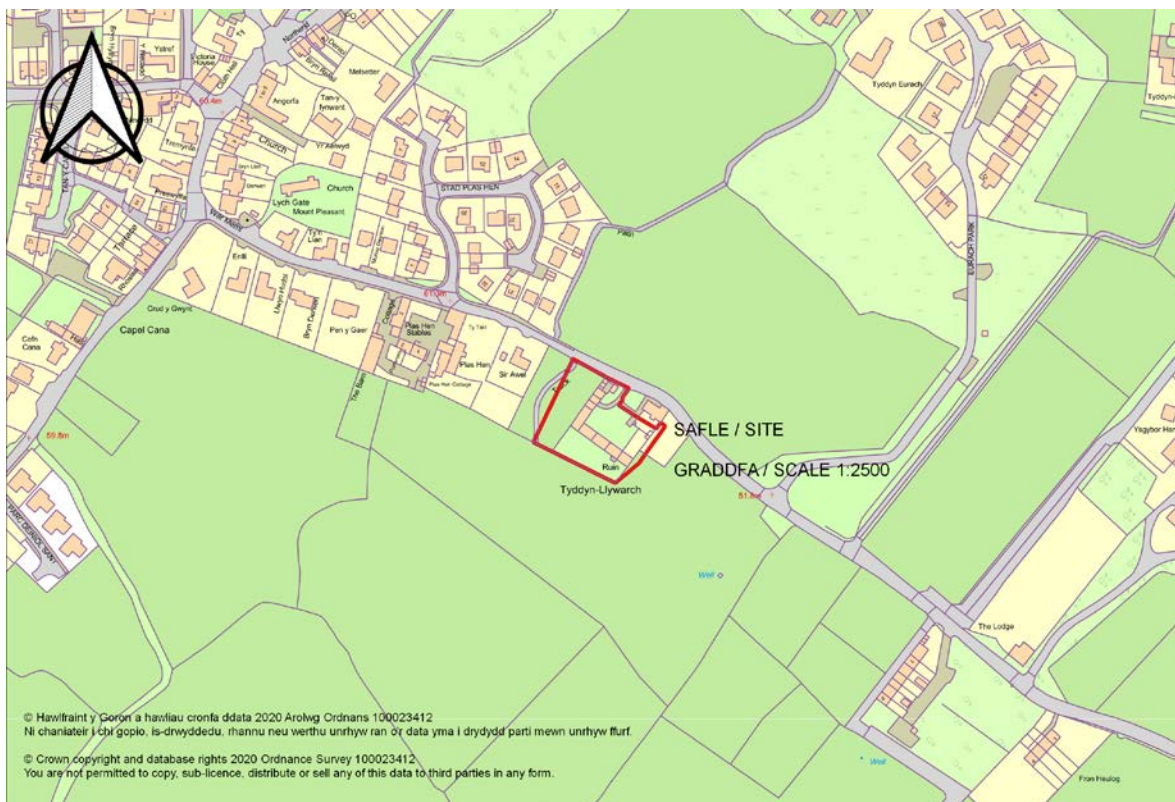
10.1

Application Reference: VAR/2020/43

Applicant: Uxbridge Paget

Description: Cais o dan Adran 73A i ddiwygio amod (08) (Cynllun traenio) (09) (Cynllun rheoli traffic adeiladu) (12) (Cofnod fotografig) (13) (Trywdded rhywogaeth wedi amddifin) o caniatâd cynllunio rhif 21C171 (Trosi adeilad allanol fewn i 4 annedd) er mwyn galleuogi cyflwyno manylion arol i'r datblygiad gychwyn yn / Application under Section 73A for the variation of condition (08) (Drainage scheme) (09) (Construction traffic management plan) (12) (Photographic record) (13) (Protected species licence) of planning permission reference 21C171 (Conversion of outbuilding into 4 dwellings) so as to allow details to be submitted after the development has commenced at

Site Address: Tyddyn Llywarch, Llanddaniel



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 minded to approve.

Proposal and Site

Planning permission (21C171) has been granted to convert an outbuildings which are located on the outskirts of the settlement but within the countryside location into 4 dwellings. The development is currently under construction but planning conditions (08) (Drainage scheme), (09) (Construction traffic management plan), (12) (Photographic record) and (13) (Protected species licence) of planning permission 21C171 have not been discharged in writing by the Local Planning Authority:

This planning application is submitted under section 73a of the Town and Country Planning Act 1990 (as amended) to regularise the position and the information required to discharge the planning conditions above accompany the planning application.

Key Issues

- Compliance development plan policies in relation to the conversion of existing buildings in the countryside to a residential use.
- Lawfulness of the development implemented.
- Acceptability of the information submitted to discharge the planning conditions.

Policies

Joint Local Development Plan

Anglesey and Gwynedd Joint Local Development Plan (2017) "JLDP"

TRA 2: Parking Standards

PS 5: Sustainable Development

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

TWR 2: Holiday Accommodation

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

AMG 5: Local Biodiversity Conservation

AT 3: Locally or Regionally Significant Non Designated Heritage Assets

Planning Policy Wales (10th Edition)

Technical Advice Notes 12: Design

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

Response to Consultation and Publicity

Cynghorydd Eric Wyn Jones: No observations at the time of writing.

Cynghorydd Dafydd Roberts: No observations at the time of writing.

Cyngor Cymuned Llanddaniel Fab Community Council: No observations at the time of writing.

Priffyrdd / Highways: No observations at the time of writing.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: In relation to the protected species licence this has been issued and there are therefore no issues with condition (13).

GCAG / GAPS: Have no record of a photographic survey being submitted and this is being queried at the time of writing.

Gwynedd Drainage: No observations at the time of writing.

Natural Resources Wales: No observations at the time of writing.

The application was afforded three means of publicity by the publication of a notice in the local press and the serving of personal notifications on the occupants of neighbouring properties. The latest date for the receipt of representation will be the 08.09.20. At the time of writing no representation had been received at the department.

Relevant Planning History

21C171 Full application for conversion of the outbuilding into 4 dwellings including alterations and extensions, installation of package treatment plant together with improvements to the existing agricultural access and the access to the building – approved 18/8/2016

Main Planning Considerations

Compliance development plan policies in relation to the conversion of existing buildings in the countryside to a residential use - The building subject to this application is located in the countryside under the provisions of PCYFF 1 of the JLDP. Under the former development plan the conversion of existing buildings in the countryside to a residential use such as that being applied for was permitted subject to the listed criteria. The JLDP was adopted on 31.07.17 and superseded the former development plan. Under the provisions of policy TAI 7 (Conversion of Traditional Buildings in the Open Countryside to a Residential Use) of the JLDP the conversion of existing buildings to residential purposes is only permitted where evidence is provided that an employment use of the building is not viable and then only for affordable housing purposes or as a subordinate element in a wider scheme. The planning application subject to this report does not comply with any of these requirements and has therefore been advertised as a departure from the current development plan comprising the JLDP.

Lawfulness of the development implemented - The application form states that the development commenced on the 01.07.20 which is within the statutory five year period of planning permission 21C171 but is currently in breach of planning conditions (08) (Drainage scheme), (09) (Construction traffic management plan), (12) (Photographic record) and (13) (Protected species licence). Given that the proposal does not comply with the JLDP as described above it can only be considered acceptable if the planning permission 21C171 has been lawfully implemented and there then remains what is termed a "fall-back position". To determine whether the development implemented is lawful requires consideration of various planning case law from which the following points can be derived and applied sequentially:

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

In terms of the first criterion all the planning conditions are conditions precedent which have not been complied with. Moving on to criterion 13 (Protected species licence) could be regarded as central but as explained in the comments of the Council's Ecological and Environmental Adviser a Protected Species Licence has been granted such that this planning condition is no longer required.

Acceptability of the information submitted to discharge the planning conditions - The third criterion need not therefore be applied in consideration of the lawfulness of planning permission 21C171. Information has been submitted with this planning application to regularise these planning conditions (08) (Drainage scheme), (09) (Construction traffic management plan), (12) (Photographic record) and comments on the acceptability of these details are awaited at the time of writing though queries have been raised by GAPS which are being considered at the time of writing.

Conclusion

To sum up therefore it appears that planning permission 21C171 has been lawfully implemented and as there remains a "fall-back position" the proposal is considered acceptable notwithstanding the provisions of policy TAI 7. Subject to the comments of the outstanding consultees in relation to the acceptability of the information submitted to regularise planning conditions (08) (Drainage scheme), (09) (Construction traffic management plan), (12) (Photographic record) this application is considered acceptable.

Recommendation

Subject to the receipt of any comments from outstanding consultees that planning permission is granted subject to the expiry of the notification period on the 08.09.20 and no representations being received which raise matters not considered in this report that planning permission is granted subject to the following planning conditions and any recommended by outstanding consultees:

(01) The development shall proceed in accordance with the following documents and plans, as amended by the conditions imposed:

Promap ERW/11.02.2016 * Revised 13/06/16
Block Plan C2.5 b
Plans 1+2 C2.1 a
Elevations C2.3 a
Plans 3+4 C2.2
Bat Activity Survey (29.06.2016) Clwydian Ecology
Bat/Bird Mitigation Report 06.07.16) Clwydian Ecology
Building Survey Report (25.04.2016) ERW Consulting
Project Statement (DAS) (25.04.2016) ERW Consulting
Protected Species Survey (26.03.2016) Clwydian Ecology
Construction Traffic Management Plan (CTMP) July 08 2020 ERW Consulting
Conversion To Dwellings Site Plan C

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

(02) Any further structural alterations which may be required to be carried out to the building, and which would be likely to affect its external appearance, consequent upon the implementation of this permission, shall form the subject of an application which shall be submitted to and approved by the local planning authority before any work is commenced on such alterations.

Reason: For the avoidance of doubt.

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

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

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

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

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

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

(06) 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 inter-visibility between the access and the existing public highway for the safety and convenience of users of the highway and the access.

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

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

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

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

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

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Planning Committee: 02/09/2020

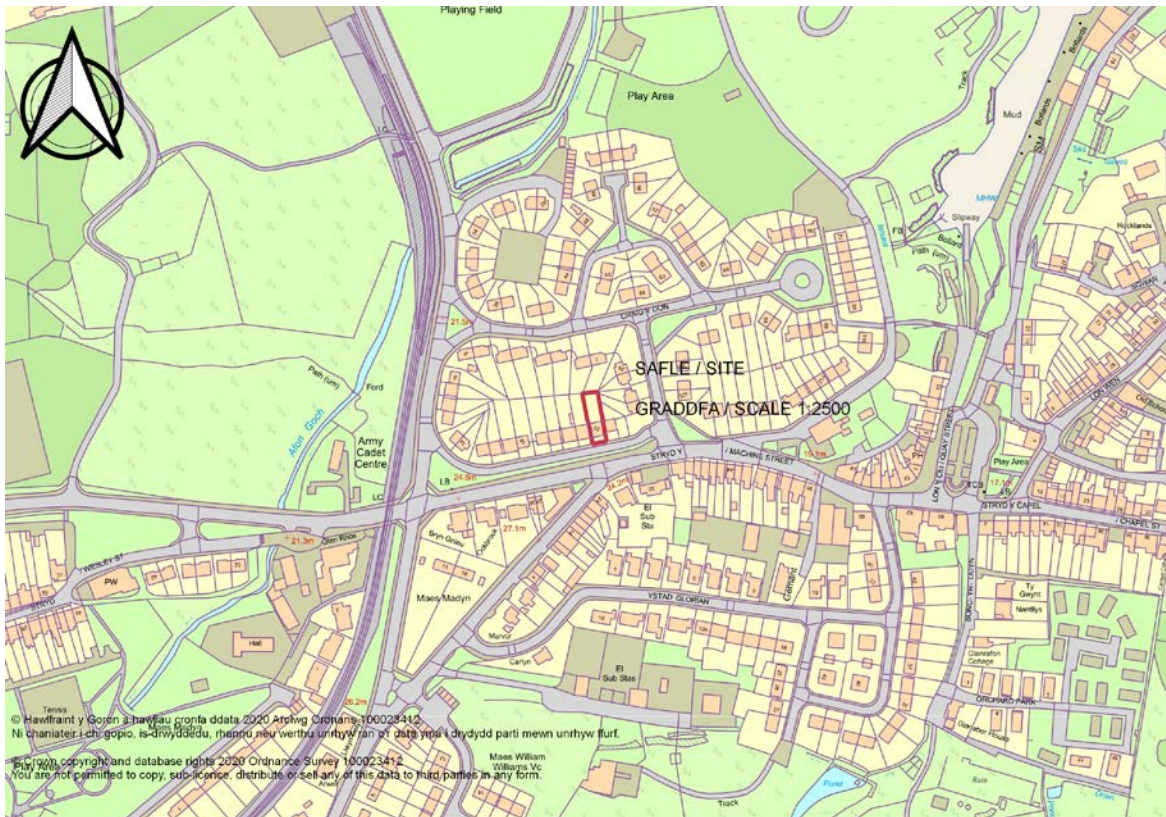
12.1

Application Reference: HHP/2020/114

Applicant: Pennaeth Gwasanaethau Tai / Head of Housing Services

Description: Cais llawn ar gyfer dymchwel estyniad cefn presennol ac adeiladu estyniad cefn newydd hefo addasu ac ehangu yn / Full application for demolition of existing rear extension and erection of a new rear extension together alterations and extensions at

Site Address: 23 Craig Y Don, Amlwch



Report of Head of Regulation and Economic Development Service (Huw Rowlands)

Recommendation: Caniatáu / Permit

Reason for Reporting to Committee

Application made by the Isle of Anglesey County Council Housing Development Manager

Proposal and Site

The proposal is for the construction of a single storey extension and internal alterations to ensure that the dwelling is wheelchair accessible and appropriate throughout for the requirements of the applicant. The proposed rear extension is to include a new ground floor bedroom with adjoining en suite with Level access Shower. There will be a new concrete path and ramp area at the front garden towards new porch with roof and also at the rear garden for ease of access.

Key Issues

The key issues are whether the design of the scheme is considered acceptable in respect of the location of the site, if the proposal is adequate for the occupant, the effect on the property and effect on local amenities.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping
SPG – Supplementary Planning Guidance: Design Guide for The Urban & Rural Environment

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Owain Jones	No Response
Cynghorydd Aled Morris Jones	No Response
Cynghorydd Richard Griffiths	No Response
Asiantaeth y Bibell Brydeinig / British Pipeline Agency	Pipelines are not affected
Cyngor Tref Amlwch Town Council	No Response

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 16/07/2020. At the time of writing this report, no letter of representation had been received at the department.

Relevant Planning History

None

Main Planning Considerations

The dwelling is being converted and extended by IOACC for the specific needs of a local family. SPG Guidance Note 11: Accessibility - It is essential that a development should take into account the requirements of the very young, very old, pram and wheelchair users, ambulant disabled people and those with impaired sight and hearing. The Disability Discrimination Act 1995 (DDA) introduced new laws and measures to promote an accessible environment for all. Routes should be clearly delineated with gentle gradients without steps, be wide enough, avoid unnecessary obstructions and minimise distances to travel e.g. from bus stops, by parking areas, etc. New buildings should respond to the opportunities of a site, being universally accessible and also adaptable for future change. The proposed extension has a similar footprint to the current extension, it is therefore assumed that no issue of overdevelopment will be on the site with this proposal. The Proposed development is subservient to the existing property in respects of scale and size and does not dominate the original elevation, therefore it is appropriate to the dwelling and its surrounding area. As there is a rear extension currently situated in place at the property with west facing windows (as proposed extension has west facing windows also) it is considered there is no increase of overlooking impact on neighbouring properties. The rear door will be wheelchair accessible with a low threshold. The materials chosen are high quality and modern in style and have been carefully selected to match the existing dwelling. Tiled porch roof (to match existing) and uPVC windows and doors (to match existing). The roof is flat roofed but deemed acceptable as it is an improvement to what is

currently in place with the use of High performance single ply roof and lead flashing for drainage. Information on drainage has been receive and considered acceptable.

Conclusion

The scheme is appropriate and essential for the requirements of the occupant with greater wheelchair accessibility.

Recommendation

Permit subject to the following conditions:

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:

(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.

- **A-00-02 - Site Block Plan**
- **A-03-01 - Proposed Plans**
- **A-03-02 - Proposed Elevations**

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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