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**CYNGOR SIR
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ISLE OF ANGLESEY
COUNTY COUNCIL**

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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 7 EBRILL, 2021 am 1:00 y. p.	WEDNESDAY, 7 APRIL 2021 at 1.00 pm
CYFARFOD RHITHIOL	VIRTUAL MEETING
Swyddog Pwyllgor	Ann Holmes 01248 752518 Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

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

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

A g e n d a

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

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

MEMBERS OF THE COMMITTEE

Councillors:-

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

INDEX the link to the Public Register is given for each individual application as shown

1 APOLOGIES

2 DECLARATION OF INTEREST

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

3 MINUTES OF THE PREVIOUS MEETING_(Pages 1 - 10)

To present the minutes of the previous meeting of the Planning and Orders Committee held on 3 March, 2021.

4 SITE VISITS_(Pages 11 - 12)

To present the minutes of the virtual site visits held on 17 March, 2021.

5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED

None to be considered by this meeting.

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

7 APPLICATIONS ARISING_ (Pages 13 - 38)

7.1 FPL/2021/7 – Prysan Fawr, Bodedern

https://ioacc.force.com/s/papplication/a1G4H00000NCZRtUAP/fpl20217?language=en_GB

7.2 FPL/2020/164 –Lleiniog Cottage, Penmon, Beaumaris

https://ioacc.force.com/s/papplication/a1G4H00000MiUpVUAV/fpl2020164?language=en_GB

7.3 FPL/2020/247 – Y Bryn Estate, Llanfaethlu

https://ioacc.force.com/s/papplication/a1G4H00000NB0iuUAD/fpl2020247?language=en_GB

8 ECONOMIC APPLICATIONS

None to be considered by this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None to be considered by this meeting.

10 DEPARTURE APPLICATIONS_ (Pages 39 - 54)

10.1 VAR/2020/57 Ty Newydd Bach, Llanfaelog

https://ioacc.force.com/s/papplication/a1G4H00000MinhDUAR/var202057?language=en_GB

10.2 VAR/2021/8 – Bryn Felin, Newborough

<https://ioacc.force.com/s/papplication/a1G4H00000NCdyCUAT/var20218?language=cy>

10/3 VAR/2021/11 – Ty Uchaf, Llangristiolus

https://ioacc.force.com/s/papplication/a1G4H00000NCgoXUAT/var202111?language=en_GB

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS_ (Pages 55 - 58)

11.1 HHP/2021/12 – Llain Farged, Ffordd Eleth, Moelfre

https://ioacc.force.com/s/papplication/a1G4H00000NCX1UUAX/hhp202112?language=en_GB

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.

12 REMAINDER OF APPLICATIONS_ (Pages 59 - 80)

12.1 FPL/2021/10 – Bron Castell, Llanfairynghornwy

https://ioacc.force.com/s/papplication/a1G4H00000MgwKXUAZ/fpl202110?language=en_GB

12.2 MAO/2021/1 – Coleg Menai, Llangefni

https://ioacc.force.com/s/papplication/a1G4H00000NCQzeUAH/mao20211?language=en_GB

12.3 MAH/2021/2 – 15 Coedwig Terrace, Penmon

https://ioacc.force.com/s/papplication/a1G4H00000NColfUAD/mah20212?language=en_GB

12.4 FPL/2020/191 – Rallt Gwta, Newborough

https://ioacc.force.com/s/papplication/a1G4H00000Mj6qgUAB/fpl2020191?language=en_GB

13 OTHER MATTERS

None to be considered by this meeting.

Planning and Orders Committee

Minutes of the virtual meeting held on 3 March 2021

- PRESENT:** Councillor Nicola Roberts (Chair)
Councillor Richard O 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),
Planning Officer (CR),
Senior Engineer (Highways Development Control)(EJ),
Legal Service Manager (RJ),
Committee Officer (MEH)
- APOLOGIES:** None
- ALSO PRESENT:** Local Members: Councillors Dafydd R Thomas (application
7.1); Margaret M Roberts and Ieuan Williams (application 7.2);
R Meirion Jones (application 7.3); Llinos M Huws (application
11.1); Alun Roberts (application 12.3).
- Councillors Bryan Owen and Bob Parry OBE FRAGS.

1 APOLOGIES

None received.

2 DECLARATION OF INTEREST

Councillor John Griffith declared a personal interest in applications 6.1 and 11.1.

3 MINUTES

The minutes of the previous virtual meeting of the Planning and Orders Committee held on 10 February, 2021 were confirmed subject to the amendment at Page 5 – application 7.2 – Councillor K P Hughes referred The Joint Local Development Plan has been adopted by this Council and opportunities to review the plan will not be possible for a number of years ...':-

- To delete the wording ‘..... number of years’
- To include ‘..... as far as making changes to the plan we have not reached the stage to do so’.

4 SITE VISITS

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

5 PUBLIC SPEAKING

There were public speakers in respect of applications 7.1 and 12.3.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 FPL/2020/247 – Full application for the erection of 9 dwellings together with associated works on land adjacent to Y Bryn Estate, Llanfaethlu

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

Having declared a personal interest in this application Councillor John Griffith did not take part in the discussion nor voting thereon.

The Development Management Manager reported on the location and nature of the application and it was recommend that the application site be visited.

It was RESOLVED to visit the site in accordance with the recommendation within the Officer’s report.

7 APPLICATIONS ARISING

7.1 FPL/2020/195 – Full application for alterations and extensions including decked area, associated works and mitigation measures at Sea Shanty Café, Lon St. Ffraid, Trearddur Bay

The application was presented to the Planning and Orders Committee as the application encompasses Council owned land.

Public Speaker

Mr Philip Brown (applicant) said that extending outdoor area three meters west is the slightly contentious element of the proposal. He noted that he would focus on that and hopefully reassure the Committee:-

1. The area of deck extension is modest and logical, it is more of a completion than an extension. It returns to us some (but by no means all) of the capacity we have lost through distancing tables.
2. The incursion into the sand dune is so small as to be technical rather than physical. Only 2.8 cubic meters of soily sand will need to be removed by hand and will be relocated on the eroded side of the dune.

3. The construction is made entirely of unpainted wood. No concrete or masonry of any kind is involved thus allowing unpolluted reversal of the scheme at any time.
4. The new area will allow five new tables of four, and one new table of six. A modest but very helpful addition to the facilities we offer and a pleasurable and sheltered new place for our customers to sit in safety.
5. The scheme will utilise a three meter strip of land currently unused and unkempt. It will turn a dead end service access path into a tidy outdoor area tastefully fitting into its environment. Our existing building demonstrates our expertise in this regard.
6. Lastly may we reassure you that this is NOT a 'foot in the door'. We will not return to you in a few years' time looking for another three meters. To do so would be inappropriate in every respect. Nobody understands this more than me.

We do not have to tell you how badly our industry and our country has been devastated by Covid. Since March last year, the Sea Shanty traded for only seven weeks. We have borrowed extensively to remain afloat and will have to endure closure for much longer than originally expected. None of our 71 staff have been made redundant and with your help, none will be. These proposals will assist us to repay loans, retain jobs, in our small way help to rebuild the local economy and restore the depleted public coffers. The scheme benefits everybody and for these reasons, we ask for, and believe we merit, your approval for this most logical and modest economic development scheme.

The Development Management Manager reported that the application is an extension to the café and the provision of a decked area which will extend to sand dunes nearby. The application is to provide additional outside seating areas to meet social distancing requirements due to the current pandemic so as to preserve the business and mitigate revenue loss. She said that the area is within a C2 flood risk area and with regard to TAN 15 policy tests, the development does not conform to all the required criteria. There are a number of local objections to the applications as regards to the loss of sand dunes together with concerns as regarding to flood risks. She noted that further letters of support have been received in respect of the application. The Development Management Manager further reported that the application was deferred at the last meeting of this Committee on ecological grounds, mitigation issues and the potential impact on lizards. The application will entail the loss of some of the sand dunes. She noted that discussions have taken place with the developer as regards to the development and full mitigation measures and ecological plan has been received and is acceptable to the statutory consultees. There is a statutory duty to protect and enhance local biodiversity and discussions have taken place to meet these ecological considerations. An updated addendum to the ecological report includes monitoring and enhancement measures in respect of sand dunes adjacent to the development which have also been included within the red line area of the application site which include the movement of sand and growth from within the decking area to improve the environment. There is an intention to erect a fence to control public access to the dunes as there are currently paths through the dunes that damages the

habitat. The Development Management Manager gave an update to the Officer's report that confirmation has been received that the applicant is the owner of the adjoining property and therefore condition 3 within the report will not be required. As there is no objection by NRW as regards to flood risks and ecological matter the recommendation is of approval of the application. However, the statutory consultation as regards to the amended ownership certificate, an addendum Flood Consequences Assessment and a Welsh Language Statement does not come to an end until 11 March, 2021 and she requested that the Officers be afforded power to act following the statutory consultation period.

Councillor Dafydd R Thomas, a local member said that the Trearddur Community Council has concerns and are objecting the application. He noted that the statutory consultees are in support of the application and that there will be no environmental damage to the dunes and the habitat of the lizards. Flooding is a concern in the Trearddur Bay area and a meeting was arranged between the Trearddur Community Council and the County Council and it is hoped that a meeting can be arranged with NRW in the future. Traffic issues are a concern in the area when deliveries are made to nearby shops and the café. Councillor Thomas expressed that the Welsh language needs to be enhanced at the café with regard to the menus, signage and their website. He noted that he supported the application.

Councillor John Griffith referred that the report states that the Ecological and Environmental Officer had concerns as to the loss of sand dunes and the potential effect on lizards. He also questioned whether NRW are in support of the application. The Development Management Manager responded that NRW and the Drainage Section have not submitted objections as only a minor part of sand dunes is to be removed and will not have a detrimental effect on flooding. She said that negotiations have taken place with the developer and the Ecological and Environmental Officer as regards to mitigation measures and these are acceptable. As part of the sand dunes are in the ownership of the local authority and the developer will need to lease that land.

Councillor T LI Hughes MBE and a local member expressed that there are local concerns as regards to the development and noted that the Trearddur Community Council is against the application. He said that there are car parking issues in the area and concerns as regards to flooding issues.

Councillor K P Hughes proposed that the application be approved and Councillor R O Jones seconded the proposal.

It was RESOLVED to approve the application and following the statutory consultation coming to an end and to grant Officer's power to act on the amended ownership certificate, an addendum Flood Consequences Assessment and a Welsh Language Statement

7.2 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 two Local Members. At the meeting on 13 January, 2021 the Committee resolved to visit the site. The virtual site visit subsequently took place on 20 January, 2021. At the meeting held on 10 February, 2021 the Committee resolved to refuse the application contrary to the Officer's recommendation.

Councillor Ieuan Williams, a local member said that it is important to note that since the last meeting the document 'Future of Wales' has been published and he referred to a paragraph within the document which notes '*.. we face a climate crisis that transforms our environment that transforms our environment and has a direct impact on our communities. We have an ecological crisis when decisions people make that damage eco-systems and species. We have suffered a global health pandemic and we must revive the economy in a sustainable way*'. He further said that the County Council adopted a Biodiversity Plan in January 2021 which entails that the local authority must act within the Environmental Act 2016 (Section 6) and the Authority must consider the effects on the natural environment. Councillor Williams further said that he believed that correspondence has been received from the developer which states that there are no other suitable sites in Benllech for such a development. He noted that within the Local Development Plan there were 11 candidate sites in the area of Benllech. This application is a nature zone and there are more appropriate site in Benllech for such a development. There would not be a requirement for a pumping station if the other candidate site had been chosen for development.

Councillor Margaret Roberts, a local member reiterated that she was supportive of affordable housing but this site is not suitable due to the nature of the site and there is duty of the Authority to safeguard wetlands/marsh land which is essential for wildlife habitat.

Councillor John Griffith referred to the Officer's report and correspondence by the applicant that the land of the application will deteriorate further and he questioned whether the land can be taken over to protect the wet marsh. Councillor Ieuan Williams responded that the Biodiversity Plan places duty of the Authority to protect these habitats.

The Development Management Manager reported that the application is for 17 mixed units of affordable housing on part of a local designated site in an AONB area. The site is a local designation of wildlife and at the last meeting correspondence was quoted that the land has been neglected over the years due to lack of management. The development site would be 13.5% of the designated site which is considered to be the poorest part of the land. A management plan would be required to ensure the future of the remaining site. She further said that whilst the land continues to deteriorate the planning authority does not have the authority to insist that it is managed appropriately. The application has been submitted as an exception site for affordable housing

and has been assessed and found acceptable in accordance with housing policies. Whilst developing the application a number of sites were identified but were not adopted nor offered to be included in the JLDP. There is a need for affordable housing in the area and there no other sites that comply with policies and the recommendation is of approval of the application.

Councillor Dafydd Roberts questioned whether the Biodiversity Plan is a planning consideration in assessing planning applications. The Development Management Manager responded that the Biodiversity Plan is considered within Part 6 of the Environment Act 2016 when considering applications. Councillor Roberts further said that part of a wildlife site would be lost as part of this application. Whilst it has been reported that the management plan would safeguard the rest of the land but questioned what assurance can be made to ensure that the land will be maintained and to ensure biodiversity and to protect the wildlife on the site and whether an annual report will be afforded on the management of the land. The Development Management Manager responded that a S106 legal agreement will ensure monitoring by vegetation surveys and a management plan and monitoring can be incorporated with planning conditions attached to any approval of the application.

Councillor K P Hughes said that there is a local need for affordable housing and the application complies with planning policies. Councillor Hughes proposed that the application be approved. Councillor Eric W Jones seconded the proposal as there is a need for affordable dwelling as noted within the planning policies.

Councillor Vaughan Hughes proposed to reaffirm the previous decision to refuse the application. Councillor Glyn Haynes seconded the proposal.

Following the vote and with the casting vote of the Chair:-

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

7.3 VAR/2020/66 – Application under Section 73 for the removal of condition (10) (Obscure glazed screen) of planning permission reference FPL/2019/134 (Erection of 8 apartments) at former Primary School, Pentraeth Road, Menai Bridge

The application was presented to the Planning and Orders Committee at the request of two local members.

The Development Management Manager reported that the application was refused at the last meeting contrary to the Officer's recommendation due to unacceptable overlooking to the neighbouring property. She noted that as part of the original application a planning condition was imposed that obscured glazed panels be erected on the first and second floor balconies on the western facing elevation of the application which forms part of apartments 6 and 8. The application is now to remove condition (10) to remove the need for obscured

glass. Photographs of the site was afforded to the Committee at the last meeting and the neighbouring property has now received planning approval to raise the height of their garage and this would decrease further overlooking and would create a screen. The recommendation continues to be one of approval of the application.

Councillor Robin Williams, and a local member said that he proposed at the last meeting that the application be refused and he does not agree that there is no overlooking. He further said that the developer is erecting obscured glass on the apartment above these two apartments. Councillor Robin Williams proposed to reaffirm the previous decision to refuse the application. Councillor K P Hughes seconded the proposal of refusal.

It was RESOLVED to reaffirm the previous decision to refuse the application.

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 FPL/2021/7 – Full application for the retention and completion of the agricultural shed together with the installation of a soakaway on land at Prysan Fawr, Bodedern

The application was presented to the Planning and Orders Committee as the applicant is related to a relevant officer as defined in paragraph 4.6.10.2 of the Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Having declared a personal interest in this application Councillor John Griffith did not take part in the discussion nor voting thereon.

Councillor K P Hughes and a local member requested a site visit to the application site so that the Committee can view the site and the effect on nearby adjacent Listed Buildings. Councillor Robin Williams seconded the proposal of a site visit.

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

12 REMAINDER OF APPLICATIONS

12.1 FPL/2021/1 – Full application for change of use of existing listed building into 4 social housing flats together with alterations and extensions at Plas Alltran, 3 Turkey Shore Road, Holyhead

The application was presented to the Planning and Orders Committee as the application has been submitted by the Local Authority.

The Development Management Manager reported that the application is to renovate the existing building into 4 social housing flats within a Grade II Listed Building. The building has been empty and disused for a number of years. The location of the building is within a prominent position near the port of Holyhead. She noted that there has been one letter of objection to the application but it is acceptable within its context and it is acceptable to the Holyhead Town Council. However, the site is partially within zone C2 where the creation of new, or increase in the provision of residential units is not acceptable in accordance with national planning policy. NRW has also submitted objections to the application and negotiations are continuing as regards to the application. The Development Management Manager further said that the creation of 4 flats is the minimum possible within the building. It is considered that this is a unique opportunity to restore the building. The development is considered acceptable subject to favourable negotiations with NRW in order to mitigate proposals before permission is granted.

Councillor T LI Hughes MBE said that the building needs to be brought back into use but there are concerns as regards to heavy traffic near the site.

Councillor Glyn Haynes said that this is a unique building and needs to be renovated. Councillor Haynes proposed that the application be approved. Councillor Robin Williams seconded the proposal of approval.

It was RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions contained within the written report once acceptable mitigation measures have been agreed to address objection by Natural Resources Wales.

12.2 LBC/2021/1 – Listed Building Consent for conversion of abandoned listed building into 4 social housing flats, demolition of part of the building and erection of extension in lieu together with external and internal works at Plas Alltran, 3 Turkey Shore Road, Holyhead

The application was presented to the Planning and Orders Committee as the application has been submitted by the Local Authority.

The Development Management Manager reported that the application is for Listed Building Consent as the local authority is the applicant.

Councillor K P Hughes proposed that the application be approved. Councillor T LI Hughes MBE seconded the proposal.

It was RESOLVED to refer the application to Welsh Government for Listed Building Consent.

12.3 FPL/2020/164 – Full application for conversion of the outbuilding into a holiday unit together with alterations and extensions thereto at Lleinio Cottage, Penmon, Beaumaris

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

Public Speaker

Mr Rhys Davies (applicant's agent) said this application relates to a change of use for the conversion of an outbuilding into a holiday unit together with alterations and extensions to Lleinio, Penmon, Beaumaris.

The committee reports that the main planning considerations are – whether the application conform to relevant policies in the local development plan and if the design acceptable as regards its design and look considering its listed status and location in a designated Area of Outstanding Natural Beauty.

Firstly, in this case, the main consideration is the effect of the development on the features and character of the listed building – by now the listed building permission has been approved for the work – by Anglesey County Council as the Planning Authority as well as CADW. It is clear that it is therefore an acceptable development from a listed building perspective. In considering other planning matters – a matter which is often raised on similar applications is if the development sustainable. In this case, the committee report confirms that the site is close to a bus stop. There is a direct path that goes from Lleinio to the centre of Llangoed. Also, the site is close to the Wales Coastal Path and other public footpaths that provide good connections with nearby settlements, the coast and the wider countryside. Therefore, the site is in a sustainable location as regards access to public transport, services and amenities. It must also be remembered that these buildings are of historical importance and without permission to be used as holiday units – it is likely that the building will deteriorate further. This application will bring an existing building back into use and will therefore safeguard and improve a listed building. Other applications are currently being considered at this site in Lleinio and we understand that the Community Council are concerned about other elements of the development. Generally, the site is in need of significant work in order to ensure the future of the listed buildings. The developer is discussing further issues with your Officer and we would be willing to meet virtually with the Community Council and Local Members to present the

general plans for the site if needed. In the meantime, I hope you can approve this application today in line with the listed building permission that has already been granted.

Councillor Alun Roberts, a local member said that this site is of local concerns and he requested that a site visit be undertaken to the site. He noted that this is part of numerous works on the site and the site needs to be looked at as a whole. He noted concerns regarding traffic dangers on the access road and possible flooding. The road is not adequate for traffic to and from the site. The building is listed and in an Area of Outstanding Natural Beauty. There are currently negotiations with the Enforcement Officer and the developer regarding aspects of the development on the site.

Councillor John Griffith proposed that the site be visited and Councillor T LI Hughes MBE seconded the proposal.

It was RESOLVED to visit the site at the request of a local member for the reasons given.

13 OTHER MATTERS

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

**COUNCILLOR NICOLA ROBERTS
CHAIR**

PLANNING SITE VISITS

Minutes of the Virtual meeting held on 17 March, 2021

- PRESENT:** Councillor Nicola Robert (Chair)
- Councillors John Griffith, Glyn Haynes, T LI Hughes MBE, K P Hughes, Dafydd Roberts,
- IN ATTENDANCE:** Development Management Manager (NJ),
Development Management Team Lead (DPJ),
Senior Planning Officer (JR),
Senior Planning Officer (CR),
Senior Engineer (Development Control-Highways) (EJ),
Committee Officer (MEH).
- APOLOGIES:** Councillors Vaughan Hughes, R O Jones.
- ALSO PRESENT:** Local Members : Councillor Llinos M Huws (item 1 and 2);
Councillors Carwyn Jones and Alun Roberts (item 3)
-

1

1. **FPL/2020/247 – FULL APPLICATION FOR THE ERECTION OF 9 DWELLINGS TOGETHER WITH ASSOCIATED WORKS ON LAND ADJACENT TO Y BRYN ESTATE, LLANFAETHLU**

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

2. **FPL/2021/7 – FULL APPLICATION FOR THE RETENTION AND COMPLETION OF THE AGRICULTURAL SHED TOGETHER WITH THE INSTALLATION OF A SOAKAWY ON LAND AT PRYSAN FAWR, BODEDERN**

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

3. **FPL/2020/164 – FULL APPLICATION FOR CONVERSION OF THE OUTBUILDING INTO A HOLIDAY UNIT TOGETHER WITH ALTERATIONS AND EXTENSIONS THERETO AT LLEINIOW COTTAGE, PENMON, BEAUMARIS**

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

**COUNCILLOR NICOLA ROBERTS
CHAIR**

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Planning Committee: 07/04/2021

7.1

Application Reference: FPL/2021/7

Applicant: C & A Roberts

Description: Full application for the retention and completion of the agricultural shed together with the installation of a soakaway on land at

Site Address: Prysan Fawr, Bodedern



Report of Head of Regulation and Economic Development Service (Colette Redfern)

Recommendation: Permit

Reason for Reporting to Committee

The applicant is related to a 'relevant officer' as defined within paragraph 4.6.10.2 of the Constitution.

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

At its meeting that was held on the 3rd March, 2021 Members resolved to carry out a site visit prior to determining the application.

A virtual site inspection was carried out on 17th March, 2021 and Members will now be familiar with the site and its setting.

Proposal and Site

The application is a retrospective application to retain and complete the agricultural shed that has been erected on the land together with the installation of a soakaway.

The site is located in an open countryside location approximately 950 metres away from the development boundary of the nearest settlement of Bodedern (as the crow flies). Access to the site is afforded via a private track which leads off the Class III highways which runs from the B5109 towards the A5.

The property is a Grade II and is an agricultural holding and the shed has been erected to the rear of the listed cowshed.

Key Issues

The applications main issues are whether the development has;

- A detrimental impact on the setting of the listed building,
- Whether the building can be assimilated within the landscape without adversely affecting the character of the locality.
- Whether there is an identified need on the holding for an agricultural building

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

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

Technical Advice Note 12: Design (2016)

Technical Advice Note 24: The Historic Environment (2017)

Planning Policy Wales (Edition 11, February 2021)

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Response to Consultation and Publicity

Consultee	Response
Cynghorydd John Griffith	No response at the time of writing this report
Cynghorydd Kenneth P. Hughes	No response at the time of writing this report
Cynghorydd Llinos Medi Huws	No response at the time of writing this report
Cyngor Cymuned Bodedern Community Council	No response at the time of writing this report
Ymgynghorydd Trefadaeth / Heritage Advisor	No impact on setting of the Listed Buildings
Ymgynghoriadau Cynllunio YGC	No response at the time of writing this report
Ymgynghorydd Tirwedd / Landscape Advisor	No Comments
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Recommended the planting of a new native hedge

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties together with the publication of a notice in the local press. The latest date for the receipt of any representation is the 3rd March 2021. At the time of writing this report, one letter of representation had been received at the department. The main issues raised can be summarised as follows;

- i. Site is being used to run concrete business, a skip and concrete drum were stored on the site in late May 2020 and therefore the applicant will not be able to comply with the planning condition restricting its use for agricultural purposes only.
- ii. Shed was erected before 01/06/2020
- iii. Due to the scale of the shed the shed can be seen from a distance and does not fit into the landscape.
- iv. Why is there a need for a roller shutter door and personnel door?
- v. Has the Planning Officer visited the site?

In response to the above I would comment as follows;

i. The applicant has confirmed that this is a working farm comprising of 100 acres. The applicant has confirmed that the site is not being used to store concrete wagons/equipment and the existing and proposed use of the site is to be for agricultural purposes. The equipment has since been removed from the site. The skip which is referred to within the objector's complaint was brought to the site for general site housekeeping purposes.

The applicant has confirmed that the shed is necessary to house machinery which include three tractors, a farm gator, three agricultural trailers and two agricultural Murlo's. The applicant has confirmed that these machines are required for the land to be worked effectively.

The applicant has also confirmed that the existing sheds on the land are in a poor condition and structurally unstable.

ii. The applicant stated on the application form that the works started on the 1st June, 2020. Whilst the objector states that the shed was erected in May and that the pictures were taken in late May the precise date that works commenced on site does not have a bearing on the current application. The application has been submitted in order to regularise the breach of planning control.

iii. The shed measures 24.2m x 15.2 m x 6.5 m high. The scale and design of the shed is similar to other agricultural buildings that can be found in countryside locations. Notwithstanding the above, it is not considered that the siting nor its scale is such as to warrant the refusal of the application.

iv. The applicant has confirmed that a roller shutter door is required for security purposes and that the personnel door, by its very nature will allow easier access for individuals to enter and exit the building

v. It can be confirmed that the site has been visited by the Case Officer.

Relevant Planning History

No previous site history

Main Planning Considerations

The application was submitted following an enforcement investigation. All works in relation to the construction of the building ceased following the intervention of the local planning authority.

Paragraph 14.2.2 of the Welsh Government Development Management Manual states that *'Although it is not a criminal offence to carry out development without first obtaining any necessary planning permission, such action is to be discouraged. The fact that enforcement action is discretionary and should be used as a last resort and only when it is expedient, should not be taken as condoning the wilful breach of planning controls. Powers are available to local planning authorities to bring unauthorised development under planning control, and it is for them to decide which power, or combination of powers, to use.'*

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

Impact on settling of Listed Building - The building has been partially constructed to the rear of the Grade II Listed Buildings which forms part of a complete farmstead group with the property.

Policy PS 20 of the Anglesey and Gwynedd Joint Local Development Plan stated that in seeking to support the wider economic and social needs of the Plan area, the Local Planning Authorities will preserve and where appropriate, enhance its unique heritage assets.

Legislative and Policy Requirements: Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Proposals that will preserve and where appropriate enhance the following heritage assets, their setting and significant views into and out of the building / area will be granted.

The shed measures 24.2m x 15.2 m x 6.5 m high and is located 4 metres away from the rear of the listed structures. The local planning authority's Heritage Officer had raised concerns initially regarding the use of 'Juniper Green' box profile sheeting cladding and has recommended that the building be finished in matt grey sheeting to reduce its impact against the listed building. The scheme has been amended such that the finishing materials for the shed is to be finished in 'Goosewing Grey' in accordance with this recommendation. The Authority's Heritage Advisor has since confirmed that this is acceptable.

Whilst it is acknowledged that the building lies in close proximity to the listed buildings its impact is not considered to be so adverse so as to warrant the refusal of the application. Its setting is mitigated by the scale of its footprint and the use of suitable finishing materials in line with the recommendations of the Authority's Heritage Officer. On balance it is considered that the proposal will result in a form of development which preserves the heritage assets on site in line with current policy and which will also assist to integrate the development to form part of the wider landscape.

Impact on surrounding area – Policy PCYFF3: Design and Place Shaping states that proposals are expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context. The policy goes on to state that proposals must complement and enhance the character and appearance of the site in terms of siting, appearance, scale, height, massing and elevation treatment. Materials should be appropriate to its surroundings.

This policy plays an important role in addressing design of new development in order to maintain high quality development. Good design helps to provide a sense of place, creates or reinforces local distinctiveness, promotes community cohesiveness and social well-being. New developments should

integrate into their surroundings whilst seeking to enhance the overall character of the locality. High quality design will be required for all developments. Policy PCYFF3 sets out a range of issues which must be taken into account.

The building is situated within the farm complex with no immediate neighbouring properties. The site is located in an open countryside location where similar agricultural buildings can be found.

The siting, scale and materials proposed to be utilised in the final construction of the building will ensure a form of development which assimilates well within the landscape whilst also being sympathetic and preserving the listed status of the buildings which lie opposite the application site.

The need for an agricultural building on the holding

In accordance with the details presented as part of the application together with the additional details submitted in response to the objection it has been established that there is an established need for an agricultural building to serve the needs of the holding. The applicant has confirmed that the shed is necessary to house machinery which include three tractors, a farm gator, three agricultural trailers and two agricultural Murlo's. The applicant has confirmed that these machines are required for the land to be worked effectively.

The applicant has also confirmed that the existing sheds on the land are in a poor condition and structurally unstable. On the basis of the information presented it is considered that there is a justified need for an agricultural building to serve the needs of the holding.

Conclusion

On balance, whilst detailed consideration has been given to the objections raised to the proposal it is not considered that these matters in themselves are sufficient to warrant the refusal of the application.

It has been established that there is a need for an agricultural building on site which is commensurate to the requirements of the holding. Furthermore, it is not considered that the development will have a detrimental impact on the Grade II listed buildings or on the surrounding landscape subject to the use of external cladding material as recommended by the Authority's Heritage Advisor. In addition, it can also be confirmed that a new hedgerow of indigenous native species will be planted in the interests of bio-diversity along the eastern elevation in line with the recommendation of the Ecological Adviser.

Recommendation

Permit

(01) The building hereby approved shall be used solely for the purposes of Agriculture, as defined by Section 336(1) of the Town and Country Planning Act 1990 (as amended) and for no other commercial or business use whatsoever.

Reason: To ensure that the development will always be in the best interest of the agricultural industry.

(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.

PRYSAN/01 – Location plan (1:5000)

Location plan (1:2500)

A1-01c – Proposed elevations, floor plans and site plan

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/2020/164

Applicant: Amos Leisure

Description: Full application for conversion of the outbuilding into a holiday unit together with alterations and extensions thereto at

Site Address: Lleiniog Cottage, Penmon, Beaumaris



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 Alun Roberts.

At the meeting held on the 3rd March 2021, members resolved to visit the site. The site visit took place on the 17th March 2021 and members will now be familiar with the site.

Proposal and Site

The application is made for the conversion of the outbuilding into a holiday unit together with alterations and extensions thereto at Bwthyn Lleiniog, Penmon.

The application site is located in the open countryside in a designated Area of Outstanding Natural Beauty. The subject outbuilding is listed by virtue of being a curtilage building located to the rear of the principal Listed Building, Lleiniog Manor.

Key Issues

The key issues are whether the proposal complies with relevant local development plan policies and whether the proposal is acceptable in terms of design and appearance having regard to its listed status and location in a designated Area of Outstanding Natural Beauty..

Policies

Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
 Strategic Policy PS 14: The Visitor Economy
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets
 Strategic Policy PS 1: Welsh Language and Culture
 Policy TRA 2: Parking Standards
 Policy TRA 4: Managing Transport Impacts
 Policy PCYFF 2: Development Criteria
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 1: Development Boundaries
 Policy TWR 2: Holiday Accommodation
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
 Policy AMG 5: Local Biodiversity Conservation
 Policy AT 2: Enabling Development
 Planning Policy Wales (Edition 11, February 2021)
 Technical Advice Note 5: Nature Conservation and Planning (2009)
 Technical Advice Note 12: Design (2016)
 Technical Advice Note 18: Transport (2007)
 Technical Advice Note 23: Economic Development (2014)
 Supplementary Planning Guidance Holiday Accommodation (2007)
 Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)
 Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	Comments
Cynghorydd Carwyn Jones	No response at the time of writing the report.
Cynghorydd Lewis Davies	No response at the time of writing the report.
Cynghorydd Alun Roberts	Request that the application be referred to the Committee for determination.
Cyngor Cymuned Llangoed Community Council	No response at the time of writing the report.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditions recommended.
Iechyd yr Amgylchedd / Environmental Health	Comments.

Cyfoeth Naturiol Cymru / Natural Resources Wales	Comments/conditions.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments/advice.
Ymgynghoriadau Cynllunio YGC	No comments.
Dwr Cymru Welsh Water	No objection.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments/advice.
Ymgynghorydd Treftadaeth / Heritage Advisor	Support.

The application was afforded statutory publicity.. This was by the posting of personal notification letter to the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 12/01/2021.

At the time of writing the report no representations had been received.

Relevant Planning History

35C203B - Newid defnydd yr adeilad allanol i defnyddio fel llecyn gwyliau ynghyd a addasu ac ehangu yn / Change of use of existing outbuilding into a holiday cottage together with alterations and extensions thereto at Lleiniog, Llangoed - Gwrthod/Refused 15.01.03

35C203C/LB - Caniatad Adeilad Rhestredig ar gyfer addasu'r adeilad allannol presennol yn / Listed Building Consent for alterations to the existing outbuilding at Lleiniog, Llangoed - Caniatau/Granted 01.10.01

35C203D - Newid defnydd yr adeilad allanol i defnyddio fel llecyn gwyliau ynghyd a addasu ac ehangu yn /Change of use of existing outbuilding into a holiday cottage together with alterations and extensions thereto at Lleiniog, Llangoed - Caniatau/Granted 11.03.04

35C203G - Cais i adnewyddu caniatad cynllunio rhif 35C203D i newydd defnydd adeilad allanol i defnydd gwyliau ac addasu ace ehangu yn / Renewal of permission ref 35C203D for change of use of existing outbuilding into a holiday cottage and alterations and extensions at Lleiniog, Llangoed - Caniatau/Granted 20.07.11

35C203H/LB - Caniatad Adeilad Rhestredig ar gyfer newid defnydd yr adeilad allannol i ddefnydd gwyliau ynghyd a'i addasu a'i ehangu wedi ei ganiatau gynt dan caniatad cynllunio rhif 35C203C\LB yn/ Listed Building Consent for the change of use of outbuilding into a holiday cottage together with alterations and extensions thereto previously approved under planning permission ref 35C203C\LB at Lleiniog, Llangoed - Caniatau/Granted 04.02.11

LBC/2020/17 - Caniatâd Adeilad Rhestredig ar gyfer trosi yr adeilad allanol i fod yn uned gwyliau yn / Listed Building Consent for for the conversion of outbuilding into holiday let at Bwthyn Lleiniog, Penmon - Caniatau/Granted 21.01.2021

SCR/2020/48 - Barn sgrinio ar gyfer newid defnydd yr adeilad allanol i llety gwyliau ynghyd a'i addasu ac ehangu yn / Screening opinion for the conversion of an outbuilding into a holiday unit together with alterations and extensions thereto at Bwthyn Lleiniog, Penmon - Dim Angen AEA / EIA Not Required - 29.09.20

Main Planning Considerations

Policy PCYFF 1 of the JLDP relates to development boundaries and states that outside the development boundaries development will be resisted unless in accordance with specific policies in the Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

The application site is not located within a development boundary and does not therefore accord with policy PCYFF1. It is therefore necessary to consider whether the proposal conforms with other specific plan policies.

Policy PCYFF 2 relates to development criteria and requires that proposals comply with relevant plan policies and national planning policy and guidance.

Policy PCYFF 3 relates to design and place shaping and requires that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Proposals, including extensions and alterations to existing buildings and structures will only be permitted provided they conform, where relevant to the policy criteria.

Criterion 1 requires that it complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment.

Criterion 3 requires that it utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate, in line with policy PCYFF 4.

The existing outbuilding is two-storey with refurbished pitched slate roof. Walls are of solid random stone masonry with brick reveals to openings.

The proposed alterations include the creation of an opening to South-West gable end elevation to provide access to a two storey extension that will accommodate a staircase.

The proposed extension to side utilises an existing stone wall to rear, with the addition of a rendered gable wall and aluminium framed glazing to front and roof. The erection of a covered staircase will allow the removal of an unsightly temporary external staircase.

The proposed scale and height of the extension is subservient to the existing building. The set-back building line, contemporary design, and choice of materials allow an honest approach whilst being respectful to the existing outbuilding.

The proposal conversion and extension is therefore considered acceptable in terms of design and conforms with policy PCYFF 3.

The proposal will also serve to preserve, enhance and secure the re-use of the listed building in accordance with policies PS 20 and AT 2 of the JLDP. Listed Building Consent has already been granted for the development under application number LBC/2020/17 on the 20th January 2021.

The application site is located within a designated Area of Outstanding Natural Beauty and policy AMG1 requires that proposals within or affecting the setting and/or significant views into and out of the Areas of Outstanding Natural Beauty must, where appropriate, have regard to the relevant Area of Outstanding Natural Beauty Management Plan.

It is not considered that the proposal would adversely affect Natural Beauty, AONB features or special qualities relevant to landscape and therefore accords with policy AMG 1.

Strategic Policy PS 14 of the JLDP relates to the visitor economy and states that whilst ensuring compatibility with the local economy and communities and ensuring the protection of the natural, built and historic environment the Councils will support the development of a year-round tourism industry by:

3. Managing and enhancing the provision of high quality un-serviced tourism accommodation, in the form of self-catering cottages and apartments, camping, alternative luxury camping, static or touring caravan or chalet parks;

4. supporting appropriately scaled new tourist provision and initiatives in sustainable locations in the countryside through the re-use of existing buildings, where appropriate, or as part of farm diversification, particularly where these would also benefit local communities and support the local economy and where they are in accordance with sustainable development objectives.

Policy TWR 2 relates to holiday accommodation and states that proposal will be permitted, provided they are of a high quality in terms of design, layout and appearance and conform with the relevant policy criteria.

Criterion ii. Requires that the proposed development is appropriate in scale considering the site, location and/or settlement in question,

Criterion iv. Requires that the proposal is not sited within a primarily residential area or does not significantly harm the residential character of an area

Criterion v. requires that the proposal does not lead to an over-concentration of such accommodation within the area.

The design and scale of the proposal is considered to be acceptable in accordance policy TWR 2 and criterion ii.

The proposal is not located within a primarily residential area and will not significantly harm the residential character of the area in accordance with criterion iv.

A business plan has been submitted with the application to assess the scheme's viability. It is considered that the business plan provides sufficient detail to satisfy the requirements of criterion v. of the policy.

The proposal is therefore considered to accord with the provisions of policy TWR 2 of the JLDP.

Paragraph 3.2.1 of TAN 23: Economic Development states that the re-use and adaption of existing rural buildings has an important role in meeting the needs of rural areas for commercial and industrial development, and tourism, sport and recreation. In recognising this, local planning authorities are expected to adopt a positive approach to the conversion of rural buildings for business re-use, especially those buildings located within or adjoining farm building complexes on the basis that:

- a. They are suitable for the specific use;
- b. Conversion does not lead to dispersal of activity on such a scale as to prejudice town and village vitality;
- c. Their form, bulk, and general design are in keeping with their surroundings;
- d. Imposing conditions on a planning permission overcomes any planning objections, for example on environmental or traffic grounds, which would otherwise outweigh the advantage of re-use;
- e. If the buildings are in the open countryside, they are capable of conversion without major or re-complete reconstruction;
- f. Conversion does not result in unacceptable impacts upon the structure, form, character or setting where the building is of historic and/or architectural interest.

Further guidance is also contained in the Replacement Dwellings and Conversions in the Countryside SPG.

Paragraph 8.1 states that in the context of Policy TWR 2 the building intended for conversion for alternative use should be suitable for the proposed use. The building in its current form (in terms of size) should be suitable, no extensive extensions should be required to enable the development.

Paragraph 9.1 states that any building in the countryside proposed for conversion should be a permanent building of sound construction. Developments that entail significant re-building work will not be permitted as this would be tantamount to construction a new building....

Paragraph 9.2 requires that any application for conversion should include a 'Structural Report' to prove that it is possible to convert the building without major or re-complete reconstruction.

A structural report has been submitted with the application and the LPA are satisfied that the structural report demonstrates that the existing building is structurally sound and capable of conversion without extensive re-building in accordance with bullet point e of paragraph 3.2.1 of TAN 23 and the guidance contained in the SPG.

The application is also accompanied by a Protected Species Survey which confirms that no bats were found to be using the building, however in accordance with the advice of the Ecological Adviser and the Council's duty under the Environment Wales Act 2016, biodiversity enhancements are proposed in the form of bird boxes.

Strategic Policy PS4 of the JLDP relates to sustainable transport, development and accessibility and requires that development will be located so as to minimise the need to travel.

Strategic Policy PS5 of the JLDP relates to sustainable development and states that development will be supported where it is demonstrated that they are consistent with the principles of sustainable development.

Criterion 2 gives priority to the effective use of land and infrastructure, prioritising wherever possible the reuse of previously developed land and buildings within the development boundaries or in the most appropriate places outside them in accordance with strategic policies PS17, PS13 and PS14.

Criterion 12 requires that proposals reduce the need to travel by private transport and encourage the opportunities for all users to travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with strategic policy PS4.

Although proposals necessitating the use of private vehicles are not prohibited through the JLDP, Policy PS 5 promotes the application of sustainable development principles in all new developments, including directing development towards the most appropriate locations and reducing the need to travel by private transport.

Technical Advice Note 18: Transport states at 3.2 that where a development proposal is assessed as having relatively poor accessibility this may be sufficient grounds to refuse planning permission where this does not support the accessibility objectives set out in the development plan.

Paragraph 3.11 of TAN 18 states that development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.

The nearest bus stop is some 0.3km away from the proposal site and the nearest settlements with some level of services are Llangoed, 2.5km away and Beaumaris, 4.5km away. The site is also close to the Wales Coast path and other public rights of way which provide good connectivity with nearby settlements and the wider coast and countryside.

The site is therefore reasonably well located in terms of access to public transport, services and facilities and any concerns there may be in this regard would be outweighed by virtue of the fact that the proposal will bring an existing building back into use and therefore preserve and enhance a listed building.

Conclusion

The proposed development is therefore considered to be acceptable and conforms with the above mentioned policies and it is not considered that the development will give rise to an unacceptable impact upon the character and appearance of the listed building and designated AONB.

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 development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason: To define the scope of this permission.

(03) 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;**
- (iv) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (v) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vi) The arrangements for loading and unloading and the storage of plant and materials;**
- (vii) 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.

(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:

- Location/Block Plan: 2019-22-40**
- Plot B Site Plan: 2019-22-42 Rev A**
- Plot B Proposed Floor Plans and Elevations: 2019-22-41 Rev C**

- **Structural Report, Datrys, July 2019**
- **Heritage Impact Assessment, Cadnant Planning, September 2020**
- **Preliminary Ecological Appraisal Report, WEDC, August 2019**
- **Bat Hibernation Survey Report, WEDC, January 2020**
- **Protected Species Survey, Version 3, York Associates Ecological Consultants, December 2020**

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: PS1, PS4, PS5, PS14, PS19, PS20, TRA2, TRA4, PCYFF1, PCYFF2, PCYFF3, TWR2, AMG1, AMG5, AT2.

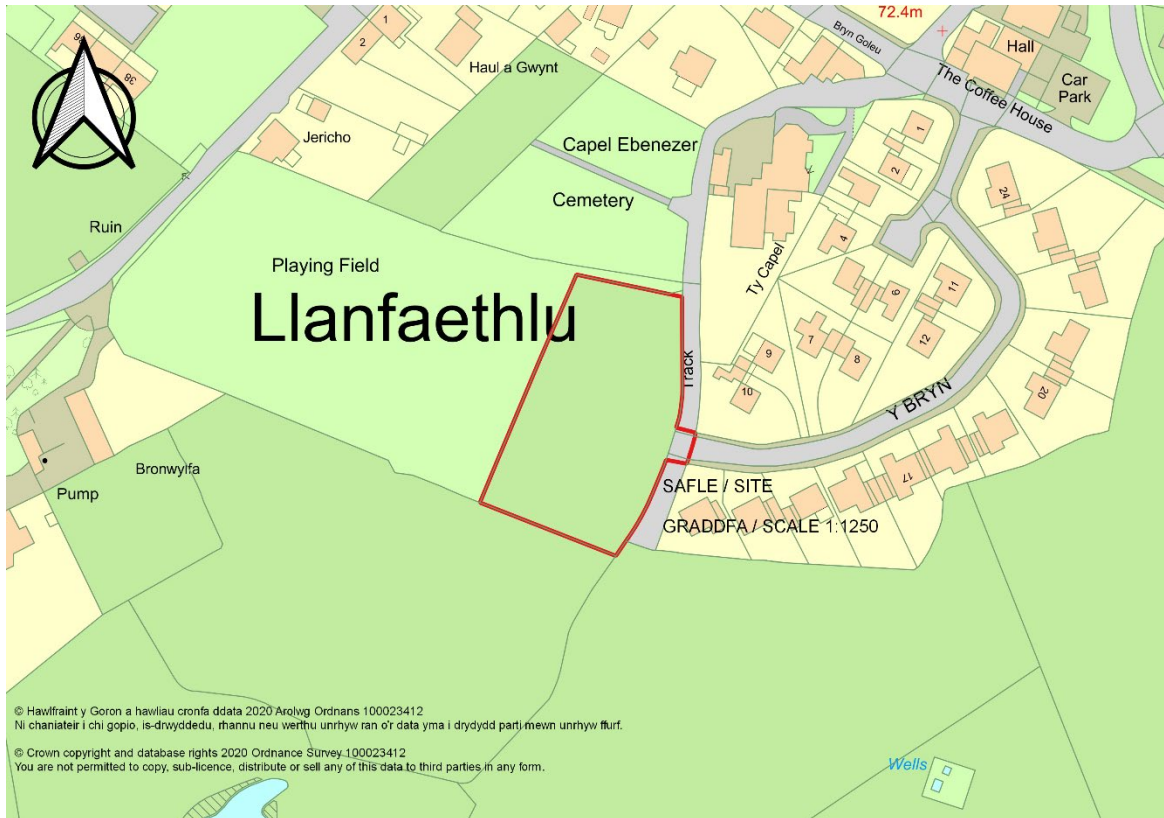
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/247

Applicant: Mr Nigel Ingram

Description: Full application for the erection of 9 dwellings together with associated works on land adjacent to

Site Address: Y Bryn Estate, Llanfaethlu



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

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

The application site adjoins the south west of Llanfaethlu and it adjoins and is accessed through Y Bryn residential Estate. There is an access track along the eastern boundary which forms part of the route of a Public Right of Way. There are 3 listed buildings adjacent at Capel Ebenezer to the north east. Part of the village adjacent is within an Area of Outstanding Natural Beauty "AONB".

This is a full planning application for 9 dwellings comprising 7 detached and two semi-detached houses. The housing mix of the development is as follows:

Five 3 bedroom detached
Two 3 bedroom detached
One 3 bedroom affordable
One 2 bedroom affordable.

The application site encompasses part of the track along the eastern boundary of the application site and a new road and pavement is proposed connecting with the public highway leading through Y Bryn. Foul drainage would be connected to the public sewer. Surface water drainage would be connected to a local authority drain in the public highway. The planning application is supported by a Housing Mix Assessment, Ecological Report, Heritage Impact Assessment and in the course of determining the planning application additional drainage information was submitted.

Key Issues

- Principle of Development
- Highway & Sustainability Considerations
- High Quality Development
- Built Heritage & Archaeology
- AONB
- Ecology and Biodiversity
- Foul and Surface Water Drainage Foul drainage

Policies

Joint Local Development Plan

Anglesey and Gwynedd Joint Local Development Plan 2011 – 2026

PS 1: Welsh Language and Culture
ISA 1: Infrastructure Provision
PS 4: Sustainable Transport, Development and Accessibility
TRA 2: Parking Standards
TRA 4: Managing Transport Impacts
PS 5: Sustainable Development
PS 6: Alleviating and Adapting to the Effects of Climate Change
PCYFF 1: Development Boundaries
PCYFF 2: Development Criteria
PCYFF 3: Design and Place Shaping
PCYFF 4: Design and Landscaping
PCYFF 6: Water Conservation
PS 17: Settlement Strategy
TAI 4: Housing in Local, Rural and Coastal Clusters
TAI 8: Appropriate Housing Mix
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 19: Conserving and where appropriate Enhancing the Natural Environment
PS 20: Preserving and where appropriate enhancing heritage assets

Planning Policy Wales (Edition 11)

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

Technical Advice Note 5 (TAN): Nature Conservation and Planning (2009)
Technical Advice Note (TAN) 12: Design (2016)
Technical Advice Note (TAN) 18: Transport (2007)
Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017)
Technical Advice Note (TAN) 23: Economic Development (2014)
Technical Advice Note (TAN) 24: The Historic Environment (2017)

Supplementary Planning Guidance IOCC Deign 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) (2019)
Supplementary Planning Guidance Housing Mix (Oct 2018)
Supplementary Planning Guidance Affordable Housing (April 2019)
Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (July 2019)

Isle of Anglesey AONB Management Plan 2015-2020.

Response to Consultation and Publicity

Ymgynghoriadau Cynllunio YGC: We are aware that an objection letter has been submitted which raises mainly land drainage concerns. With regard to the issues raised in the objection letter I offer that the development is to be subject to SAB consent, and will need to clearly demonstrate the following within the application:

- The discharge point for the surface water system is appropriate, and does not differ from the current surface water run-off destination (i.e. that of the undeveloped field)
- The existing greenfield run-off rate has been applied to the proposed development

Having reviewed the drainage strategy we expect that these tests can be met within the SAB application, and will thereby provide reassurance that no adverse impacts are expected upon neighbouring land. We agree that 3rd party agreement should be sought before any new surface water connections are made on/in private land.

Dwr Cymru Welsh Water: Advisories recommended regarding SuDs approval and lateral drains.

Priffyrdd a Trafnidiaeth / Highways and Transportation: Subject to the approval of the proposed drainage scheme by the SAB / LLFA, the layout is acceptable from a 'highways' perspective subject to the listed planning conditions.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Recommends conditioning of Invasive Species Control and Eradication Plan and conditioning the following of methodology from S9.2 of the Ecological Assessment for site vegetation removal.

Ymgynghorydd Tirwedd / Landscape Advisor: The landscaping details shown on the proposed landscape plan used the same species and mix as proposed and approved under RM/2019/4. Although it does not number plans densities are noted and it is acceptable in relation to PCYFF 4.

Ymgynghorydd Treftadaeth / Heritage Advisor: The proposed development site lies adjacent to three listed building situated directly to NW (Ebenezer Chapel including chapel house and hall, Outbuilding, Ebenezer Chapel, and Gate and gateposts, wall and railings, Ebenezer Chapel). The submitted Heritage Impact Assessment "HIS" has considered the effect the proposed development would have on the above Chapel Group, and I would concur with its finding that the proposals would not lead to harm of the significance of these listed buildings.

Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer: Comments awaited at the time of writing.

Strategol Tai / Housing Strategy: Have provided information in relation to the Social Housing Register and the Tai Teg Affordable Housing Register. Also confirmed that the Rural Housing Enablers conducted a survey of the Llanfaethlu and Llanfwrog Community Council area during July 2016 and found that there is a need for 3 to 5 affordable houses in the area. Based on a target of 20% two of the units should be provided for affordable housing and it is confirmed that need exists for two affordable dwellings. Are also satisfied with the Housing Mix Assessment submitted.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: Planning policy considerations listed.

Gwasanaeth Addysg / Education Service: No contribution required.

Cynghorydd John Griffith: No observations received.

Cynghorydd Kenneth P. Hughes: Called the application to the planning committee because of local concern regarding the number, problems with surface and foul drainage.

Cynghorydd Llinos Medi Huws: No observations received.

Cyngor Cymuned Llanfaethlu Community Council: No problems with an estate of houses but some of the residents are already worried about standing water around their houses and gardens. The new housing estate is higher than the existing houses and it is therefore only natural for them to worry about the water situation. Will the measures proposed be sufficient that is underground tanks and over size pipes? Has the developer met and discussed with adjacent properties? Therefore the community council were unable to decide.

In further comments the community council look forward to see this type of development in the village but is concerned about the possibility of water problems worsening in The Bryn. Owners of houses and landowners are not content with the situation.

AONB Officer: No observations received.

GCAG / GAPS: Given the potential for archaeology in the locality conditional permission is recommended requiring archaeological mitigation.

Iechyd yr Amgylchedd / Environmental Health: Matters in relation to nuisance due to construction times, the use of pneumatic rock machinery during construction and contaminated land are listed.

Cyfoeth Naturiol Cymru / Natural Resources Wales: No objections. Protected Species: We note that the bat report submitted in support of the above application (Cambrian Ecology, January 2020) has identified that bats were not using the application site. We therefore have no comments.

Welsh Government Agricultural Division: This response is made in accordance with Technical Advice Note 6, Annex B6 and relates to technical information only; not the merits or otherwise of the proposal.

. Agricultural Land Classification (ALC):

The Department has not previously surveyed the site. According to the Predictive ALC Map, the land is likely to be Grade 2.

2. Advice:

An ALC survey is not required for the site as it is within the development boundary of Llanfaethlu and therefore BMV policy would have been considered in development of the LDP.

The planning application has been advertised on two occasions with notification letters, site notices and notices in the newspaper. On the second occasion additional information relating to surface water drainage was submitted addressing matters raised in objections and the publicity period for this expired on the 11.03.21. Objections have been received on the following grounds:

- Objector will not accept additional surface water draining onto their land.
- The additional information submitted in relation to surface water drainage is challenged because of alleged vagueness in the drainage strategy and mitigation of surface water run-off.
- Access road is unsuitable.
- Entrance from Y Bryn is inadequate due to a lack of visibility.
- Surface water run off onto adjacent properties and the adjacent stream
- Adequacy of the foul drainage system.
- Lane is included within red line plan and is owned by a third party and the formal agreement of the landowner will be required.
- Impact on the prices of adjacent properties.
- No need for the project/additional dwellings in the current climate.
- Conditions recommended as regards local needs, surface water design for disabled occupants.
- Impact on the footpath.

Relevant Planning History

RM/2019/4 - Cais am faterion a gadwyd yn ôl ar gyfer codi 6 annedd ar dir yn / Application for reserved matters for the erection of 6 dwellings on land at - Bryn Estate, Llanfaethlu - Caniatáu / Permit 21.08.2019.

DIS/2019/60 - Cais i ryddhau amod (05) (Disgrifiad llechi) (06) (Disgrifiad deunyddiau gwynebau allanol) (13) (Traenio dwr gwyneb) o ganiatâd cynllunio 29C112B/VAR ar dir yn / Application to discharge condition (05) (Slate trade description) (06) (External surface material trade descriptions) (13) (Surface water drainage) of planning permission 29C112B/VAR on land at - Stad Bryn Estate, Llanfaethlu - - Amod wedi'i Ryddhau / Heb ei Ryddhau / Condition Discharged / Not Dis 21,08.2019.

DIS/2019/102 - Cais ar gyfer rhyddhau amod (13) (cynllun a dor wyneb) o ganiatad cynllunio 25.10.2019.

29C112B/VAR Application under Section 73 for the variation of condition (02) of planning permission reference 29C112A (renewal of planning permission reference 29C112 for the erection of 6 dwellings on land adjacent to) so as to extend the outline planning permission by a further three years together with the deletion of conditions (25), (26) and (27) (Code for Sustainable Homes) Conditionally approved 01.11.2017.

29C112A - Renewal of outline planning permission for the erection of 6 Conditionally approved 07.12.2012.

29C112 - Outline app. for the erection of 6 dwellings Conditionally approved 14.12.2007.

Main Planning Considerations

Introduction

As explained in the planning history section above outline planning permission was initially granted in 2007 for the development of 6 residential units on the application site. This was renewed twice and it appears that the most recent planning permission is extant because it can be implemented within the statutory time period; further all planning conditions have been discharged. The principle of developing the application for 6 residential units would appear to have been established. The planning application subject to the current application increases the number of units by 3 to 9 and the acceptability of the principle of the development is considered in relation to the development plan below.

Principle of Development

Policy PS 17 states that housing development will be distributed in accord with the settlement strategy based on a settlements level of service provision, function and size (population) and subject to its

environmental, social and infrastructure capacity to accommodate development. Llanfaethlu is classified as a Local Village under the provisions of policy TAI 4 and such settlements are described in the JLDP as having generally fewer services and facilities. Policy TAI 4 permits in Local Villages provided that the size, scale and design of the development corresponds with the settlements character. There are also more generic policies in this regard and these matters are considered under the High Quality Development heading below.

The enquiry site is located on an unallocated within the settlement boundary of Llanfaethlu as defined under the provisions of policy PCYFF 1 and the principle of the development is thus acceptable. The JPPU's comments state that there is capacity within the indicative supply for the settlement of Llanfaethlu. In light of this the JPPU explain that under criterion (1b) of Policy PS 1 currently there is no need for a Welsh language statement to support the application. Criterion (1c) of Policy PS 1, however, states that a Welsh Language Statement is required for proposals of 5 or more residential units where it does not address evidence of need and demand for housing recorded in a Local House Market Assessment "LHMA" and other relevant local sources of evidence.

Policy TAI 8 of the JLDP states that the council will work with partners to promote sustainable mixed communities by ensuring that all new residential developments contributes to improving the balance of housing and meets the identified need of the whole community by adherence to the listed criteria including maximising the delivery of affordable housing, contributing to redress an identified imbalance in the local housing market, providing the correct mix in terms of type and tenure to meet the area current and future communities, making provision for people with disabilities and ensuring a high standard of design. The Supplementary Planning Guidance Housing Mix (October 2008) provides detailed guidance in this regard. The submission explains that housing mix (which was detailed in the Proposal and Site Section of this report) does not comply with the ideal mix in the LHMA and on this basis a Housing Mix Assessment has been submitted with the planning application. The Housing Mix Assessment indicates that the evidence indicates that 3 bedroom open market housing is acceptable and that if smaller units were proposed these would likely not be taken up. Further that the applicant is will to provide two affordable housing units in accord with policy requirements. The council's Housing Strategy have confirmed that they are satisfied with the Housing Mix Assessment and that there is need based on the evidence they have provided for the affordable housing units.

The JPPU's comments explain that even when the proposal does not require a Welsh language statement under criterion (1b) in line with Diagram 10 of the SPG Maintenance and Creation of Distinctive and Sustainable Communities a record of how consideration was given to the Welsh language when drawing up the planning application should be sought. This information has been provided in the Planning Support Statement and includes consideration of the modest scale of the construction and completed development, suitability of the dwellings for Welsh speaking families and that affordable housing is provided and that the applicant is agreeable to naming the development in Welsh.

The Planning Support Statement states that the proposal attains a density of just under 30 dwellings per hectare which aligns with the requirements of policies PCYFF 2 and TAI 8. Whilst the density of the development align with these policy requirements its acceptability is also subject to other more generic policies below.

Highway & Sustainability Considerations

The application site can be regarded as being in a relatively sustainable location in Anglesey's rural context. There is a retail shop present in the village in addition to a new primary school which serves a large rural catchment. Public transport facilities are available with regular bus services available to higher order settlements at Holyhead and Amlwch.

From the a layout perspective no objections are raised to the development nor to the use of the access through Y Bryn estate.

High Quality Development

It is material to consider the relationship of the development with its surroundings having regard to the relevant policies in the JLDP. Policy PCYFF 2: Development Criteria and PCYFF 3: Design and Place Shaping, and PCYFF 4: Design and Landscaping are the primary considerations in assessing the proposal from this aspect. National planning policies in PPW and TAN 12 are also material.

Llanfaethlu is a rural village part of which is within the AONB adjacent to the application site. The size, scale, design and density of the development should be appropriate to this context. There are other larger estate type developments present in the village and the scale and density of the proposal would not be excessive in this context. The proposal is made for houses which would have slated roofs and again this would not be out of context given that there are existing two storey estates in the village.

The council's SPG Design Guide provides guidance on acceptable distances on various elevations to the boundaries and adjacent properties. The distances provided in this guidance are intended to prevent excessive overlooking between dwellings and into private garden areas and to provide an adequate outlook from windows. The distance from the rear elevations of some dwellings to the west and to the north of the development fall below those prescribed in the SPG Design Guide by a couple of metres. Given that these elevations and rear boundaries are adjacent to an agricultural field and a cemetery this would not harm residential amenity or the outlook of occupants of the development to a degree which would warrant refusal.

It is confirmed that the distances of the proposed dwellings to the nearest existing houses at Y Bryn comply with the guidance in the SPG Design Guide.

The council's landscape adviser has stated that the landscaping scheme is generally acceptable and meets the requirements of PCYFF 4.

Built Heritage & Archaeology

PPW states 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. Paragraph 1.26 of TAN 24 states that it is for the applicant to provide the local planning authority with sufficient information to allow the assessment of their proposal on listed buildings and their settings, and the type of information required for assessment is described.

The council's Heritage Adviser explains that the adjacent the proposed development site lies adjacent to three listed building situated directly to the north west at Ebenezer Chapel and that he agrees with the findings of the supporting information that the proposed development would not lead to harm of the significance of these listed buildings and on this basis the aforementioned policy and stator provisions are considered to be met.

GAPS do not raise any objections to the proposed development but given the potential for archaeology to be present they have recommended a planning condition requiring archaeological mitigation.

AONB

The AONB is located in proximity to the north where it encompasses part of the settlement. Policy AMG 1 states that proposals must where appropriate have regard to the relevant AONB Management Plan and there is also statutory requirements in this regard. The AONB Management Plan requires assessment of proposals within 2km of the AONB. The AONB encompasses part of the village in close proximity to the proposed development. No issues are raised by a consultees including NRW in terms of the impact of the development on the setting of the AONB. As explained previously the council's Landscape Adviser is generally satisfied with the landscaping scheme, this scheme includes the provision of hedges along perimeters of the development nearest the AONB. Taking all these matters into consideration it is

considered that the material policy and statutory requirements in relation to the consideration of the impact of the development on the setting of the AONB adjacent are met.

Ecology and Biodiversity

The council's Ecological and Environmental Adviser is satisfied with the development subject to conditions recommended in relation control of invasive species and on this basis materials policies and statutory provisions in the Environment Act Wales are considered to be met.

Foul and Surface Water Drainage

Foul drainage As part of the proposal foul and surface water drainage will be connected at points in the public highway adjacent at Y Bryn. Welsh Water do not raise any objections to the disposal of foul drainage in this manner.

Significant objections have been received to the adequacy and means of surface water drainage arrangements as part of the proposals and additional information was received as a result of objections received on this basis. It is the applicant's contention that surface water runoff from the existing site and the proposed development will enter the same catchment, being the land drain to which Y Bryn estate discharges into. Further that the discharge from the proposed development will mimic greenfield run off as per the requirements of Suds Approval Body "SAB". A Suds approval will be required separately to the SAB and as such recent planning appeal decisions have indicated that given the need for a separate consent that the adequacy of these arrangements can be considered separate to the planning process. The SAB have confirmed that having reviewed the drainage strategy they expect that the applicable tests in this process can be met within the SAB application, they have also provided reassurance that no adverse impacts are expected upon neighbouring land.

We are aware that an objection letter has been submitted which raises mainly land drainage concerns. With regard to the issues raised in the objection letter I offer that the development is to be subject to SAB consent, and will need to clearly demonstrate the following within the application:

- The discharge point for the surface water system is appropriate, and does not differ from the current surface water run-off destination (i.e. that of the undeveloped field)
- The existing greenfield run-off rate has been applied to the proposed development

Having reviewed the drainage strategy we expect that these tests can be met within the SAB application, and will thereby provide reassurance that no adverse impacts are expected upon neighbouring land. We agree that 3rd party agreement should be sought before any new surface water connections are made on/in private land.

Other Matters

The track within the eastern area of the application site is a Public Right of Way "PROW". Comments are awaited from the council's Public Rights of Way Officer at the time of writing. Part of this access track is included within the red area of the application site in so far as it encompassed the highway and pavements into the development. Ownership certificate C has been completed indicating that the applicants have served notice on all owners that are known. This meets the requirements of the planning act in terms of the notification of owners for planning applications submitted. Any consent required by any landowners to subsequently carry out works is a separate civil issue.

Given that there appears to be an extant planning permission for 6 units on the application and on the basis that since and having regard to the comments of the Welsh Government Agricultural Division no objections are raised on the basis that the development would result in the loss of grade agricultural land.

Notwithstanding that the development is a minor development in planning terms as the application site is accessed through Y Bryn, there are residential properties in proximity and taking into consideration to the

comments of the council's Environmental Services a condition requiring a Construction Environmental Management Plan "CEMP" has been recommended. A CEMP will help safeguard the residential amenity of occupants of adjacent properties in the course of building and other operations.

Conclusion

The principle of developing the application for 6 residential units would appear to have been established since 2007 and it appears that there is an extant planning permission on the application site. Having regard to the development plans and all material considerations the proposal for 9 dwellings is considered acceptable subject to conditions recommended below. As explained in the committee report a separate SAB application will be required in relation to surface water drainage proposals.

Recommendation

That planning permission is GRANTED subject to the completion of a legal agreement requiring the provision of two affordable housing units.

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

(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:

Site Location Plan A-00-02

Site Topographic Survey A-00-01

Proposed Site Layout A-00-03 03

Proposed Plans and Elevations 3 bed Detached Dwelling plots 8 and 9 A-03-01

Proposed Plans and Elevations 3 bed detached dwelling plots 1-5 A-03-05

Proposed plans and elevations for 2/3 bed affordable dwellings plots 6 and 7 A-03-08

Proposed Drainage Arrangement 004820 CCE V1 XX 40:40:01 C 50:30 0001 S1 P02

Ecological Assessment & Reptile Surveys (5th January 2020 (V2) Cambrian Ecology

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

(07) Notwithstanding the landscaping plans hereby approved no development shall commence until plant density numbers are submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accord with the details approved under the provisions of this condition and the landscaping plans hereby approved "Landscaping Scheme".

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

(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) Notwithstanding the plans hereby approved 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.

(05) The means of enclosure (including walls and fencing) shown on the plans hereby approved shall be constructed or erected prior to the occupation of the dwelling(s) to which they relate and shall thereafter be retained in the lifetime of the development hereby approved and any replacement means of enclosure 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 the area.

06) No other part of the development hereby approved shall commence until full details of the measures implemented to eradicate "montbretia", which shall be in accord with the options in section 9 of the Ecological Assessment & Reptile Surveys (5th January 2020 (V2) Cambrian Ecology and include a report on the monitoring and the effectiveness of the measures implemented to eradicate "montbretia" has been submitted to and approved in writing by the Local Planning Authority.

Reason To ensure that non-native invasive species are eradicated in accord with the approved details.

(09) 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 hereby approved and, as a minimum, shall include detail of:

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.

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

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 and local amenity.

(14) 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;

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

- (v) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;
- (vi) The arrangements for loading and unloading and the storage of plant and materials;
- (vii) 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.

(08) 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.

(10)

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).

(11) The estate road shall be paved to a completed binder course finish and the pedestrian footways shall be finally surfaced, before any of the dwellings hereby approved are occupied.

Reason: In the interests of safety and amenity to ensure there is safe and convenient access to occupied properties.

(12) No dwelling hereby approved shall be occupied until full design details for the lighting of the estate road have been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full to the written satisfaction of the Local Planning Authority.

Reason: In the interests of safety and security to ensure there is safe and convenient access to occupied properties.

(13) The car parking accommodation for each dwelling shall be completed in full accordance with the details as shown on the approved drawings before the use hereby permitted is commenced and thereafter retained solely for those purposes.

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

(15) No occupation of the dwellings shall take place until measures are in place to secure the future maintenance of the estate road in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To comply with the requirements of the Highway Authority, in the interests of safety and amenity to ensure there is safe and convenient access to occupied properties for the lifetime of the development.

Nid yw'r penderfyniad hwn yn gydsyniad o dan y Ddeddf Priffyrdd na'r Ddeddf Ffyrdd Newydd a Gwaith Stryd a dylai'r ymgeisydd sicrhau y ceir pob cymeradwyaeth priffyrdd angenrheidiol cyn dechrau ar unrhyw waith yn y briffordd neu ar y briffordd.

This decision is not a consent under the Highways Act or New Roads and Street Works Act and the applicant should ensure that all necessary highway approvals are obtained before commencing any work in or on the highway.

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: 07/04/2021

10.1

Application Reference: VAR/2020/57

Applicant: Lisa Fowlie

Description: Application under Section 73A for the variation of condition (06)(Drainage details), condition (09) (Structural Alterations) and condition (10) (Development to be carried out in strict conformity to plans/documents received) of planning permission reference 28C202C Full application for the conversion of a stable into a dwelling, creation of a new vehicular access together with the installation of a septic tank so as to provide drainage information after commencement of works, and amendments to plans previously approved at

Site Address: Ty Newydd Bach, Llanfaelog, Ty Croes



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

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

The proposal is a Section 73A application for the variation of condition (06)(Drainage details), condition (09) (Structural Alterations) and condition (10) (Development to be carried out in strict conformity to plans/documents received) of planning permission reference 28C202C so as to provide drainage information after commencement of works, and amendments to plans previously approved at Ty Newydd Bach, Llanfaelog.

Key Issues

The key issue is whether the submission of drainage works after commencement of work is satisfactory and whether the structural alterations and slight amendments to the extension is considered acceptable in policy terms.

Policies

Joint Local Development Plan

Policy PCYFF2 – Development Criteria

Policy PCYFF3 – Design and Place Shaping

Policy PCYFF1 – Development Boundaries

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

Policy TRA4 – Managing Transport Impacts

Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

Response to Consultation and Publicity

Consultee	Response
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with the amendments to the wording of the condition.
Cynghorydd Richard Dew	No response
Cynghorydd Gwilym O Jones	No response
Cyngor Cymuned Llanfaelog Community Council	No response

Site notices were placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations is the 11/03/2021. At the time of writing the report no letters had been received.

Relevant Planning History

28C202A – Erection of a stable, garage and store on land at Ty Newydd Bach, Llanfaelog – Approved 2/10/97

28C202B - Full Planning - Proposed conversion at Ty Newydd Bach – Application Returned – 10/4/15

28C202C - Full application for the conversion of a stable into a dwelling, creation of a new vehicular access together with the installation of a septic tank - Ty Newydd Bach, Llanfaelog – Approved 19/11/15

VAR/2020/36 - Application under Section 73 from planning permission reference 28C202C – Returned to applicant.

Main Planning Considerations

The principle of a dwelling has already been established under planning application 28C202C. Drainage works have been commenced and therefore it is considered that a material start has commenced.

As a material start has commenced on the previous permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented.
- Are the details submitted with this application acceptable.

The existing permission has been implemented and consideration will now be given to the information submitted with the Section 73A application.

Condition (06) (Drainage) of planning permission 28C202C

The condition stated that no development should commence until full design details for the drainage of the site has been submitted to and approved by the Local Planning Authority; however, work has commenced without discharging this condition. As this condition does not go into the heart of the planning permission it is considered that varying this condition to allow further time to provide drainage information is acceptable. The condition will be amended to state that full drainage works shall be submitted prior to the occupation of the dwelling.

Condition (09) (Structural Alterations) of planning permission 28C202C

The condition stated that any further structural alterations which may be required to be carried out to the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

Additional re-building work has been undertaken around some of the window openings, which was not previously identified for re-building in the original structural survey. The re-building work is not considered to be excessive and the structural survey has been updated to reflect the building as it is currently.

Condition (10) (Approved Drawings) of planning permission 28C202C

The condition stated that works should be in accordance with details submitted under the previous planning application. However the extension that has been erected on site is different to that approved. The extension that was approved was 5.5m x 3.9m which was a total of 21.5 square metres, the extension that has been built is 4.7m x 4.6m which is a total of 22 square metres. This is a minor change to the originally approved permission. It is considered that this element of the proposal is acceptable.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations was the 11/3/21. At the time of writing the report no letters had been received it is not considered that the proposal will have any impact upon their amenity any greater than the approved scheme.

Conclusion

The application is contrary to Policy TAI 7 of the Joint Local Development Plan; however the fallback position is that a material start has commenced on the previous permission; therefore safeguarding the permission.

The details submitted with the planning application is acceptable and the conditions have been amended to reflect the submitted information.

Recommendation

(01) The access shall be laid out and constructed strictly in accordance with the enclosed plan, HMPTA Fig.1 before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

Reason: To comply with the requirements of the Highway Authority.

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

Reason: to comply with the requirements of the Highway Authority.

(03) The access shall be constructed with 2.0 metre by 43 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: To comply with the requirements of the Highway Authority

(04) The access shall be completed with a bitumen surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 metres from the nearside edge of the County Highway with the surface water drainage system completed and in working order before the use hereby permitted is commenced.

Reason: To comply with the requirements of the Highway Authority

(05) Full design details for the drainage of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the dwelling.

Reason: To comply with the requirements of the Highway Authority.

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

Reason: To comply with the requirements of the Highway Authority.

(07) No works on the removal or reduction of the hedgerow shall take place during the nesting seasons March – September inclusive.

Reason: To avoid any disturbance to nesting birds.

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

Reason: For the avoidance of doubt.

(09) 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 submitted with planning application VAR/2020/57**
- **Block Plan submitted with planning application 28C202C**
- **Structural Survey by Cadarn Consulting REV 01 dated August 2014 submitted with planning application VAR/2020/57**
- **Sparrow Box - submitted with planning application 28C202C**
- **Protected Species Survey by Tim Hodnett dated April 2015 received with planning application 28C202C**
- **Proposed Elevations and Floorplans 05 received with planning application VAR/2020/57**

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

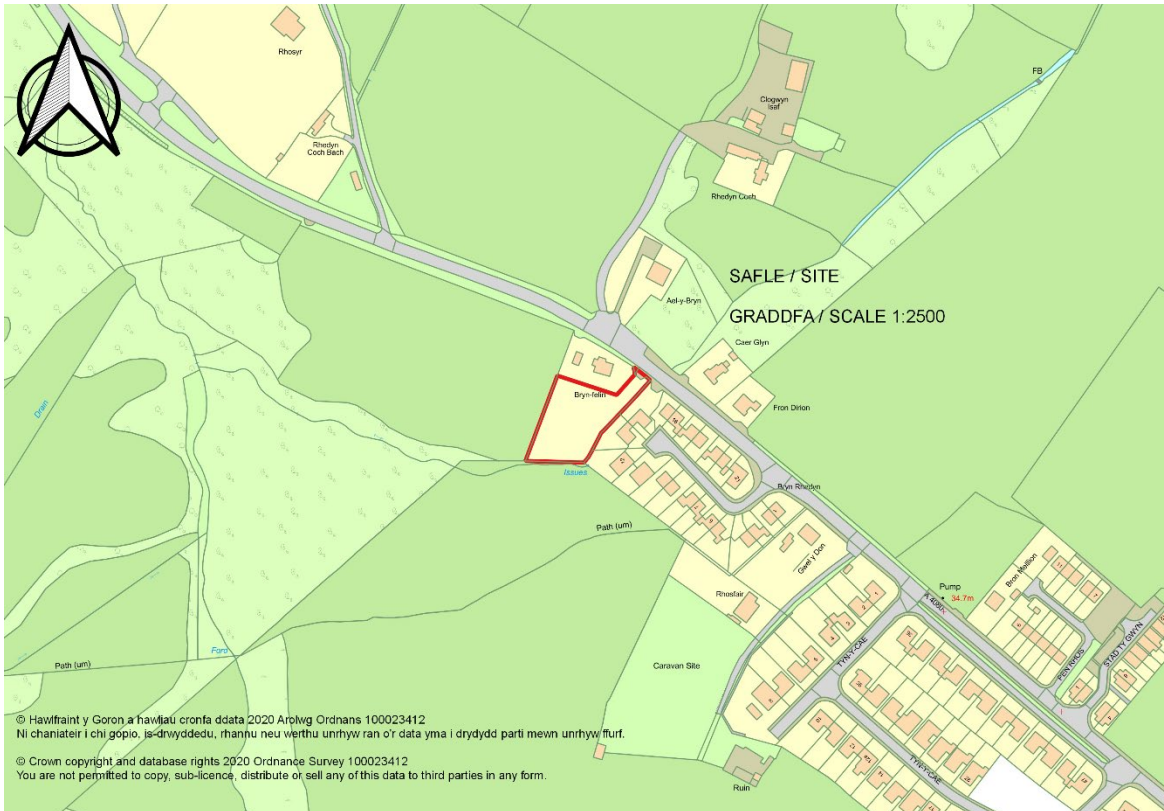
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2021/8

Applicant: ANGLESEY LIFESTYLE HOMES ANGLESEY LIFESTYLE HOMES

Description: Application under Section 73a for the variation of condition (16) (Approved plans) of planning permission reference 45C133B (erection of 3 dwellings together with the construction of a vehicular access) so as to allow amended plans on land at

Site Address: Bryn Felin, Newborough



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

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

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

The development is under construction. The planning application is made under section 73a to vary the planning conditions so as to vary the plans or plot 3, the changes are as follows:

- Ground floor garage changes into a bedroom with the inclusion of bi-fold doors to the front elevation in lieu of garage doors, together with a new window to the side elevation.
- Opposite side elevation includes the installation of 2 additional windows to ground floor study and first floor bedroom 3.

Key Issues

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

Policies

Joint Local Development Plan

Anglesey and Gwynedd Joint Local Development Plan (2017)

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

TAI 3 Housing in Service Villages

AMG 1: Area of Outstanding Natural Beauty Management Plans

AMG 5: Local Biodiversity Conservation

AMG 6: Protecting Sites of Regional or Local Significance

Planning Policy Wales Edition 11 "PPW"

TAN 12: Design

SPG Parking Standards, 2008.

SPG Design in the Urban and Rural Built Environment, 2008 "SPG Design Guide"

Supplementary Planning Guidance Housing Mix (October 2018)

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

Response to Consultation and Publicity

Cynghorydd Peter Rogers: No observations received.

Cynghorydd Bryan Owen: No observations received.

Cyngor Cymuned Rhosyr Community Council: No observations received.

Prifffyrdd a Trafnidiaeth / Highways and Transportation: No observations received.

Ymgynghorydd Tirwedd / Landscape Advisor: No observations received.

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

The planning application has been advertised as a departure from the development plan with notifications posted and site notices posted, an advert has also been published in a local newspaper. The publicity period expires on the 18.03.21. No representations have been received at the time of writing.

Relevant Planning History

VAR/2020/8 - Application under Section 73 for the variation of condition (02) (Crested Newt Statement), (04) (External Lighting), (12)(Drainage details), (13) (Traffic Management Plan) and (16) (Approved plans) of planning permission reference 45C133B (erection of three dwellings) so as to vary the conditions by providing the requested information together with amending the dwelling design - Caniatáu / Permit

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

HHP/2019/94 - Full application for alterations and extensions together with the relocation of existing garage - Permit 06.06.2019.

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

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

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

Main Planning Considerations

Context

This application under section 73a seeks minor seeks relatively minor changes to the design of one of the dwellings previously approved. Whilst the changes are of a minor nature any permission granted under section 73a results in a new planning permission being granted which must be assessed in relation to the development plan and other material planning considerations.

Planning History

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

Principle of the Development

The majority of the application site is located outside the settlement boundary of Newborough defined under the provisions of PCYFF 1 of the JLDP. Policy PCYFF 1 states that outside settlement boundaries development will be resisted unless it is in accordance with specific policies in the JLDP or national planning policies or that the proposal demonstrates that a location in the countryside is essential. Newborough is identified as a Service Village under the provisions of Policy TAI 3 of the JLDP and this policy permits housing within the settlement on suitable allocated and windfall sites but resists general market housing such as that being applied for on sites outside the settlement boundary. The proposal being applied for therefore comprises a departure from the development plans which would normally be

recommended for refusal as the principle of the development is unacceptable as a matter of principle. In this instance, however, there is an extant planning permission which could be implemented within the next two years and it is material to consider the following:

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

Given that the development is under construction it is clear that the planning permission has already been implemented.

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

Affordable Housing

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

Design and External Appearance

The amendments proposed in this planning application are of a minor nature with little difference in design terms to that proposed in the extant planning permission.

Area of Outstanding Natural Beauty

The application site is within the AONB and paragraph 5.3.5 of PPW states that the primary objective of designating AONB'S is the conservation and enhancement of their natural beauty and that development management decisions should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well-being of the areas. There is also a statutory requirement to have regard to the provisions of the AONB Management Plan. Information on external materials, fencing, landscaping and mitigating any impact on the existing trees would to provide a betterment in terms of conserving and enhancing the AONB were provided as part of planning application VAR/2020/8 and these are part of overall approved plans and included as part of conditions of this planning permission.

Ecology and Biodiversity

The provision of additional landscaping and mitigation described in the preceding paragraph provides a biodiversity improvement which aligns with the council's duties under the Environment Act.

Other Matters

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

Conclusion

Whilst the proposed change is of a very minor nature the application would still result in a new planning permission and the principle of the development is not acceptable under policies in the JLDP and because affordable housing is not being provided. This planning application under section 73a is, however, being recommended for approval because there is an extant planning permission which is in the course of being implemented. The proposal is being recommended for approval because of the betterments described forming part of the approved plans which would accrue from the proposal subject to this planning application in comparison with the extant planning permission.

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

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

Recommendation

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

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Location Plan 2733:19:1
Site Plan J/AO/SP/01 Revision D
Proposed Elevations Plot 1, 2,3 2733:19:6a (Excluding Plot 3)
Proposed Site Plan 2733:19:3A
Proposed Floor Plan Plot 1 2733:19:4
Proposed Floor Plan Plot 2 & 3 2733:19:5 (Excluding Plot 3)
Proposed Elevations Plot 3 2733:19:BR8
Proposed Floor Plans – Plots 3
Bryn y Felin: Great Crested Newt Reasonable Avoidance Measures V1 Enfys Ecology
Land at Rear of Bryn Felin, Newborough Ref:45c133B Justification Russell-Hughes Cyf

To be completed following submission of the additional information listed in the report.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

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

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

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

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

Application Reference: VAR/2021/11

Applicant: Mr Chris Owens

Description: Application under Section 73 for the variation of condition (02) of planning permission reference 36C320A and MAO/2018/3 (Erection of a dwelling) so as to amended design at

Site Address: Ty Uchaf, Llangristiolus



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

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

This is an application under Section 73 for the variation of condition (02) of planning permission reference 36C320A and MAO/2018/3 so as to amend the design of the dwelling at Ty Uchaf, Llangristiolus.

Key Issues

The key issue is whether the amended design is acceptable in policy terms.

Policies

Joint Local Development Plan

Policy PCYFF2 – Development Criteria

Policy PCYFF3 – Design and Place Shaping

Policy PCYFF1 – Development Boundaries

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Eric Wyn Jones	No response
Cynghorydd Dafydd Roberts	No response
Cyngor Cymuned Llangristiolus Community Council	No response
Ymgynghorydd Tirwedd / Landscape Advisor	No impact on Special Landscape Area
Swyddog Llwybrau Troed / Footpaths Officer	No comments
Ymgynghoriadau Cynllunio YGC	Standard Advice
Dwr Cymru Welsh Water	Standard Comments
Priffyrdd a Trafnidiaeth / Highways and Transportation	No response

Site notices were placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations is the 25/03/2021. At the time of writing the report no letters had been received.

Relevant Planning History

VAR/2021/11 - Cais o dan Adran 73 i ddiwygio amod (02) o caniatâd cynllunio rhif 36C320A and MAO/2018/3 (Codi annedd) er mwyn newid y dyluniad diwygiedig yn / Application under Section 73 for the variation of condition (02) of planning permission reference 36C320A and MAO/2018/3 (Erection of a dwelling) so as to amended design at - Ty Uchaf, Llangristiolus - - Heb Benderfyniad / Not yet determined

MAO/2020/24 - Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatâd cynllunio 36C320A er mwyn ychwanegu amod o "rhestr o dyluniadau cymeradwy" i rhybudd penderfyniad yn / Minor amendments to scheme previously approved under planning permission 36C320A so as to add a condition for a "list of approved drawings" to decision notice at - Ty Uchaf, Llangristiolus - - Heb Benderfyniad / Not yet determined

LUP/2020/11 - Cais am Dystysgrif Cyfreithlondeb defnydd arfaethedig ar gyfer codi annedd newydd gan fod y gwaith mewn perthynas â chaniatâd 36C320A wedi dechrau gan felly ddiogelu'r caniatâd ar dir ger / Application for a Certificate of Lawfulness for the proposed use of land for the erection of a new dwelling in relation to a material start having been made on permission 36C320A thus safeguarding the consent on land adjacent to - Ty Uchaf, Llangristiolus - [object Object] - Caniatáu / Permit

MAO/2018/3 - Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatâd cynllunio 36C320A er mwyn ychwanegu amod i sicrhau bod y dabltygiad yn unol â'r cynlluniau a gymeradwywyd ar dir ger / Minor amendments to scheme previously approved under planning permission 36C320A so as to add a condition for the development to be in accordance with the approved plans on land adjacent to - Ty Uchaf, Llangristiolus - [object Object] - Caniatáu / Permitted

LUE/2018/1 - Cais am Dystysgrif Datblygiad Cyfreithlon ar gyfer y gweithgareddau cyfredol sy'n cynnwys gwaith a wnaed ar y fynedfa er mwyn gweithredu caniatd cynllunio 36C320A yn / Application for a Lawful Development Certificate for existing operations comprising of works to access undertaken to implement planning permission 36C320A at - Ty Uchaf, Llangristiolus, Bodorgan - [object Object] - Tynnwyd yn ôl / Withdrawn

36C320B/DIS - Discharge of Conditions - Cais i rhyddhau amos (03) (Cynllun Rheoli Traffig) o caniatad cynllunio 36C320A (cais llawn i codi annedd) ar dir ger / Application to discharge condition (03) (Traffic Management Plan) from planning application 36C320A (full application for the erection - Ty Uchaf, Llangristiolus

36C320A - Full Planning - Cais llawn ar gyfer codi annedd ynghyd a creu mynedfa i gerbydau ar dir ger / Full application for the erection of a dwelling together with the construction of a vehicular access on land adjacent to - Ty Uchaf, Llangristiolus

36C320 - Outline application for the erection of a dwelling and garag

PreApp/2012/016 - Development of land at - Ty uchaf, Llangristiolus

Main Planning Considerations

The principle of a dwelling has already been established under planning application 36C320A and Minor amendments were approved under MAO/2018/3. A certificate of lawfulness was deemed lawful under application LUP/2018/1 as works to the access had commenced. Therefore planning permission for a dwelling has been safeguarded on the application site.

This is an application to amend the design of the approved dwelling.

Joint Local Development Plan

Since the adoption of the Joint Local Development Plan, Llangristiolus is identified as a Local Village under the provision of Policy TAI 4. The application site is not within the development boundary of Llangristiolus and is therefore classed as being in the open countryside location.

However, as a material start has commenced on the previous permission and a lawful use certificate has been proved lawful the following must be considered:-

- Is there a likelihood that the existing permission can be implemented.
- Are the details submitted with this application acceptable.

As stated above a Certificate of Lawfulness has been proved lawful and a material start has taken place on the previous permission; therefore, safeguarding the permission.

Amendments.

The amendments are as follows:-

Amending the design of the dwelling.

The design is much more high quality and will fit in with the adjacent properties much better than the originally approved scheme. It will follow the type of designs on nearby residential properties.

Increase in height.

The previously approved dwelling was 6.5 metres high, the new design will take the height of the dwelling up to 7.9 metres high. It is not considered that the raising of the height will have a negative impact upon

the area or on adjacent residential properties. A cross section has been received which shows the proposals height in relation to the neighbouring property and the main dwelling will only be 85mm higher than the neighbouring property.

The scale of the proposal.

The floor area of the previously approved dwelling was approximately 280 square metres. The floor area of the amended design is approx. 369 square metres. The scale of the dwelling has increased approx. 89 square metres, but it is not considered to have any harm on the area or on adjacent residential properties.

It is considered that the amended design will fit into the area much better than the previously approved permission. The design is more high quality and matches the form of development in the immediate area.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 25th March, 2021. At the time of writing the report no letters had been received. The Cross Section received with the planning application shows the height of the proposal in relation to the neighbouring property and it is not considered that the proposal will have any impact upon their amenity any greater than the approved scheme.

Conclusion

The application is contrary to Policy TAI 4 of the Joint Local Development Plan; however the fallback position is that a material start has commenced on the previous permission; therefore safeguarding the permission.

The details submitted with the planning application is acceptable and the conditions have been amended to reflect the submitted information.

Recommendation

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

Reason: In the interests of residential and visual amenity.

(02) 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.

(03) 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**
- **Site Layout Plan and Cross Section SHA-349-03(A)**
- **Proposed Plans and Elevations SHA-349-02**
- **Construction Traffic Management Plan submitted with planning application 36C320B/DIS**

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.

Planning Committee: 07/04/2021

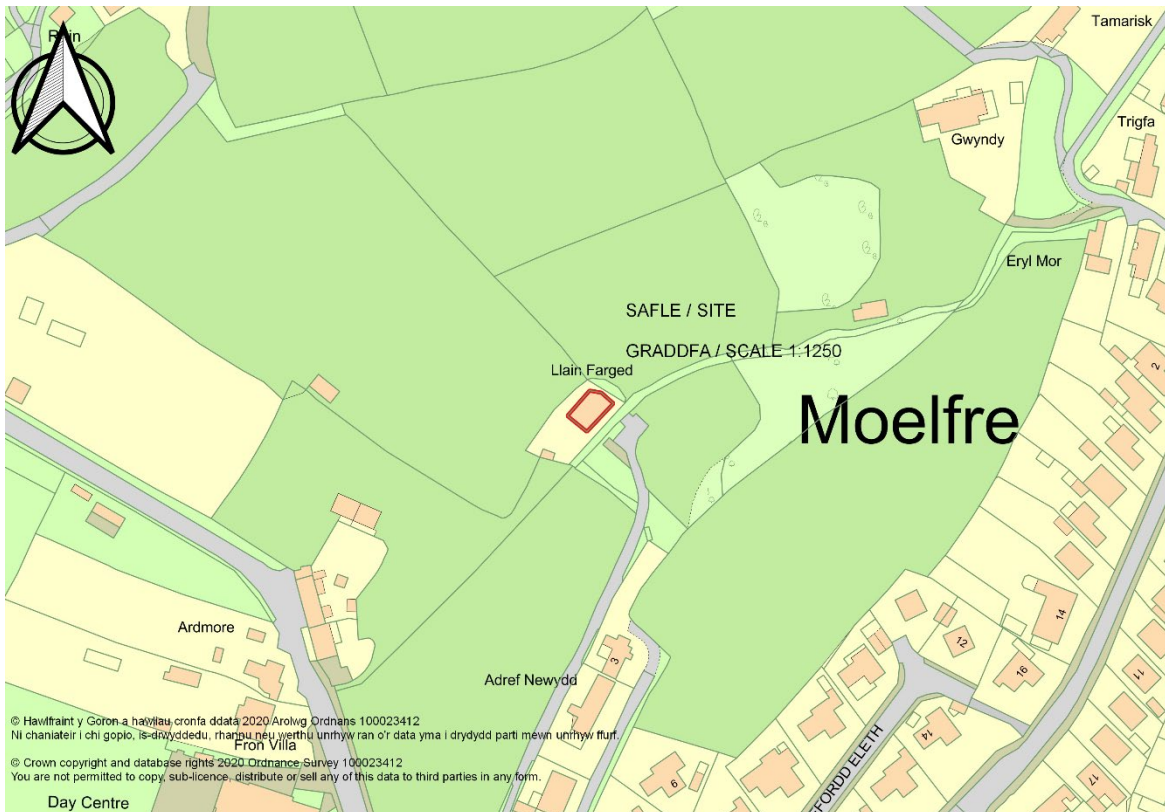
11.1

Application Reference: HHP/2021/12

Applicant: Mr & Miss Lloyd Davies & Woodcock

Description: Full application for alterations and extensions at

Site Address: Llain Farged, Ffordd Eleth, Moelfre



Report of Head of Regulation and Economic Development Service (Sion Hughes)

Recommendation: Permit

Reason for Reporting to Committee

The application is made by a relevant officer who works within the local Authority. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the constitution.

Proposal and Site

The site is located in the open countryside of the Moelfre area with access afforded via a private lane. The property includes off-road parking to the front and garden area to the rear. The property is detached and is 2 storey. The proposal is made for the erection of a single storey extension to the rear of the property to provision space for a sunroom along with the erection of a two storey side extension.

Key Issues

The key issues of the proposal are considered to be the following:

Design

Affect on neighbouring amenities

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Technical Advice Note 12: Design (2016)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Response to Consultation and Publicity

Consultee	Response
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No objection
Cynghorydd Vaughan Hughes	No response
Cynghorydd Ieuan Williams	No response
Cynghorydd Margaret Murley Roberts	No response
Cyngor Cymuned Moelfre Community Council	No response

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 latest date for the receipt of any representation was the 17/02/2021. At the time of writing this report, one petition of objection with 5 signatures had been received to the scheme with concerns to the footpath diversion causing trespassing on their properties. The footpath officer was consulted and stated that the diversion has already been approved and confirmed the diversion is a separate issue and not for the consideration of this planning application.

Relevant Planning History

Main Planning Considerations

The dwelling is relatively isolated in nature and the 64 metre distance to the neighbouring property will ensure the scheme does not overbear or cause loss of light to an extent that would warrant refusal. The windows of the scheme are not considered to be excessively overlooking in nature and would not exacerbate any existing overlooking to an extent that would justify refusal. Due to the above, it is considered that the proposal complies with policy PCYFF 2 of the Anglesey and Gwynedd Joint Local Development Plan which states proposals will be supported providing they are not to the detriment of the amenities of the neighbouring properties.

The materials of the scheme will mirror that of the existing dwelling therefore the character of the existing dwelling and area will be maintained. The extensions will be to the rear and side of the property and the parts visible from the front elevation will not appear incongruous with the form of the existing dwelling or the other dwelling in the area. Policy PCYFF 3 is therefore considered to be complied with.

As part of the development of the site the alignment of a public footpath is being diverted. This does not form part of the planning application and has been separately consented by the Highway Authority.

Conclusion

The proposal is considered to align with the aims and objectives of the joint local development plan policies and there are no other material considerations that would indicate a refusal is warranted.

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 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, Existing & Proposed Block Plans / OBS-2020-092 GA001**
- **Proposed Ground Floor Plan / OBS-2020-092 GA005**
- **Proposed First Floor Plan / OBS-2020-092 GA006**
- **Proposed Elevations / OBS-2020-092 GA007**
- **Proposed Sections A-A & B-B / OBS-2020-092 GA008**
- **Public Footpath Diversion / OBS-2020-092 GA009**

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: PCYFF 2, 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.

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Planning Committee: 07/04/2021

12.1

Application Reference: FPL/2021/10

Applicant: Paul & Elen Pritchard

Description: Retrospective application for the erection of a garage on land adjacent to

Site Address: Bron Castell, Llanfair-yng-nghornwy



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 Councillor Llinos Medi Huws due to concerns by the local community on the garage's scale, location and design.

Proposal and Site

The application submitted is a retrospective planning application for the retention of the erected garage which has not been built in accordance with the approved planning application 18C225B.

The site lies within Llanfair-yng-nghornwy hamlet to the rear of Bron Castell dwelling. The dwelling approved under planning application 18C225B is currently under construction. The site also lies within the Area of Outstanding Natural Beauty.

Key Issues

The key issues is whether the proposed development impacts the surrounding amenities and whether the development impacts the Area of Outstanding Natural Beauty.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February, 2021)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd John Griffith	No response
Cynghorydd Kenneth P. Hughes	No response
Cynghorydd Llinos Medi Huws	Referred to Committee
Cyngor Cymuned Cylch-y-Garn Community Council	Objection

The application was publicised by serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was the 08/07/2020. At the time of writing this report, the department had received a number of representations from neighbouring residents.

Their main concerns were:

- Scale of the garage is too large
- Overlooking from the window
- Loss of sunlight
- Noise impact
- Out of character to the surrounding amenities
- Privacy impact of Bron Castell

The above concerns will be address within the main report section.

Relevant Planning History

18C225 - Full Planning - Cais llawn i godi annedd newydd, chreu mynedfa ynghyd a gosod paced trin carthffosiaeth ar dir ger / Full application for the erection of a dwelling, the creation of an access together with the installation of a package treatment plant on land adjacent t - Bron Castell, Llanfairynghornwy

18C225A/SCR - Screening Opinion - Cais barn sgrinio i godi annedd newydd, chreu mynedfa ynghyd a gosod paced trin carthffosiaeth ar dir ger / Screening opinion application for the erection of a dwelling, the creation of an access together with the installation of a package treatment plan - Bron Castell, Llanfairynghornwy

18C225B - Full Planning - Cais llawn i godi annedd newydd, chreu mynedfa ynghyd a gosod paced trin carthffosiaeth ar dir ger / Full application for the erection of a dwelling, the creation of an access together with the installation of a package treatment plant on land adjacent to - Bron Castell, Llanfairynghornwy

18C225C/SCR - Screening Opinion - Barn sgrinio ar gyfer codi annedd ar dir ger / Screening opinion for the erection of a dwelling on land adjacent to - Bron Castell, Llanfairynghornwy

18C225D/DIS - Discharge of Conditions - Cais i ryddhau amod (02) (Cynllun Rheoli Traffig) o ganiatâd cynllunio 18C225B ar dir ger / Application to discharge condition (02) (Traffic Management Scheme) of planning permission 18C225B on land adjacent to - Bron Castell, Llanfairynghornwy

Main Planning Considerations

The proposed development is for the retention of a garage which is currently under construction at the land to the rear of Bron Castell, Llanfairynghornwy.

The original position of the garage was granted under planning reference 18C225B on the 04/05/2017.

Under the above planning approval, the external dimensions of the garage were 6.4 metres by 6.4 metres with a height to the ridge of 5 metres. The distance from the garage to the boundary of Bron Castell which is the nearest residential property measures 1.5 metres.

The application was submitted as a result of the Enforcement Sections intervention following the receipt of a complaint with respect to the amended siting of the garage. Following an investigation it was noted that the position of the garage had been amended such that its position was 10 metres further back from its approved location. Furthermore, the dimensions had also changed such that it measured 6.8 metres by 6.8 metres within the curtilage. The garage is now positioned 10 metres back from the approved site. In addition to this, the scale of the garage is now different.

The garage under construction now measures 6.8 metres by 6.8 metres (representing an increase of 0.4m in both length and breadth) with an increase in ridge height of 0.9m to 5.9 metres. The distance to the boundary of Bron Castell has also been increased by 0.3m to 1.8 metres.

In terms of appearance the garage also now includes a ground floor window on the Northern side, a 1st floor window on the front elevation (Western side) and two skylights on the southern aspect roof plane.

In considering this proposal, it should be emphasised that the principle of a private garage on site has previously been granted as part of planning application 18C225B. The applicants have confirmed that the amended siting was required for functional reasons given the difficulties posed by ground levels on site as well as for practical reasons in terms of providing better turning, manoeuvring and parking area within the curtilage of the property.

In response to the objections raised in terms of scale it is acknowledged that the dimensions of the garage have been increased by 0.4 metres in both width and length with an increase in ridge height of 0.9m. It is not however considered that the scale of these changes is such that it should warrant the refusal of the application.

As stated within previous sections of this report the principle of the garage has already been granted. It is not considered that the new fenestration will have an adverse impact in terms of overlooking. The window on the Northern side will be installed with obscured glazing. In addition, a condition will also be placed on any permission granted to ensure that the window will also be non-opening. The skylight on the southern side will overlook the applicants' garden. The new window on the Western side will look out onto the applicant's front drive and turning area with oblique views towards Bron Castell.

It is acknowledged that the current position of the garage has been set back by 10 metres on an elevated parcel of ground which lies parallel to and above Bron Castell. However, it is not considered that the

proposed garage will overshadow Bron Castell or its curtilage to such a degree so as to warrant a refusal. It is acknowledged that the southernmost part of the garden at Bron Castell which is currently utilised as a hardstanding will be subject to a certain degree of shadowing during the day, however this in itself is not sufficient reason to refuse the application. The majority of the garden which serves Bron Castell which includes its lawned area on the Northern side will not be impacted upon.

It is not considered that the proposal looks out of character. The proposal is generally reflective of that which has previously been granted approval on the site. It is acknowledged that the garage can be seen from various points given its amended siting which lies at a level which is higher than its originally approved position. However this is set against the backdrop of the main dwelling house which serves to mitigate the visual impact.

On balance, it is considered that the proposed development complies with the relevant planning policies. It is not considered that the proposed development will impact adversely upon the character of the designated landscape nor upon the amenities of neighbouring properties to such a degree as to warrant its refusal. It is acknowledged that there have been objections raised to the proposal. Whilst these objections have been given detailed consideration as part of the Authority's assessment of matters it is not considered that the objections raised are sufficient reasons in themselves to justify the refusal of the application. It is considered that suitable conditions can be imposed upon the development to ensure its acceptability in land use planning terms.

Conclusion

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

Recommendation

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

- **Location Plan and Proposed Site Plan**
- **Proposed Elevation and Floor Plan**

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

(02) The garage shall be used solely for purposes incidental to the enjoyment of the dwelling house as illustrated on the submitted plans, and for no commercial or business use.

Reason: To ensure that inappropriate uses do not take place in the locality

(03) The window highlighted in blue on the plan attached to this permission (Proposed Garage Plan) shall be obscure glazed and non opening and shall not be glazed or re-glazed other than with obscure glass.

Reason: In the interest of amenity.

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 3, AMG 1

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: MAO/2021/1

Applicant: Grwp Llandrillio-Menai

Description: Minor amendments to scheme previously approved under planning permission 34C304K/1/EIA/ECON so as to allow development to commence on separate plots within Site B on land at

Site Address: Coleg Menai, Llangefni



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

Recommendation: Permit

Reason for Reporting to Committee

Application 34C304K/1/EIA/ECON was subject to an Environmental Impact Assessment and determined by the Planning and Orders Committee

Proposal and Site

The application is submitted under section 96A which 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 outline permission was granted under planning permission 34C304K/1/EIA/ECON was a hybrid planning application. The outline aspect of the permission included 153 dwellings, a hotel and food and beverage facility along with associated parking and works. That part of the site which was granted outline permission was identified as 'Site B' and included five separate plots as part of the masterplan.

Key Issues

Whether or not the proposed amendments to the conditions can be considered as a non material minor amendment.

Policies

Joint Local Development Plan

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

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 1: Welsh Language and Culture

Policy ISA 1: Infrastructure Provision

Policy ISA 5: Provision of Open Spaces in New Housing Developments

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

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

Policy TAI 8: Appropriate Housing Mix

Policy TAI 15: Affordable Housing Threshold & Distribution

Response to Consultation and Publicity

Consultee	Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	Concerns regarding bat connectivity
YGC (Ymgynhoriaeth Gwynedd Consultancy)	No Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No Objection
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Response
Ymgynghorydd Tirwedd / Landscape Advisor	No Objection
Llywodraeth Cymru (Priffyrdd/Highways)	No Comments

Relevant Planning History

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34C304R -Alterations and Extensions to engineering workshop at – Granted 06/11/02 34C304T - Extension to the existing engineering workshop at – Granted 08/10/03 34C304W - Erection of an aluminium glazed extension to form lobby at – Granted 09/02/07

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

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

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

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

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

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

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

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

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

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

34C304H/1 - Application for a prior notification of proposed demolition at Coleg Menai, Llangefni – Permitted Development 16/10/2015

34C304J/1 - Full application for the construction of an educational facility to block 3 at coleg Menai, Llangefni Permitted 24/02/2016

34C304K/1/EIA/ECON - Hybrid application applying for full planning permission for the creation of a new engineering centre, car parking, children's play area and associated works and applying for outline planning permission with some matters reserved for a residential development of 153 dwellings, a hotel and food and beverage facility along with associated car parking and works on land at Coleg Menai, Llangefni Permitted 25/07/2017

34C304L/1 - Full application for alterations and extensions together with the erection of an external storage at Coleg Menai, Llangefni Permitted 13/06/2017

34C304M/1 - Full application to retain the training modular building and compound for a further 5 years and change of use from Class B1 (offices) to an Alternative Emergency Control Centre (AECC) as a Sui Generis use at Coleg Menai, Llangefni Permitted 27/10/2017

34C304N/1/DIS - Application to discharge condition (07) (Landscaping) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304P/1/DIS - Application to discharge condition (05) (Construction Environmental Management Plan) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 24/09/2018

34C304Q/1/DIS - Application to discharge condition (15)(a) (Programme of Archaeological work) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304R/1/DIS - Application to discharge conditions (02)(Planting Strategy) and (03)(Biosecurity Risk Assessment) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 29/03/2018

34C304T/1/DIS - Application to discharge condition (13) (Surface Water) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304U/1/DIS - Application to discharge condition (08) (Lighting) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304V/1/DIS - Application to discharge condition (10)(Drainage Scheme) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304W/1/DIS - Application to discharge condition (09)(Fencing, walling and other enclosure details) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304X/1 - Full application for alterations and extensions to include food laboratory accommodation and storage building at Coleg Menai, Llangefni. Permitted 26/03/2018.

34C304Y/1 - Full application for the temporary siting of one portacabin and retention of one portacabin at Coleg Menai, Llangefni – Permitted 22/05/2018

34C304Z/1/ECON - Full application for the erection of six buildings, the change of use of field into a heavy plant training area together with the creation of a new car park at Coleg Menai, Ffordd y Coleg, Llangefni – Permitted 25/07/2018

34C304A/2 - Full application for the erection of a workshop at Coleg Menai, Llangefni – Returned to Applicant 07/10/2019

34C304B/2/SCR - Screening opinion for the erection of six buildings, the change of use of field into a heavy plant training area together with the creation of a new car park at Coleg Menai, Ffordd y Coleg, Llangefni EIA not Required 09/07/2018

SCR/2020/39 - Screening opinion for the erection of a further education sports hall, creation of coach parking within existing car park and associated landscaping on land at Coleg Menai, Ffordd y Coleg, Llangefni EIA not Required 11/08/2020

RM/2020/10 - Application for reserved matters for the erection of 60 dwellings together with associated development on land at Coleg Menai, Llangefni Not yet determined

RM/2020/11 – Application for reserved matters for the erection of 91 dwellings together with associated development on land at Coleg Menai, Llangefni Not yet determined

FPL/2020/162 - Full application for the erection of a further education sports hall, creation of coach parking within existing car park and associated landscaping on land at Coleg Menai, Llangefni Permitted 25/02/2021

MAO/2020/16 - Minor amendments to scheme previously approved under planning permission 34C304K/1/EIA/ECON so as to allow development to commence on plot 2 on land at Coleg Menai, Llangefni - Permitted 30/12/2020

Main Planning Considerations

A Hybrid application for full planning permission for the creation of a new engineering centre, car parking, children's play area and associated works and applying for outline planning permission with some matters reserved for a residential development of 153 dwellings, a hotel and food and beverage facility along with associated car parking and works on land at Coleg Menai, Ffordd y Coleg, Llangefni was approved under planning permission reference 34C304K/1/EIA/ECON on the 25/07/2017.

The application as accompanied by an Environmental Statement which informs the proposals including landscape and visual impact, ecology and Nature Conservation, Cultural Heritage and Archaeology.

The part of the site which relates to the outline permission was identified within the masterplan as 'Site B' which was separated into five plots as summarised below:

- Plot 1 – Residential Housing, parking and play area

- Plots 2 Affordable Housing
- Plot 3 – Affordable Housing
- Plot 4 - Residential Housing
- Plot 5 Hotel and food and beverage facility

Conditions 1-17 of planning permission 34C304K/1/EIA/ECON relate to the full planning permission whilst conditions 18 -44 relate to the outline consent.

The new engineering centre of the full planning permission has been completed, whilst matters relating to the outline consent remain outstanding. However, two separate reserved matters have been submitted and are currently being considered which relate to the residential aspect of the outline consent.

The wording of the conditions attached to permission 34C304K/1/EIA/ECON links all the plots within Site B, restricting the ability of certain plots to progress in advance of / or at different time to other plots. Since the granting of the permission, plots are now separately owned and therefore developers want to commence works at various times. The current section 96A application therefore seeks non material amendments to some conditions in relation to the outline consent in order to relate conditions to relevant plots and allow certain plots to progress at separate times to other plots.

A similar application was granted in 2020 under planning reference MAO/2020/16 to vary the wording of conditions 18, 21, 22, 23, 28, 29, 33, 35, 36, 40, 41 and 42 relating to planning permission 34C304K/1/EIA/ECON.

The Welsh Government have published “Planning Guidance: Approving Non-material amendments to an Existing Planning Permission” which is helpful in setting out the “starting point” in determining what may be deemed as being “non-material”. It states:

“2.6 In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. When assessing and determining whether or not a proposed change would qualify as non-material amendment, local planning authorities may wish to consider the following tests:

- (a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved scheme; and
- (a) (ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- (b) would the interests of any third party or body be disadvantaged in planning terms; or
- (c) would the proposed change conflict with national or development plan policies?

2.7 The tests are considered a ‘starting point’ for local planning authorities in their consideration of non-material amendments. There may be other considerations that will identify if a proposed amendments is non-material depending on the circumstances of each case.

As previously stated, the application seeks to amendments to some condition in order to allow certain plots to progress at separate times. Each condition being varied are outlined below together with what is being proposed:

(24) Alternative habitats (Bat boxes) shall be installed in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority and thereafter implemented in full in accordance with the approved details throughout the lifetime of the development.

Reason: In the interests of preserving the wildlife of the site.

Proposed change in order to include reference to relevant plots

Alternative habitats (Bat boxes) shall be installed in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority prior to the occupation of any of the dwellinghouses and thereafter implemented in full in accordance with the approved details throughout the lifetime of the development of the relevant Plot on which such bat boxes are to be installed.

Condition 27:

A Woodland Management Plan outlining the way woodland is to be managed, covering matters such as *aims*, list of *operations* to be performed, *timetable*, and provision for *review*. Operations may include thinning of planted trees, removal of guards and ties, removal of dead/ diseased limbs, actions to encourage particular wildlife species, and provision of control of invasive species and other actions, as appropriate. (to consider the entire site) shall accompany any full or reserved matters application and shall be approved in writing by the Local Planning Authority prior to commencement of development and thereafter implemented in full throughout the lifetime of the development.

Reason: In the interests of amenity.

Proposed change in order to include reference to relevant plots

No development shall commence until a Woodland Management Plan outlining the way woodland is to be managed, covering matters such as *aims*, list of *operations* to be performed, *timetable*, and provision for *review*. Operations may include thinning of planted trees, removal of guards and ties, removal of dead/ diseased limbs, actions to encourage particular wildlife species, and provision of control of invasive species and other actions, The Woodland Management Plan shall accompany any full or reserved matters application for Plot 4 and shall be approved in writing by the Local Planning Authority prior to commencement of development on Plot 4 pursuant to the relevant reserved matters approval and thereafter implemented in full throughout the lifetime of the development on Plot 4.

Condition 34:

Before any development commences, details shall be submitted to and approved by the Local Planning Authority in connection with the following reserved matters:

- i) Full details of the means of access to the site.
- ii) The proposed road layouts, extent and position of vehicle turning facilities, car parking facilities and delivery & loading and unloading facilities.
- iii) A scheme for surface water drainage and means of disposal including the position of gullies, chambers and outfalls, with pipe diameters and design data.
- iv) A scheme for street and outdoor lighting.

Reason: In the interests of amenity and highway safety.

Proposed change in order to include reference to relevant plots:

Before any development commences on a Plot, details shall be submitted to and approved by the Local Planning Authority in connection with the following reserved matters relating to that plot:

- i) Full details of the means of access to the site.
- ii) The proposed road layouts, extent and position of vehicle turning facilities, car parking facilities and delivery & loading and unloading facilities.
- iii) A scheme for surface water drainage and means of disposal including the position of gullies, chambers and outfalls, with pipe diameters and design data.
- iv) A scheme for street and outdoor lighting.

Condition 37:

No development shall commence on Sites 2 – 5, as shown on Drawing No. CS087795-CAP-XX-00-DR-L-0001 Rev P1 – Site Location Plan, until a drainage scheme has been submitted to and agreed in writing

by the Local Planning Authority. The scheme shall demonstrate how each site will be effectively drained to the public sewerage system and how the foul flows will eventually drain to:

i) The 150 mm combined sewer at manhole reference number SH46746801 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

or

ii) Another point of connection on the public sewerage system is identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the local planning authority. Thereafter the connection shall be made in accordance with the recommended connection options following the implementation of any necessary improvements to the sewerage network as may be identified by the hydraulic modelling assessment.

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.

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.

Proposed change in order to include reference to relevant plots

No development shall commence on Plots 2 – 5, as shown on Drawing No. CS087795-CAP-XX-00-DR-L-0001 Rev P1 – Site Location Plan, until a drainage scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate how each Plot will be effectively drained to the public sewerage system and how the foul flows will eventually drain to:

i) The 150 mm combined sewer at manhole reference number SH46746801 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

or

ii) Another point of connection on the public sewerage system is identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the local planning authority. Thereafter the connection shall be made in accordance with the recommended connection options following the implementation of any necessary improvements to the sewerage network as may be identified by the hydraulic modelling assessment.

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.

It is not anticipated that the proposed amendments will be great enough to cause and impact different to that cause by the original approved scheme. It is not considered that the impact would result in a detrimental impact either visually or in term or local amenity.

Consultations relating to the conditions being amended have been undertaken as part of the application., Natural Resources for Wales, Local Highway Authority and the Authority's Ecologist and Landscape specialists have raised no objection. Natural Resources for Wales initially raised concerns regarding protected species, however, information was submitted demonstrating how impact on bat connectivity and foraging would be avoided. It is not considered that third party or body would be disadvantage in planning terms or conflict with national or development plan policies.

Having considered the above and all other material considerations my recommendation is that the proposed amendments are deemed to be non-material and therefore be approved under Section 96A of the Town and Country Planning Act 1990. This decision should

Conclusion

It is considered that the proposed amendments are considered to be non-material amendments.

Anglesey Coastal Area of Outstanding Natural Beauty. The dwellings are two storeys which currently include single storey flat roof extensions to the rear which are accompanied by small garden areas. The site is bound to the front by the highway and is bordered to the rear by a restored ancient woodland.

Key Issues

The key issues of the application are as follows:

- Design
- Impacts upon residential amenity

Policies

Joint Local Development Plan Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Llangoed Community Council	No response
Cynghorydd Carwyn Jones	No response
Cynghorydd Alun Roberts	No response

No publicity was carried out as part of the application as it is not a statutory requirement and no neighbouring properties will be impacted by the change.

Relevant Planning History

FPL/2019/300 - Cais llawn ar gyfer addasu ac ehangu ynghyd a creu man parcio newydd yn / Full application for alterations and extensions together with creation of new parking area at - 15/16 Coedwig Terrace, Penmon - [object Object] - Caniatáu / Permit

Main Planning Considerations

Design

From a design point of view, it is not considered that the proposed minor amendment would create impact different to that of the original consent. The larger proposed opening will not be viewable from public viewpoints and it is not considered that it would harm the appearance and character of the dwellings or of the terrace.

Impact Upon Residential Amenity

The patio doors will face the open countryside to the rear of the terrace and therefore it is not considered that the amenities of any surrounding properties would be impacted as a result of the minor amendment.

Conclusion

The scheme will comply with all relevant policies of the Anglesey and Gwynedd Joint Local Development Plan and the Authority Supplementary Planning Guidance Design guide whilst not creating any impacts different to the original consent. It is therefore considered that the application is justified in its recommendation for approval.

Application Reference: FPL/2020/191

Applicant: ALAN & EIRA THOMAS

Description: Full application for the erection of a dwelling together with the construction of a vehicular access on land at

Site Address: Rallt Gwta, Newborough, Llanfairpwllgwyngyll



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 a local member and the application site also encompassed council owned land.

Proposal and Site

The application site is located within the settlement of Newborough. This part of the settlement to the south west of the A4080 is located within the Area of Outstanding Natural Beauty "AONB". The application site is located in close proximity to the centre of the village and would be accessed via Church Street and then vehicular access would then be via Tan Roft.

The application site comprises the rear garden of the applicant's existing residential property at Rallt Gwta which is orientated obliquely from the proposed development. There is a caravan and two containers present on the applicant's land. To the north there are existing residential properties facing Church Street which are elevated above the application site and have their rear elevations facing. There is a retaining wall along the northern boundary. There is an existing property adjacent to the south part of which immediately abuts the boundary between the properties.

This is a full planning application for a two storey 3 bedroom general market house.

Key Issues

- Principle of the Development
- Highway & Sustainability Considerations
- High Quality Development
- Residential Amenity
- AONB

Policies

Joint Local Development Plan

Anglesey and Gwynedd Joint Local Development Plan (2017)

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PS 17: Settlement Strategy

TAI 3: Housing in Service Villages

TAI 8: Appropriate Housing Mix

PS 19: Conserving and where appropriate Enhancing the Natural Environment

PS 19: Conserving and where appropriate Enhancing the Natural Environment

AMG 1: Area of Outstanding Natural Beauty Management Plans

AMG 3: Protecting and Enhancing Features and Qualities that are distinctive to the local Landscape Character

AMG 5: Local Biodiversity Conservation

AMG 6: Protecting Sites of Regional or Local Significance

Planning Policy Wales Edition 11 "PPW"

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

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

SPG Parking Standards, 2008.

SPG Design in the Urban and Rural Built Environment, 2008 "SPG Design Guide"

Supplementary Planning Guidance Housing Mix (October 2018)

Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (July 2019)

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

Response to Consultation and Publicity

Cynghorydd Peter Rogers: No observations received.

Cynghorydd Bryan Owen: Called the application to the planning committee to ensure that the proposal complies with relevant policies. It will also give the applicant the opportunity to speak at the committee.

Cyngor Cymuned Rhosyr Community Council: No observations received.

Iechyd yr Amgylchedd / Environmental Health: Considerations in relation to working hours and rock breaking described.

Dwr Cymru Welsh Water: Having assessed the proposed site plan, we note foul flows are proposed to connect into an unknown pipe and surface water flows are proposed to discharge into a soakaway system. In the absence of clarity regarding the foul point of connection, we would kindly request that if you are minded to grant planning consent for the above development that a planning condition is attached requiring details of this.

Adain Dechnegol (Draenio) / Technical Section (Drainage): No observations received.

Cyfoeth Naturiol Cymru / Natural Resources Wales: Landscape: The development site lies within the Ynys Mon Area of Outstanding Natural Beauty (AONB) where the primary objective is the conservation and enhancement of natural beauty. NRW do not consider the proposal will have a significant effect on the landscape. Protected Species: We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

Priffyrdd a Trafnidiaeth / Highways and Transportation: Conditional permission.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Bat boxes and instruction has been added to the elevation plans for the south east gable and this is acceptable. In association with the proposed landscaping this fulfils requirements under the Environment Act Wales. Informatives recommended as regards protected species and nesting birds.

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

Ymgynghorydd Tirwedd / Landscape Advisor: Matters of building design and scale are not fully considered here. The site is residential in character and it is considered that further similar development would not affect natural beauty, AONB features or special qualities related to landscape. Materials such as wood are preferred for cladding materials due to their natural weathering abilities. However, in a residential context where a site is within a less rural context without evident natural beauty, modern materials would be acceptable where colours and finishes are appropriate to the context. In this case a slate grey colour or similar may be more appropriate than the wood effect illustrated in the elevation plans. No natural features such as trees or hedges would be affected or removed. Some landscaping is proposed on the Proposed Site Plan but is unsuitable to be taken forward as an agreed scheme in the area available for planting.

Public Rights of Way Officer: No comment.

Joint Planning Policy Unit: Policy considerations are listed and it is also confirmed that the indicative supply level for Newborough over the Plan period is 40 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.). During the period of 2011 to 2020, a total of 17 units have been completed in Newborough (4 on allocated sites and 13 on windfall sites). The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2020 stood at 12 units (8 on allocated sites and 4 on windfall sites) means that at present there is capacity within the indicative supply for the settlement of Newborough. In light of the above mentioned figures under criterion (1b) of Policy PS 1 currently there is no need for a Welsh language statement to support the application.

Housing Strategy Comments awaited at the time of writing.

The planning application has been advertised on two occasions and that latest notification of the additional information submitted period expired on the 24.12.20. Three objections have been received on the following grounds:

Initially Submitted Proposals

- One objection explains that as a matter of principle that they would not object as a matter of principle to reasonable and appropriate development.
- Status of the existing static caravans and containers is unclear.
- Small size of the plot (and the resultant plot of the existing dwelling at Rallt Gwta) compared to surrounding properties would be at odds with the local character.
- The distances are below those required in the SPG Design Guide and significantly to the rear of the proposed dwelling where 9.1m minimum length is required.
- The planning application contains no details of existing and proposed ground or finished floor levels.
- The height, length and appearance of that part of the dwelling facing the properties to the north is considered dominant and overbearing, and results in an unacceptable loss of amenity and outlook from properties to the north.
- Extensive use of cedar cladding is not sympathetic to the AONB.
- There are significant failings in respect of the level of detail and design having regard to TAN 12.
- Proposal conflicts with PPW, PCYFF 2 and PCYFF 3 as it does not protect amenity, complement or enhance the character of the site through its siting appearance, scale, height, massing and elevation treatment nor respects context.

Additional Information

- The proposal remains silent on the container within the grounds of Rallt Gwta.
- The revised plans still show that the proposed and existing plot at Rallt Gwta would be considerably smaller than the wider character of the locality.
- The floor level of Rallt Gwta would be 2.43m higher than that of the proposed dwelling. This would trigger the proximity of development section in the SPG Design Guide notwithstanding that the existing property is at an angle. This can only be mitigated by increasing the distance and moving the proposed dwelling forward but this would result harm to the character and appearance of the street frontage.

One of the representations received explains that the water mains runs through the application site and will need re-routing or ensuring that there is no damage to it. Also that a 1.8m high fence would block the right of light through two small windows. If these matters could be addressed then the writer would support the proposal.

At the time of writing amended plan showing a public footpath on the frontage of the application at Tan Rofft are awaited and will be re-advertised.

Relevant Planning History

No material planning history.

Main Planning Considerations

Principle of the Development

Policy PS 17 states that housing development will be distributed in accord with the settlement strategy based on a settlement's level of service provision, function and size (population) and subject to its environmental, social and infrastructure capacity to accommodate development. Newborough is identified as a Service Village under the provisions of Policy TAI 3 of the JLDP and this policy permits housing within the settlement on suitable allocated and windfall sites.

The application site is located on windfall site within the settlement boundary of Newborough as defined under the provisions of policy PCYFF 1. The JPPU's comments state that there is capacity within the indicative supply for the settlement. In light of this the JPPU explain that under criterion (1b) of Policy PS 1 currently there is no need for a Welsh language statement to support the application.

Policy TAI 8 of the JLDP states that the council will work with partners to promote sustainable mixed communities by ensuring that all new residential developments contributes to improving the balance of housing and meets the identified need of the whole community by adherence to the listed criteria The Supplementary Planning Guidance Housing Mix (October 2008) provides detailed guidance in this regard. Justification for the housing mix, comprising a 3 bedroom two storey detached dwelling has been provided as part of the submission and the comments of the council's Housing Service are awaited at the time of writing.

To ensure the sustainable use of housing land policies PCYFF 2 and TAI 8 a minimum housing density of 30 units per hectare is required for residential development unless there are local circumstances or site constraints that dictate a lower density. The development subject to this planning application does not attain this minimum density and the local circumstances and site constraints are considered further in the report below.

Highway & Sustainability Considerations

The application site can be regarded as being in a relatively sustainable location in Anglesey's rural context. The application site is in close proximity to the centre of the village and lit pavements are available to provide safe pedestrian access to the centre. There are a number of retail facilities present at the centre of the village in addition to a new primary school nearby which. Public transport facilities are available with regular bus services available to higher order settlements at Bangor and Llangefni.

No objections are raised by the council's Highways Section subject to the conditions recommended which include a requirement for a pedestrian footway along the frontage of the application site with the public highway. Members are advised that the pedestrian footway encompasses council owned land comprising a highway verge but the Highways Section are content for it to be developed as a public footpath. Amended plan encompassing this area and showing a footpath are being publicised at the time of writing.

High Quality Development

It is material to consider the relationship of the development with its surroundings having regard to the relevant policies in the JLDP. Policy PCYFF 2: Development Criteria and PCYFF 3: Design and Place Shaping, and PCYFF 4: Design and Landscaping are the primary Considerations in assessing the proposal from this aspect. National planning policies in PPW and TAN 12 are also material.

The application site is located in close proximity to the centre of the village and would be accessed via Church Street and then vehicular access would then be via Tan Roff. In this locality the urban vernacular is varied including terraced type properties, bungalows and larger dwellings on the periphery of the settlement. The proposal is made for a two storey house with a slated roofs and this would not be out of character in this varied context where similar dwellings also exist.

Residential Amenity

The council's SPG Design Guide provides guidance on acceptable distances on various elevations to the boundaries and adjacent properties. The distances provided in this guidance are intended to prevent excessive overlooking between dwellings and into private garden areas and to provide an adequate outlook from windows. Objections have been received on the basis that the rear elevation of the proposed dwelling would be too close to that of applicant's property at Rallt Gwta given that the existing property is elevated above the proposed dwelling. Further that the two storey gable would have an unacceptable

impact on the amenities of properties to the north by virtue of being oppressive and having an unacceptable impact on the outlook of these properties. On the basis that the rear elevation of the proposed dwelling is secondary aspect as shown on the plans the proposed dwelling is considered compliant with the guidance distances in the SPG Design Guide. Similarly the distances from the side elevation of the proposed dwelling to the boundary and the existing residential dwellings to the north. On this basis it is not considered that the proposal would result in the impacts on amenity described in the objections. The objections received also query the status of the existing caravan and containers on the site which are in close proximity to the boundaries. These would be removed as part of any planning permission granted and this can be attributed positive weight in terms of both the residential amenity of properties adjacent but also the amenities of the wider area and the AONB considered below.

Objection has been received that a 1.8 metre fence would block light into two windows of an adjacent property. This is not a matter which would lead to a refusal on this basis. There are also separate legislative provisions in relation to the loss of light.

AONB

The application site is located in part of the settlement to the south west of the A4080 is located within the Area of Outstanding Natural Beauty "AONB". Paragraph 5.3.5 of PPW states that the primary objective of designating AONB'S is the conservation and enhancement of their natural beauty and that development management decisions should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well-being of the areas. There is also a statutory requirement to have regard to the provisions of the AONB Management Plan. NRW are the statutory consultee in relation to the AONB and they do not consider the proposal will have a significant effect on the landscape. Similarly in the council's Landscape Adviser considers that in this built up context within the AONB that further similar development would not affect natural beauty, AONB features or special qualities related to landscape. Given the comments of the landscape officer on the appropriateness of some the plans species shown on the plans a landscaping condition has been recommended to secure an enhancement in the AONB. The use of more indigenous plant species would also have a positive impact in terms of biodiversity and align with the council's duties under the Environment Act Wales. Taking all these matters together it is considered that the proposal is compliant with policy and statutory provisions in relation to the AONB.

Conclusion

Having regard to the development plan and all other material considerations the proposal is considered acceptable. The material considerations include the objections received which have been assessed and do not lead to a recommendation of refusal. Amended plans are still being publicised in relation to the pedestrian footway at the frontage of the development and delegated powers are being requested to approve the planning application at the end of this period.

Recommendation

That delegated powers are granted to approve the planning application upon the expire of the publicity period on the 15.04.21 and no representations being received which raise any new matters.

Thereafter that planning permission is granted subject to the completion of a legal agreement requiring the removal and cessation of uses in connection with the existing caravan and containers on the site.

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

(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 2775:20:01A

Existing Site Plan 2783:20:02a

Proposed Site Plan 2783:20:03c

As Proposed 2783:20:5

Construction Traffic Management Plan Details Russell Hughes Cyf

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

(03) The means of enclosure (including walls and fencing) shown on the plans hereby approved shall be constructed or erected prior to the occupation of the dwelling(s) to which they relate and shall thereafter be retained in the lifetime of the development hereby approved and any replacement means of enclosure 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 the area.

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

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

(05) 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 interest of the visual amenities of the locality, the Area of Outstanding Natural Beauty and to secure an ecological enhancement.

(06) A new pedestrian footway shall be constructed along the whole frontage of the application site adjacent the public highway. No development shall commence until full details of the pedestrian footway have been submitted to and approved by the Local Planning Authority. The pedestrian footway must be completed in accordance with the details which may be approved in writing under the provisions of this planning condition prior to the occupation of the dwelling hereby approved.

Reason To enable safe movement of pedestrians from the development.

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

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

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

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

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

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

(10) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the highway before the use hereby permitted is commenced.

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

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

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

(12) No surface water from the development shall discharge onto the public highway.

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

(13) No development shall commence until a foul water drainage scheme for the development hereby approved has been submitted to and approved in writing by the local planning authority. The foul water drainage scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the details as may be approved under the provisions of this condition prior to the occupation of the development.

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.

Ni fydd yr Awdurdod Prifffyrdd yn gyfrifol am unrhyw ddŵr wyneb ffordd sy'n dod i mewn i'r safle o ganlyniad i'r datblygiad.

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

Ei gyfrifoldeb ef fydd unrhyw addasiadau, preswyllo a / neu amddiffyn unrhyw wasanaethau statudol ar y briffordd a'u cyflawni ar ei draul ei hun.

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

Rhaid i'r Awdurdod Prifffyrdd, eu Asiantau neu Contractwr cymeradwy arall gyflawni'r draffordd a / neu'r groesfan sy'n ofynnol mewn cysylltiad â'r datblygiad hwn cyn i'r mynediad gael ei ddefnyddio a'i gwblhau cyn dechrau'r defnydd.

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

Os yw'n dewis cyflawni'r gwaith ei hun /, dylid cynghori'r Ymgeisydd i wneud cais ysgrifenedig i'r Cyfarwyddwr Corfforaethol Priffyrdd, Trafnidiaeth ac Eiddo am y caniatâd angenrheidiol, fel sy'n ofynnol o dan Adran 171 Deddf Priffyrdd, 1980 i gwneud gwaith o fewn y briffordd ar gyfer ffurfio'r droedffordd a / neu'r groesfan ymylon.

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

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.