

# Public Document Pack



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

Mrs Annwen Morgan  
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<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>
<b>PWYLLGOR CYNLLUNIO A GORCHMYNION</b>	<b>PLANNING AND ORDERS COMMITTEE</b>
<b>DYDD MERCHER, 4 TACHWEDD, 2020 am 1.00 o'r gloch yp</b>	<b>WEDNESDAY, 4 NOVEMBER 2020 at 1.00 pm</b>
<b>CYFARFOD RHITHIOL (AR HYN O BRYD NID OES MODD I'R CYHOEDD FYNYCHU'R CYFARFOD)</b>	<b>VIRTUAL MEETING (AT PRESENT MEMBERS OF THE PUBLIC ARE UNABLE TO ATTEND)</b>
<b>Swyddog Pwyllgor</b>	<b>Ann Holmes 01248 752518 Committee Officer</b>

## **AELODAU / MEMBERS**

Cynghorwyr / Councillors:

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

**Sedd Wag/Vacant Seat**

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**

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

**Sedd Wag/Vacant Seat**

**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 from any Member or Officer in respect of any item of business.

### **3 MINUTES\_(Pages 1 - 12)**

To submit the minutes of the previous meeting of the Planning and Orders Committee held on 7 October, 2020.

### **4 SITE VISITS\_(Pages 13 - 14)**

To submit, for confirmation, the minutes of the Virtual meeting of the Planning Site Visits held on 21 October, 2020.

### **5 PUBLIC SPEAKING**

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

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

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 - 60)**

7.1 – FPL/2019/217 – Craig y Don Estate & Cherry Tree Close, Benllech  
[https://ioacc.force.com/s/papplication/a1G4H00000JsypkUAB/fpl2019217?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000JsypkUAB/fpl2019217?language=en_GB)

7.2 – 47C151B – Ty'n Ffordd, Elim  
[https://ioacc.force.com/s/papplication/a1G5800000HzhSsEAJ/47c151b?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G5800000HzhSsEAJ/47c151b?language=en_GB)

7.3 – FPL/2020/45 – Talli Ho, Prys Iorweth Uchaf, Bethel, Bodorgan  
[https://ioacc.force.com/s/papplication/a1G4H00000MJaAuUAL/fpl202045?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000MJaAuUAL/fpl202045?language=en_GB)

7.4 – FPL/2020/92– 3 Bronallt, Cambria Road, Menai Bridge  
[https://ioacc.force.com/s/papplication/a1G4H00000MgBp6UAF/fpl202092?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000MgBp6UAF/fpl202092?language=en_GB)

7.5 – 19C1231 - Cae Rhos Estate, Porthdafarch Road, Holyhead.  
[https://ioacc.force.com/s/papplication/a1G5800000HzFxcEAF/19c1231?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G5800000HzFxcEAF/19c1231?language=en_GB)

## **8 ECONOMIC APPLICATIONS**

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

## **9 AFFORDABLE HOUSING APPLICATIONS**

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

## **10 DEPARTURE APPLICATIONS\_ (Pages 61 - 64)**

10.1 – VAR/2020/49 – Bron Heli, Lon Ganol, Llandegfan  
[https://ioacc.force.com/s/papplication/a1G4H00000MiUoLUAV/var202049?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000MiUoLUAV/var202049?language=en_GB)

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

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

## **12 REMAINDER OF APPLICATIONS\_ (Pages 65 - 70)**

12.1 – FPL/2020/154 – St Cybi's Church, Holyhead  
[https://ioacc.force.com/s/papplication/a1G4H00000MiKOtUAN/fpl2020154?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000MiKOtUAN/fpl2020154?language=en_GB)

## **13 OTHER MATTERS**

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

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## Planning and Orders Committee

### Minutes of the virtual meeting held on 7 October 2020

- PRESENT:** Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, T LI Hughes MBE, K P Hughes, Vaughan Hughes, Eric Wyn Jones, Dafydd Roberts and Robin Williams.
- Councillor Richard A Dew – Portfolio Holder (Planning)
- IN ATTENDANCE:** Development Management Manager (NJ), Senior Planning Officer (GJ), Legal Services Manager (RJ), Committee Officer (MEH).
- APOLOGIES:** Councillor Nicola Roberts.
- ALSO PRESENT:** Local Members : Councillors Llinos M Huws, Aled M Jones, Bryan Owen, Margaret M Roberts, Dafydd R Thomas.
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#### 1 APOLOGIES

As noted above.

#### 2 DECLARATION OF INTEREST

Councillor John Griffith declared a personal interest in respect of application 12.7 – Coleg Menai, Llangefni.

Councillor K P Hughes declared a personal interest in respect of application 12.7 – Coleg Menai, Llangefni.

#### 3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 2 September, 2020 were confirmed as correct.

#### 4 SITE VISITS

None convened.

#### 5 PUBLIC SPEAKING

There were representations forwarded as regarding to applications 12.3 and 12.6 and were read out at this meeting of the Planning and Orders Committee.

## **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 application was presented to the Planning and Orders Committee as an addendum to the Transport Assessment has been submitted which proposes that a Traffic Regulation Order for a one-way street requiring that vehicles are only permitted to travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road and is currently being consulted and publicised as part of the application. The date for the consultation period comes to an end on 8 October, 2020. The recommendation is of deferment of the application to allow the Highways Authority to respond and to receive any public representations as regards to the proposal.

**It was RESOLVED to defer the application for the reasons given.**

## **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**

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

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

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

## **12 REMAINDER OF APPLICATIONS**

### **12.1 FPL/2019/217 – Full application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard**

### **landscaping on land adjacent to Craig y Don Estate and Cherry Tree Close, Benllech**

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

The Development Management Manager reported that an application has been made to Welsh Government to call-in the application. She further said that correspondence was received by Officer's from Welsh Government prohibiting the Local Authority from approving the application so as to allow discussion as to whether to forward the proposal for decision by the Welsh Government Ministers. The recommendation therefore to defer the application.

**It was RESOLVED to defer the application for the reasons given.**

### **12.2 DEM/2020/4 – Application to determine whether prior approval is required for the demolition of the former school at Newborough Primary School, Newborough**

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

The Development Management Manager reported that the application is made for the demolition of the former Newborough Primary School which is now closed. She said that the Local Planning Authority has 28 days to respond to ecological information the Committee was requested to afford power to act to the Officer's to approve the application following receipt of ecological information.

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

**It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions listed within the written report and subject to receipt of ecological information.**

### **12.3 47C151B – Full application for the erection of six 5 meter high floodlights for the manege at Ty'n Ffordd, Elim, Llanddeusant**

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

It was reported that a letter was received by Ms Paula Bond, in opposition to the application. The letter was read out to the meeting as follows:-

'To those of you who have not had the opportunity to visit Elim and the applicant's residence Tyn Ffordd, I thought it might be helpful to describe our hamlet of Elim. Elim was renamed after a biblical reference to the place where the Israelites camped near to wells and date trees – a perfect place. To enter

Elim, you need to cross a stone bridge which runs over the Afron Alaw. Elim is very small, it has no public services, shops or indeed transport links. Most of the cottages date to 1800's and possibly earlier. There is a single-track road through the hamlet that has no road markings. It is used primarily by residents and farm vehicles as we are surrounded by farmland.

Tyn Ffordd is in the middle of Elim and is surrounded on three sides by residential buildings. It was originally a small holding consisting of a cottage, outbuildings and six acres of fields. Now in addition it has two static caravans with space for three, stable block for 8 horses, garage, barn, parking for 10 cars and of course the professionally built ménage which measures 25m x 40m. This ménage runs alongside our cottage right next to the shared boundary at Tyddyn Garol. Tyddyn Garol is a very old traditionally built one storey stone cottage with the original inglenook fireplace and the original scullery fire and basin still intact. The deeds of this cottage dates to 1825 but according to a resident of the village whose ancestors grew up in Elim, it is probably much older than that.

The proposed plan to allow six five metre floodlights to be erected around the ménage is objected on several reasons which I will summarise as following;

1. Not in keeping with the unspoilt beauty of Elim – This was also the view of Tref Alaw Parish council. There cannot be many hamlets on Ynys Mon that have managed to maintain their original character, size and charm.
2. Light Pollution to Elim and Tyddyn Garol – Six metre floodlights are acceptable on a football field or sports arena; both are normally built in a non-residential area or close to a town or city. There are no floodlit ménages on Ynys Mon that have been granted planning permission that sit in the middle of a hamlet and so close to private dwellings.
3. Right to privacy and enjoyment of property- Since this dreadful pandemic, Tyddyn Garol is now host to three generations of one family. My mother in law, 78 years old and who is classed by the Welsh Government as very vulnerable, is living with us along with our daughter. The bedrooms at Tyddyn Garol are the nearest to the boundary of the Ménage and the floodlights will shine directly into them. My mother in law has numerous health conditions. The turning on of these floodlights, shining into her bedroom would cause her distress which we feel is avoidable when weighing right to live and enjoy our property with the right to enjoy a hobby. It is of course an infringement of privacy as the floodlights will light up the area, primarily of course the bedrooms.
4. Dark Skies Ynys Mon is already gaining good ground as a great place to star gaze. Here is a quote from Dark Skies to explain how important it is to stargazing not to have artificial light pollution.

**“Spoiling our views of the heavens”**- *The effects of light pollution on how we see the night-time skies is dramatic. From a light polluted town or city, it's possible to see perhaps 200 stars however from a dark sky site it's possible to see as many as 3000 stars without any visual aid on a moonless night. You can often readily see the effects of light pollution yourself, on some nights the skies glow orange caused by the inefficient sodium-vapour street- lights illuminating the clouds above. On clear nights that light dilutes the skies meaning starlight is washed out and less stars being visible.*

5. The property at Tyn Ffordd has recently been sold (Subject to contract) – The initial planning application was to erect six 5 metre floodlights on the ménage so the applicant could ride in the evenings after work and not have to go on the lanes surrounding the village and its use would solely be for private use and family and friends. Surely this is a moot point if the original reason for the application is no longer a fact as the applicant is moving to another area for pastures new?

In conclusion, I would urge you to look at the photos in our original objection, showing the closeness of this ménage to our cottage and the fact that it is only five metres from our bedroom windows. The unfortunate consequences for Tyddyn Garol and Elim is a high risk of light pollution. This is contrary to the report's finding, compiled by the manufactures of the Floodlights. If I may, I must remind you this report was completed without a site visit taking place and did not taken into account that Tyddyn Garol is at a much lower level than the ménage which I am reliably informed will skew the report's findings and conclusions. I urge you to consider the points above when discussing this application and the impact it will have on the hamlet and of course, our lives. Tyddyn Garol and Elim is our forever home and we feel we have a duty to protect its history and character.'

The Development Management Manager reported that the proposed development is for the erection of six 5 metre floodlights to the existing manege. The purpose of the proposed floodlights is to enable the continued use of the manege during the winter months between the hours of 5.00 p.m. and 8.00 p.m. between 1 November and the end of February.

Councillor John Griffith said that the small village of Elim is a rural area with very narrow highways network. He considered that the application to erect floodlights on the proposed site is inappropriate as a condition was placed on the approval of an application to create a manege on site in 2017 which stated that no external lighting should be used for the manege. Councillor Griffith referred to the comments within the report as regards to effect on dark skies and the need for a condition that the floodlights will at all times points towards the manege with measures implemented to prevent overspill. He raised as to how these conditions are to be monitored and adhered to as the dwelling has been recently sold. He considered that the proposed application would have a detrimental effect on the amenities of the residents

and dark skies and proposed that the application be refused contrary to the Officer's recommendation. Councillor K P Hughes agreed with the comments made by Councillor Griffiths and expressed that the property is near other dwellings in the village. Councillor Hughes seconded the proposal of refusal of the application.

The Development Management Manager reported that the application has been submitted to the Planning Authority for a considerable period and the Planning Officer has been communicating with the applicant as regards to the purpose of the requirement for floodlighting and appropriate conditions has been attached to any approval of the application. She referred to the matter raised as to how the conditions will be monitored and adhered to; the Officer said that it was considered that local residents would report any breach of conditions to the local authority. The Development Management Manager further said that the manege is for private use only and it would allow the resident to exercise their horse's safety and not having to ride on the narrow lanes.

Councillor Eric W Jones proposed that the application be approved in accordance with the Officer's recommendation. Councillor R O Jones seconded the proposal.

Following the vote:-

**It was RESOLVED to refuse the application contrary to the Officer's recommendation due to the effect on the amenities of the local residents and the detrimental effect on dark skies.**

***(In accordance with the requirements of the Council's Constitution, the application was automatically deferred to the next meeting to allow Officers the opportunity to prepare a report in respect of the reasons given for approving the application).***

#### **12.4 FPL/2020/92 – Full application for the creation of 2 parking spaces at 3 Bronallt, Cambria Road, Menai Bridge**

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

Councillor Robin Williams, and a Local Member requested that the Committee visit the site as he considered it would be beneficial for the Members to view the site as he was of the opinion that such an application would place an unacceptable precedent not only in respect of this application but in other part of the Island.

**It was RESOLVED to visit the site at the request of a Local Member.**

#### **12.5 FPL/2020/45 – Full application to increase the number of touring caravans (an extra 23) from 15 to 38 on the site at Talli Ho, Prys Iorwerth Uchaf, Bethel, Bodorgan**

The application was presented to the Planning and Orders Committee by a Local Member.

The Development Management Manager reported that the application is a full application to increase the number of touring caravans from 15 to 38 together with the erection of a new toilet block and landscaping works. The applicant has agreed to plant further trees and hedges on the South and South East boundary to ensure that the further improvements is made to the landscaping of the site and provides biodiversity enhancement. She noted that letters of objection to the application have been received and were noted within the Officer's report. The application conforms to Planning Policy TWR 5 and the recommendation is of approval of the application.

Councillor Dafydd Roberts said that there has been a considerable increase in the provision of tourist facilities in the area over the last 3 to 4 years. He referred to strategic planning policy 5 which promotes sustainable development and economic diversification. He further said that it has shown this year that tourist facilities such beaches and tourist attractions have been unable to facilitate the amount of people in the area with cars parked on the public highways; the infrastructure is unable to cope. Councillor Roberts further expressed that he did not consider that these facilities contribute to the local economy with residents having to pay to upgrade resources for tourism. The Development Management Manager responded that each application must be dealt with planning policies in place to deal with such applications. Policy TWR 5 ensure that the location of the sites is sustainable for such a development and the policy promote that development are located on main roads to ensure highway safety with traffic entering and leaving the site. She referred that the application has been assessed in accordance with current planning policies and the recommendation is of approval.

Councillor Dafydd Roberts proposed that the application be refused contrary to the recommendation of the Officer's as there are over development of caravan sites in the area and is contrary to the principles of sustainable development. Councillor John Griffiths seconded the proposal of refusal of the application.

Councillor K P Hughes said that the Island is dependent on tourism and agriculture and it brings necessary resources to the local economy. Councillor K P Hughes proposed approval of the application. Councillor Eric Jones seconded the proposal.

Following the vote :-

**It was RESOLVED to refuse the application contrary to the Officer's recommendation due the over development of caravan sites in the area and being contrary to the principles of sustainable development.**

***(In accordance with the requirements of the Council's Constitution, the application was automatically deferred to the next meeting to allow***

***Officers the opportunity to prepare a report in respect of the reasons given for approving the application).***

## **12.6 HHP/2020/168 – Full application for the demolition of the outbuilding and erection of an annexe at Tyn Lon, Llaneilian**

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

It was reported that a letter was received by the Llaneilian Community Council, opposing the application. The letter was read out to the meeting as follows:-

‘At the Llaneilian Community Council meeting on 8<sup>th</sup> September 2020 the proposed development at Tyn Lon, Llaneilian was discussed. The Community Council’s understanding is that the proposal is to demolish a corrugated iron Dutch barn and build an annexe located within the garden of the residential property known as Tyn Lon.

Developments of this type are often called ‘Granny Annexes’. The Community Council are not opposed in principle to sensitively designed extensions / annexes that provide ancillary accommodation and enable families to make appropriate arrangements to care for elderly relatives or allow younger family members to remain in the family home. However, Llaneilian Community Council object to the current development proposals on the following grounds:

### **Alignment with JLDP**

The Community Council note that whilst the Joint Local Development Plan makes no specific reference to ‘annexes’ the site is located outwith any development boundary, in the open countryside and within Anglesey’s Area of Outstanding Natural Beauty (AONB). Proposals in the AONB require developments to ‘maintain or enhance natural beauty’. The Joint Local Development Plan sets out a strategic approach, concentrating development within agreed boundaries where services are available. Penysarn is identified as a village towards which development should be directed. Penysarn has a shop / post office, primary school, chapel, village hall and a regular bus service to Amlwch and Bangor. However the proposed site lies well outside the village boundary, in open countryside, and does not have easy access to these facilities other than by car. The Joint Local Development Plan states that new development in the countryside ‘are subject to more control and are mainly restricted to developments which require a location in the countryside or that meet a local rural need, support rural diversification or sustainability of the countryside’. Furthermore, the JLDP continues ‘this policy acknowledges that some types of development are necessary if the plan is to address the area’s social, economic or environmental needs’. It is the Community Council’s view that there is no evidence in the information that has been received that the proposal relates to any of these types of development. The plans as submitted show a single storey building comprising an entrance hall, utility room, combined kitchen / dining area / lounge, 2 bedrooms and a

shower room. The internal floor area is similar to the average UK dwelling (85sqM). Additional parking for a single vehicle is indicated.

### **Subservience (Use and Scale)**

Whilst the description of the development describes the proposal as an annexe there are no further details as to the proposed use of the annexe to clarify the dependence with the main property. It is the Community Council's view that due to the level of accommodation proposed the development is capable of providing an independent self-contained unit of accommodation with no reliance on the main dwelling. The development would in effect amount to a separate self-contained dwelling, not a residential annexe having a degree of dependence on the main dwelling.

### **Design and Visual**

From the lane the proposed annexe would be perceived by members of the public as a separate new dwelling. The Community Council are of the view that:

- the chosen location on the site does not minimise the visual impact;
- the style of building does not harmonise well with the existing residence;
- the materials currently proposed accentuate the annexe in the environment rather than helping to make the building visually subservient.

The Community Council consider the design and visual aspects of the proposed annexe to be unacceptable.

### **Sustainability**

The Joint Local Development Plan promotes sustainable development in rural areas and discourages new isolated homes in the countryside. The site does not have a high level of accessibility and, as stated above, future residents are likely to be dependent on the private car to access services and facilities.

### **Use beyond immediate need for annexe accommodation**

No evidence for the need for annexe accommodation, rather than an extension to the current building, has been received by the Community Council. There is also no indication of how the accommodation will be incorporated within the main dwelling when no longer needed as an annexe,

In conclusion, the proposed site is located in the open countryside and well outside the settlements of Penysarn and Amlwch. The development is contrary to the Planning Authorities sustainability policy. There is sufficient supply of deliverable housing land available within the boundary of Llanelian Community Council at Penysarn. If despite the Community Council's views the Planning Committee agree the proposed development then the Community Council request the inclusion of the following planning condition. "The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Tyn Lon."

It was reported that a letter was received by Peter Humphreys, Architecture & Design, the applicant's agent. The letter was read out to the meeting as follows:-

'The proposed development involves the demolition of an old dilapidated corrugated steel 'dutch' barn and the construction of a new annex to a traditional rural property. The new annex will be subservient in scale to the existing house and appropriate in design for its location.

### **Design**

Careful considered thought has been made as to the design, especially with regards to the location and impact of the proposed building in an Area of Outstanding Natural Beauty. The existing 'dutch' style barn is a traditional rural building and it was considered that the proposed new building should also reflect that traditional rural outbuilding ethos. It is intended that the design has the appearance of a converted range of farm outbuildings. Slate Roof, Boarded doors, sliding sash windows and arched salvaged brick lintels. As the existing house is a traditional white painted building it was felt that the proposed building should also reflect this.

### **Location and Impact**

Due to the topography and the fact that the site is surrounded by trees and hedges, the design of the scheme will blend into the landscape and be inconspicuous in its visual impact on the surrounding area. It is not proposed to reduce the site vegetation in any way, so the existing screening of the site will continue. Mr & Mrs King are happy to provide additional screening in the unlikely event that it is deemed necessary.

### **Background and Need for the Proposal**

Mr and Mrs King have owned Tyn Lon since they purchased it 20 years ago, and are well respected throughout the local community. Mr and Mrs King were previously employed for 10 years as Foster Carers, however recently the house, which has previously been extended to accept more foster children, has become too large for them to manage. Mr and Mrs King, therefore recently sold Tyn y Lon, a five bedroom detached house, to their son Dylan and his wife, as they were in desperate need for more space for themselves and their 6 children. This has alleviated the need for the children to continue to share bedrooms and also allows the children the advantage of growing up with space in an environment that is closer to nature. It has also meant that school relocation for the children could also be avoided.

Mr & Mrs King's son Dylan currently works for the Scottish Power contractor IQA, based in Caernarfon, who service and repair the overhead transformer poles, both locally and throughout North Wales. His children attend both Rhosybol Primary and Thomas Jones Schools and are all Welsh and English speakers. Two of the youngest Children were born here and one of the youngest who attends Rhosybol Primary Pre School and is already learning and speaking Welsh. Mr Chris King, Manages his own business, providing Diesel Generators and Generator services to local business, nursing homes,

the Local Authority and domestic users and was previously employed as Pumping Station Manager, Northwest Wales for DCWW Welsh Water.

With Tyn y Lon being surrounded by woodland, infringement on neighbours would be very minimal. Mr & Mrs King have discussed this application with their adjacent neighbours and they are all happy for them to proceed. Mr and Mrs King want to take an active part in their grandchildren's lives, and would like to apply to the Council to build a modest single storey annex next to the house in place of a dilapidated barn which is located next to the house. It would enable the family to continue, the much needed task, of looking after each other, and in the future, the younger family will be able to look after Mr & Mrs King, as they approach our more senior years.'

The Development Management Manager reported that the application is to demolish an existing dutch barn and the erection of a detached self-contained annexe. She noted that the proposed annex is within 4 metres to the existing dwelling at Tyn Lon, Llaneilian. It was reported that there are local concerns as regards to the size and proposed use of the annexe. The Development Management Manager referred to the comments within the correspondence of the Community Council as regards to proposals to erect a detached dwelling and she noted that the Planning Authority has stringent planning policies for the erection of dwellings. She said that this application is for an annexe and a large outbuilding is been demolished to accommodate the annexe. Any permission granted will be subject to a condition that it is only used as an annexe incidental to the existing dwelling. It was further noted that the annexe will share the same access parking and garden area.

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.**

#### **12.7 MAO/2020/16 – Minor amendments to scheme previously approved under planning permission 34/C304K1/EIA/ECON so as to allow development to commence on plot 2 on land at Coleg Menai, Llangefni**

*Councillors John Griffith and K P Hughes had declared a personal interest in this application and took no part in discussion and voting thereon.*

The Development Management Manager reported that a hybrid planning permission for full planning permission for the creation of a new engineering centre, car parking and associated works was approved in 2017 together with an outline permission with some matters reserved for a residential development of 153 dwellings, hotel and food beverage facility along with associated car parking and works on land at Coleg Menai, Llangefni. These new engineering centre has been completed whilst matters relating to the outline consent remain outstanding. However, two separate reserved matters have been submitted in respect of the residential element of the application for

60 dwellings and 91 dwellings and are currently being considered by the Planning Authority. The wording of the conditions attached to the previous permission links all the plots within site B, restricting the ability of certain plots to progress to advance of/or different time to other plots. The current section 96A application therefore seeks non-material amendments to some conditions in relation to the outline consent in order to allow certain plots to progress at separate times to other plots. The Development Management Manager further referred to Condition 42 (set out in the Officer's report) as regards to archaeological works and was part of the outline permission that archaeological works needed to be undertaken at plots 2 and 3 but it is plots 1, 4 and 5 which require archaeological works.

Councillor Robin Williams proposed that the application be approved and Councillor T LI Hughes MBE 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.**

#### **12.8 FPL/2020/105 – Full application for the construction of additional parking bays at Ffordd Tudur, Holyhead**

The application was presented to the Planning and Orders Committee as the application has been submitted by the Housing Department and on Council owned land.

The Development Management Manager reported that the proposal involves creating a total of 21 new parking spaces at Ffordd Tudur, Holyhead. She said that the Committee has visited the area previously as regards to housing development application and she noted that there were local concerns at the time regarding parking and traffic problems in the area. The application is addressing the parking issues in the area on land with no amenity use. The Highways Authority has no objection to the application and the recommendation was of approval of the application.

Councillor T LI Hughes referred that social housing for the elderly is located near the parking bays and he expressed concern that the amenities of the residents will be affected. The Development Management Manager responded that a part of the application a wall is to be erected near the neighbouring properties to mitigate possible light pollution for car headlights.

Councillor Glyn Haynes proposed that the application be approved and Councillor K P 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.**

### **13 OTHER MATTERS**

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

**COUNCILLOR RICHARD O JONES  
VICE-CHAIR IN THE CHAIR**

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## **PLANNING SITE VISITS**

### **Minutes of the Virtual meeting held on 21 October, 2020**

- PRESENT:** Councillor Richard O Jones (Vice-Chair in the Chair)
- Councillors John Griffith, Glyn Haynes, T LI Hughes MBE, K P Hughes, Vaughan Hughes, Eric Wyn Jones, Dafydd Roberts, and Robin Williams.
- IN ATTENDANCE:** Chief Planning Officer (DFJ),  
Development Management Manager (NJ),  
Senior Planning Officer (JR),  
Development Control Engineer (Highways) (JAR),  
Committee Officer (MEH).
- APOLOGIES:** Councillor Nicola Roberts
- ALSO PRESENT:** Local Members : Councillors R Meirion Jones and Alun Mummery.
- 

**1 FPL/2020/92 – FULL APPLICATION FOR THE CREATION OF 2 PARKING SPACES AT 3 BRONALLT, CAMBRIA ROAD, MENAI BRIDGE**

The drawings were shown as well as a video of the locality and the details of the application were discussed.

**COUNCILLOR R O JONES  
VICE-CHAIR IN THE CHAIR**

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Planning Committee: 04/11/2020

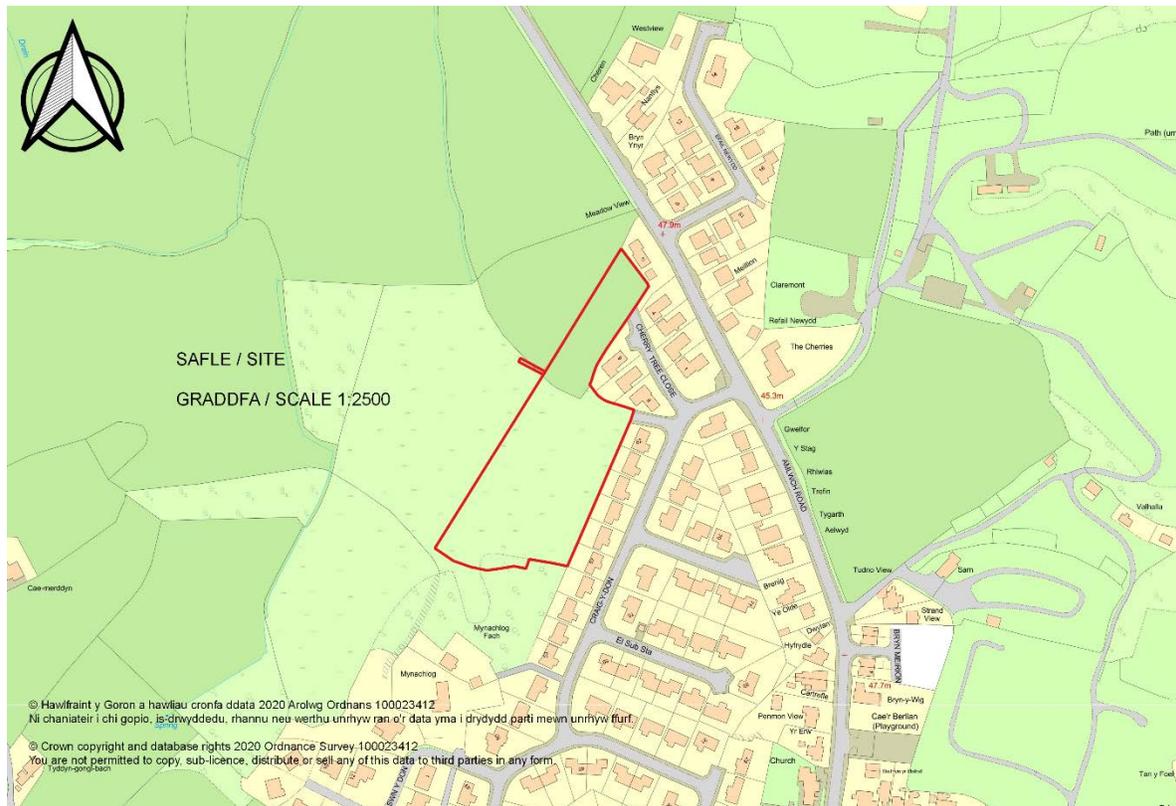
7.1

Application Reference: FPL/2019/217

Applicant: Mr Dylan Davies

**Description:** Full planning application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land adjacent to

**Site Address:** Craig y Don Estate & Cherry Tree Close, Benllech



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

**Recommendation:** Permit

### Reason for Reporting to Committee

The application has been called into the Planning and Orders Committee for determination by Local Members Ieuan Williams and Margaret Roberts.

It was noted that the Welsh Ministers have received a request to call-in the application for their own determination and the application was deferred pending their decision.

### Proposal and Site

The application is submitted for the construction of 17 affordable dwellings together associated developments. The application site will be accessed from two new separate vehicular accesses from

Cherry Tree Close and Craig y Don Estates. The application also entails 3 number of agricultural accesses and the construction of a pumping station. The application has been amended on several occasions. The main amendment was the reduction of the number of units from 29 to 17 dwellings. The latest amendments include additional landscaping at the boundary and reduction of agricultural accesses.

The application site is approximately 1.08 hectares with a Local Wildlife Site. The land is within the Area of Outstanding Natural Beauty (AONB) and lies immediately adjacent to the settlement boundary of Benllech as identified within the Joint Local Development Plan (JLDP).

The access from the Craig y Don estate will serve 16 dwellings whilst the access from Cherry Tree Close will serve the remaining dwelling. The proposed development will include new estate roads to serve the proposed dwellinghouses. The proposed dwellinghouses will be located across the site varying from 2, 3 and 4 bedroom single and two storey units. The majority to the dwellinghouses are semi-detached properties whilst some are detached units. The proposed development also includes a mixture of single and two storey dwellinghouses. All dwellings are provided with designated parking and private amenity spaces. As part of the proposed development amenity land will be allocated across two separate areas. The pumping station is located to the western part of the site.

The application site is surrounded by residential properties to the north, east and south. Grassland is located to the west and south. The topography of the land is generally level with a slight depression in the centre of the site. The application site is predominately surrounded by hedgerows.

### **Key Issues**

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, character and amenity of the area, Area of Outstanding Natural Beauty (AONB), Designated Wildlife site and highway safety.

### **Policies**

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

Policy TAI 15: Affordable Housing Threshold & Distribution  
Policy TAI 16: Exception Sites  
Policy TAI 4: Housing in Local, Rural & Coastal Villages  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 6: Water Conservation  
Policy PCYFF 5: Carbon Management  
Policy ISA 2: Community Facilities  
Policy ISA 5: Provision of Open Spaces in New Housing Developments  
Strategic Policy PS 2: Infrastructure and Developer Contributions  
Policy ISA 1: Infrastructure Provision  
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts  
Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
Policy AMG 5: Local Biodiversity Conservation

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

<b>Consultee</b>	<b>Response</b>
Gwasanaeth Addysg / Education Service	The Lifelong Learning Department of Anglesey Council have confirmed that no commuted sum is required in this instance.
Iechyd yr Amgylchedd / Environmental Health	Conditional Approval
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	General comments made with respect to policies contained within the Joint Local Development Plan (JLDP).
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Conditional Approval
Cynghorydd Vaughan Hughes	No Response
Cynghorydd Ieuan Williams	Referred the application to the Planning and Orders Committee. The Local Member considered the proposed development does not comply with national or local planning policies. The proposed development would put an increased pressure upon local schools and existing highway network. The Local Member also considers that the proposed development should be subject to an EIA and as such raises concerns that the proposed development will have a negative impact upon the AONB and Local Wildlife Site.
Cynghorydd Margaret Murley Roberts	Referred the application to the Planning and Orders Committee. Concerns that the application site is located outside the development boundary and an increased pressure upon schools, parking etc
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	Concerns regarding over development, number of units being proposed and inadequate access and substantial traffic within the area.
Dwr Cymru/Welsh Water	Conditional Approval
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Legal Agreement required to accommodate the mitigation and enhancement measures proposed to the designated Wildlife Site.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditions proposed to mitigate the impact upon the AONB
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional approval recommended.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval
Draenio Gwynedd / Gwynedd Drainage	No Objection
Strategol Tai / Housing Strategy	There is a demand for the affordable units being proposed which has been confirmed within a housing needs survey.
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	Application should be considered in line with AONB Management Plan and Policy AMG 1 of the

	<p>JLDP. Questioned whether other sites have been considered for the proposed development. Concern that further encroachment is made into the AONB if the application is approved.</p>
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The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The publicity process has been undertaken on three occasions. The latest date for the receipt of any representation was the 24/09/2020. At the time of writing this report, 23 representations had been received at the department. The points are summarised below:

- Concerns with respect to planning policy and the land is situated outside the development boundary.
- Concerns regarding school capacity and local infrastructure.
- Concerns regarding highways safety, access, parking places and increased traffic.
- Concerns regarding disruption during the construction phase.
- Concerns regarding flooding.
- Concerns regarding ecology.
- Concerns regarding Area of Outstanding Natural Beauty (AONB).
- Concerns regarding impact upon amenity of existing nearby residents.
- Concerns regarding Welsh Language.

In response to the points raised the Local Planning Authority responds as follows:

- An assessment with respect to the location of the site and planning policy is outlined within the main core of the report.
- The impact upon the existing infrastructure including the local school has been assessed as part of the application. This is elaborated upon within main core of the report.
- The Local Highways Authority have assessed the application and raised no object to the application.
- Conditions will be attached as part of the application to mitigate and minimise nuisance to nearby properties and road users during the construction phase.
- Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work. Until an application is made to the SAB there remains some uncertainty whether the proposed site layout would enable full compliance with the suite of national SuDS standards. Welsh Water and Natural Resources for Wales have assessed the application and raised no objection.
- An Ecology Appraisal has been submitted as part of the application. The Authority's ecologist together with Natural Resources for Wales have assessed the application and are satisfied with the proposed development subject to conditions and legal agreement.
- The impact upon the AONB is assessed within the main core of the report
- The impact upon the amenities of nearby residential properties have been assessed as part of the application. This is elaborated upon within the main core of the report.
- A Welsh Language Impact Assessment has been submitted as part of the application. It is considered the impact upon the Welsh Language will be comparatively low.

### **Relevant Planning History**

SCR/2019/46 - Screening opinion for the erection of 29 affordable dwellings, construction of two new vehicular and 4 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land – EIA Not Required 23/08/2019

### **Main Planning Considerations**

The site is located immediately adjacent to the development boundary of Benllech. In terms of the principle of housing development, the development boundary is considered under policy TAI 16 of the

Joint Local Development Plan (JLDP). In accordance with this Policy all units would have to be affordable housing that meets a defined local need. The policy states:

*“Where it is demonstrated that there is a proven local need for affordable housing (as defined in the Glossary of Terms) that cannot reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing, as an exception, proposals for 100% affordable housing schemes on sites immediately adjacent to development boundaries that form a reasonable extension to the settlement will be granted. Proposals must be for a small scale development, which are proportionate to the size of the settlement, unless it can be clearly demonstrated that there is a demonstrable requirement for a larger site, with priority, where it is appropriate, given to suitable previously developed land.”*

The application site is located towards the northern part of the Benllech. The north west part of the development boundary is staggered with no distinctive pattern to the boundary. The application site is considered a reasonable extension to the settlement since the site would only extend the built form towards the current extent of the development boundary around the property of Mynachlog Bach which lies to the South West of the application site. It is considered that the site will not unacceptably intrude and encroach further into the countryside than the general existing form of development. The application site is considered proportionate to size of the settlement of Benllech, which is classed as a Local Service Centre with the JLDP, the second highest tier settlement category of Anglesey.

Policy TAI 16 also states that, if local need has been proven, as an exception to the usual housing policies, schemes for a 100% affordable housing could be suitable on such a site as long as the units cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing. It has to be ensured that all the units are affordable and that there is a local need for them.

The indicative supply for Benllech (including a slippage allowance of 10%) was for 90 units over the plan period. In the period 2011 to 2020 a total of 109 units have been completed within Benllech with a further 36 units in the landbank at April 2020 all of these units are on windfall sites (this 36 units includes the recently approved application (FPL/2019/204) to build 27 affordable dwellings at Ponc y Rhedyn in Benllech). This means that Benllech has achieved its windfall provision.

The Plan's Monitoring Framework will consider the number of units that are completed annually in order to determine if the Plan is achieving the housing requirement. Annual monitoring will also allow the Councils to determine what type of sites will supply housing i.e designation or windfall sites. The focus will be on the units completed rather than permissions. As well as this, the Monitoring Framework will try to assess if the Plan's Settlement Strategy is being achieved. This indicator looks at housing consents. Policy PS 17 in the Plan states that 22% of the Plan's housing growth will be located within the Local Service Centres. The indicative growth level (including 10% slippage) for Local Service Centres is 1754 units. 665 units were completed between 2011 and 2019 in all Local Service Centres and that 518 were in the land bank. This means that there is a current shortfall of 571 units. Currently, therefore, the approval of this site can be supported by the expected provision within the Local Service Centres category.

In terms of meeting a 'local need', the same definition applies as what is stipulated for the proposed affordable unit located within the boundary. The definition of who can live in these units are therefore very specific. Whilst it is noted in the information submitted with the planning application that all the units will be managed by Clwyd Alun Housing Association, it has been confirmed by the Housing Service there is a need for the units being proposed. The assessment includes a Housing Needs Survey and the consideration of other planning applications, including the proposal for the erection of 27 affordable dwellings at Ponc Y Rhedyn, Benllech. The Housing Service have confirmed there is a need for the affordable units being proposed at both application sites. The Housing Service has also confirmed, outside Benllech there is a large demand for social and affordable housing in the Lligwy Electoral Ward.

The proposal is therefore appropriate in terms of the fact that all the units proposed on the part of the site outside the boundary are affordable. It is also necessary to establish there is a genuine need for these units and that this cannot be met within the boundary of Benllech as noted in Policy TAI 16. If the need for these units have not been suitably justified, the proposal, in terms of the units located outside the development boundary, would be contrary to JLDP as it would provide new houses in the countryside without the relevant justification.

As such, Policy TAI 16 states the requirement to demonstrate that affordable housing to meet a proven local need cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing.

The applicant together with the policy, housing and property section have provided comments with respect to whether or not affordable housing cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary.

The allocated housing site (T32) within Benllech would provide 12 residential units and would provide 4 number of affordable units. The site is owned by the Local Authority and there are no immediate plans to develop the site within the immediate future. It is therefore considered that the allocated housing site will not be delivered in a reasonable timescale. In addition, it considered that Topic Paper 6: Urban Capacity Study (February 2015) has not identified significant development opportunities with the settlement boundary of Benllech. The agent has also provided information confirming that there are no dwellinghouses within Benllech that could be considered as being at an affordable price. The Housing Section have confirmed this point.

It is considered there are only limited opportunities to meet any identified need in the settlement within a reasonable timescale. An application for 6 residential apartments has recently been refused which would have provided 2 affordable units. In light of this evidence and the lack of previous affordable units being delivered within the settlement the policy and housing section are of the opinion that the exception site will help to meet an identified need.

With respect to the viability and deliverability of the site, it is considered that the site is on the 'Reserve and Potential' list of the Council's Program Delivery Plan (PDP). The Housing Service also proposed to fund the proposed development through a Social Housing Grant within the next 5 years. It is therefore considered there is a high element of certainty that this site will be brought forward within a reasonable timescale and consideration has been given towards its viability.

#### Candidate Site

The application site was offered as a candidate site under the Anglesey and Gwynedd Joint Local Development Plan for residential development (reference number SP146). The purpose of the candidate sites was to identify suitable site as housing allocations within the Plan. The comments made by the planning policy unit relating to the site (included within Topic Paper 1B: Assessing the Candidate Sites (March 2016)) raised issues with respect to highway safety, surface water issues, that the site is located within the AONB and is situated on Grade 3 Agricultural Land. All these issues will be assessed later within the report.

The topic paper also suggest that since the land is located within the AONB, other sites were available as a housing allocation. Policy TAI 16 does not require consideration of other potential exception sites on locations immediately adjacent to the settlement boundary only for possible alternative sites within the boundary. As previously noted, it not considered that the allocated site will be delivered in a reasonable timescale.

#### Policy TAI 8 – Appropriate Housing Mix

The proposed development offers a mixture of single and two storey dwellinghouses which can accommodate various number of bedrooms and occupants. Policy TAI 8 '*Appropriate Housing Mix*' seeks

to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community.

Regard is given to the Local Housing Market Assessment (LHMA), Council Housing Register and Tai Teg Register to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market. The Housing Service have confirmed that the housing mix being proposed is acceptable.

#### Policy PS 1 – Welsh Language and Culture

Given that the application is a large scale housing development (defined as 5 or more units within Local Service Centres in the Maintaining and Creating Distinctive and Sustainable Communities' SPG) on an unexpected windfall site then a Welsh Language Impact Assessment is required in line with policy PS1 of the JLDP. It is noted that such an assessment has been submitted with the application which concludes that the impact upon the Welsh Language will be comparatively low.

#### Policy ISA 5 – Provision of Open Spaces in New Housing Developments

As this is a development of 17 dwelling houses it triggers Policy ISA 5, which states that: *“New housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, will be expected to provide suitable provision of open spaces in accordance with the Fields in Trust (FiT) benchmark standards of 2.4 hectares per 1000 population.”*

The Open Spaces in New Residential Developments Supplementary Planning Guidance (SPG) (March 2019) states that the benchmark standard proposed by the FiT consists of a minimum 2.4 hectares per 1000 population.

The Open Space Assessment undertaken by the Joint Planning Policy Service identified a shortfall of open space in all of the above categories. As part of the application the applicant is providing 645m<sup>2</sup> public open space which more than meets the informal play space element of the FiT categories but does not propose to place any play equipment on the site.

Policy ISA5 does acknowledge that in some circumstances on site provision may not be feasible. In such cases, the Council will seek to negotiate a planning obligation under Section 106 of the Town and Country Planning Act 1990. This obligation enables developers to make a contribution towards the provision of suitable off site play space in lieu of direct provision within the development site where there are identifiable and appropriate opportunities for providing new play space.

The calculation of costs is based on (i) FiT standards (which identify a level of provision per 1,000 population), and (ii) likely basic costs for the provision of open space provision.

New Provision from new development:

- Outdoor Sport = 564.16m<sup>2</sup>
- Children's Informal Play Space = no financial contribution required as this is being provided on site
- Children's Equipped Play Space = 88.16m<sup>2</sup>

Therefore, based on costs for provision the commuted sum required are highlighted:

- Outdoor Sport = £6595.03
- Children Equipped Play Space = £3349.20
- Total Contribution = £9944.23

#### Infrastructure Policy

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development

consideration is given to the capacity within local schools to accommodate the anticipated number of children on the site. It is also important to consider the effect of the proposed development on the capacity of local schools. The cumulative impact of other developments in the schools' catchment areas is also taken into account when assessing whether an education contribution should be made. The Lifelong Learning Department of Anglesey Council have confirmed that no commuted sum is required in this instance.

### Agricultural Land

The proposed site lies on Grade 3b Agricultural Land which is classified as moderate quality'. Criterion 6 of Strategic Policy PS6 (Alleviating and Adapting to the Effects of Climate Change) notes that proposals must give full consideration to protecting the best and most versatile agricultural land. Best and most versatile (BMV) agricultural land is defined in Planning Policy Wales as Grades 1, 2 and 3a, this is excellent to good quality land which is able to best deliver the food and non-food crops. Since this site lies on Grade 3b land criterion 6 of Policy PS 6 is not applicable with this application.

### **Character of the area:**

At its core, one of the most fundamental consideration is whether this residential development is acceptable in respect of its design and layout is whether it can comply with the provisions of the JLDP and whether there are any other material considerations which must be taken into account. Policy PCYFF2, PCYFF3 and PCYFF4 are the primary consideration in assisting the proposal from this aspect.

The development is located adjoining the settlement of Benllech. Within this context, achieving the correct design and appearance is important and it is noted that a mixture of development are located within the vicinity. These include a mixture of single and two storey dwelling of various designs.

The proposed dwellings are considered acceptable in terms of their impact on the townscape which will acceptably integrate into the surrounding area. The proposed development includes a mixture of detached and semi-detached properties includes single and two storey dwellinghouses. It is considered that the proposed development will not harm the character of the area and reflect the relatively dense residential pattern of development within the immediate locality.

### **Effect upon the amenities of neighbouring properties:**

The impact of the proposal, in particular upon the amenity of nearby land users should be considered in accordance with the criteria as set out in Policy PCYFF2 of the JLDP. Specific consideration should be given to subsection 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupier of local residence or other land and property users.

Regard has been given in terms of overlooking / loss of privacy and the effect on the outlook of adjacent residential properties. As previously noted, the application will be served from the Craig y Don and Cherry Tree Close residential estates. Existing dwellinghouses are located along the northern and eastern boundary. Dwellinghouses are also located to the south, however agricultural land is located between these existing units and the application site. No significant difference in level is proposed as part of the development.

Plots 11, 12 , 13, 14, 15, 16 and 17 all adjoin the eastern boundary and therefore careful consideration is given to the amenities of the dwellinghouses located at Craig Y Don.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) requires a distance of 2.5 meters between dwellinghouses and boundaries. All of these dwellinghouses exceeds this distance, the shortest distance between plot 17 and the nearest exiting dwellinghouse being approximately 11 meters.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) SPG also requires a distance of 15 meters between secondary windows. The nearest proposed secondary window to an existing secondary window is at a distance of approximately 22 meters. This exceeds the guidance distance. In addition, a 1.8 high fence is proposed along the eastern boundary which will further aid against the impact upon the amenity of neighbouring properties.

Plot 1 also adjoins the eastern boundary and therefore careful consideration is given to the amenities of the dwellinghouses located at the Cherry Tree Close Estate. There is a distance of approximately 19 meters between the closest existing dwelling at Cherry Tree Close and the dwellinghouse at Plot 1.

A bedroom window is located on the eastern elevation of Plot 1 which is approximately 23 meters from the nearest dwelling house. A maximum distance of 15 meters is required within the SPG between secondary windows. The dwelling house is in compliance with guidance distances within the SPG. In addition, a 1.8 meter high green screen fence will be located along the eastern boundary.

Dwellinghouses are also located to the north and south part of the application. However, given the ample distance between the proposed units and the existing dwellinghouses together with position of an open space and agricultural land between the units, it is not considered the proposed development will have an unacceptable impact upon the amenities of those properties.

It is not considered that the proposed development will have a detrimental impact upon the nearby dwellinghouses or future occupants of the proposed affordable units. Conditions will be attached to any permission to including measures to mitigate against the impact during the construction phase.

#### **Local Highways Authority:**

The application site will be accessed the application from the both the Craig y Don and Cherry Tree Close residential estates. Estate roads will be constructed at the application site to serve the proposed dwellinghouses.

The Local Highways Authority have assessed the application and are satisfied with the proposed development subject to conditions which are proposed as part of their recommendation.

#### **Drainage:**

Indicative drainage plans and a drainage strategy has been submitted as part of the application.

The proposed development will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work. Notwithstanding the SAB approval, a condition will also be attached to any planning permission to ensure that the proposed development will be made satisfactory in term of drainage and its impact upon the Wildlife Site.

#### **Ecology:**

The application site is located within a designated Local Wildlife Site, Cors Efail Newydd. The Cors Efail Newydd Wildlife Site was identified by North Wales Wildlife Trust and later formally designated as a local designation as part of the JLDP being classes as a '*naturalness*'. A preliminary Ecological Appraisal has been submitted with the application.

Policy AMG 6 of the JLDP ensures that proposals that are likely to cause direct or indirect significant harm to Wildlife Sites will be refused, unless it can be proven that there is an overriding social, environmental and/or economic need for the development, and that there is no other suitable site that would avoid having a detrimental impact on sites of local nature conservation value or local geological

importance. If a development is granted, it will be necessary to ensure that here are appropriate mitigation measured in place.

The Wildlife Site is approximately 57,959 square meters. The part of the application site which is located within the Wildlife Site is 7,847 metres square, approximately 13.5%.

The wildlife site is not currently being managed, and as such losing quality. Following undertaking surveys of the land, some areas of the Local Wildlife Site which will to be lost to the proposed development were found of being lesser ecological interest and the likelihood of any rare species in this area is certainly low. The remaining part of the Wildlife Site is more of a marshy grassland with more potential than the area of land subject to the application.

The Local Authority have no power available to enforce any retention or management of the site and as such the Wildlife Site may continue to deteriorate without any intervention. Although a relatively small proportion of the wildlife Site will be lost as part of the residential development, significant mitigation and enhancement measures in terms of management action and prescriptions for the lifetime of the development are being proposed which are suitable to form the basis of long term Conservation Plan. These measures include managing willows, conservation grazing and effective monitoring by vegetation surveys and reports.

As previously noted there is an identified need in Benllech for affordable dwellinghouses with no alternative sites within the development boundary which can be delivered in a reasonable timescale to address the need. Given due weight to this fact together with the mitigation and enhancement measures being proposed which will improve the un managed Wildlife Site, on balance it is considered there is an overriding social need for the proposed development. In addition, surface water from the proposed development will be directed in a controlled rate to an existing watercourse within the Wildlife Site. This will increase the wetness of the Wildlife Site which would be favourable to the ecological status of the site. There are currently no other sites for similar development therefore it is considered there is no other suitable available site that would avoid having a detrimental impact on sites of local nature conservation value or local geological importance.

Although outline management measures have been submitted, a full and comprehensive management plan to ensure appropriate mitigation and enhancement measures will be secured through a legal agreement to ensure that the works are carried out throughout the lifetime of the development.

#### **Area Of Outstanding Natural Beauty (AONB):**

The application is located within the designated AONB. Policy AMG 1 of the JLDP ensures that proposal within or affecting the setting and / or significant views into and out of the AONB must, whether appropriate, have regard to the AONB Management Plan.

The primary objective for designating AONBs is to conserve and enhance the natural beauty of the landscape. It is crucial that any development schemes that affect the AONB or its setting favours the safeguarding of an area's natural beauty.

Policy PS 19 states that the Council will manage development so as to conserve and where appropriate enhance the Plan area's distinctive natural environment, countryside and coastline, and proposals that have a significant adverse effect on them will be refused unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area in question.

As the site lies adjacent to the settlement with limited views from public viewpoints and where views are available, the propose development would be seen in the context of existing dwellings. Consequently it is considered that there would be a neutral effect on natural beauty as perceived from the main highway and Public Rights of Way (PRoW), conserving this characteristic of the AONB in relation to these views. A

short portion of low hedgerow will be removed and although it provides limited screening, it will be replaced in a suitable landscaping scheme.

It is considered there would be neutral effects on natural beauty from the proposal due to the lower sensitivity of the inward views - screening off-site would be unaffected. It is considered that appropriate details of the externally visible elevations and landscaping on the boundary (secured through conditions) would ensure greater conformity with AONB requirements.

The AONB is currently bounded by residential curtilages. The existing dwellings are predominantly white in colour, whilst the proposed dwelling are a darker colour. It is considered that the darker colour of brick, windows and door included within the new proposed dwelling could provide a better and more sympathetic edge of the settlement in comparison to the existing form of development. It is also considered that adequate landscaping of the boundary will aid mitigate against the proposed development and provide an improved and enhance new defined boundary between the built form of development and the open countryside. It is considered that the new boundary will create a clear definitive edge around the new development which will make it tougher to encroach further into the AONB.

#### **Other matters:**

Consultees including Gwynedd Archaeological, Drainage / Welsh Water, Natural Resources for Wales, Environmental Health have all provided comments with respect to the proposed development. Conditions will be attached to the permission accordingly.

#### **Conclusion**

The application is acceptable in policy terms and will provide affordable housing within Benllech. Although the application is located within a Wildlife Site and the Area of Outstanding Natural Beauty, on balance and given due consideration to the mitigation and enhancement measures being proposed it is considered that the proposed development is acceptable and will deliver an identified need of affordable dwellinghouses in Benllech which cannot be delivered on other sites within the development boundary.

The details with respect to highway matters have been assessed and considered acceptable. Given due consideration to distances between existing properties and the character of the area, the proposal is considered acceptable subject to conditions and will not detrimental harm the amenities currently enjoyed by the occupants of the surrounding properties or future occupiers to such a degree as to warrant refusal of the application.

#### **Recommendation**

Permit the application subject to conditions and a section 106 agreement to include the affordable housing, ecological enhancement measures and contribution towards open space.

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

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

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

- Location Plan 18-226-SP-01 Rev B**
- Gable Elevation – 4B6P-404 Rev C**
- Gable Elevation – 4B6P-403 Rev B**
- Rear Elevation – 4B6P-402 Rev B**

- Front Elevation – 4B6P-401 Rev C
- First Floor Plan – 4B6P-202 Rev B
- Ground Floor Plan – 4b6p-201 Rev B
- Roof Plan – 4B6P-203 Rev C
- First Floor Plan – 4B6P-102 Rev B
- Ground Floor Plan – 4B6P-101 Rev B
- Gable Elevation 2 – 3B5P-404 Rev C
- Gable Elevation 3B5P-403 Rev C
- Rear Elevation – 3B5P-402 Rev C
- Front Elevation – 3B5P-401 Rev C
- First Floor – 3B5P-202 Rev C
- Ground Floor – 3B5P-201 Rev C
- Roof Plan – 3B5P-203 Rev C
- First Floor – 3B5P-102 Rev C
- Ground Floor – 3b5p-101 Rev C
- Gable Elevation 2 – 3B5PDC-404 Rev B
- Gable Elevation – 3B5PDC-403 Rev A
- Rear Elevation – 3B5PDC-402 Rev B
- Front Elevation – 3B5PDC-401 Rev A
- First Floor Plan– 3B5PDC-202 – Rev B
- Ground Floor Plan – 3B5PDC-201 – Rev B
- Roof Plan – 3B5DC-103 Rev B
- First Floor Plan - 3B5PDC-102 Rev B
- Ground Floor Plan 3B5PDC-101 Rev B
- Side Elevation – 3B5PB-404 Rev B
- Rear Elevation – 3B5PB-403 – Rev B
- Side Elevation – 3B5PB-402 Rev A
- Front Elevation – 3B5PB-401 Rev B
- Ground Floor Plan – 3B5PB-201 Rev A
- Roof Plan – 3B5PB-102 Rev B
- Ground Floor Plan – 3B5PB-101 Rev B
- Gable Elevation – 2B4P-404 Rev C
- Gable Elevation – 2B4P-403 Rev C
- Rear Elevation – 2B4P-402 Rev B
- Front Elevation – 2B4P-401 Rev B
- First Floor Plan – 2B4P-202 Rev C
- Ground Floor Plan – 2B4P-201 Rev C
- Roof Plan – 2B4P-103 Rev C
- First Floor Plan – 2B4P-102 Rev C
- Ground Floor Plan – 2B4P-101 Rev C
- Proposed Site Layout Overall Masterplan – 18C226-SP03-1 Rev F
- Proposed Site Layout – 18-226-SP03-2 Rev F
- Proposed Site Layout (Sheet 2) – 18-226-SP03-3 – Rev F
- Proposed Site Layout Landscape and External Works – Sheet 1 – 18-226-SP04-1 Rev E
- Proposed Site Layout Landscape and External Works – Sheet 2 – 18-226-SP03-3 Rev E

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

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

Reason: In the interest of residential amenity

**(04) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to and**

**obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.**

Reason: To prevent pollution to the water environment.

**(05) Prior to the construction of the dwellings hereby approved details of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: to ensure better integration of the proposal on the AONB boundary as required in PCYFF 3, PCYFF 4 and AMG 1

**(06) All planting in the approved details of landscaping (contained in Landscape and External Works plans 18-226-SP03-3 Revision E and 18-226-SP04-1 Revision E) shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.**

Reason: to ensure establishment of planting proposed on the AONB boundary as required in PCYFF 4 and AMG 1

**(07) No development shall commence until full details for reasonable avoidance measures (RAMS) for various protected species as outlined with the Preliminary Ecological Appraisal (Etive Ecology Ltd) is submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be completed in accordance with the approved detail.**

Reason: In the interest of protected species.

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

**b) A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork.**

Reasons: 1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2018 and TAN24: The Historic Environment.

2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

**(09) The proposed 1.8 meter-high fence as and as delineated on the submitted plan (dawning reference – Proposed Site Layout 18-226-SP03-2 Rev F & 18-226-SP03-3 – Rev F) shall be erected before the units hereby approved are occupied. The fencing shall not be removed at any time. If the fencing needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position.**

Reason: In the interest of residential amenity

**(10) The access shall be laid out and constructed strictly in accordance with the submitted plan before any of the dwellings are occupied and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.**

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

**(11) The estate road(s) and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey' (copies of this document are available free on request from the local planning authority).**

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

**(12) The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the application site whichever is the sooner.**

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

**(13) 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 of the access.

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

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

**(15) No development shall commence until plans are submitted and approved by the Planning Authority showing details of the following:**

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

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

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

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

**occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.**

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

**(17) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include;**

**(i) The routing to and from the site of construction vehicles, plant and deliveries.**

**(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**

**(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**

**(v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**

**(vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**

**(vii) The arrangements for loading and unloading and the storage of plant and materials;**

**(viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

**The construction of the development shall be completed in accordance with the approved plan.**

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

**(18) No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, include an assessment of the potential to dispose of surface and land water by sustainable means and a maintenance and management plan for the sustainable drainage scheme and its impact upon the Cors Efail Newydd, Local Wildlife Site. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.**

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

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

Reason: In the interests of amenity

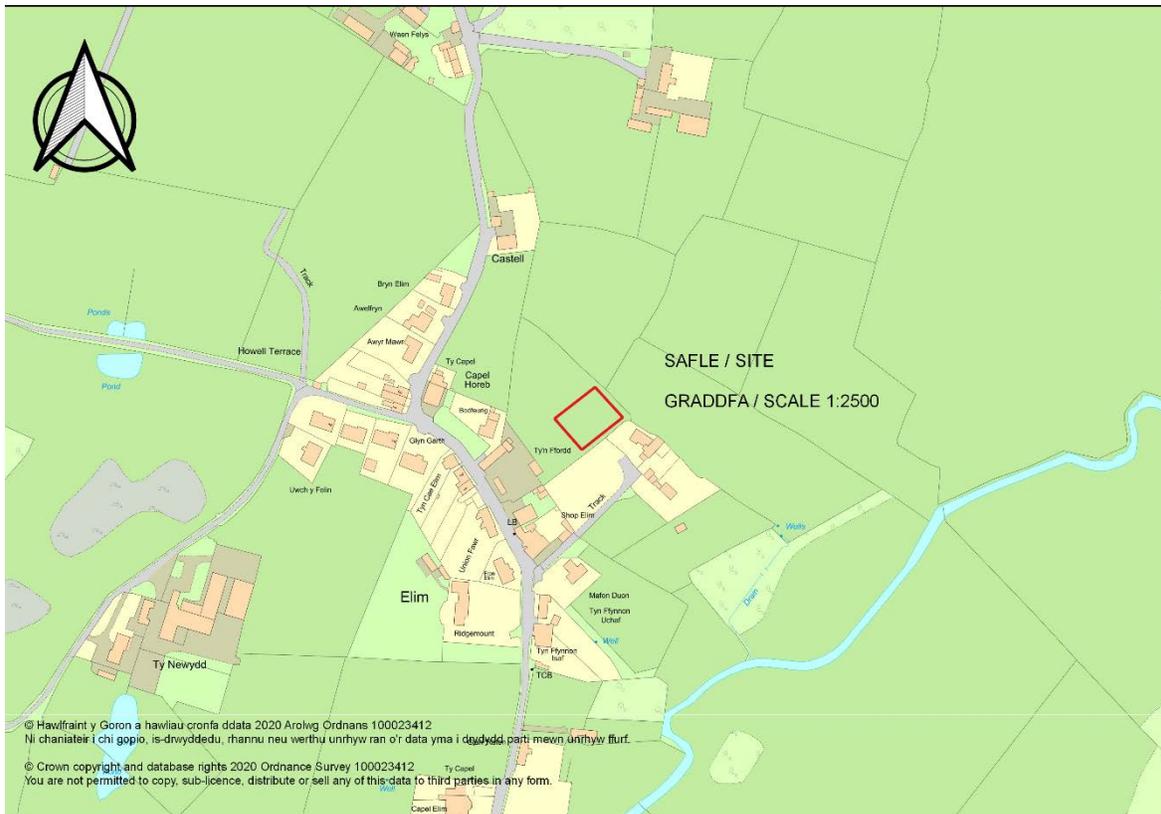
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: 47C151B

Applicant: Ms Stephanie Booth

Description: Full application for the erection of six 5 meter high floodlights for the manege at

Site Address: Ty'n Ffordd, Elim



### Report of Head of Regulation and Economic Development Service (Owain Hughes)

**Recommendation:** Permit

#### Reason for Reporting to Committee

The application has been called in by the Local Councillor due to concerns from the proposed lighting to the nearby residential dwellings.

At its meeting held on the 7th October, 2020 the Committee resolved to refuse the application contrary to officer recommendation. The recorded reasons being as follows:

- Impact on the neighbouring properties
- Impact on the locality
- Impact on the dark skies

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

#### **-Impact on the neighbouring properties and on the surrounding amenities.**

Planning Policy PCYFF 2 states that planning application will be refused where the proposed development would have an unacceptable adverse impact on the light pollution. As part of this planning application, a Lux plan was submitted which shows the position of the lights at the manege and the surrounding area. Environmental Health Department have been consulted as part of this application where it was confirmed that relevant conditions will be required in order to prevent any potential issues that may arise once the floodlights are in place and operational. It is considered that the development complies with planning policy PCYFF 2 of the Joint Local Development Plan.

#### **-Impact on the dark skies**

At the time of writing this report, Anglesey does not have an official dark sky status. Nonetheless, this application was consulted with the Dark Skies officer who confirmed:

*The area of Elim due to its rural remoteness and low population is a very desirable area to view and appreciate dark skies and therefore any intrusive and obtrusive night lighting will have an adverse effect on the quality of the dark sky. There is also the potential adverse impact on wildlife to consider when installing and operating lighting. If the proposed development is granted planning permission, the following needs to be taken into account to offer as much protection to the dark sky as possible:*

*1) The lighting should be positioned in a way that they are facing down thus causing minimal light spillage.*

*2) A Planning condition that the lighting for the manege should be turned off when not in use.*

As per above, conditions have been imposed to ensure that the floodlights will point downwards towards the manege.

It is considered that the proposed development complies with the relevant planning policies subject to the conditions imposed on this decision to ensure that the proposed floodlights will not impact to the neighbouring properties, the surrounding amenities and the dark skies.

#### **Conclusion**

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

## Recommendation

**(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) Prior to the commencement of any works for the erection of the floodlights, a 2 metre featherboard fence shall be erected shown along the line marked A-B on the location plan dated 04/04/2018 on the application file. The 2 metre fence shall thereafter be retained for the lifetime of the development. Any replacement fence shall be of the same height and materials and in the same location as that shown A-B on the location plan dated 04/04/20218**

Reason: In the interests of amenity

**(03) The floodlights shall only be illuminated when the manege is in use between the 1<sup>st</sup> of November to 28<sup>th</sup> of February and between the hours of 17.00 and 20.00 only and at no other times or dates. If the manege is not used during these hours, the floodlights shall be turned off.**

Reason: In the interest of residential and wildlife amenity

**(04) Notwithstanding the details and information contained and submitted under planning reference 47C151B, the proposed floodlighting shall be installed and maintained so that the floodlights are shrouded to direct the light emitted downwards so that no light spills outwards and upwards. If the flodlighting needs to be replaced/changed for whatever reason the replacement floodlights shall be of the same height, type, specification and in the same location as those they replace.**

Reason: In order to protect the amenities of the neighbouring properties and surrounding landscape

**(05) The proposed lighting system shall be installed as per the lighting design report, as submitted for the proposal, Ref RD19001MB dated 18.01.19, and that at no time shall light intrusion into windows of any neighbouring residence, exceed the Light intrusion into windows light limit, of 5 Ev ( lux) vertical illuminance, which is the lighting design standard guidance provided by the Institute of Lighting Engineers Environmental Zone 2.**

Reason: In the interest of residential amenity.

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

- Location Plan Dated 04/04/2018
- Elevation Plan
- Report APS 20/20 Lighting Solutions Dated 29/01/2020
- Details of Cree CFL Series
- Design and Access Statement
- Report Fitzgerald LUX plan: Project Number RD19001MB Dated 18/01/2019

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF2, PCYFF 3

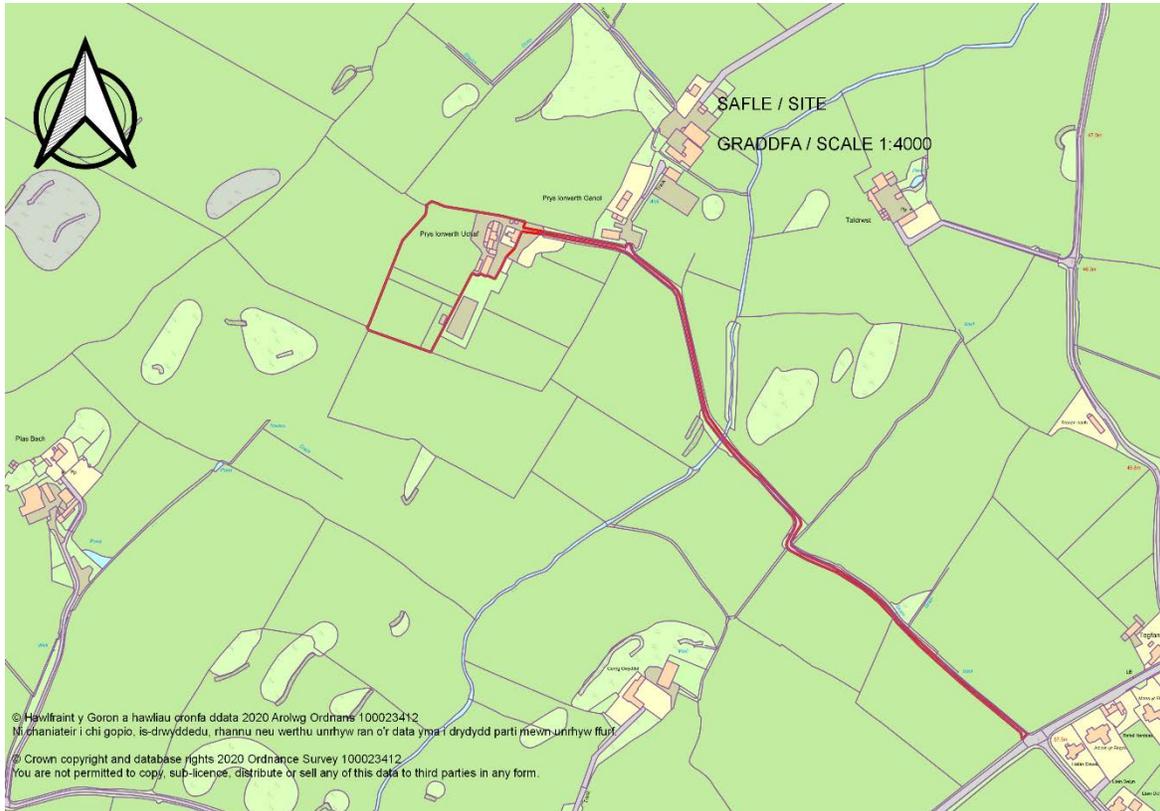
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/45

Applicant: Mr & Mrs Hogan

Description: Full application to increase the number of touring caravans (an extra 23) from 15 to 38 on the site at

Site Address: Talli Ho, Prys Iorwerth Uchaf, Bethel, Bodorgan



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

Recommendation: Permit

#### Reason for Reporting to Committee

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

At its meeting held on the 7th October, 2020 the Committee resolved to refuse the application contrary to officer recommendation. The recorded reasons being as follows:

- The site is not in a sustainable location.
- Overprovision of such development in the area.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution." Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

### **-Sustainability.**

Criteria 5 of Policy TWR5 states that sites should be close to the main highway network. Access to the site is gained via the B4422 and it is considered that the application complies with this criteria. A bus stop is located 0.69km away from the application site with a good variety of public rights of way in the immediate area. It is considered that the application site is in a sustainable location and meets the required Strategic Policy PS4 of the Joint Local Development Plan.

### **-Overprovision of caravan sites in the area**

The application site has an extant permission for a 15no touring caravans and is therefore is an application to increase the number of touring caravans within the same application site. Over-provision of caravan sites is not a consideration of Policy TWR5 and consideration must therefore be made to the criteria of Policy TWR5.

It is considered that the proposal complies with the criteria of Policy TWR5.

### **Conclusion**

In summary the proposal to increase 15 seasonal caravan pitches to 38 seasonal caravan pitches aligns with material policies and is acceptable having weighted the material considerations described in the report.

### **Recommendation**

**(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) All planting in the approved details of landscaping (contained in plan reference TH-01 Proposed Landscape Scheme August 2020) shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.**

Reason: In order that the proposal integrates into its surroundings as per requirements of PCYFF 4.

**(03) No development shall take place until a travel plan for the development has been submitted to and approved in writing by the local planning authority. The site shall be operated in accordance with the approved document for the lifetime of the development.**

Reason: In the interests of highway safety.

**(04) The site shall be used for the siting of no more than 38 touring caravans (to include motorhomes) between 1<sup>st</sup> March and 31<sup>st</sup> October in any year. No tented camping shall be permitted on the site.**

Reason: To define the scope of this permission

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

- **Location Plan**
- **Proposed Landscaping Scheme Received 4/9/20**

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

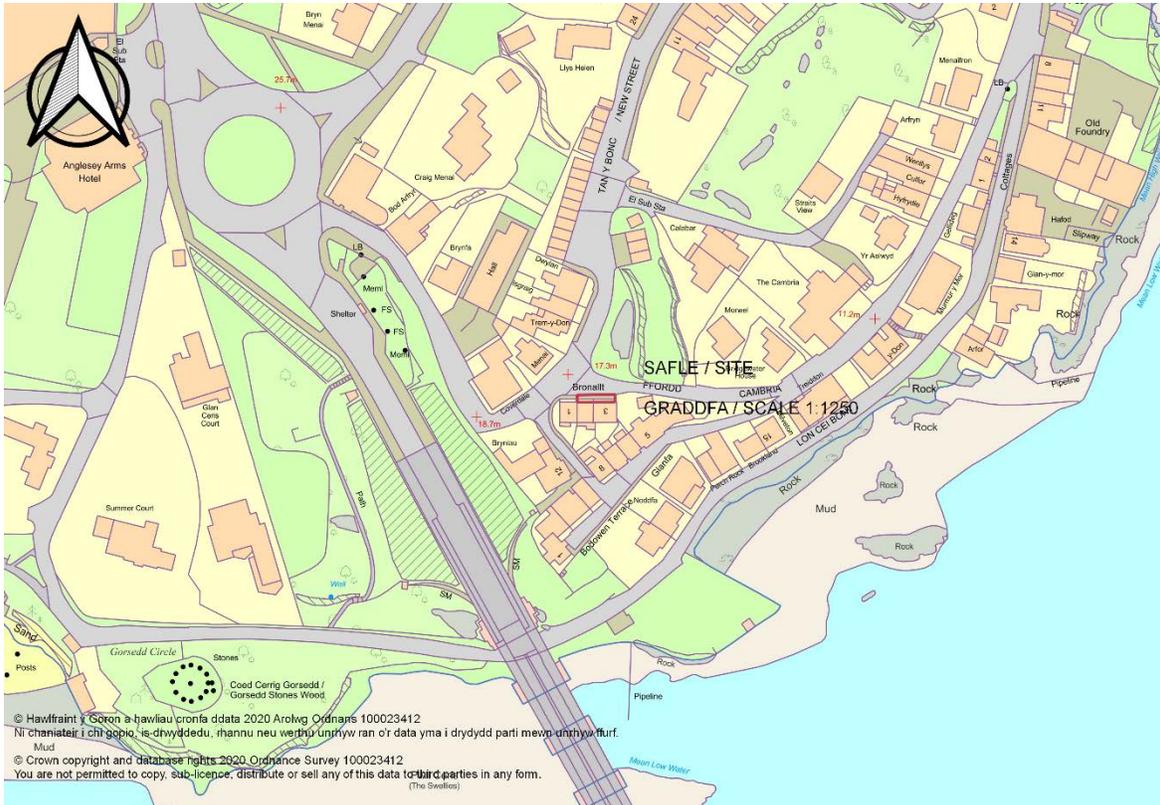
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/92

Applicant: Mr M Altab

Description: Full application for the creation of 2 parking spaces at

Site Address: 3 Bronallt, Ffordd Cambria Road, Porthaethwy / Menai Bridge



**Report of Head of Regulation and Economic Development Service (Joanne Roberts)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

At the request of the Local Member, Councillor Robin Wyn Williams.

At the meeting held on the 7th October 2020, members resolved to visit the site. The virtual site visit took place on the 21st October 2020 and members will now be familiar with the site.

**Proposal and Site**

The proposal involves the formation of 2 parking spaces located to the front of 3 Bronallt, Cambria Road, Menai Bridge.

The application site is located at the western end of Cambria Road within the development boundary of the Local Service Centre of Menai Bridge and within the designated Conservation Area.

### Key Issues

The key issues are whether the development is in compliance with local and national planning policies and whether it is acceptable in terms of highway safety and impact upon the character and appearance of the designated conservation area.

### Policies

#### Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 1: Development Boundaries

Planning Policy Wales (Edition 10, December 2018)

Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

Policy AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

#### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Alun Wyn Mummery	No response at the time of writing the report.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No ecological comments.
Cynghorydd Meirion Jones	No response at the time of writing the report.
Cynghorydd Robin Wyn Williams	Request that the application be referred to the Planning and Orders Committee for determination and objection on the grounds that it will set a precedent for similar developments in the area where parking is a problem. There is local concern regarding the loss of a large section of the pavement fronting Bronallt and the creation of 'private' parking spaces.
Cyngor Tref Porthaethwy / Menai Bridge Town Council	Strong objection to the removal of pavement thus forcing people to walk on the highway. It will also set a precedent for similar developments in the area.
Ymgynghorydd Treftadaeth / Heritage Advisor	The existing boundary walls appear to be in poor condition and are of low architectural or historic interest. Consequently, as the walls do not appear to make a significant contribution to the character and appearance of the Conservation Area their removal may provide an opportunity to enhance the Conservation Area.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	The highways Authority has no objection to this proposal in principal. The existing footway cannot be extended and therefore any pedestrians using this footway are forced to step out onto the highway in any instance to carry on walking.

	<p>Having the footway in this location and no parking area is resulting in vehicles being parked adjacent the footway causing additional hazards on the highway as the vehicles are parked along the junction causing vehicles travelling along the highway to manoeuvre around them in an unsatisfactory manner with reduced visibility. The proposal will create space for 2 parked vehicles to be removed from the highway and therefore create a safer space for vehicles to pass with greater forward visibility.</p>
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The application was afforded two means of publicity. These were the posting of personal notification letters on the occupiers of the neighbouring properties and the publication of an advert in the local press. The latest date for the receipt of representations was the 10/09/2020. At the time of writing this report, 10 representations had been received and the main points are summarised below:

- The footpath exists for the safety of pedestrians and its removal would force pedestrians to walk in the road to pass / Assessment of the acceptability of the proposal is included in the main planning considerations section below.
- Although traffic speeds are generally low, traffic approaching from the bridge do so around a blind bend. / Noted, however the section of pavement nearest the junction and bend to the front of 1 Bronallt is to remain.
- It is claimed that traffic parked on the road outside 3 Bronallt means that there is only a narrow gap left for vehicles exiting Cambria Road, this is not the case and there is sufficient width. / Assessment of the acceptability of the proposal is included in the main planning considerations section below.
- No notification of the application has been displayed in the area / The application has been publicised in accordance with statutory requirements.
- The front gardens of the property are narrow, entry to the properties will be obstructed by parked cars.
- If allowed, it will set a precedent for similar proposals elsewhere. / Assessment of the acceptability of the proposal is included in the main planning considerations section below.
- It has been implied that the pavement is in disputed ownership, if this is the case how can there be grounds for a planning application / Ownership of the pavement is unknown, not in dispute. In any case issues relating to ownership are not material to the assessment and determination of planning applications provided that statutory requirements have been met. In this case the applicant/agent has provided the appropriate ownership certificate and placed an advertisement in the press.

### **Relevant Planning History**

FPL/2019/101 - Full application for the subdivision of the existing dwelling into two dwellings together alterations and extensions which includes balconies at - 3 Bronallt, Porthaethwy/Menai Bridge - Permit 03/10/2019

VAR/2020/34 - Application under Section 73a for the variation of condition (04) (Approved Plans) of planning permission reference FPL/2019/101 (Subdivision of dwelling) so as to form an inclined parapet to the front elevation of the existing flat roof in lieu of the gable extension previously approved at 3 Bronallt, Porthaethwy/Menai Bridge - Permit 25/08/2020

### **Main Planning Considerations**

The application is submitted for the creation of 2 parking spaces to the front of 3 Bronallt, Cambria Road, Menai Bridge.

Policy PCYFF 1 of the Joint Local Development Plan states that proposals within development boundaries will be approved in accordance with other policies and proposals of the plan, national planning policies and other material planning considerations.

The application site is located within the development boundary of the Local Service Centre of Menai Bridge and therefore accords with the provisions of policy PCYFF 1.

Policy PCYFF 2 requires that proposals demonstrate compliance with relevant development plan policies and national planning policy and guidance.

There is no off-street parking associated with the property and vehicles currently park on the highway to the front of the dwellings.

The provision of the parking area is acceptable in principle and it is therefore a question of whether the proposal is acceptable in relation to highway considerations and impacts upon the character and appearance of the designated Conservation Area.

The highways department have been consulted on the proposal and have raised no objection noting that the existing footway cannot be extended and that pedestrians are therefore forced to step out onto the highway to continue walking. They further note that the presence of the footway in this location with no dedicated parking provision means that vehicles are parked on the highway adjacent to the footway causing additional hazards on the highway as vehicles are parked along the junction between Cambria Road and New Street causing vehicles travelling along the highway to manoeuvre around them in an unsatisfactory manner with reduced visibility.

The proposal will create space for 2 parked vehicles to be removed from the highway and therefore create an overall safer space for vehicles to pass with greater forward visibility.

The highways department have also highlighted that notwithstanding that the footway is not within the ownership of the local authority it is nevertheless adopted by the highway authority and consequently if permission is granted the applicant will need to apply to the Welsh Government for a Stopping Up Order under Section 247 of the Town and Country Planning Act 1990. When an order has been made and the rights of the highway abolished, the land will return to the owner, whoever that may be. If no owner can be recognised, it will more than likely transfer under '*ad medium filium*'. The *ad medium filium* rule is a rebuttable boundary presumption that an owner of land which abuts either a public or private highway, or a non-tidal river or stream also owns the soil of a highway, or the bed of a river or stream, up to the centre or mid point.

The objections to the loss of a section of the footway are noted, however this is a relatively short section of isolated footway and is in fact the only section of pedestrian footway along the entire length of Cambria Road. Traffic speeds in the area are low, particularly on the approach to the junction and it is not considered that its loss will give rise to a significantly increased risk to pedestrian or highway safety.

Concerns have also been raised that the proposal will set a precedent for similar applications in the area where private, off street parking at a premium, nevertheless applications must be assessed and determined on their own merits.

A response has also been received from the Conservation Officer whom has commented that the existing boundary walls appeared to be in a poor condition and are of a low architectural or historic interest. Consequently, they do not make a significant contribution to the character and appearance of the designated Conservation Area and that their removal may provide an opportunity to enhance the Conservation Area. The proposal is therefore considered to accord with the provisions of policies PS20 and AT1 of the JLDP.

## Conclusion

The proposal is considered to be acceptable and it is not considered that the proposal will have a detrimental impact upon pedestrian or highway safety or upon the character and appearance of the designated Conservation Area.

## Recommendation

**(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 car parking accommodation shall be completed in full accordance with the details as shown on drawing reference OBS-2018-057-PD001 before the use hereby permitted is commenced and thereafter retained solely for those purposes.**

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

**(03) No development shall commence until a surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development.**

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

**(04) 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:**

- **Proposed Parking Drawing: OBS-2018-057-PD001**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF1, PCYFF2, PS20, AT1

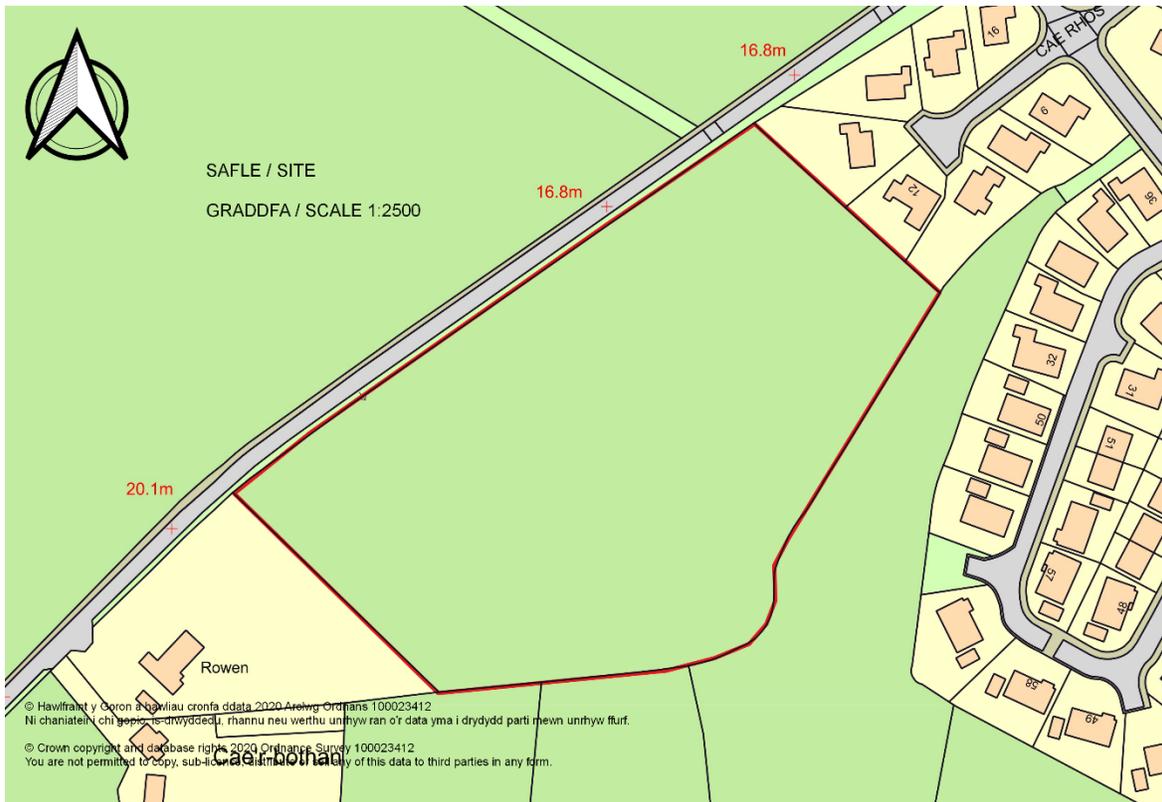
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference: 19C1231**

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

**Description:** 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:** Permit

**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.

Following the consideration of the planning application in the September planning committee an addendum to the Transport Assessment was submitted which proposed that a Traffic Regulation Order for a one way street requiring that vehicles are only permitted to travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road. This additional information was consulted upon and advertised in September 2020.

## **Key Issues**

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

## **Policies**

### **Joint Local Development Plan**

Joint Local Development Plan

PS 1: Welsh Language and Culture

ISA 1: Infrastructure Provision

ISA 5: Provision of Open Space in New Housing Developments

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable Development

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

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping  
PCYFF 4: Design and Landscaping  
PCYFF 6: Water Conservation  
TAI 1: Housing in Sub Regional Centre & Urban Service Centres  
TAI 8: Appropriate Housing Mix  
TAI 15: Affordable Housing Threshold & Distribution  
AMG 1: AONB Management Plans  
AMG 3: Protecting and Enhancing Features and Qualities that are distinctive to the local Landscape Character  
AMG 5: Local Biodiversity Conservation  
PS 19: Conserving and where appropriate Enhancing the Natural Environment  
PS 20: Preserving and Where Appropriate Enhancing Heritage Assets  
AT 4: Protection of Non Designated Archaeological Sites and their Setting

Planning Policy Wales (Edition 10 December 2018)

Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)  
Technical Advice Note 5 (TAN): Nature Conservation and Planning (2009)  
Technical Advice Note Wales TAN 11 Noise (1997)  
Technical Advice Note (TAN) 12: Design (2016)  
Technical Advice Note (TAN) 15: Development and Flood Risk (2004)  
Technical Advice Note (TAN) 18: Transport (2007)  
Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017)  
Technical Advice Note (TAN) 24: The Historic Environment (2017)

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

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

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

Cynhorydd Glyn Haynes: No observations received.

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

Cynhorydd John Arwel Roberts: No observations received.

Cynhorydd Robert Llewelyn Jones: No observations received.

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

In relation to the addendum to the Transport Assessment proposing a Traffic Regulation Order for a one way street concerns are expressed as follows:

- Is the land behind Mountain View being offered for resident car parking by the developer?
- The residents of Mountain View, Hendy Terrace, Porthdafarch Road, Old Station Road, Maes y Brenin and Arthur Street should be notified individually of the possible one way system as opposed to site notices posted.
- The main concern is that Large Goods Vehicles will not be able to manoeuvre around the junction of Arthur Street and Porthdafarch Road as there are cars parked around the junction and monitoring enforcing any restrictions will be a problem.

• Possible traffic problems when vehicles turn right from Kingsland Road onto Arthur Street. Arthur Street is also narrower in some parts.

Cyngor Tref Caergybi / Holyhead Town Council: Objects due to the impact that this will have on traffic management in this area and the impact it will have in Porthdafarch Road/Kingsland area which is presently experiencing difficulties in traffic flow being highly congested by parked cars. Also at the present time there is only one side of the road at Parthdafarch Road where there is a pavement for pedestrians and the width of the road is quite narrow on this stretch of road.

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 so as to inform their recommendation. 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.

At the September Planning Committee it was reported that the Highways Section had withdrawn their objections and were recommending conditional permission. The conditions recommended included a requirement for a Traffic Regulation Order "TRO" for a one way street requiring that vehicles only travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road and a requirement that the developer funds the costs of the TRO process and works.

Having considered the representations received on the addendum proposing a one way system it is confirmed that the Highway Authority's stance on this application has not changed. If the Planning and Orders committee again resolve to approve this application then they too will need to approve the TRO's that will be required before any development commences.

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

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

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

Cyfoeth Naturiol Cymru / Natural Resources Wales: Does not object but the following comments are made in relation to the appropriateness of the landscaping and boundary treatment. No issues were raised in relation to protected species and it was not considered that the proposal was likely to have a significant effect on the Special Area of Conservation "SAC" or the Special Protection Area "SPA" at

Glannau Ynys Cybi (because the application site is not under suitable management for choughs and is adjacent to existing developments).

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

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

Llywodraeth Cymru (Prifffyrdd) / Welsh Government (Highways): No direction and this has also been confirmed in relation to the addendum to the Transport Assessment proposing a Traffic Regulation Order for a one way street.

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

At the time of writing a re-consultation is taking place with all consultees in relation to the addendum to the Transport Assessment proposing a Traffic Regulation Order for a one way street.

The planning application has been advertised as a major planning application on four 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.

The addendum to the Transport Assessment proposing a Traffic Regulation Order for a one way street is currently being advertised with a press notice, site notices and individual notification letters. As part of this publicity process a number of site notices were posted along the northern end of Porthdafarch Road, Kingsland Road and Arthur Street. The publicity period will expire on the 08.10.20. A 6 objections were received on the following grounds:

- Houses are not in keeping with Cae Rhos.
- Traffic issues at Porthdafarch Road.
- Difficulty of walking to facilities etc along Porthdafarch Road due to traffic.
- Houses likely to be used as holiday homes enough holiday homes exist. Queried whether sale for holiday homes can be restricted.
- Only 4 affordable houses are being provided.
- Plenty of houses already for sale.
- Insufficient GP capacity.
- Impact of the houses on council tax.
- Impact on wildlife notably badgers.
- Contended that the previous resolution to approve was based on a lack of local knowledge and was poorly informed.
- Difficulties for traffic in turning down Arthur Street due to the congestion and restricted width of Kingsland Road due to on street parking.
- Inconvenience and dangers to existing residents walking, using public transport and motor vehicles being more difficult taking longer due to congestion.
- Difficulties in turning at Arthur Street due to width and congestion would impact on traffic along Kingsland Road.
- Impact of traffic in terms of noise dust etc. on the amenities of occupants of Arthur Street.
- Proposal will reduce the on street car parking areas available along Porthdafarch Road and Arthur Street. Residents already park at the entrance of Tan yr Efail. Any new parking areas will be distant from residences.
- Impact on Large Goods Vehicles, emergency vehicles and holiday traffic especially on the left turn from Arthur Street.
- Likely to increase traffic using Mill Road which is unsuitable for Large Goods Vehicles, dangerous for residents
- Application led by profit.
- Not seen an official impact report on traffic along Porthdafarch Road.
- Noted that the applicants are offering £73, 000 towards Kingsland School.
- Lots of other residential developments in Holyhead queries why this development is necessary on a greenfield site.

- Queries whether residents along Porthdafarch Road have been notified of the planning application.

### **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.

At the September planning committee the Highway Authority withdrew their objection to the planning application and it was resolved to approve the planning application. Following the receipt of legal advice the council subsequently requested that the applicant's formally submit their proposal for a one way system along Porthdafarch Road and these details are currently being consulted and publicised. An update on these matter will be provided at the planning committee.

At the October Planning Committee the planning application was deferred to allow the council's Highways Department time to consider the representations made in relation to the addendum to the Transport Assessment proposing a Traffic Regulation Order for the one way streets to the north of Porthdafarch Road and at Arthur Street.

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. It is clarified that there is no offer for a car park is being offered by the applicant as part of measures below.

At the September planning committee the Highway Authority withdrew their objection to the planning application and it was resolved by the planning committee to approve the planning application. The council's Highways Section withdrew their objection conditional upon a requirement for a Traffic

Regulation Order "TRO" for a one way street requiring that vehicles only travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road. From Kingsland Road vehicular access south along Porthdafarch Road then will only be permitted via Arthur Street which is already one way only south towards Porthdafarch Road. An addendum to the Transport Assessment has been submitted as part of the planning application which proposes TRO for this one way system and this has been consulted and publicised as part of this planning application. An update will be provided at the planning committee. Having taken into account the further representations and consultations received the council's Highways Section have re-affirmed their recommendation of approval. Welsh Government (Highways) who responsible for the junction 1 of the A55 adjacent to the junction of Porthdafarch Road and Kingsland Road have also confirmed that they have no objections to the proposals.

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. As part of the statutory TRO process there will be a separate TRO consultation with local members, Holyhead Town Council and local residents. A legal agreement requiring that the developer funds the costs of the TRO process and works has been recommended as part of any planning permission granted.

It is recommended that planning permission is approved conditional upon the TRO for the one way system being secured, which means that it is approved and implemented. In accord with the comments of the council's Highways Section if the TRO is not secured then the planning condition will prevent the development being implemented.

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.

Residential Amenity 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.

Objections have been received on the basis that the one way streets along the north of Porthdafarch Road and Arthur Street will have an unacceptable impact on the amenities of residents living along these streets. It is not considered that the amount of traffic generated from the development subject to this report would generate significant traffic such that it would impact on the residential amenity of these residents and lead to a recommendation of refusal. The indication from the comments of the council's Highways Section and objections received that there is existing traffic problem along these streets which may already affects the amenities of occupants living in the area. Any proposal which mitigates these

existing problems can be attributed positive weight in the assessment of this planning application in terms of improving residential amenity. As explained previously residents of the streets affected by any potential Traffic Regulation Order will also be consulted again as part of the separate statutory process required under the highways act to designate a TRO.

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 972m<sup>2</sup> of equipped play space is to be provided and 1450m<sup>2</sup> of open space and the JPPU have confirmed that this meets the requirements of the policy.

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

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

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

## **Conclusion**

The application site is allocated for residential purposes in the JLDP and all matters except highway considerations have been resolved some time back as reported previously to the planning committee. The Highway Authority have now withdrawn their previous objections to the proposal subject to the requirements for a TRO as described in the report.

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

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

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more prosperous and resilient Wales in terms of the economic and biodiversity improvements being proposed as part of the development. In addition given that affordable housing will be secured as part of the proposal it is considered that the proposal will result in a more equal and cohesive Wales.

## **Recommendation**

Subject to the expiry of the notification and consultation periods on the 08.10.20 and no representations being received which raise new material considerations that delegated powers are granted to officers to grant planning permission subject to the completion of a legal agreement containing the following obligations:

Affordable Housing – Provision of 4 two bedroom affordable housing units to be sold as such on the open market or to a Registered Social Landlord (Plots 29, 30, 31 and 32).

Open Space – Provision of 972m<sup>2</sup> of equipped play space (including full details of equipment to be provided) and 1450m<sup>2</sup> of open space. Details of the maintenance and long term management of these areas including associated boundaries shall be approved by the Local Planning Authority prior to their use.

Education - A financial contribution of £73, 542 towards providing educational provision at Ysgol Kingsland.

Traffic Regulation Order "TRO" – The developer is responsible for undertaking a pre-order consultation and submitting this information along with full design details of the TRO required under planning condition (24) to the Highways Authority. The Highways Authority will then submit the order and we will arrange for it to be put in place, if approved. The developer will be liable to pay the costs of the TRO and this is a sum to be agreed when a final design has been submitted and agreed.

Thereafter that planning permission is granted subject to the following planning conditions:

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.

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

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

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

Location/ Block Plan Existing 1461-A3-01

Location/ Block Plan Existing 1461-A3-02

House Type A (Gogarth) Proposed Elevations 1461-A3-03

House Type A (Gogarth) Proposed Ground Floor Plan 1461-A3-03

House Type A (Gogarth) Proposed First Floor Plan 1461-A3-05

House Type B (Piscar) Proposed Elevations 1461-A3-06

House Type B (Piscar) Proposed Floor Plan 1461-A3-07

House Type D Proposed Elevations 1461-A3-08

House Type D Proposed Ground & First Floor Plan 1461-A3-13

Typical cross section through Road/ boundary wall 1461-A3-13

Location/ Block Plan Proposed 1461-A3-14

Proposed Landscape Strategy Plan 2019048/LSP/01  
Reptile and Breeding Bird Survey (January 2020) Egniol  
Technical Note (14 June 2019) SCP  
Technical Note (14 September 2020) SCP  
Design and Access and Planning Statement (November 2019) Cadnant Planning  
Habitat Assessment four Choughs (September 2018) Egniol.

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

(03) If contamination is encountered in the implementation of the development hereby approved it shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the Local Planning Authority. The relevant parts of the application site shall thereafter be remediated in accordance with the scheme of remediation approved under the provisions of this planning condition.

Reason To ensure that any contaminants present have been remediated to safeguard occupants and users of the development.

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

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

(05) No development shall take place until details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. The proposed development shall be constructed with the approved slab and ground levels.

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

(06) No development shall commence until full details of all external materials (including roofing materials) and finishes (which shall include such details for all building(s)), Hard Landscaped Areas, engineering operations and all other works associated with the development) which shall include colours, construction details (where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The details approved under this condition shall be implemented in full and adhered to in the completion of the development hereby approved. Hard Landscaped Area means drives, paths and other permeable or hard surfaced areas.

Reason: In the interests of visual amenities of the locality and to conserve and enhance the Area of Outstanding Natural Beauty.

(07) The provisions of Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded on plots 1, 2, 3 and 4.

Reason In the interests of the amenities of the existing residential properties in proximity.

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

dwelling(s) to which it relates and it shall thereafter be retained in the lifetime of the development hereby approved and any replacement wall or fencing shall be to an equivalent specification.

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

(09) Notwithstanding the plans hereby approved no development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

(a) A Landscaping Scheme for the development hereby approved which provides for the retention of existing trees, hedges and retention/provision of landscape areas/features identified as mitigation, compensation and enhancement in the Reptile and Breeding Bird Survey (January 2020) Egniol. The Landscaping Scheme to be submitted shall show the proposed planting including species, size and their density and distinguish trees, hedges and other existing landscape areas/features to be retained showing where applicable their species, spread and maturity together with measures for protection in the course of the development hereby approved.

(b) A Management Plan which includes a method statement and detailed measures for the maintenance and monitoring of the Landscaping Scheme approved under the provisions of 10(a).

The Landscaping Scheme and Management Plan to be approved in writing under the provisions of this planning condition shall be implemented not later than the first planting season following the occupation of the development hereby approved or its completion, whichever is the sooner. The provisions of the Management Plan shall where applicable under the provisions of the scheme to be approved in writing under 10(b) above be maintained for the lifetime of the development hereby approved.

Reason In the interests of the visual amenities of the area and to secure an ecological enhancement.

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

Reason In the interests of the visual amenities of the area and biodiversity.

(11) No development shall commence until a Construction Environmental Management Plan "CEMP" has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include general environmental provisions relating to the construction of the development and, as a minimum, shall include detail of:

The sustainability of the construction methods to be employed;

Full specification(s) of external lighting (if any)

Working hours during the construction

Dirt and dust control measures and mitigation

Noise, vibration and pollution control impacts and mitigation;

Water quality and drainage impacts and mitigation.

Precautionary reasonable avoidance measures "RAMS" for protected species.

Existing hedge and tree protection measures.

Height, specification and colour of safety all fencing and barriers to be erected in the construction of the development hereby approved.

Monitoring and compliance measures including corrective/preventative actions with targets in the CEMP which shall accord where relevant with British Standards.

The development hereby approved shall be undertaken in accordance with the approved CEMP.

Reason: To safeguard against any impact the construction of the development may have on the environment, landscape, local ecology and local amenity.

(12)

a) No development (including trial pitting, topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development hereby shall be carried out and all archaeological work completed in strict accordance with the details as may be approved in writing by the Local Planning Authority.

b) A detailed report on the archaeological work, as required by condition 13 (a), shall be submitted to and approved in writing by the Local Planning Authority within twelve months of the completion of the archaeological fieldwork.

Reasons: 1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2016 and TAN24: The Historic Environment. 2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

(13) The development hereby approved shall not commence until the Local Planning Authority have approved in writing a scheme of works which shall be based on a topographical survey in respect of the following:

- i. The re-alignment and reinstatement of stone walls along the frontage of the application site to provide visibility splays of 2.4 metres by 70 metres either side of the proposed vehicular access to the development from the public highway.
- ii. Provision of a minimum 2 metre pedestrian footway long the whole frontage of the application site and thereafter from the proposed vehicular access of the development hereby approved to the existing pavement at the existing vehicular entrance to the Cae Rhos estate.

No other part of the development hereby approved shall commence until those works to be approved in writing under the provisions of (i) and (ii) of this planning condition have been implemented and completed.

Reason To provide adequate inter-visibility between the vehicular access of the development and the existing public highway and to minimise danger and inconvenience to users of the highway and the development. Also to conserve and enhance the Area of Outstanding Natural Beauty.

(14) The vehicular access to the development hereby approved shall be constructed with 2.4 metre by 70 metre splays on either side.

Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway of the public highway shall be permitted at any time.

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.

(15) The vehicular access to the development hereby approved 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.

(16) The vehicular access to the development hereby approved shall be constructed with its gradient not exceeding 1 in 20 for the first 5 meters back from the nearside edge of the adjoining carriageway of the public highway.

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

(17) The vehicular access to the development hereby approved shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the public highway.

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

(18) No surface water from the development shall discharge onto the public highway. No development shall commence until full design details for the surface water drainage of the development have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved scheme has been implemented and is fully operational.

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

(19) No development shall commence until plans have been submitted to and approved in writing by the local planning authority showing full specifications of the following:

- longitudinal and cross section through the service road showing the proposed road levels relative to the existing and proposed ground levels.
- the surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.
- the location and the type of highway street lighting furniture.

The development hereby approved shall be completed in accord with details to be approved under the provisions of this planning condition.

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

(20) The estate road(s) and its access shall be designed and constructed in accordance with 'Residential Road Adoption requirements, Anglesey' (Copy enclosed with this decision notice).

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

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

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

(22) The commencement of the development shall not take place until there has been submitted to and approved in writing by the local planning authority a Construction Traffic Management Plan "CTMP". The CTMP shall include;

(i) The routing to and from the site of construction vehicles, plant and deliveries.

(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;

(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;

(v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;

(vi) The arrangements to be made for on-site parking for personnel working on the construction of the development hereby approved and for visitors;

(vii) The arrangements for loading and unloading and the storage of plant and materials;

(viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

The construction of the Development shall be completed in accordance with the approved CTMP.

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

(23) The dwelling(s) hereby approved shall not be occupied until the car parking space(s) for those dwelling(s) have been completed. The car parking spaces(s) shall be retained for these purposes in the lifetime of the development hereby approved.

Reason: To ensure that the development does not result in any road / parking problems.

(24) No development shall commence until a Traffic Regulation Order "TRO" for a one way street requiring that vehicles only travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road has been secured by the Local Highway Authority.

Reason To mitigate the additional traffic generated by the proposed development which would be detrimental to the free flow of traffic and road safety.

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: PS 1, ISA 1, ISA 5, PS 4, TRA 2, TRA 4, PS 5, PS 6, PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, PCYFF 6, TAI 1, TAI 8, TAI 15, AMG 1, AMG 3, AMG 5, PS 19, PS 20, AT 4.

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:** 04/11/2020

**10.1**

**Application Reference:** VAR/2020/49

**Applicant:** MARED ROBERTS

**Description:** Application under Section 73A for the variation of condition (01) of planning permission reference 17C278A (Erection of a dwelling) so as to amend the design of the dwelling at

**Site Address:** Bron Heili, Lon Ganol, Llandegfan



## Report of Head of Regulation and Economic Development Service (Joanne Roberts)

**Recommendation:** Permit

### Reason for Reporting to Committee

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

### Proposal and Site

The application site is located in the open countryside, on the outskirts of the Local Village of Llandegfan.

The application is submitted to vary conditions of previous safeguarded permissions so as to allow for amendments to the design of the dwelling.

## Key Issues

The key issue is whether or not the proposed amendments are acceptable.

A fallback position exists (extant consent) however, the subsequent change in policy following the adoption of the Joint Local Development Plan (JLDP) is a material factor which must be taken into account.

## Policies

### Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture  
Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
Strategic Policy PS 2: Infrastructure and Developer Contributions  
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 6: Water Conservation  
Policy PCYFF 5: Carbon Management  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts  
Policy ISA 1: Infrastructure Provision  
Policy TAI 4: Housing in Local, Rural & Coastal Villages  
Strategic Policy PS 17: Settlement Strategy  
Planning Policy Wales (Edition 10, December 2018)  
Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)  
Technical Advice Note 12: Design (2016)  
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Carwyn Jones	No response at time of writing report.
Cynghorydd Lewis Davies	No response at the time of writing the report.
Dwr Cymru Welsh Water	No comments.
Ymgynghoriadau Cynllunio YGC	Comments.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection/comments.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	The design of the proposed dwelling should be considered against the 'fall-back' position in relation to the dwelling that could be built on the site and whether this proposal would provide for a better designed dwelling on the site.
Cyngor Cymuned Cwm Cadnant Community Council	No observations providing that it is not in breach of previous planning conditions and that it complies with the current planning policies.

Cynghorydd Alun Roberts	No response at the time of writing the report.
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The application was afforded three means of publicity; these were by the posting of a notice near the site, the serving of personal notifications on the owners of neighbouring properties and an advert in the local press. The latest date for receipt of representations as 22/10/2020.

At the time of writing the report, no representations had been received at the Department following the publicity period.

### Relevant Planning History

17C278 - Demolition of the existing dwelling together with the erection of a new dwelling on the site at Bron Hauli Farm, Cichle Hill, Llandegfan - Granted - 9.7.1997

17C278A - Erection of one, two storey dwelling at Bron Heili farm, Llandegfan - Granted - 5.7.2004

### Main Planning Considerations

The principle of a dwelling has already been established in this location under planning permissions 17C278 and 17C278A. The planning permission is safeguarded by virtue of the fact that the development has been commenced and is therefore extant.

However, since the adoption of the Joint Local Development Plan, Llandegfan is now identified as a Local Village with a defined development boundary under policy TAI 4 of the JLDP. The development site is outside the development boundary and therefore in the open countryside and where any new dwelling must therefore accord with Planning Policy Wales and Technical Advice Note 6: Planning for Sustainable Rural Communities and which requires there to be a proven need for a 'rural enterprise dwelling'.

The application is made under Section 73A and relates to an approved open market dwelling house and is therefore contrary to development plan policies.

However, as the application has extant consent, the following must be considered:

- Is there a likelihood that the existing planning permission can be implemented.
- Are the amendments to the permission an improvement to that previously approved.

The permission has been implemented and it is therefore a question of whether the proposed amendments represent an improvement to the scheme previously approved.

There is no proposed amendments to the siting of the dwelling or any significant change to the footprint or overall scale of the dwelling. The amendments relate primarily to the design and will provide for a dwelling of a more modern/contemporary design to that which was approved in 2004.

The proposed amendments are therefore considered to be acceptable and represent an overall improvement to the previously approved plans.

### Conclusion

The application is contrary to Policy TAI 4 of the JLDP; nevertheless a fallback position exists as the site benefits from an extant permission which has been implemented.

The proposed amended design is considered to be acceptable and an overall improvement to the scheme previously approved and it is not considered that the development will have an unacceptable impact upon the character and appearance of the area or the amenities of neighbouring properties.

## Recommendation

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

Reason: To ensure that the development is in the interests of amenity.

**(02) No further development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.**

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

**(03) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.**

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

**(04) Full details of all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the local planning authority before any work on the site is commenced.**

Reason: In the interests of visual amenity.

**(05) 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:**

- **Proposed Site Plan: 2799:20:3**
- **Proposed Floor Plans, Elevations and Section: 2799:20:4**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF5, PCYFF6, PS1, PS2, PS4, PS5, PS6, PS17, TRA2, TRA4, ISA1, TAI4.

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.

Planning Committee: 04/11/2020

12.1

Application Reference: FPL/2020/154

Applicant: Cyngor Sir Ynys Mon

Description: Full application for the erection of a steel staircase and viewing platform on the north east tower at

Site Address: Eglwys St. Cybi Church, Caergybi / Holyhead



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

Recommendation: Permit

### Reason for Reporting to Committee

The planning application is submitted by the Isle of Anglesey County Council.

### Proposal and Site

The planning application relates to the north eastern tower at St Cybi's Church yard. St Cybi's Church is a grade 1 listed medieval church. The tower and walls comprise part of a former Roman Fort which are designated as a Scheduled Ancient Monument "SAM". The application site is within the Holyhead conservation area.

The proposal entails the installation of a freestanding cor-ten steel (this is weathering steel which is burnt orange in colour) staircase and platform. The purpose is to allow visitors to view the Roman fort and the wider area. There will also be alterations to the existing metal gate at the entrance and mesh will be installed to prevent littering of the base of the tower.

### **Key Issues**

- Impact on the SAM
- Impact on Listed Building and Settings
- Impact on the Conservation Area
- Relationship with its Surroundings

### **Policies**

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

Anglesey and Gwynedd Joint Local Development Plan (2017)

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

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 1 Conservation areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.

Planning Policy Wales Edition 10 "PPW"

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

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

Technical Advice Note (TAN) 13: Tourism (1997) "TAN 13"

Technical Advice Note (TAN) 24: The Historic Environment (2017) "TAN 24"

IOCC Design Guide for the urban and Rural Environment (2008) "SPG Design Guide"

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

Cyfoeth Naturiol Cymru / Natural Resources Wales: No objections. Noted that there is no information on protected species and assume that this has been screened out. Informatives recommended as regards waste.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: The works (including any vegetation clearance) should avoid harm/ disturbance to nesting birds, and be carried out following appropriate checks, or done September-mid February to avoid the nesting season. This advice is in view of protection of active nests in law. Works should also be mindful of possible presence of other wildlife such as amphibians.

Cynghorydd Glyn Haynes: No observations received.

Cynghorydd Robert Llewelyn Jones: No observations received.

Cyngor Tref Caergybi / Holyhead Town Council: No objection.

Ymgynghorydd Treftadaeth / Heritage Advisor: The proposed works are contained within the tower which forms part of the grade I listed Walls of upper churchyard (Cadw LB Ref 5415 and SAM Ref AN031). The proposed development has been carefully designed so as to allow a clearance between the staircase/platform and the tower walls thus significantly reducing any possibility of damage to the Nationally important Roman tower. The proposals also provide a public benefit by ensuring safe public access to a National Monument.

In my opinion, the proposals would not have an adverse impact on the setting of any of the adjacent listed buildings that include:

St Cybi's Church (Grade I)  
Capel y Bedd (Grade II)  
Lower Churchyard Walls and Gateway (Grade II)  
Stanley House (Grade II)  
The Captain's Table (Grade II)

Additionally, as the proposals are contained within the Tower, they would not have an adverse impact on the character and appearance of the Conservation Area or views into or out of it.

In my opinion, the proposals adhere to the criteria of JLDP Policies PS 20 and AT1.

Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service: There is the potential for archaeological impact. The staircase is a freestanding structure that the application documents state has a 75mm clearance from all surfaces of the tower. This is commendable as it likely avoids any harmful impact on the fabric of the structure itself. The only contact point for the structure is four padded stilts that sit atop the base. The avoidance of ground-disturbing works in this instance is ideal as it prevents any disturbance of surviving sub-surface archaeology.

Any archaeological evaluation or mitigation will come under scheduled monument consent, and therefore falls outside the remit of GAPS. Any such works are to be determined and monitored by Cadw. Despite this, our recommendation would be that a) any clearance works required in order to install the staircase should be monitored by an archaeological contractor, and b) prior to the installation of the staircase a full and proper record should be made of the tower – preferably using an enhanced technique such as laser scanning. Both will ensure that the tower is safeguarded against any alterations to the tower that occur (even indirectly) over the span of the staircase's installation or usage.

Cadw Consultations: We have no objections to the proposed development on the scheduled monument listed in our assessment of the application below. The proposed works are inside the northeast tower which is part of scheduled monument AN031 Roman Wall Surrounding St Cybi's Churchyard. All of the works will be inside the boundaries of the scheduled monument and therefore scheduled monument consent will be required for this development and an application for this has been submitted. In principle Cadw does not object to this development and the positive determination of this application: However as the proposed works are entirely inside the boundaries of the scheduled monument there is no need for any conditions to protect the archaeological resource to be attached to any consent that is granted to this application as they will duplicate ones attached to the scheduled monument consent (see the advice given in section 3.6 of Welsh Government Circular 016 2014 Use of Conditions).

The planning application was advertised with individual notification letters and press notice was published given that the planning application is in a conservation area. The publicity period expired on 07.10.20 and no observations have been received at the time of writing.

### **Relevant Planning History**

No material planning history.

## Main Planning Considerations

**Introduction** The purpose of this proposal is to provide access to a SAM and as per the comments of the council's Conservation Officer this provides a public benefit which can be attributed positive weight in the assessment of this planning application. Additionally the north west towers is located close to the town centre and it is considered that the facility is considered appropriate in this context as it would increase the range of destinations available in and around the centre of Holyhead. It is also located close to public transport facilities and there is a public car park immediately adjacent. For these reasons it is considered that the proposal aligns with national guidance which broadly encourages proposals which enhance the vitality and viability of town centres and sustainable development.

**Setting of the Scheduled Ancient Monument's "SAM's" & Archaeology** When considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains. The council's Heritage Adviser confirms that the development has been carefully designed to reduce the possibility of damage to the SAM, additionally the proposals provide safe public access to the SAM.

CADW are the statutory consultee and confirm that they have no objections to the proposal and on this basis it is considered that the policy requirements are met.

GAPS make recommendations as regard archaeological excavations but as explained in CADW's comments as the proposed works are entirely inside the boundaries of the SAM there is no need for any conditions as this would duplicate ones attached to any scheduled monument consent granted.

**Listed Buildings and Settings** The north east tower is a SAM and a Listed Building and it is understood that Listed Building Consent will not be required as scheduled monument consent takes precedence. Nevertheless in determining this planning application it is material that

PPW states that that there is a general presumption in favour of the preservation of a listed building and its setting, further for development proposals affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building and its setting. The council's Heritage Adviser does not consider that proposal will likely damage the listed building or have an adverse impact on the setting of any of the adjacent listed buildings and on this basis the policy and statutory requirements in relation to listed buildings are considered to be met.

**Conservation Area** The proposal subject to the enquiry is located within the Holyhead Conservation Area. In determining planning applications there is a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation or its setting in statutory and policy terms. The council's Heritage Adviser advises that the proposal is largely contained within the tower and as such it would not have an adverse impact on the character and appearance of the Conservation Area or views into or out of it, on this basis the policy and statutory requirements in relation to conservations areas are considered to be met.

**Relationship with its Surroundings** Policies PCYFF 2 (Development Criteria) and PCYFF 3 (Design and Place Shaping) are material in assessing the relationship of the development with its surroundings and in relation to adjacent land used. The viewing platform would afford some views towards the rear of 4 and 3 Land's End. These properties abut the north eastern tower but at a significantly lower level on Victoria Road. Views of the rear of these properties are already available from the car park above and at the rear (Swift Square).

Number 4 Land's End is a three storey residential property which a dormer at second floor level. The rear amenity area is very limited and provides access to the rear of the properties as opposed to being garden or amenity area. The proximity, significant height difference and the angle of any views available from the platform towards these dwellings means that overlooking of the rear of these properties will be limited.

Given these considerations it is not considered that the proposal would unacceptably impact the residential amenities of occupants of these dwellings.

## **Conclusion**

The proposal is considered to meet the policy and statutory requirements for the heritage designations as well as being a positive, appropriate and sustainable development in this edge of town centre location.

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

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more prosperous and resilient Wales in terms of the economic and biodiversity improvements being proposed as part of the development. In addition given that affordable housing will be secured as part of the proposal it is considered that the proposal will result in a more a Wales of more vibrant culture and potentially more prosperous.

## **Recommendation**

That planning permission is GRANTED subject to the following planning 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: PCYFF 2, PCYFF 3, AMG 3, AMG 5, PS 19, PS 20, AT 1.

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

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

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

(Location Plan) Promap V2 100022432

General Arrangement As Existing 012220 CCE V1 XX 40:40:01 C 20 0001 S0 04

General Arrangement As Proposed 012220 CCE V1 XX 40:40:01 C 20 0002 S0 05

Typical Details 012220 CCE V1 XX 40:40:01 C 20 0003 S0 06

Heritage Impact Assessment (July 2020) Cadnant

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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