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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, 10 CHWEFROR, 2021 am 1.00 o'r gloch yb	WEDNESDAY, 10 FEBRUARY 2021 at 1.00 pm
CYFARFOD RHITHIOL	VIRTUAL MEETING
Swyddog Pwyllgor	Mrs Mairwen Hughes 01248 752516 Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

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

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

A g e n d a

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

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

MEMBERS OF THE 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)
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_(Pages 1 - 10)

To present the minutes of the previous virtual meeting of the Planning and Orders Committee held on 13 January, 2021.

4 SITE VISITS_(Pages 11 - 12)

To present the minutes of the virtual site visits held on 20 January, 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 - 36)

7.1 – FPL/2020/150 – Bridge Street, Llangefni

https://ioacc.force.com/s/papplication/a1G4H00000MiHp3UAF/fpl2020150?language=en_GB

7.2 – FPL/2019/217 – Craig y Don Estate & Cherry Tree Close, Benllech

https://ioacc.force.com/s/papplication/a1G4H00000JsypkUAB/fpl2019217?language=en_GB

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS_ (Pages 37 - 46)

10.1 – VAR/2020/60 – Ty Newydd, Llanfair yn Neubwll

https://ioacc.force.com/s/papplication/a1G4H00000NA2fmUAD/var202060?language=en_GB

10.2 – FPL/2020/249 – Tyddyn Orsedd, Rhoscefnhir

https://ioacc.force.com/s/papplication/a1G4H00000NB2X8UAL/fpl2020249?language=en_GB

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS_ (Pages 47 - 56)

11.1 – MAO/2020/29 – Parciau, Llanddaniel

https://ioacc.force.com/s/papplication/a1G4H00000NAksJUAT/mao202029?language=en_GB

11.2 – VAR/2020/74 – Tre Wen, Pen Lôn, Newborough

https://ioacc.force.com/s/papplication/a1G4H00000NBhfyUAD/var202074?language=en_GB

12 REMAINDER OF APPLICATIONS_ (Pages 57 - 104)

12.1 – OP/2020/6 Land adj Roebuck Estate, Llanfachraeth

https://ioacc.force.com/s/papplication/a1G4H00000MffC6UAJ/op20206?language=en_GB

12.2 – FPL/2020/264 – Former Heliport Site, Penrhos Industrial Estate, Holyhead

https://ioacc.force.com/s/papplication/a1G4H00000NBhcKUAT/fpl2020264?language=en_GB

12.3 – FPL/2020/195 – Sea Shanty Café, Lon St Ffraid, Trearddur Bay

https://ioacc.force.com/s/papplication/a1G4H00000Mj7sXUAR/fpl2020195?language=en_GB

12.4 – HHP/2020/302 – 38 Lon Conwy, Benllech

https://ioacc.force.com/s/papplication/a1G4H00000NBi1uUAD/hhp2020302?language=en_GB

12.5 – MAO/2020/31 – Bryn Meurig, Llangefni

https://ioacc.force.com/s/papplication/a1G4H00000NBevhUAD/mao202031?language=en_GB

12.6 – FPL/2020/258 – Garreglwyd Park, South Stack Road, Holyhead

https://ioacc.force.com/s/papplication/a1G4H00000NBCOPUA5/fpl2020258?language=en_GB

12.7 – VAR/2020/66 - Former Primary School, Pentraeth Road, Menai Bridge

https://ioacc.force.com/s/papplication/a1G4H00000NAksnUAD/var202066?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.

13 OTHER MATTERS

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

PLANNING AND ORDERS COMMITTEE

Minutes of the virtual meeting held on 13 January, 2021

- PRESENT:** Councillor Nicola Roberts (Chair)
- Councillors Glyn Haynes, Trefor Lloyd Hughes MBE, Kenneth Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen, Dafydd Roberts, Robin Williams
- Local Members: Councillors Aled M. Jones (application 7.2), Llinos Medi (application 7.3). R.G.Parry, OBE FRAGS (application 12.2), Alun Roberts (application 12.1), Margaret Roberts and Ieuan Williams (application 7.1)
- IN ATTENDANCE:** Development Management Manager (NJ)
Planning Officer (JR)
Development Management Engineer (Highways) (JAPR)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** Councillors John Griffith and Richard Owain Jones
- ALSO PRESENT:** Councillor Richard Dew (Portfolio Member for Planning and Public Protection), Councillors G.O.Jones, Bryan Owen, Mr Gareth Wyn Williams (Local Democracy Reporter)
-

1. APOLOGIES

The apologies for absence were noted as listed above.

2. DECLARATION OF INTEREST

No declaration of interest was received.

3. MINUTES OF THE PREVIOUS MEETING

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

4. SITE VISITS

The minutes of the virtual site visit held on 16 December, 2020 were presented and were confirmed as correct.

5. PUBLIC SPEAKING

Representations made by an objector and a supporter with regard to application 7.1 and by a supporter with regard to application 7.2 were read out in full at the meeting.

6. APPLICATIONS THAT WILL BE DEFERRED

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

7. APPLICATIONS ARISING

7.1 FPL/2019/217 – Full planning application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land adjacent to Craig y Don Estate and Cherry Tree Close, Benllech

The application was reported to the Planning and Orders Committee having been called in for the Committee's determination by two of the Local Members. Welsh Government Ministers had received a request to call-in the application for their own determination and the application had previously been deferred pending this decision. Welsh Government Ministers had now reviewed the application and decided not to call it in.

The Legal Services Manager read out a statement by Tom Woodward, a resident of Craig y Don Estate in opposition to the application as follows -

Thank you for the opportunity to comment directly to the Planning Committee, although those of you who have read all the objection letters may already be aware of some of the points I am making.

I would like to point out that the information supporting the application is not correct due to it being used by the Developer to support another affordable home development in the village of Benllech of 27 homes which was passed several months ago by yourselves. Thus, the demand forecast is incorrect.

This proposed development is outside the current development plan area and is being built on an AONB. I realise that there are allowances for small developments to take place outside the Local Development Plan, but there is no definition of small or the maximum development that could be undertaken in these instances. It is open to interpretation in different locations. This is not planning but the erosion of boundaries.

The number of properties sought originally was 29, this has suddenly dropped to 17 – Why? If the supporting data for the application was correct requiring 29 affordable homes how can it suddenly reduce to 17? Probably because the discussions being undertaken by the applicant with Planning Officers reveals that 29 was too big to meet the TAN2 ill-defined SMALL definition, so make a reduced development application to ensure that some development is allowed and open the way for additional units at a later date.

The developer plans to provide more field access points than the farmer previously enjoyed, each gate with a tarmacked road to the field gates. The revised drawings for the 17 properties reveal a total of 3 field accesses, labelled for farm use, but it seems quite obvious, again, that the ultimate objective of this planning application, if successful, is to allow extension of the development at some future date.

With the increase in housing of the area of the new planning that has been passed, I am led to believe that we will exceed the Local Development Plan by over 60%. Our local services and facilities are going to be further stressed with those dwellings already given planning permission plus this application.

Presumably the occupants of these affordable homes will be families with youngsters and teenagers but there is nothing for them to do, there is one small playground in the village supposed to be used by children up to about 9; this is maintained by the Community Council who are forever having to replace the rubberised "fall safe" material under the play

equipment. We did have another playground behind Maes Goronwy but due to dereliction was turned into allotments by the Council.

Where will these families find jobs? There are only holiday and a few local service jobs available in the village so these newcomers will have to travel either towards Bangor or Llangefni and thereby create more carbon emissions. The aim of the Welsh Government, and the Council is to reduce carbon emissions, most of these journeys will be by car and increase traffic exiting the Craig y Don Estate. The access onto the A5025 from Craig y Don is dangerous and traffic on it is generally exceeding the speed limit made more hazardous by the presence of a bus stop within 30 yards of the Craig y Don exit. There have been several near misses but fortunately, so far, no injuries.

I believe that this development is not required, ill-conceived, will spoil the village and is trying to hoodwink the Committee into granting permission. I therefore trust that the Committee will turn down this application.

The Legal Services Manager then read out the following statement by Caulmert (Engineering, Environmental Planning), Agent to the applicant in support of the application –

I write as Agent acting on behalf of the applicant, Clwyd Alyn Housing Association, for the above mentioned planning application which is before you today. The purpose of this representation is to discuss the significant benefits the proposed application will bring.

The application is for the erection of no. 17 affordable dwellings together with associated development including new accesses, internal estate roads, pumping station and soft/hard landscaping.

As discussed with the Planning Officer's committee report, the proposed development is supported by Policy TAI 16 of the Joint Local Development Plan by virtue that the proposal is to provide 100% affordable housing and is adjacent to the Benllech development boundary.

It has been confirmed by statutory consultees that there is a significant need for the number of affordable houses proposed within the development. The Joint Planning Policy Unit together with the Planning Officer have supported the submitted Alternative Sites Assessment which confirms that there are no other available suitable sites which can provide this level of affordable homes either within, or adjacent to, the development boundary of Benllech.

The proposed development is within the Anglesey Coastal AONB and sits partly within the designated Cors Efail Newydd Local Wildlife Site. For the avoidance of doubt the proposed development would result in the loss of approximately 13.5% of the wildlife site.

At this juncture it is important to note that the designation of the Local Wildlife Site upon the development site was imposed as a result of the adoption of the Joint Local Development Plan. Since the adoption of the JLDP there has been no additional guidance or enhancement plans set out by the Council on how the Wildlife Site should be managed and/or maintained.

As a result, the Wildlife Site has had no formal management to date and this will continue in perpetuity if no mechanism for the management of the site is secured. As discussed within the committee report it is understood that the Local Authority has no power available to enforce any retention or management of the site and as such the Wildlife Site may continue to deteriorate without any intervention.

Surveys undertaken by the applicant's ecologist indicates that the overall Wildlife Site is degrading and will continue to do so under the current management. The surveys also indicate that the areas which will be lost as a result of the proposed development are of lesser ecological value with minimal habitat for the listed species of the Wildlife Site compared to the Wildlife Site as a whole.

The applicants have worked hard with the current landowners of the local Wildlife Site in order to prepare and secure a high level Conservation and Management Strategy for the Local Wildlife Site should permission for the proposed development be granted. The aim of this strategy is to enhance the Wildlife Site by securing a strategy for management and maintenance of the site which would not otherwise be available. Measures to be included within the strategy include the management of willow, grazing of the site in a responsible manner and the survey, reporting and monitoring of the site to ensure ongoing enhancement is effective. It is considered that this strategy, over time, will reverse the degradation of the Wildlife Site seen over the last few years and will enable this site to thrive in the future. The proposed strategy is supported by Natural Resources Wales and Gwynedd Council's Ecologist.

We agree with the Planning Officer's assessment that there is an identified need in Benllech for affordable dwellings with no alternative sites within the development boundary which can be delivered in a reasonable timescale to address the need. Given due weight to this fact together with the mitigation and enhancement measures being proposed which will improve the unmanaged wildlife site, on balance it is considered there is an overriding social need for the proposed development.

With relation to the proposed development being located within the AONB, currently the AONB in this part of Benllech is bounded by residential curtilages along Craig y Don and Cherry Tree Close. This boundary is ad-hoc in nature and contains many utilitarian and domestic in nature features such as garden sheds, timber fencing etc. The proposed development includes for the provision of significant boundary treatment and landscaping across the entire length of the site's boundary which will result in an improved and enhanced boundary between the built form of the development boundary and AONB/open countryside when viewed from within the AONB. This is a view supported by NRW and the Council's AONB Officer during the consultation responses who both offered no objection.

The ambition of the Welsh Government to increase supply and shorten the timescales for delivery of more housing across Wales, remains a high priority. The acute shortage of affordable housing is growing. Clwyd Alyn are supportive of this planning application and consider Benllech as strategically important in an area of high need for affordable homes and where opportunities are limited in this area of popular choice.

Clwyd Alyn propose to deliver these homes through the Affordable Tenure method in line with Council Policy for Exception Sites and a Local Lettings Policy will be put in place with the details of such Policy agreed with the Local Authority. This will ensure that local people have access to these properties and the benefits of such for the future of the community.

Clwyd Alyn construct properties to a very high standard of thermal efficiency and follow the Welsh Government agenda of supplying low carbon properties, along with the sustainable drainage system on the estate. Taking also into account the improvements to the mitigation and enhancement measures to the wildlife site, we feel that the Committee should recommend its support to this proposal.

Councillor Margaret Roberts, a Local Member in emphasising that she was supportive of affordable housing in principle given that local people are so often priced out of their own communities, said that she did however believe that seeking to deliver affordable housing on

any available land is a false step and risks creating ghettos in places where there are little or no facilities for them. The proposed development is located on wet marsh land and with increasing rainfall this could be problematic; the development is also outside the boundary of Benllech and according to the strategy, should therefore not take place. She had on many occasions highlighted traffic and over-development issues in and around Benllech which problems are not going to be helped by this proposal and when added to a previously approved development of affordable housing in the area which she did support, she believed the current proposal to be a development too far especially as there are only 11 vacant places available at the local school. She felt that there had to be better cross service discourse about such developments – if there is insufficient capacity in the local school then proposals for housing for families are not practical. At 4 miles distance and with spare capacity in the school Moelfre is very much in need of affordable housing as so many of its properties are second homes making it unaffordable for local families to live in the village. Affordable housing is needed but should be in the right place. In making her comments Councillor Roberts said that she hoped the Committee would support a site visit to better appreciate the issues which she had highlighted.

Councillor Trefor Lloyd Hughes proposed, seconded by Councillor Robin Williams that a virtual site visit be conducted in accordance with the Local Member's request. The Committee supported the proposal.

It was resolved that a virtual site visit be conducted.

7.2 FPL/2019/322 – Full application for the conversion of a church into a dwelling together with the construction of a new vehicular access at Christ Church, Rhosybol

The application was reported to the Planning and Orders Committee having been referred to the Committee for determination by a Local Member. At the Committee's December, 2020 meeting, it was resolved that a site visit was required. A virtual site visit was undertaken on 16 December, 2020.

The Legal Services Manager read out a re-development statement by William Morris, the applicant as follows –

I hope this statement finds you all well.

I love this beautiful building and desperately want to retain its beauty for all. When I purchased this building there were only gutters on a small section of roof and many leaks to the roof itself. The windows were all boarded up and some smashed. I have installed new gutters, sealed the leaks and protected the beautiful windows with Perspex sheeting, vastly improving the view of the church for all. With planning permission I will be able to refurbish and maintain it for good.

Having discussed the redevelopment with several neighbours and visitors to the cemetery, all feedback had been very positive. It was a great shock and very upsetting to hear that there were people who had concerns. I want to reassure everybody, I am sympathetic to their concerns and in this refurbishment I seek the benefit of all.

I believe concerns were raised about access to the graveyard and the general idea of having a house within a graveyard. I would like to address these concerns here:

- *Visitor access to the graveyard will be maintained and improved by the widening of the gate and providing provision for 1 car to park. The space will be available to any visitors should they wish to park off the road. This would make access easier and safer for disabled and elderly visitors.*

- *Although I understand why some would have concerns about a house in a graveyard. I myself am at peace with the idea. I am a very respectful person and when I am around the property I tidy up litter from the graveyard and trim the bushes and mow the grass. If there is anything I can do to help demonstrate this I would be more than happy to oblige.*

Whilst always respecting the character of the property my aim is that the development would encourage a prosperous, healthy and safe community by bringing back to life this derelict building and retaining its beauty for future generations in line with the Well-being of Future Generations (Wales) Act 2015, and the single integrated plan for Anglesey.

Through the use of solar panels on the south elevation of the roof of the building carbon management will minimise the non-renewable energy usage and embody the spirit of the Anglesey energy island programme whilst also ensuring sustainability of the building. An electric vehicle charging point will be installed with a view to the sustainable future of Anglesey.

This development will meet the highest quality and design standards. Whilst being energy efficient, this refurbishment will renew this unique building to a permanent locally distinctive quality place rather than leaving it to fall into further disrepair.

The church has been derelict for over 20 years. I believe it would be unsustainable and really sad to prevent development and leave it as a derelict structure to eventually collapse.

It is with the greatest respect that I ask you to please grant planning permission.

Councillor Aled Morris Jones, a Local Member said that there was great concern locally about the development specifically with regard to the graves being so close to the church building on all sides and he knew that the Community Council and fellow Local Member, Councillor Richard Griffiths oppose it. The proposed turncircle facility which is meant to enable parking is especially close to one of the graves. This cannot be properly appreciated from the scheme plan. Councillor Jones referred to the policies in relation to sustainable development, community facilities, design and landscape and highway access which apply in this case and said that he did not believe the proposed development meets design and highway access requirements as it is not possible to create a residential dwelling on this site without interfering with the graves. Converting the church building into a dwelling will generate greater use added to which visitors will want to attend existing graves. He was surprised that the Church in Wales had not contacted the Community Council nor the Local Members which he understood was supposed to happen under canon law. Whilst he respected the developer's statement, he the developer had also alleged that people were supportive of the application when they were not. Councillor Jones asked the Committee to have regard for those buried in the graveyard which is still in use, and also for an area of grass land on site which is believed to hold unmarked graves. He asked the Committee to reject the application on design and highways grounds so that those laid to rest in the churchyard can remain undisturbed and the concerns of their families regarding this development can be allayed.

The Development Management Manager reported that the application which is to convert a redundant church building into a dwelling does include access for vehicles and a turncircle parking area at the front of the church which has been introduced in response to local concerns about traffic issues. Detailed drawings of the turncircle have been submitted which include a cross section showing that the structure will be 100mm under ground level. Consequently, it is not considered that this will have a detrimental impact upon existing graves. The amended plan which includes the turncircle is acceptable to the Highways Authority subject to conditions. Likewise, amended plans have been received with respect to the design of the building; these reduce the proposed size of the roof windows and obscure

two of the first floor windows to minimise overlooking of the closest neighbouring dwelling. Although objections from the locality have been received relating to sensitive matters as indicated by the Local Member, the proposal does not prevent continued access to family graves within the churchyard and further, it proposes an effective use of a building that has not been in use for many years and which as a result has fallen into disrepair; as such it is reflective of planning policies. An area of land within the site covering approximately 140 square metres to the south east is proposed as amenity land – supplementary planning guidance requires that 30 square metres be provided as amenity space. The proposal is therefore considered acceptable and the recommendation is one of approval.

In the interests of clarity Councillor Aled Morris Jones re-emphasised that the graveyard remains in use for burials.

In the ensuing discussion, many of the Committee's members commented that they found the application a difficult one to deal with because of the idea of situating a house within a graveyard, and, although several Members had reservations about the proposal due to the proximity of the graves to the church building to be converted they did not believe refusal could be justified on planning grounds. Some concerns were also expressed with regard to the practicalities of the vehicle turncircle and assurance was sought that the structure would not impede nearby graves. Members suggested that no development should take place until the turncircle and access have been constructed.

The Planning Development Management Manager confirmed that condition (03) addresses those concerns in requiring that no other part of the development shall begin until the access and car parking accommodation have been completed in line with approved plans.

Councillor Trefor Lloyd Hughes, MBE proposed, seconded by Councillor Dafydd Roberts that the application be approved on that understanding.

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the planning conditions contained therein (Councillor Robin Williams did not vote on the matter as he had missed part of the discussion due to connection issues).

7.3 FPL/2020/166 – Full application for the conversion of outbuildings into 4 Holiday Units at Cymunod, Bryngwran, Holyhead

The application was presented to the Planning and Orders Committee at the request of a Local Member. At its meeting held on the 2 December, 2020, the Committee resolved to approve the application contrary to the Officer's recommendation because it deemed the application site to be in a sustainable location.

Councillor Llinos Medi, a Local Member spoke to confirm that she did not wish to add to or repeat the representations she had made at the Committee's previous meeting in support of the application and that nothing had changed in the meantime.

The Development Management Manager reported that it remains the Officer's viewpoint that the application site in open countryside is not in a sustainable location. The proposal in not being entirely accessible by non-car modes of transport would be highly dependent on private car use and would lead to a significantly increased number of trips by private car to this location. In being car dependent the proposal would not minimise the need to travel and as such is contrary to local and national policies and guidance. The recommendation is still one of refusal.

The Committee's members indicated that they were not persuaded by the Officer's report and that they remained of the view that the proposal is acceptable in planning terms. Councillor Kenneth Hughes also a Local Member said that for his part he believed the cooling off period had served to confirm that the Committee had in its previous meeting made the right decision in this case which will enable a family with the desire, experience and opportunity to provide a purposeful service of highest quality to those with acute physical needs.

Councillor Robin William proposed, seconded by Councillor Eric Jones that the Committee reaffirms its previous approval of the application contrary to the Officer's recommendation.

It was resolved to reaffirm the Committee's previous decision to approve the application contrary to the Officer's recommendation for the reason given.

8. ECONOMIC APPLICATIONS

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

9. AFFORDABLE HOUSING APPLICATIONS

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

10. DEPARTURE APPLICATIONS

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

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12. REMAINDER OF APPLICATIONS

12.1 TPO/2020/13 – Application to fell trees protected by a Tree Preservation Order at Cae Isaf, Llansadwrn

The application was reported to the Planning and Orders Committee as the County Council's Highways Authority is the applicant.

The Development Management Manager reported that the application is made by the Council in order to facilitate proposed minor flood alleviation works that will replace the existing collapsed stone culvert in the lane with plastic pipe as well as clearing the drainage ditch adjacent to the lane. The subject trees exhibit features of decline and habitat commensurate with mature trees; a replanting plan to address the loss of amenity has been submitted and will be a condition of consent. It is considered therefore that the justification for the felling is clear, adverse effects on amenity acceptable and can be reduced through the planting of replacement trees on site.

Councillor Robin Williams proposed, seconded by Councillor Eric Jones that the application be approved in accordance with the Officer's recommendation.

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the planning condition contained therein.

12.2 FPL/2020/150 – Full Application for the erection of 9 dwellings together with associated development on land at Bridge Street, Llangefni

The application was reported to the Planning and Orders Committee as it is partly on Council owned land. The application has also been called in for the Committee's determination by a Local Member.

Councillor Nicola Roberts, who was also a Local Member in this case proposed that a virtual site visit be conducted due to local concerns regarding traffic and drainage issues. The proposal was seconded by Councillor Kenneth Hughes.

Councillor Robin Williams in explaining that he had not been able to be present at the virtual site visit conducted following the Committee's December, 2020 meeting highlighted how helpful the recording of the meeting had been to him and he proposed that all virtual site visits carried out by the Committee are recorded as a matter of practice. The proposal was seconded by Councillor Nicola Roberts and was supported by the Committee.

It was resolved –

- **That a virtual site visit be conducted by the Committee in the case of the application.**
- **That all virtual site visits conducted by the Committee be recorded as a matter of practice.**

12.3 MAO/2020/22 – Minor amendments to the scheme previously approved under planning permission 19LPA1025E/CC/VAR so as to add a condition for the development to be in accordance with the approved plans together with amendments to the design, siting and construction material of the bin store and cycle stands at Market Hall, Stanley Street, and Holyhead

The application was reported to the Planning and Orders Committee as the Isle of Anglesey County Council is the applicant and landowner.

The Development Management Manager reported that the application is for non-material amendments to the previously approved scheme so as to add a condition for the development to be in accordance with the approved plans and to amend the design, siting and construction material of the bin store and cycle stands so that the former can accommodate 3 bins instead of 2 and the latter can accommodate 6 instead of 3 bicycles.

Councillor Robin Williams proposed, seconded by Councillor Kenneth Hughes that the application be approved in accordance with the Officer's recommendation.

It was resolved to approve the application in accordance with the Officer's recommendation and report.

13. OTHER MATTERS

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

**Councillor Nicola Roberts
Chair**

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PLANNING SITE VISITS

Minutes of the virtual meeting held on 20 January, 2021

- PRESENT:** Councillor Nicola Roberts (Chair)
Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, Kenneth Hughes, Trefor Lloyd Hughes MBE, Vaughan Hughes, Eric Wyn Jones, Dafydd Roberts , Robin Williams
- IN ATTENDANCE:** Development Management Manager (NJ)
Development Management Team Leader and Case Officer for applications 1 and 2 (IJ)
Committee Officer (ATH)
- APOLOGIES:** None received
- ALSO PRESENT:** Local Members: Councillor Dylan Rees (for application 1),
Councillors Margaret Roberts and Ieuan Williams (for application 2)
-

1. FPL/2020/150 – Full application for the erection of 9 dwellings together with associated development on land at Bridge Street, Llangefni

The proposal was outlined to Members. Members were shown a video of the site including the access from Lôn Newydd and the view to the rear of a terrace of three properties on Isgraig. Members were also shown the proposed site layout and plan.

The Local Members highlighted issues with regard to parking and traffic in the locality particularly when Canolfan Ebeneser is in use. Members were advised that as part of the proposal four parking areas are being provided for community use.

2. FPL/2019/217 – Full planning application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land adjacent to Craig y Don Estate and Cherry Street Close Benllech

The proposal was outlined to Members. Members were shown a video of the approach to the application site from the A5025 Amlwch road and were shown the proposed access to the site from both Cherry Street Close and Craig y Don Estate. Members were also shown the site layout and plan.

The Local Members highlighted concerns regarding impacts on the Local Wildlife Site. Questions about drainage were also raised. Members were advised that due to its size the proposal would be subject to the SuDS approval process and that surface water would be directed in a managed way towards the rear of the site for the benefit of the Wildlife Site.

**Councillor Nicola Roberts
Chair**

Planning Committee: 10/02/2021

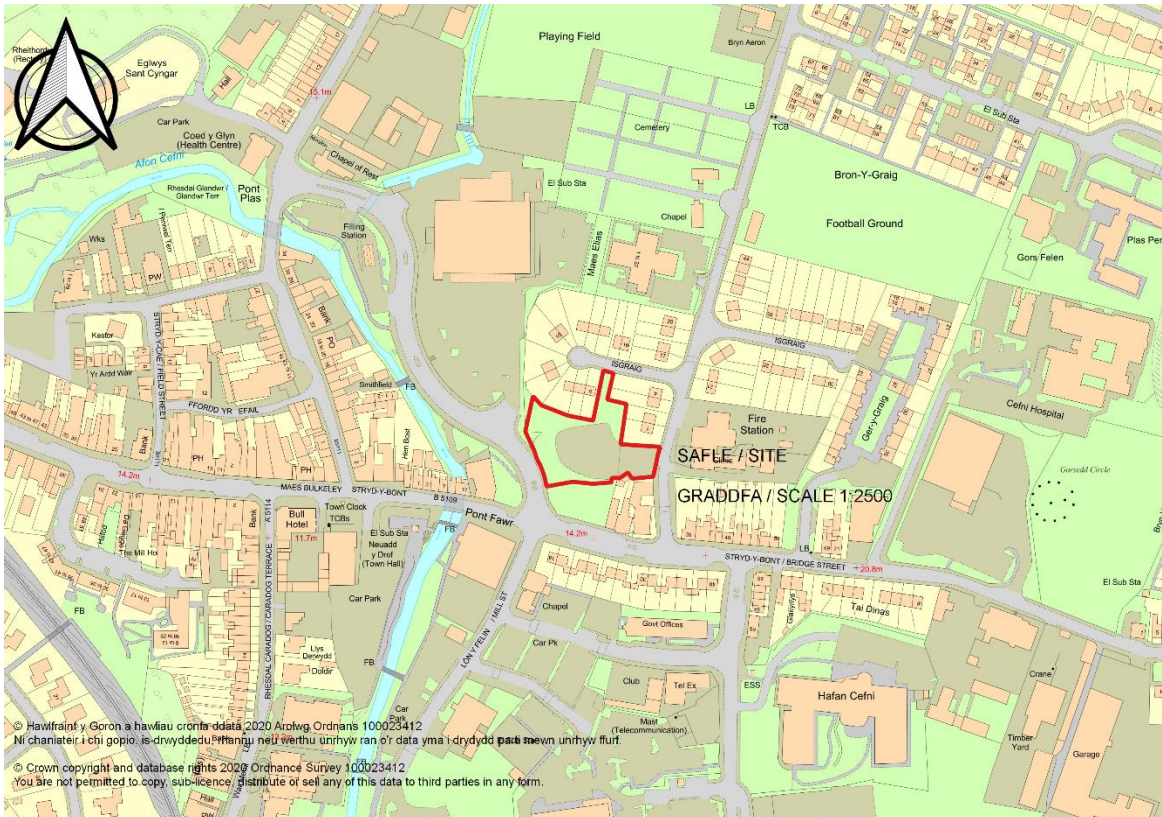
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Application Reference: FPL/2020/150

Applicant: Kerry Parry

Description: Full application for the erection of 9 dwellings together with associated development on land at

Site Address: Bridge Street, Llangefni



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

Recommendation: Permit

Reason for Reporting to Committee

Part of the application site is located on Council owned land.

The application has also been called into the Planning and Orders Committee by Local Member Nicola Roberts

At the committee meeting held on the 13th January, 2021, it was resolved that a site visit was required. A virtual site visit has been undertaken, therefore Members are now aware of the site and its settings.

Proposal and Site

The application has been submitted for the erection of 9 dwellings together with associated development. The proposed dwellings will consist of a terrace and three semi-detached two storey properties with a mixture of 2 and 3 bedrooms units.

Although the application site lies within the development boundary and at the heart of Llangefni, there is no specific allocation for this land. The application does not cover the entire site, only the part towards the northern edge of the site. The land is classed as previously developed land which is current vacant having previously been used as an agricultural engineering, repair and merchants workshop. The site lies next to the Conservation Area.

The application site is accessible to the east from the public highway know as Lon Newydd. The proposed access to the site will also be located on the eastern boundary, by means of an improved access. Four parking areas are provided south of the access track for the use of the community.

The remainder of the site is located amongst a range of development. Residential properties are located to the northern part of the site which forms part of the Isgraig estate. Further residential properties are located to the north east which are accessible from the Lon Newydd. A mixture of commercial and residential properties are located to the south together with a community centre known as Canolfan Ebenezer. A public highway including two roundabouts are located towards the west of the site.

Key Issues

Whether or not the proposal is justified in this location, complies with local and national polices and whether the proposal will have an impact upon the neighbouring properties, character and amenity of the area, Conservation Area and highway safety.

Policies

Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture
Strategic Policy PS 2: Infrastructure and Developer Contributions
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Policy ISA 1: Infrastructure Provision
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Policy PCYFF 2: Development Criteria
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
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
Technical Advice Note 2: Planning and Affordable Housing (2006)
Technical Advice Note 5: Nature Conservation and Planning (2009)
Technical Advice Note 12: Design (2016)
Technical Advice Note 18: Transport (2007)
Technical Advice Note 20: Planning and the Welsh Language (2017)
Supplementary Planning Guidance - Planning and the Welsh Language (2007)
Supplementary Planning Guidance: Parking Standards (2008)

Supplementary Planning Guidance - Affordable Housing (2004)
 Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)
 Planning Policy Wales (Edition 10, December 2018)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Nicola Roberts	Referred the application to the Planning and Orders Committee due to local concerns.
Cynghorydd Dylan Rees	No Response
Cynghorydd Bob Parry	No Response
Cyngor Tref Llangefni Town Council	Concerns regarding proposed drainage system
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments are contained within the main core of the report
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No Objection
Iechyd yr Amgylchedd / Environmental Health	Conditions proposed in order to protect future occupants against noise together with controlling contamination and the construction phase
Strategol Tai / Housing Strategy	No objection to the proposed mix of dwellinghouses
Ymgynghorydd Treftadaeth / Heritage Advisor	No objection to the proposed development
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditions proposed with respect to contamination.
Ymgynghoriadau Cynllunio YGC	SUDS is required as part of any planning consent.
Gwasanaeth Addysg / Education Service	No contribution is required.
Dwr Cymru Welsh Water	No Objection
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No Objection to the proposed development

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. The latest date for the receipt of any representation was the 29/09/2020. At the time of writing this report no objection have been received.

Relevant Planning History

34C614/ECON – Outline application for the demolition of the existing building and erection of mixed use building comprising of A1, A2 and A3 uses and 45 residential apartment's at Burgess Ltd, Llangefni - Approved 6/9/2011

34C614A/SCR – Screening opinion for the demolition of the existing building and erection of mixed use building comprising of A1, A2 and A3 uses and 45 residential apartment's at Burgess Ltd, Llangefni - EIA Not Required 6/9/2011

Main Planning Considerations

In the JLDP Llangefni is identified as an Urban Service Centre under policy TAI 1 (Housing in Sub-regional Centre and Urban Service Centres). This policy supports housing to meet the Plan's strategy through suitable unallocated sites within the development boundary and provided that the size, scale type and design of the development corresponds with the settlements character.

In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals within development boundaries are approved if they comply with other policies and proposals in the Plan, National policies and other relevant planning considerations. This site lies within the Llangefni development boundary as identified in the JLDP. The proposal can therefore be considered against Policy TAI 1. The site is not allocated in the Plan for any specific land use.

Housing Considerations:

The indicative provision for Llangefni over the Plan period is 673 units (485 units on allocated housing sites and 188 units on windfall sites) (which includes a 10% 'slippage allowance', which means that the calculation has taken account of potential unforeseen circumstances that could influence delivery of housing due to, e.g. land ownership issues, infrastructure constraints, etc.). In the period 2011 to 2019 a total of 126 units have been completed in Llangefni (63 units on allocated sites and 63 units on windfall sites). The total land bank (windfall and allocated sites), i.e. sites with extant planning permission, in April 2019, was 301 (287 units on allocated sites and 14 units on windfall sites). This means that at present there is capacity within the windfall indicative supply for the settlement of Llangefni.

Policy TAI 15 seeks an appropriate provision of affordable housing. It has a threshold figure of 2 or more units within Urban Service Centres such as Llangefni. Since the proposed development proposes an increase of 9 units, this meets with the threshold noted in Policy TAI 15 for making an affordable housing contribution.

As Llangefni is situated within the 'Llangefni' housing price area in the Plan, it is noted that providing 10% of affordable housing is viable. As an increase of 9 units are proposed this means that 0.9 of the total new units should be affordable. The applicant has included an affordable dwelling (plot 2) as part of the proposed development which satisfies this requirement.

Policy TAI 8 'Appropriate Housing Mix' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Regard should be given to the LHMA, Council Housing Register, Tai Teg Register, 2014 - based household projections etc. to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market. The proposed development includes a mixture of two and three bedroom houses. The Housing section has been consulted regarding the application and has confirmed that the mix of units are acceptable.

Since Criterion (1c) of Policy PS 1 'Welsh Language and Culture' states that justification for residential schemes of 5 units or more that doesn't address evidence of need and demand for housing recorded in a Housing Market Assessment and other relevant sources of evidence should be submitted. As such a Welsh Language statement has been submitted as part of the application.

It is noted that Llangefni's growth level (and consequently the housing allocation under consideration) has been subject of a Welsh Language Assessment as part of the work of preparing the LDP. It concluded that the projected growth in Llangefni was unlikely to have a negative impact on the Welsh language. Ensuring the right type of housing in the correct location is important from a community cohesion and fabric point of view and this, in turn, will benefit the Welsh language. It is considered that the risk of the

development in itself having a significant impact on the character and the language balance in the community is low.

Education Provision:

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development consideration is given to the capacity within local schools to accommodate the anticipated number of children on the site. It is also important to consider the effect of the proposed development on the capacity of local schools. The cumulative impact of other developments in the schools' catchment areas is also taken into account when assessing whether an education contribution should be made. The Lifelong Learning Department have assessed the application and confirmed there is no need for a contribution in this instance.

Conservation Area:

The application site is currently vacant brownfield land and is somewhat considered an eyesore in the heart Llangenfi and at the edge of the designated Conservation Area. The site has been left undeveloped for a lengthy period of time which has resulted in overgrown vegetation which is visible over the secure fencing surrounding the site. As previously noted, a mixture of uses is located around the site which includes a residential housing estate.

Due to the distance from the Conservation Area and existing backdrop beyond the application site, it is considered that the proposal, particularly the proposed dwellings will not have an adverse impact on important views out of the Conservation Area.

Concerns were initially raised by the Heritage Section with respect to the length of timber fencing proposed along the south west perimeter of the site. However, amended plans were received by the applicant which included a landscaping scheme together with a grey coloured acoustic fencing which is considered sympathetic to the visual amenity of the area. Following being fully established, the landscaping scheme being proposed will also eventually hide the fencing.

Effect upon the amenities of neighbouring properties:

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

Regard has been given in terms of overlooking / loss of privacy and the effect on the outlook of adjacent residential properties. As previously noted, the application will be served from the east from Lon Newydd.

The proposed dwellinghouses are positioned towards the north and west part of the site. Plots 1-3 comprises of a row of terrace located to the north whilst plots 4 -9 (semi-detached dwellings) are positioned along the western boundary. Existing dwellinghouses located at Isgraig and along New Road are located to the north and east part of the site. Plots 1 – 4 adjoins the curtilage of these dwellinghouses.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) requires a distance of 2.5 meters between dwellinghouses and boundaries. The majority of the dwellinghouses exceeds this distance. However, a minor part of plots 1 and 3 falls short of this requirements and provides approximately 2 meters.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) SPG also requires a distance of 15 meters between secondary windows. The nearest proposed secondary window to an

existing secondary window is at a distance of approximately 15 meters. This matches the guidance distance.

Residential units are also located to the south part of the application site. However, given the ample distance between the proposed units it is not considered the proposed development will have an unacceptable impact upon the amenities of those properties

A 2 metre high fence is proposed along the boundaries which will further aid against the impact upon the amenity of neighbouring properties. Although in some areas the proposed development does not strictly comply with the requirements of the SPG, given the location of the site together with mitigation measures being proposed, it is not considered that the proposed development will have a negative impact upon the amenity of nearby residential properties. Conditions will be attached to any permission restricting and controlling construction works.

Impact Upon Future Occupants:

The application site is located next to a large supermarket and busy roundabouts serving Mill Street, Bridge Street and the High Street. Plots 4 – 9 will be located close to the public highway and therefore Public Protection requested a Noise Impact Assessment be submitted as part of the application.

A Noise Impact Assessment has been submitted which identifies the key noise sources surrounding the site and to determine the level of noise impact that each noise source has on the site. The various noise sources include road traffic and noise measurements from a nearby supermarket. The Noise Assessment concluded that mitigation measures are required to ensure that external and internal noise levels do not have a detrimental impact upon future occupiers. The recommendation include that glazing and vents should meet relevant standards and that a 2 metre acoustic fence should be constructed between plots 4 – 9 and the nearby public highway. Conditions will be attached to the permission in order to ensure that details are agreed and thereafter implemented accordingly in order to safeguard the amenities of future occupiers.

Due to the past use of the site, a Phase 1 Contamination Report has also been submitted as part of the application. The report recommends that further intrusive work is undertaken which will be conditioned accordingly.

Local Highways Authority:

The proposed dwellinghouses will be served by an improved access to the north from Lon Newydd. Although it is considered that the application site is located within a highly sustainable location, each dwellinghouse will be provided private parking areas.

As part of the proposed development, 4 parking spaces are provided near to the access to the site which could be used for the adjoining community facility. These spaces have been provided as a planning gain rather than a requirement by the Local Highways Authority. A request for further parking spaces for the use of the community has been requested by the Local Members. However, the applicant has declined to provide further spaces stating that there is no further space within the application site where parking. The remainder of the scheme is required to accommodate the development and associated parking and access areas, as well as landscaping areas. The area in the Southern section of the site does not form part of the application site.

The Local Highways Authority have assessed the application and raise no objections on highways grounds. As such, no additional off-site improvements are required. Conditions are will be attached to any permission accordingly.

Landscape and Biodiversity:

A detailed landscaping scheme together with mitigation measures such as the inclusion of soffit bat boxes and Sparrow nest boxes have been included as part of the application. These have been welcomed by the Built Environment section as enhancement to the existing condition of the site.

Conclusion

The proposed development is considered acceptable and will provide a residential development within a highly sustainable location within Llangefni. The proposed development offers an opportunity of re-developing vacant land which has become somewhat of an eyesore within the heart of Llangefni.

Recommendation

It is recommended that the Committee permit the application subject to conditions and a section 106 agreement relating to affordable housing.

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

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

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

- Location Plan 2600:18:1
- Soft Landscape Proposal – 20/31/PP/01 Rev A
- Proposed Site Plan – 2765:20:3C
- Proposed Landscaping Plan – 2765:20:7F
- Proposed 2 Bedroom 4 Person Dwelling – 2765:20:4C
- Proposed 3 Bedroom 5 Person Dwelling – 2765:20:5C
- Proposed 2 Bedroom 3 Person Dwelling – 2765:20:6E
- Drainage Plan

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

(03) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 08:00hrs – 18:00hrs Monday to Friday and 08:00hrs – 13:00hrs Saturday at no time on Sundays, bank or public holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

(04) The development hereby approved shall be carried out in accordance with the recommendations stated within the Stage 1 Phase 2 Ground Contamination Investigation Report. Notwithstanding that report, in the event of any contamination being found a suitable Remediation Strategy should be prepared for the site. The Remediation Strategy shall be submitted and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the Remediation Strategy.

Reason; To safeguard the amenities of future occupants.

(05) Development shall be carried out in accordance with the recommendations stated within the – Martec Environmental Consultant Ltd - Noise Assessment.

Reason: To safeguard the amenities of future occupants.

(06) All planting in the approved details of landscaping contained in the Tirlun Barr Soft Landscape proposals 20/31/PP/01 Rev A shall be carried out in the first planting season following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In order that the proposal integrates into the area as required in JLDP Policy PCYFF 4.

(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 of the access.

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

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

(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 county road carriageway along the whole length of the sites boundary with the adjoining highway and nothing exceeding this height erected within 2 metre of the said wall/hedge/fence or any new boundary.

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

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

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

(11) The car parking accommodation shall be completed in full accordance with the details hereby approved before the dwellings are occupied 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) The estate roads and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey' (copies of this document are available free on request from the local planning authority).

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

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

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

(14) The construction of the Development shall be completed in accordance with AMP Construction and Groundworks LTD Construction Traffic Management Plan and Environmental Management Pan dated 08/12/2020.

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety and to safeguard the amenity of nearby residential properties.

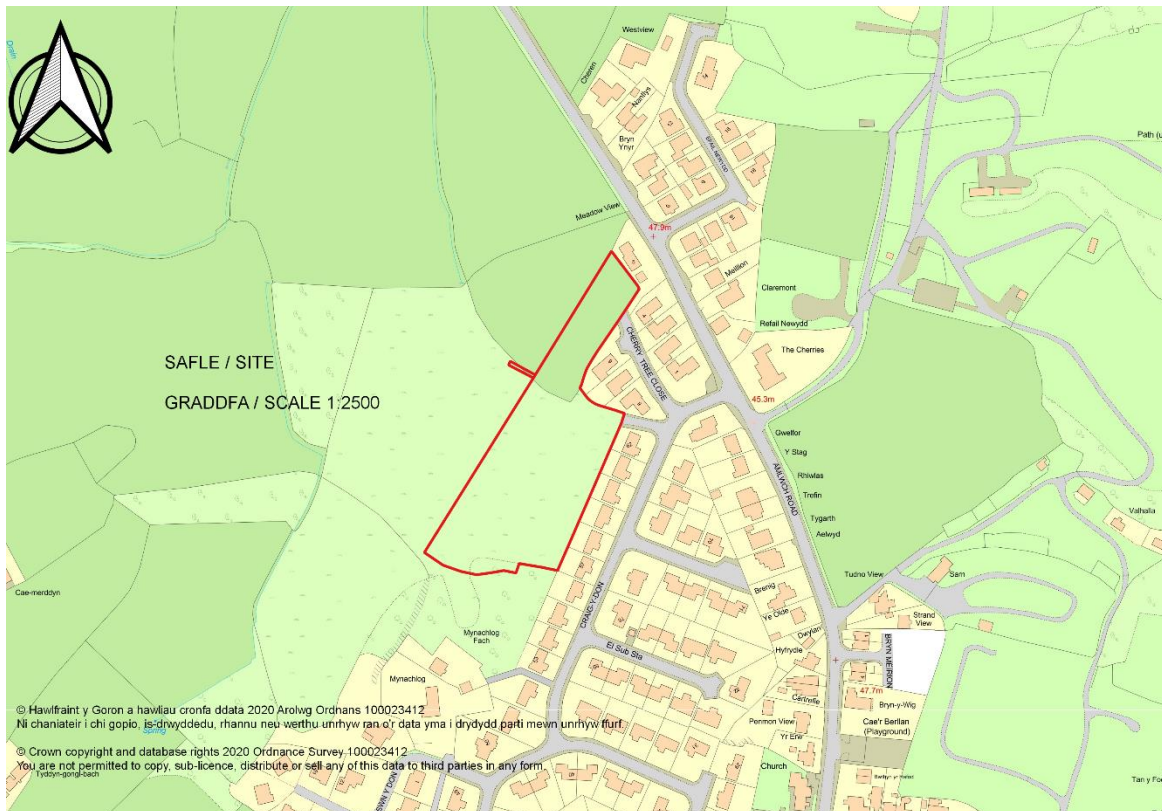
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2019/217

Applicant: Mr Dylan Davies

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

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



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

Recommendation: Permit

Reason for Reporting to Committee

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

It was noted that the Welsh Ministers have received a request to call-in the application for their own determination and the application was deferred pending their decision. The Welsh Ministers have now reviewed the application and decided not to call in the planning application.

At the committee meeting held on the 13th January, 2021, it was resolved that a site visit was required. A virtual site visit has been undertaken, therefore Members are now aware of the site and its settings.

Proposal and Site

The application is submitted for the construction of 17 affordable dwellings together associated developments. The application site will be accessed from two new separate vehicular accesses from Cherry Tree Close and Craig y Don Estates. The application also entails 3 number of agricultural accesses and the construction of a pumping station. The application has been amended on several occasions. The main amendment was the reduction of the number of units from 29 to 17 dwellings. The latest amendments include additional landscaping at the boundary and reduction of agricultural accesses.

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

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

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

Key Issues

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

Policies

Joint Local Development Plan

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

Response to Consultation and Publicity

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

Strategol Tai / Housing Strategy	There is a demand for the affordable units being proposed which has been confirmed within a housing needs survey.
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	Application should be considered in line with AONB Management Plan and Policy AMG 1 of the JLDP. Questioned whether other sites have been considered for the proposed development. Concern that further encroachment is made into the AONB if the application is approved.

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The publicity process has been undertaken on three occasions. The latest date for the receipt of any representation was the 24/09/2020. At the time of writing this report, 23 representations had been received at the department. The points are summarised below:

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

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

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

Relevant Planning History

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

Main Planning Considerations

The site is located immediately adjacent to the development boundary of Benllech. In terms of the principle of housing development, the development boundary is considered under policy TAI 16 of the Joint Local Development Plan (JLDP). In accordance with this Policy all units would have to be affordable housing that meets a defined local need. The policy states:

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

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

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

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

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

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

dwellings at Ponc Y Rhedyn, Benllech. The Housing Service have confirmed there is a need for the affordable units being proposed at both application sites. The Housing Service has also confirmed, outside Benllech there is a large demand for social and affordable housing in the Lligwy Electoral Ward.

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

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

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

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

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

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

Candidate Site

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

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

Policy TAI 8 – Appropriate Housing Mix

The proposed development offers a mixture of single and two storey dwellinghouses which can accommodate various number of bedrooms and occupants. Policy TAI 8 '*Appropriate Housing Mix*' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community.

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

Policy PS 1 – Welsh Language and Culture

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

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

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

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

The Open Space Assessment undertaken by the Joint Planning Policy Service identified a shortfall of open space in all of the above categories. As part of the application the applicant is providing 645m² public open space which more than meets the informal play space element of the FiT categories but does not propose to place any play equipment on the site.

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

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

New Provision from new development:

- Outdoor Sport = 564.16m²
- Children's Informal Play Space = no financial contribution required as this is being provided on site
- Children's Equipped Play Space = 88.16m²

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

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

Infrastructure Policy

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development consideration is given to the capacity within local schools to accommodate the anticipated number of children on the site. It is also important to consider the effect of the proposed development on the capacity of local schools. The cumulative impact of other developments in the schools' catchment areas is also taken into account when assessing whether an education contribution should be made. The Lifelong Learning Department of Anglesey Council have confirmed that no commuted sum is required in this instance.

Agricultural Land

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

Character of the area:

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

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

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

Effect upon the amenities of neighbouring properties:

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

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

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

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

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

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

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

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

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

Local Highways Authority:

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

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

Drainage:

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

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

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

Ecology:

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

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

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

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

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

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

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

Area Of Outstanding Natural Beauty (AONB):

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

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

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

As the site lies adjacent to the settlement with limited views from public viewpoints and where views are available, the proposed development would be seen in the context of existing dwellings. Consequently it is considered that there would be a neutral effect on natural beauty as perceived from the main highway and Public Rights of Way (PRoW), conserving this characteristic of the AONB in relation to these views. A short portion of low hedgerow will be removed and although it provides limited screening, it will be replaced in a suitable landscaping scheme.

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

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

Other matters:

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

Conclusion

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

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

Recommendation

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

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

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

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

- Location Plan 18-226-SP-01 Rev B
- Gable Elevation – 4B6P-404 Rev C
- Gable Elevation – 4B6P-403 Rev B
- Rear Elevation – 4B6P-402 Rev B
- Front Elevation – 4B6P-401 Rev C
- First Floor Plan – 4B6P-202 Rev B
- Ground Floor Plan – 4b6p-201 Rev B
- Roof Plan – 4B6P-203 Rev C
- First Floor Plan – 4B6P-102 Rev B
- Ground Floor Plan – 4B6P-101 Rev B
- Gable Elevation 2 – 3B5P-404 Rev C
- Gable Elevation 3B5P-403 Rev C
- Rear Elevation – 3B5P-402 Rev C
- Front Elevation – 3B5P-401 Rev C
- First Floor – 3B5P-202 Rev C
- Ground Floor – 3B5P-201 Rev C
- Roof Plan – 3B5P-203 Rev C
- First Floor – 3B5P-102 Rev C
- Ground Floor – 3b5p-101 Rev C
- Gable Elevation 2 – 3B5PDC-404 Rev B
- Gable Elevation – 3B5PDC-403 Rev A
- Rear Elevation – 3B5PDC-402 Rev B
- Front Elevation – 3B5PDC-401 Rev A
- First Floor Plan– 3B5PDC-202 – Rev B
- Ground Floor Plan – 3B5PDC-201 – Rev B
- Roof Plan – 3B5DC-103 Rev B
- First Floor Plan - 3B5PDC-102 Rev B
- Ground Floor Plan 3B5PDC-101 Rev B
- Side Elevation – 3B5PB-404 Rev B
- Rear Elevation – 3B5PB-403 – Rev B
- Side Elevation – 3B5PB-402 Rev A
- Front Elevation – 3B5PB-401 Rev B
- Ground Floor Plan – 3B5PB-201 Rev A
- Roof Plan – 3B5PB-102 Rev B
- Ground Floor Plan – 3B5PB-101 Rev B
- Gable Elevation – 2B4P-404 Rev C
- Gable Elevation – 2B4P-403 Rev C
- Rear Elevation – 2B4P-402 Rev B
- Front Elevation – 2B4P-401 Rev B
- First Floor Plan – 2B4P-202 Rev C
- Ground Floor Plan – 2B4P-201 Rev C
- Roof Plan – 2B4P-103 Rev C
- First Floor Plan – 2B4P-102 Rev C
- Ground Floor Plan – 2B4P-101 Rev C
- Proposed Site Layout Overall Masterplan – 18C226-SP03-1 Rev F
- Proposed Site Layout – 18-226-SP03-2 Rev F
- Proposed Site Layout (Sheet 2) – 18-226-SP03-3 – Rev F
- Proposed Site Layout Landscape and External Works – Sheet 1 – 18-226-SP04-1 Rev E
- Proposed Site Layout Landscape and External Works – Sheet 2 – 18-226-SP03-3 Rev E

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

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

Reason: In the interest of residential amenity

(04) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To prevent pollution to the water environment.

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

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

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

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

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

Reason: In the interest of protected species.

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

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

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

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

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

Reason: In the interest of residential amenity

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: In the interests of amenity

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

Planning Committee: 10/02/2021

10.1

Application Reference: VAR/2020/60

Applicant: Mr William Lloyd Lester

Description: Application under Section 73A for the variation of condition (08)(Landscape scheme) and (09)(Approved drawings) of planning permission reference 32C128F (Erection of a dwelling) so as to allow amended design and submission of a landscape scheme after work has been begun on land at

Site Address: Ty Newydd, Llanfair yn Neubwll



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 minded to approve.

Proposal and Site

The application is made for a variation of conditions of planning permission reference 32C128F and the dwelling subject to this permission is under construction but not occupied. The application is made under section 73a to regularise planning condition (08) which require the submission of a landscaping scheme prior to the commencement of the development and to change the design of the house under the provisions of condition (09). The amendments are made for internal re-configuration of the dwelling,

terrace glazed openings replaced with windows and door leading onto new proposed balcony, garage door replaced by window, front door canopy re-positioned, chimney stack removed and the addition, removal and re-positioning various windows described in the submission.

Key Issues

- Compliance development plan policies.
- Lawfulness of the development implemented.
- Acceptability of the Proposed Changes to Design

Policies

Joint Local Development Plan

Joint Local Development Plan

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 & Coastal Villages

TAI 8: Appropriate Housing Mix

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

Planning Policy Wales (Edition 10, December 2018)

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

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

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

Technical Advice Note (TAN) 18: Transport (2007)

Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017)

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

Supplementary Planning Guidance Parking Standards (2008).

Response to Consultation and Publicity

Ymgynghorydd Tirwedd / Landscape Advisor: The amended landscaping details including plant numbers are considered satisfactory.

Cynghorydd Richard Dew: No observations received.

Cynghorydd Gwilym O Jones: No observations received.

Cyngor Cymuned Llanfair yn Neubwll Community Council: No observations received.

Priffyrdd a Trafnidiaeth / Highways and Transportation: No comment.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: The application relates to the variation of conditions of planning permission reference 32C128F (Erection of a dwelling). Planning approval (Planning Application ref: 32C128F) for 1 dwelling on the site was given in 2014. A material start on the development began on 08/02/2016. Since the JLDP was adopted, the Council has adopted a Housing Mix Supplementary Planning Guidance (October 2018). It is suggested you consult with the Housing Service to establish whether or not the type of dwelling proposed remains to be acceptable. If you are satisfied that the type of dwelling is suitable, then this will not be a consideration when dealing with this application. General policies material to the proposal are also listed.

Ymgynghoriadau Cynllunio YGC: Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work. - No further comments to add to the full application.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: The landscaping scheme is acceptable.

Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding: No safeguarding objections.

Dwr Cymru Welsh Water: No comments.

Cyfoeth Naturiol Cymru / Natural Resources Wales: No objections, a separate permit will be required from NRW in relation to the Septic tank.

The planning application has been advertised as a departure from the development plan with individual letters to adjacent properties, a site notice posted and a advert published in the press. The notification period expires on the 11.02.21.

Relevant Planning History

32C128G/MIN - Minor amendments to scheme previously approved under planning permission 32C128E Granted 11.08.15.

32C128F - Application under Section 73 for the removal of conditions (08), (09), Conditionally approved 08.10.2014.

32C128E - Full application for the erection of a dwelling Conditionally approved 15.04.14.

32C128D - Full application for the erection of a two-storey dwelling Conditionally approved 08.06.2012.

32C128C - Erection of a two-storey dwelling Appeal dismissed 13.06.11.

32C128B - CLEUD siting of 2 caravans Withdrawn 28.07.06.

32C128A/DA - Detailed application for 2 dwellings approved 08.12.05.

32C128 - Outline for 2 dwellings Conditionally approved 04.05.2005.

Main Planning Considerations

Compliance development plan policies: Planning permission for the proposed dwelling was granted in 2014 under the previous development. Part of the dwelling and its curtilage subject to this planning application are now located outside the settlement boundary defined under the provisions of policy

PCYFF 1. Policy PCYFF 1 states that outside development boundaries development will be resisted unless it is in accordance with polices in the plan or national planning policies or that a location in the countryside is essential. Consideration of the appropriateness of the housing mix as described in the JPPU comments is also not considered necessary. The planning application subject to this report does not comply with any of these requirements and has therefore been advertised as a departure from the current development plan comprising the JLDP.

Lawfulness of the development implemented: The JPPU comments confirm that a material start on the development began on 08/02/2016 within the statutory time period for planning permission 32C128F. Planning condition (08) of this planning permission required that a landscaping scheme was submitted prior to the implementation of this planning permission. Having regard to relevant planning case law this condition is not worded as a condition precedent, it is also not considered central to the planning permission such that non-compliance would render the development unlawful. Satisfactory landscaping details have been submitted with the application which regularise the position. Having regard to these considerations it appears that planning permission 32C128F has been lawfully implemented such that it comprises a fall-back position. Given that there is an extant planning permission for a residential dwelling the fact that part of the proposal is outside the settlement boundary does not therefore lead to a recommendation of refusal in accord with the provisions of policy PCYFF 1.

Acceptability of the Proposed Changes to Design: The proposed changes to the design have been described in detail in the introduction of this report and it is considered that they align with policy PCYFF 2 which requires that property aligns with characteristics of the locality and PCYFF 3 which requires that proposals demonstrate high quality design.

Conclusion

Given that planning permission 32C128F has been lawfully the proposal is acceptable notwithstanding that part of the proposal is outside the settlement boundary. The landscaping and amended details submitted with this application under section s73 are also considered acceptable.

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

Recommendation

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

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

Proposed Landscaping Plan WLL/01/20/P Rev 1

Drawing Number WLL/01/15 Rev 4 06/02/18

Drawing Number WLL/02/15 Rev 4 18/09/20

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

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

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

(03) 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.

(04) 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.

(05) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 metre above the level of the adjoining 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.

(06) 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.

(07) No surface water from the within the application site shall discharge onto the highway.

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

(08) The landscaping scheme as shown on drawing number WLL/01/20/P Rev 1 shall be implemented not later than the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner.

Reason In the interests of visual amenities of the locality.

(09) 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 species, size and maturity to be approved by the Local Planning Authority.

Reason In the interests of visual amenities of the locality.

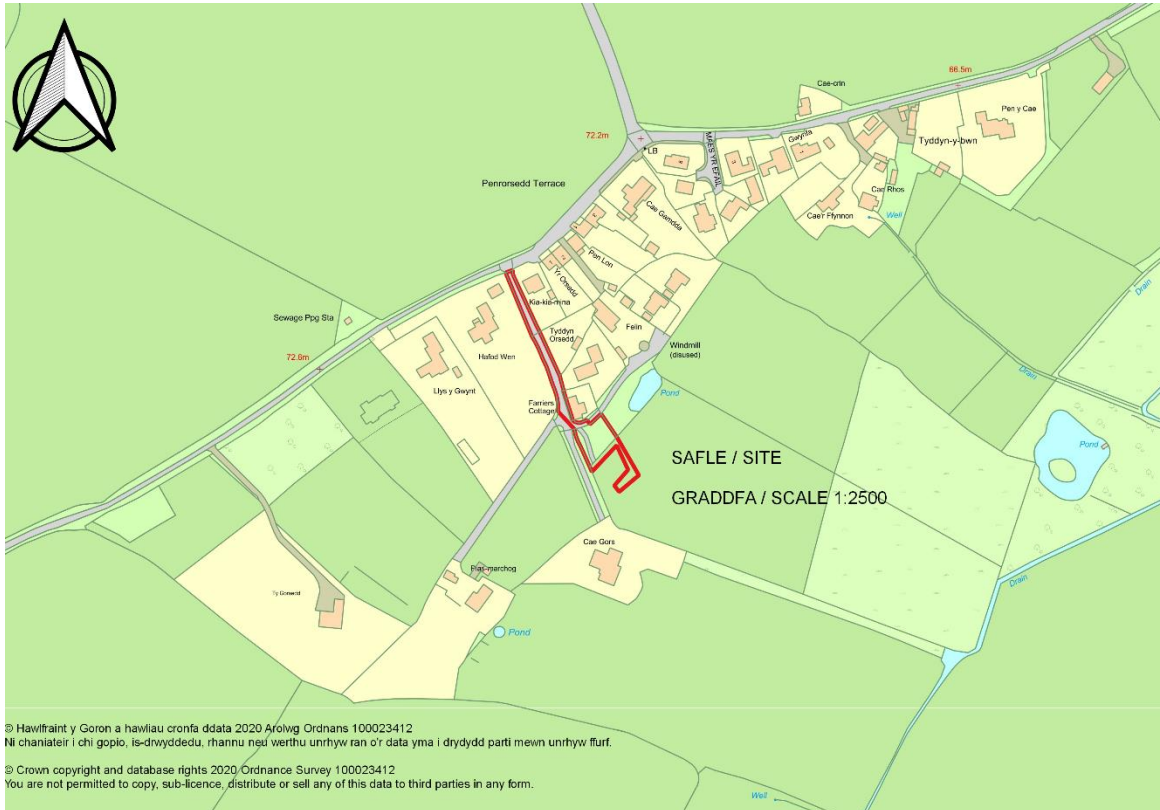
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/249

Applicant: Mr S Leung & Ms A Smith

Description: Full application for the erection of a dwelling together with associated development (so as to amend the design and siting approved under application reference 42C258A) on land to the rear of

Site Address: Tyddyn Orsedd, Rhoscefnhir



Report of Head of Regulation and Economic Development Service (Iwan 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 in which the Local Planning Authority is minded to approve.

Proposal and Site

The application is for the erection of a dwelling to the rear of Tyddyn Orsedd, Rhoscefnir.

Planning permission for the erection of a dwelling has been previously approved at the site on the 08/12/2017 under planning reference 42C258A.

Key Issues

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

Policies

Joint Local Development Plan

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

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Vaughan Hughes	No Response
Cynghorydd Ieuan Williams	No Response
Cynghorydd Margaret Murley Roberts	No Response
Cyngor Cymuned Pentraeth Community Council	No Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	No Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objection
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No Objection
Ymgynghoriadau Cynllunio YGC	No Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection
Iechyd yr Amgylchedd / Environmental Health	No Objection
Ymgynghorydd Tirwedd / Landscape Advisor	Landscape scheme is acceptable

The proposal was afforded three means of publicity; these were by the posting of a notice near the site and the distribution of personal letters of notification to the occupiers of neighbouring properties and an advert within the local press. The latest date for the receipt of representations was the 03/02/2021. At the time of writing this report one letter of representations had been received at the department.

Concern have been raised that an easement is located at the application site. However, this is considered a legal matter outside the planning remit.

Relevant Planning History

42C258 – Outline application for the erection of a dwelling and double garage together with full details of the access – Approved 22/03/2017

42C258A - Cais llawn ar gyfer codi annedd / Full application for the erection of a dwelling - Approved 08/12/2017

Main Planning Considerations

The principle of a dwelling has already been established under planning application 42C258A. As previously noted planning permission for the erection of a dwelling was granted on the 08/12 2017.

Joint Local Development Plan

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

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

Application reference 42C258A was approved on the 08/12/2017 and the likelihood of it being implemented is very likely as the applicant has 5 years from the date of the permission to implement the development.

The scheme previously approved development is for a two storey dwellinghouse with a propose ridge height of 7.75 meters and a total floor area of 157 square meters.

The current application entails alterations to the design together with the orientation of the dwelling.

The footprint of the dwelling remains the same whilst the proposed ridge height has been slightly lowered to 7.66 meters.

The previously approved consent proposed stone brick and render as materials for the external walls. The current application proposes stone cladding and render.

A significant part of the dwelling will have stone cladding. It is considered that the proposed materials are high quality and an improved design in comparison to the extant permission. The materials will also respect to the local character of the area.

The proposed dwelling has been orientated so that the rear of the dwelling is facing south. It is considered that the dwelling will be more energy effective / sustainable than the previous application by maximizing the energy of the sun.

The current application slightly reduces the ridge height of the proposed dwelling in comparison to what was previously approved. It is also considered that the proposed dwelling has an improved design and more sustainable than the extant permission., It is therefore considered that the proposed development will be an improvement to what was previously granted permission at the site.

Adjacent residential properties

Neighboring properties have been notified of the development. The expiry date to receive representations being 03/02/2021. At the time of writing the report an objection has been received which raises concerns regarding an easement at the application site, however no concerns was raised with respect to the impact upon residential amenity.

Although the position of the dwelling has been orientated in a way that the principal elevation will be positioned towards the neighbouring property, Tyddyn Orsedd, it is not considered that the proposed development will have a detrimental impact upon neighbouring properties. A distance of approximately 35 meters is between the front elevation of the proposed unit and Tyddyn Orsedd. This distance far exceeds the guidance within the Supplementary Planning Guidance (Design for the Urban and Rural Environment) which requires a distance of 18 meters.

Conclusion

The application is contrary to Policy TA16 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for an open market dwelling.

It is considered that the previous application 42C258A is likely to be implemented and the amendments are an improvement to that originally approved.

Recommendation

To permit the application subject to the following conditions:

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

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

(02) No surface water shall be allowed to connect directly or indirectly with 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 pollution of or detriment to the environment.

(03) The car parking accommodation shall be completed in accordance with the details hereby approved before the use hereby permitted is commenced.

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.

(04) No development shall commence until the following details are submitted and approved in writing:

A full comprehensive and robust Traffic Management Scheme including:-

- 1. The parking of vehicles for site operatives and visitors**
- 2. Loading and unloading of plant and materials**
- 3. Storage of plant and materials used in constructing the development**
- 4. Wheel washing facilities (if appropriate)**
- 5. Hours and days of operation and the management and operation of construction and delivery vehicles.**

Development shall thereafter be carried out in accordance with the approved detail.

Reason: To comply with the requirements of the Highways Authority and in the interest of road safety.

(05) The site shall be landscaped strictly in accordance with 2840:20:3b in the first planting season after completion or first use of the development, whichever is the sooner. The landscaping scheme shall be retained for the lifetime of the development hereby approved. Any trees or shrubs that are found to be dead, dying, severely damaged or diseased within five years of the carrying out of the landscaping scheme, shall be replaced in the subsequent planting season by trees and shrubs of the same species and size as those originally required to be planted.

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

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

- **Location Plan - 2480:20:1**
- **Site Plan - 2840:20:3B**
- **Proposed Floor Plans and Elevations - 3840:20:4**

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: 10/02/2021

11.1

Application Reference: MAO/2020/29

Applicant: B I Jones, D P Jones & N Jones

Description: Minor amendments to scheme previously approved under planning permission FPL/2020/73 so as to amend design and remove condition (08)(drainage in relation to highways)at

Site Address: Parciau, Llanddaniel



Report of Head of Regulation and Economic Development Service (John Williams)

Recommendation: Permit

Reason for Reporting to Committee

Applicants work in the Planning Service. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the constitution.

Proposal and Site

As can be seen from the site's relevant planning history below, planning permission for alterations and extensions including annex together with extension to the curtilage at Parciau was originally permitted in March 2020. A subsequent application, for alterations and extensions including annex together with the extension of the curtilage and the creation of an agricultural access was permitted in August 2020.

This application seeks further minor amendments to the development permitted by FPL/2020/73 principally by amending the glazing to the study on the ground floor front elevation by bringing it in line with the front elevation whereas the previously approved drawing shows the glazing recessed. Also, rather than a bi-folding door arrangement, the glazing is changed to a more conventional window design with a single glazed door opening. Additionally, the application seeks to remove condition 8 of the development permitted under planning reference FPL/2020/73. The condition reads as follows:

No surface water from the within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

The site is located on the outskirts of the village of Llanddaniel Fab and is the last of a “row” of large, detached dwellings set in open countryside and alongside the road which leads north-eastwards from the village to Star Crossroads. The property subject to the application is of two storeys, finished to render with slate roof and an attached double garage clad in stone.

The property stands in a lawned garden with a substantial hardstanding area to the front to accommodate vehicle parking and turning. The front boundary of the site is provided by a stone wall with a post and rail fence providing the boundary to the field adjoining the site to the north east. Planning permission FPL/2020/73 allows for the property’s extension to the north east in addition to an extension of the curtilage in the same direction.

Key Issues

The application’s key issues are whether the removal of condition 8 would compromise highway safety and whether the minor amendments would result in unacceptable amenity impacts.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 4: Design and Landscaping

Response to Consultation and Publicity

Consultee	Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	The amendments shown in the application are acceptable from a Highways point of view and there is no objection to the deletion of condition (08).

The application was publicised by means of neighbour notification letters and displaying a site notice. The latest date for the receipt of observations is 11 February 2021.

Relevant Planning History

21C162 - Outline application with some matters reserved for the erection of two dwellings together with full details of the access in lieu of the lawful use of land as a Coal Yard granted under full planning application reference A/2792 at Parciau, Llanddaniel - Refused 01/02/2016

FPL/2020/3 – Full application for alterations and extensions including annex together with extension to curtilage at Parciau, Llanddaniel – Permitted 04/03/2020

FPL/2020/73 - Full application for alterations and extensions including annex together with extension of curtilage and the creation of an agricultural access – Permitted 07/08/2020

Main Planning Considerations

Location and Design

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. It continues that proposals must complement and enhance the character and appearance of the site in terms of siting, appearance, scale, height, massing and elevation treatment. The previous proposals were considered to comply with these policy requirements and it is further considered that the minor amendments proposed by this submission would not change this conclusion.

Landscaping

Policy PCYFF4: Design and Landscaping states that all proposals should integrate into their surroundings, and proposals that fail to show how landscaping has been considered from the outset as part of the design proposals will be refused. A planting specification was included in the documents supporting planning application FPL/2020/73. The permission resulting from the application includes a requirement that the planting scheme proposed is carried out in accordance with the detail provided. This application does not seek to amend this requirement.

Effect on amenities of neighbouring properties

Consideration of the initial applications submitted for the extension of Parciau concluded that, given the position of the extension relative to other residential properties in the locality, no harm would result to the amenities currently enjoyed by the occupants of those properties either in the immediate or wider neighbourhood. The minor amendments proposed by this application would have no greater impact on the amenity of neighbouring properties and are therefore considered acceptable.

Highways

In responding to the consultation on this application, the Highways Service confirmed that the amendments shown are acceptable from a highways point of view and there is no objection to the deletion of condition (08). In justifying this stance, it was confirmed that there was no need for the imposition of the condition given the unlikely risk that surface water from the site would be discharged onto the highway. Additionally, it was confirmed that the provisions of section 184 of the Highways Act would enable the Highway Authority to manage any such discharge.

Conclusion

Having considered the above and all other material considerations it is recommended that the application be permitted.

Recommendation

Permit the application to amend the drawings and documents listed in condition 3 and delete condition 8 of planning permission FPL/2020/73.

Amend condition (03) to make reference to include the following drawings:

Proposed Elevations 1749-A3-05-A

Proposed Elevations 1749-A3-06

Proposed Ground Floor Plan 1749-A3-07
Proposed Foundation and Drainage Plan 1749-A3-07-A
Proposed First Floor Plan 1749-A3-08
Proposed 3D View 1749-A3-09
Proposed 3D View 1749-A3-12
1749-A3-14-A – Proposed Ground Floor General Arrangement Plan
Sectional Drawing 1749-A3-16 (x2)
Floor Joist Layout 1749-A3-18
Agricultural Access Detail 1749-A3-20-A (x2)
Planting Specification

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

Application Reference: VAR/2020/74

Applicant: T.W + Y Owen

Description: Cais o dan Adran 73 i ddiwygio amod (06) o ganiatâd cynllunio rhif 45C83E (newid defnydd y gweithdy presennol i dri annedd) er mwyn ychwanegu 2 porth yn / Application under Section 73 for the variation of condition (06) of planning permission reference 45C83E (conversion of the existing workshop into three dwellings) so as to allow the addition of 2 porches at

Site Address: Tre Wen, Pen Lôn, 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 minded to approve. The applicant is related to a relevant officer. The application has been scrutinised by the Council's Monitoring Officer.

Proposal and Site

The application site is occupied by a brick and clad building measuring 18m x 9.5m approximately on plan and with a ridge height of just over 6m, which currently houses a joinery business. Planning permission 45C83E granted permission to convert the workshop into three dwellings, two on the ground floor and a

single unit on the first floor with external access. Garden, bin storage and parking areas are provided as part of the proposal whilst the existing access will be utilised for the development. Foul drainage will connect into the existing public sewerage system.

Key Issues

- Compliance with current planning policies in relation to conversion and impacts on the designated Area of Outstanding Natural Beauty as well as amenity impacts.
 - Fall-back
 - Design
 - Highway Impacts
 - Ecology
 - AONB
- Amenity impacts

Policies

Joint Local Development Plan

TRA 2: Parking Standards
PS 5: Sustainable Development
PCYFF 1: Development Boundaries
PCYFF 2: Development Criteria
PCYFF 3: Design and Place Shaping
PCYFF 4: Design and Landscaping
AMG 5: Local Biodiversity Conservation
PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
PS 20: Preserving and where appropriate enhancing heritage asset
AMG1: 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

Planning Policy Wales Edition 9 (2016) "PPW"

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

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

Technical Advice Note (TAN) 18: Transport (2007) "TAN 18"

Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017) "TAN 20"
'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance (SPG)
(adopted July 2019)

Isle of Anglesey Council AONB Management Plan 2015-2020

Response to Consultation and Publicity

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Content with the amended plans which show bird boxes on the proposed elevations.
Heritage Adviser: Observations awaited at the time of writing.
Cyngor Bro Rhosyr Community Council: Observations awaited at the time of writing.
Cynghorydd Bryan Owen: Observations awaited at the time of writing.
Cynghorydd Peter Rogers: Observations awaited at the time of writing.
Highways: Observations awaited at the time of writing.

Natural Resources Wales: No observations at the time of writing

The planning application has been advertised as a departure from the development plan with individual notification letters, site notice and an advert was published in the press. The notification period will expire on the 18/02/21.

Relevant Planning History

45C83 Erection of a joinery workshop together with the formation of a vehicular access at Trewen, Penlon, Newborough – Refused 7-9-88

45C83A Erection of a workshop at Tre Wen, Penlon, Newborough – approved 2-8-89 Section 52

45C83B Erection of a shed for the storage of machinery at Tre Wen, Penlon – approved 4-2-2010

45C83C/DEL Application under Section 73 for the removal of condition (05) (workshop shall be used for the benefit of Mr T.W.Owen and when no longer required by him shall be used for the purposes of agriculture) from planning permission reference 45C83A (erection of a workshop)– approved 4/6/2015

45C83D/SCR Screening opinion for the conversion of the existing workshop into three dwellings on land– EIA not required 24/02/16

45C83E - Full application for conversion of the existing workshop into three dwellings Permitted 06/04/2016

45C83F/DIS - Application to discharge condition (05) (details of windows and stairs) of planning permission 45C83E (change of use of carpenter's workshop into 3 dwellings Condition discharged 20/03/2017.

SCR/2021/6 Screening opinion under Section 73 for the variation of condition (06) of planning permission reference 45C83E (conversion of the existing workshop into three dwellings) so as to allow the addition of 2 porches EIA Not required 27.01.21.

Main Planning Considerations

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

Fall-back Planning permission 45C83E is extant and the applicant has until 12/04/2021 to implement this planning permission this is the fall-back position.

Design The proposed porches align with the character and form of the building to be converted in accord with the plans approved under planning permission 45C83E introducing only a very minor external alteration. The site is set within a large curtilage within which there is ample room for parking and amenity space provision.

Highway Impacts The site is served by an existing access. It is not considered that the conversion would lead to a significant increase in traffic or other highway issues but comments of the highway authority are awaited at the time of writing.

Ecology The council's Ecological and Environmental Advisor is content with the planning application which now includes bird nesting boxes.

AONB Paragraph 5.3.5 of PPW explains that the primary objective of designating AONB's is the conservation and enhancement of their natural beauty. Development Management decisions affecting AONB's should favour conservation of natural beauty, although it will be appropriate to have regard to the economic and social well-being of the areas.

The site is located to the rear of a handful of dwellings forming part of the hamlet of Pen Lon which is situated within the designated AONB. The site is well screened and enclosed and it is not considered that unacceptable impacts will occur to the designated landscape.

There is a statutory requirement for the LPA to have regard to the AONB purposes. Regard has been taken of these statutory requirements in terms of the use of appropriate external materials.

Amenity impacts The building is located to the rear of existing housing. There is ample space within the site to accommodate the proposal without harm to existing amenities. Distances and boundary treatments are such that overlooking and loss of privacy are unlikely to occur.

Conclusion

Given the fall-back that there is an extant planning permission the proposal is acceptable subject to the planning conditions listed notwithstanding the fact the proposal is a departure from policy TAI 7. The planning conditions recommended limit the permission to no longer than that granted under planning permission 45C83E.

Recommendation

That delegated powers are granted to approve the planning application following the expiry of the notification period on the 18.02.21 and the receipt of all material consultee responses:

(01) The development hereby permitted shall be begun before the 12/04/2021.

Reason: Planning permission is granted on the basis that there is an extant planning permission only.

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

Proposed Block Plan January 2016

Detailed Block Plan January 2016

Roof Plan Identifying Location of 8 no Rooflights January 2016

Proposed Ground Floor Plan January 2016

Proposed First Floor Plan January 2016

Approved and modified elevations with proposed external porches and bat and bird boxes December 2020

Proposed Details of external porches December 2020

Approved and modified elevation with proposed external porches December 2020

Plan of Staircase (approved under discharge of condition under reference 45C83F/DIS)

Elevation of PVC-U Window to Gable Wall (approved under discharge of condition under reference 45C83F/DIS)

Section Through PVC-U Window to Gable Elevation Drawing Number 7 (approved under discharge of condition under reference 45C83F/DIS)

Visual Protected Species Survey Alison Johnson Ecology June 2015
Structural Engineer's Report received 3/2/16
Access Statement received 3/2/16

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

(03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting this Order) the development permitted by Classes A, B, C, D, E and F Part 1 of Schedule 2 are hereby excluded.

Reason In the interests of amenity.

(04) The car parking accommodation shall be made available for use before the dwellings hereby approved are occupied.

Reason: In the interests of amenity.

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

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Planning Committee: 10/02/2021

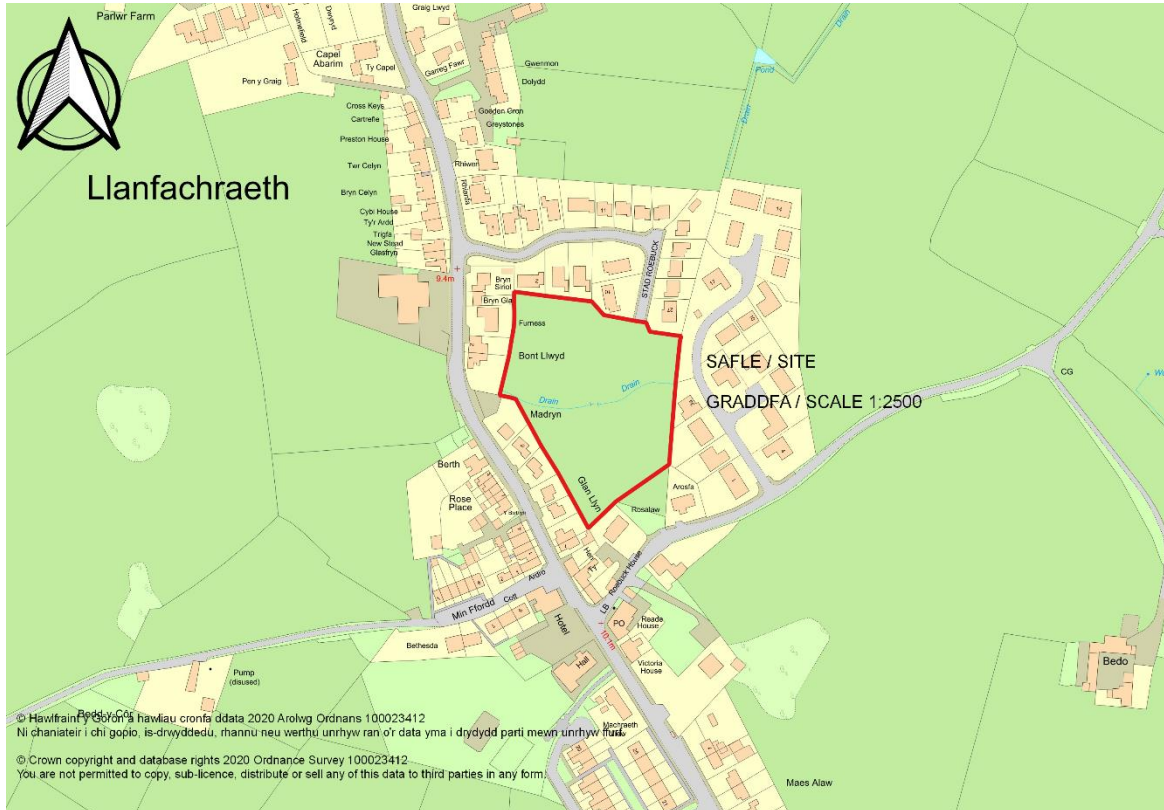
12.1

Application Reference: OP/2020/6

Applicant: Mrs R Pritchard

Description: Outline application for the erection of 31 new Residential Dwellings together with full details of a new estate road at

Site Address: Land Adjacent to Roebuck Estate, Llanfachraeth, Holyhead



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

Recommendation: Refuse

Reason for Reporting to Committee

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

Proposal and Site

The application site comprises two fields almost completely surrounded by built development which are subdivided by a 'ditch'. The north and east of the application site is abutted by the Roebuck and Parc Llynon residential estates. To the west the application site is abutted by the rear of properties facing the A5025 and the area to the west of the road forms part of the Area of Outstanding Natural Beauty "AONB".

The planning application is made for 31 dwellings and is therefore a major development and a Pre-Application Consultation (PAC) was undertaken prior to the submission of the planning application, the result of which accompany the planning application. This is an outline planning application with the access, appearance, layout and scale included for consideration with landscaping excluded. Detailed plans are provided of 8 types of two storey semi and detached dwellings providing 2, 3 and 4 bedroom accommodation. Access to the development would be from the A5025 and then through the estate road which presently serves properties on the Roebuck residential estate.

The planning application is accompanied by a Flood Risk Assessment & Drainage Strategy for both foul and surface water drainage. In relation to surface water drainage it is explained that ground infiltration is unsuitable and surface water drainage from the individual houses and the road will be attenuated and then discharged at an attenuated greenfield rate into the river dividing the application site which will be replaced by a concrete u channel. This channel will then discharge into a culvert under the A5025 and thereafter into the Afon Alaw. It is explained that there is an established right to discharge surface water through this existing culvert at a greenfield drainage rate. It is explained in the report that the council's Highways Department are aware of damaged concrete pipes forming part of this culvert downstream and that it is understood that a solution to address these matters will be implemented in a separate Highway Authority scheme in the summer of 2020. It is also understood that surface from the Parc Llynonn Estate currently discharges at an un-attenuated rate onto the application site and that the surface water drainage arrangements described will also accommodate the disposal of this surface water. It is also explained that these surface water drainage arrangements have been designed to allow the highway authority to be able to address flooding at Parc Llynonn by increasing the size of the outflow pipe from this development. Foul drainage from the development is shown to be connected via gravity to the public sewer which is in separate ownership to the west and east of the application site under Welsh Water powers.

Key Issues

- Principle of Residential Development
- Relationship of the Development with Surroundings
- Residential Amenity
- Archaeology
- Ecology and Biodiversity
- Foul & Surface Water Drainage

Policies

Joint Local Development Plan

Anglesey and Gwynedd Joint Local Development Plan 2011 – 2026 “JLDP”

PS 1: Welsh Language and Culture

ISA 1: Infrastructure Provision

ISA 2: Community Facilities

ISA 5: Provision of Open Space in New Housing Developments

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable Development

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

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PCYFF 6: Water Conservation

PS 17: Settlement Strategy

TAI 4: Housing in Local, Rural & Coastal Villages

TAI 8: Appropriate Housing Mix
TAI 15: Affordable Housing Threshold & Distribution
PS19 Conserving and Where Appropriate Enhancing the Natural Environment
PS 20 Preserving and where appropriate Enhancing Heritage Assets
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

Planning Policy Wales (Edition 10)

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

Supplementary Planning Guidance IOCC Design Guide for the urban and Rural Environment (2008) "SPG Design Guide"
Planning and Welsh Language (2007)
Supplementary Planning Guidance Parking Standards (2008)
Supplementary Planning Guidance Planning Obligations (Section 106 Agreements) (2008)
Supplementary Planning Guidance Housing Mix (October 2008)
Supplementary Planning Guidance Affordable Housing (April 2019)
Supplementary Planning Guidance Open Spaces in New Residential Development (March 2019)

Isle of Anglesey AONB Management Plan 2015-2020.

Response to Consultation and Publicity

Cyfoeth Naturiol Cymru / Natural Resources Wales: European Protected Species - no bats and Great Crested Newts (GCN) are present at the application site therefore no objections. Landscape - Landscape The development site lies within 25metres from Anglesey Area of Outstanding Natural Beauty (AONB) where the primary objective is the conservation and enhancement of natural beauty. We note and support comments made by your own internal landscape officer dated 20th November 2020, we have no further comments to make. Flood Risk - Our Flood Risk Map confirms the application site lies within Zone A of the Development Advice Maps (DAM) as contained in TAN15. There is a watercourse that flows through the site, this watercourse is classified as that of an ordinary watercourse and we advise that you liaise with the Lead Local Flood Authority (LLFA). The Lead Local Flood Authority (as cited in the Flood and Water Management Act 2010) is also normally the appropriate body to provide advice on existing surface water flood risk and the management of surface water drainage from new developments. Flood Risk - We note that the intention is to dispose of foul drainage to main sewer. Confirmation from Dŵr Cymru that the sewage treatment works covering the area can cope with the additional flow that would be generated if this scheme is permitted. Dŵr Cymru will need to ensure that extra loadings can be accepted without causing a deterioration in effluent quality and without increasing the bacterial load onto the Beddmanarch – Cymyran SSSI designated shellfish waters which is 420m from site. The latest Welsh Water comments in relation to the level of any reinforcement works required to the waste water treatment works have been forwarded to NRW and an update of their comments is awaited at the time of writing.

Welsh Government (Land, Nature and Forestry Division) The Department does not hold any information on detailed agricultural land classification "ALC" surveys for the site. The Predictive ALC Map for Wales notes the site as Subgrade 3b. After reviewing the available information, an ALC survey is not

recommended for the site. The Department do not consider the best most versatile “BMV” land to be present at this site.

Prifffyrdd a Trafnidiaeth / Highways and Transportation: Comments awaited at the time of writing.

Dwr Cymru Welsh Water: Having reviewed the drainage layout plan, we note foul flows are proposed to connect into the 150mm foul public sewers crossing the proposed development site. It has been concluded that the receiving sewerage treatment works does not have the required capacity in order to accommodate the proposed development. The applicant is therefore advised that if they wish to proceed, they would need to commission a Flow and Load Survey at the Works. The risk of allowing the development to proceed in the absence of a Flow and Load survey or the delivery of any reinforcement works that may be identified in this study, could lead to both sewer flooding and/ or pollution incidences, resulting in detriment to existing customers and harm to the environment and planning conditions are recommended on this basis. In subsequent correspondence Welsh Water confirmed that the level of reinforcement works required in advance of the conclusion flow and load survey at the Works (carried out at the developer's expense). If the flow and load survey concludes sufficient capacity exists at WwTW to accommodate the anticipated foul flows associated with the development, the planning condition can be discharged. If however, the subsequent Developer Impact Assessment (DIA) identifies reinforcement works are required, we will carry out the reinforcement works at the developer's expense and only recommend full discharge of the planning condition following the completion of the reinforcement works. Dwr Cymru own Llanfachraeth WwTW site and so would expect any solution(s) identified as part of the flow and load survey to be deliverable. Our recommended planning condition has been established in case law. We also note the 100mm foul public rising main would be situated within the rear garden of three properties. Please note, we require unfettered access to our apparatus and so there would be a requirement to divert the rising main/ or alternatively amend the site layout to take the location of the 100mm rising main into account.

Iechyd yr Amgylchedd / Environmental Health: Stipulations listed in relation to working hours, rock breaking and contaminated land.

Ymgynghorydd Treftadaeth / Heritage Advisor: The proposed development is unlikely to result in a significant adverse impact on the setting of the grade II listed Bryn Glas house situated to the NW extent of the site.

Ymgynghorydd Tirwedd / Landscape Advisor: As a site within the development boundary almost completely enclosed by development, the proposal would not affect local landscape character or qualities or features identified in the LCA description or LANDMAP. The hedge on the eastern boundary is not marked on proposed site plan such that it will clearly be retained as a buffer with Parc Llynon. A property to the northwest (25) and another to the southeast (7) appear to impinge on the existing boundary hedgerow. All vegetation shown on the topographical survey which is to be retained should be illustrated on the proposed site plan. Where retention is not proposed, it should be indicated for removal although the policy preference is that existing boundary vegetation is retained and which is largely achievable in the layout proposed, Plots 25 and 7 should be reconsidered. Removal of the internal ditch habitat is considered by others: the gorse from a landscape/landscaping perspective is probably unsuitable to retain within gardens or recreational space in a compact residential development. Landscaping is not part of this Outline proposal and the proposed planting is indicative only. This should be worked up into a properly detailed landscape scheme by a landscape architect in line with policy requirements and complement any future SUDS application to others.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: In view of the Council's duty under Section 6 of the Environment Wales Act (2016) to seek to maintain and enhance biodiversity whilst carrying out its functions, and instructions from the Chief Planner to Heads of Planning (Oct 2019) on application of this duty in planning cases, the present proposal as presented is problematical. It would lead to the loss of a locally significant area of habitat relevant to Section 7 of the Act. Although the Assessment gives a number of suggestions as to how some ecological mitigation could be provided, it is clear that the overall loss of this priority habitat would represent a local loss of

biodiversity, and as such the Act and the Chief's Planner's specific instructions for application of Section 6 in Planning cases mean that unchanged and in its present form there would appear to be grounds for refusal as significant changes are suggested to be required to resolve the overall loss of biodiversity.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: Policy considerations are listed, key points as follows:

- The proposed development on its own would therefore mean that Llanfachraeth would exceed its indicative supply, which is further exacerbated by the existing units in the landbank and the units that have been completed in the village since the base date of the JLDP.
- Whilst it can be considered, based on completion rates within the Villages, Clusters and Countryside category (April 2019 information) that such a proposal would be acceptable, the suitability of a development on this scale within a Local Village should be considered. It would mean the Village's indicative supply would be exceeded within a single development. It is noted that Policy TAI 4 states that size, scale, type and design of the development should correspond with the settlement's character. Comparatively less development is promoted to these Villages in order to protect their character and to support community need for housing or for local need affordable housing".
- Given that the settlement would meet its indicative growth level by units completed between 2011 and 2020, the completion of the existing landbank and this proposal, justification would be required with this application to outline how this proposed development would meet the needs of the local community. This could be by:
 - Presenting any marketing research work that has been undertaken i.e. that demonstrates that there is a need for this type of development in the area;
 - That the proposal meets the identified need for affordable housing;
 - That the proposal provides for specialist housing needs e.g. units for older people;
 - That the units in the landbank are not likely to be developed during the Plan period.
- In accordance with criterion 1b in Policy PS 1 'Welsh Language and Culture' given that development would provide more housing than the indicative housing provision set out for Llanfachraeth in the JLDP, a Welsh Language Statement will need to be submitted with this application. Appendix 7 of the Maintaining and Creating Distinctive and Sustainable Communities Supplementary Planning Guidance outlines the methodology for preparing a Welsh Language Statement.
- It is unclear from the information submitted what the proposed affordable provision is, neither in terms of the number of units, type of provision (such as type of residential units, number of bedrooms), tenure etc. Further information would be required to establish whether the affordable provision is deemed acceptable.
- Whilst it is acknowledged that this is an outline application, it is unclear from the information submitted the housing mix that is proposed. The adopted Housing Mix SPG (October 2018) states that a planning application for 5 or more housing units should submit a Housing Statement to support the planning application. Appendix 2 of the SPG includes a model document which could be included as part of the Housing Statement. This includes information regarding the number of different units proposed in terms of their type, bedroom numbers, tenure, number of affordable housing units etc.
- It is confirmed that there is sufficient open space provision within the community to meet the needs of this proposed development therefore no new provision of open spaces or financial contribution will be required.

Strategol Tai / Housing Strategy: No observations received at the time of writing.

GCAG / GAPS: Have determined that there is a potential for archaeological impact. The proposed development requires groundworks on land untouched by modern development, and it is therefore considered appropriate that a pre-determination assessment is completed in order to establish a more informed planning decision. In this instance the work that is recommended comes under the category of archaeological pre-determination, primarily comprising of a formal programme of archaeological evaluation known as Geophysical Survey. The geophysical survey should be supported by sufficient desk-based research to aid interpretation of any archaeological evidence encountered, and to provide context for the site. It is possible that this evaluation method is followed up by further evaluation (such as trial trenching) however this depends on the results of the survey.

Gwasanaeth Addysg / Education Service: As things stand no contribution towards education provision will be required.

Ymgynghoriadau Cynllunio YGC: No observations received at the time of writing.

Gwasanaeth Tân ac Achub Gogledd Cymru North Wales Fire and Rescue Service: No objections but stipulations are made in relation to vehicular access, turning facilities and water supplies.

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

Cynghorydd John Griffith: Because of local concerns regarding flooding and the impact on the foul drainage of houses adjacent and the significant increase in traffic through the Roebuck Estate I wish to call the planning application to the planning committee.

Cynghorydd Kenneth P. Hughes: Called the planning application in so that it can be considered by the planning committee. Residents of the village have concerns in terms of whether the site is suitable to build upon as it is underwater when it rains heavily and photographs in your possession show this.

Cynghorydd Llinos Medi Huws: No observations received at the time of writing.

Cyngor Cymuned Llanfachraeth Community Council: No observations received at the time of writing.

The planning application was advertised by means of individual letter of notification, site notice and press adverts were published reflecting the fact that this is a major planning application and the setting of a listed building was potentially affected. 26 objections have been received on the following grounds:

- At present the sewage system is working at full capacity. Any further development would lead to regular backup and possible flooding. This has been confirmed by the water authority. One objector expresses concern regarding the impact on the Welsh Water pumping station adjacent to their property.
- Disruption of moving the main sewer from Roebuck & Parc Llynnon.
- Concern expressed about the need to clear the surface water culver which runs under private property and thereafter the public highway in terms for the potential damage which could occur in clearing and attenuating surface water from the proposed development.
- Roebuck estate is already under severe parking pressure and will face excessive congestion if homes are built on the field. Difficulties for access by the emergency and refuse services. Problems associated with construction traffic going through the Roebuck estate are also referred to in terms of the carriageway width, obstruction by parked vehicles, the safety of pedestrians, impact on residents in terms of noise etc.
- The village struggles with traffic as is and adding more homes will make it worse.
- Impact on the visual amenities of the area including the Roebuck Estate.
- The impact of extra residents on medical and educational facilities in the area.
- The application site is a flood risk area & has been worse in recent years following the alleged removal of a hedgerow/opening up of a spring.
- The drain that runs through the middle of the field has wildlife in it.
- Devaluation of surrounding properties.
- Impact on the by-pass of the village.
- Design and Access Statement is misleading in terms of the retail, educational and other facilities etc. available in the village
- Need for the additional dwellings in the village.
- Impacts on the Welsh language.
- Impact on biodiversity and protected habitats such as newts.
- Alleged that ecological survey equipment was removed from the field resulting in the ecological survey accompanying the planning application being inconclusive.
- Anomalies, criticism etc. in Pre Application Consultation undertaken by the applicant's prior to the submission of the planning application.

- Proposed dwellings are out of character with the surrounding bungalows.
- Porosity test submitted with the submission is contradictory.
- There is no mention of affordable housing.
- Impact on privacy/overlooking of adjacent properties impact on residential amenities.
- The proposal would result in a breach of human rights to quiet enjoyment of property.
- Increase in noise levels.
- Development is overbearing.
- External materials not in keeping with surroundings.
- Loss of greenfield land.
- Stress of planning application being submitted on the application creating uncertainty.
- Local residents were not notified of the proposed development by the landowner.

Relevant Planning History

27C21B - 9 affordable dwellings Withdrawn 01.11.2017

27C21A Residential development Refused 03.01.90

Main Planning Considerations

Principle of Residential Development Having regard to the provisions of the principle Act, and as amended section 38(6) the 2004 Act and the 2015 Wales Act, if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. The development plan for Anglesey comprises the JLDP.

The application site is located within Llanfachraeth which is a lower order settlement designated a Local Village under the provisions of policy TAI 4 of the JLDP. Strategic Policy PS 17: Settlement Strategy states that only 25% of the Plan's growth will be within villages and clusters. The supporting text of policy TAI 4 explains that in Local Villages development will be restricted to a scale and type to address the community need for housing on windfall/infill plots within development boundaries. The JPPU's comments explain that the proposed development on its own would exceed its indicative supply for Llanfachraeth and that this is further exacerbated by the existing units in the land-bank and the units that have been completed in the village since the base date of the JLDP. On this basis the JPPU's state that justification would be required from the applicants to outline how this proposed development would meet the needs of the local community. Without this justification the proposal is considered to contravene the provisions of policies PS 17 and TAI 4.

In accordance with criterion 1b in policy PS 1 (Welsh Language and Culture) given that development would provide more housing than the indicative housing provision set out for Llanfachraeth in the JLDP, a Welsh Language Statement will need to be submitted with this application. No Welsh Language Statement has been submitted with the planning application and on this basis the proposal is considered to contravene policy PS1.

Policy TAI 15 (Affordable Housing Thresholds and Distribution) requires that housing development provides affordable housing in line with thresholds in the policy which is 20% in Llanfachraeth. The JPPU comments state that it is unclear from the information submitted what the proposed affordable provision is, neither in terms of the number of units, type of provision (such as type of residential units, number of bedrooms), tenure etc. Further information would be required to establish whether the affordable provision is deemed acceptable. Without this information the proposal is considered to contravene policy TAI 15.

Policy TAI 8 (Appropriate Housing Mix) states that the council will work with partners to promote sustainable mixed communities by ensuring that all new residential development contributes to improving . The balance of housing and meets the identified needs of the whole community by compliance with the listed criteria. The adopted Housing Mix SPG (October 218) states that a planning application for 5 or

more housing units should submit a Housing Statement to support the planning application. Appendix 2 of the SPG includes a model document which could be included as part of the Housing Statement. This includes information regarding the number of different units proposed in terms of their type, bedroom numbers, tenure, number of affordable housing units etc. Whilst it is acknowledged that this is an outline application, it is unclear from the information submitted the housing mix that is proposed and without this information the proposal is considered to contravene the provisions of policy TAI 8 and the Housing Mix SPG.

Criterion (3) within Policies PCYFF 2 and TAI 8 seek to ensure that proposals make the most efficient use of land, including achieving densities of a minimum of 30 housing units per hectare for residential development. The proposal is made for 31 units and the application site is nearly a hectare in size so the proposal complies with these policies. Detailed consideration of the relationship of the development with its surroundings is undertaken below.

Relationship of the Development with Surroundings Policy PCYFF 2: Development Criteria, PCYFF 3: Design and Place Shaping, and PCYFF 4: Design and Landscaping are the primary policies encompass considerations in relation to the efficient use of land, requiring high quality development as detailed and requiring appropriate landscaping where relevant.

Notwithstanding the fact that the nearest residential estates at Roebuck and Parc Llynon are bungalows the urban vernacular in vicinity to the application site particularly along the A5025 is quite varied. Within this context the proposal for the two storey dwellings and in the layout shown would be acceptable in principle.

The council's Landscape Adviser states that the hedge on the eastern boundary is not marked on proposed site plan such that it will clearly be retained as a buffer with Parc Llynon. Further that the siting of specified plots will impinge on existing hedgerow notably plot 25. All vegetation shown on the topographical survey which is to be retained should also be illustrated on the proposed site plan. Without amendments to the proposals addressing these matters it is not considered that the proposal complies with the requirements of PCYFF 4. These considerations are also relevant in the assessing the ecological impacts of the development which are considered in the relevant section of this report below.

There is a grade II listed Bryn Glas house situated to the NW extent of the site. 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. The council's Heritage Adviser states that the proposed development is unlikely to result in a significant adverse impact on the setting of this listed building and on this basis it is considered that the proposal align with the aforementioned policy requirements.

The area on the opposite side of the A5025 forms part of the Area of Outstanding Natural Beauty. Paragraph 5.3.5 of PPW explains that the primary objective of designating AONB's is the conservation and enhancement of their natural beauty. There is also a statutory requirement to have regard to the AONB Management Plan 2015-2020. The council's Landscape Adviser states that roadside development obscures any new views into the site from the A5025 and the site is not considered to affect the AONB or its setting. NRW who are the statutory consultee in relation to the AONB having regard to these comments raise no issues. Having regard to these comments it is considered that the policy and stator requirements as regards the AONB are met.

Residential Amenity The SPG Design Guide provides guidance on recommended distances between existing and proposed dwellings and their boundaries. The distances are recommended in order to prevent unacceptable overlooking and impacts on the outlook from the respective properties. There are a number of plots (1-7, 17-19, 24-25, 29, 30, 31) where the distance to the rear boundary is insufficient in comparison with the guidance of 10.5 metres. Side to boundary distances should be 2.5 m and side to side of dwellings should be 3.5 metres and the proposal is not generally compliant with this guidance. The

proposal is therefore not considered acceptable without amendment and/or justification having regard to the guidance.

Archaeology PPW and TAN 24 explain that the conservation of archaeological remains and their setting is a material consideration in determining planning applications whether those remains are scheduled monument or not. GAPS have determined that there is a potential for archaeological impact and require a pre-determination assessment is completed in order to establish a more informed planning decision as detailed in their consultation response and without this information the proposal cannot be considered having regard to the provisions of PPW and TAN 24.

Ecology and Biodiversity Policy AMG 5 (Local Biodiversity Conservation) states that proposed developments must protect and where appropriate enhance biodiversity by avoiding significant impacts through sensitive location of development and by creating opportunities to improve and manage habitats and landscape features. The comments of the council's EEA describe the Council's duty under Section 6 of the Environment Wales Act (2016) to seek to maintain and enhance biodiversity whilst carrying out its functions. The EEA states that mitigation measures in the Ecological Report supporting the planning application make a number of suggestions as to how some ecological mitigation could be provided, it is clear that the overall loss of this priority habitat would represent a local loss of biodiversity and in its present form there would appear to be grounds for refusal of the proposal as significant changes need to be resolved on the overall loss of biodiversity. The comments of the council's Landscape Advise above are also material here in that existing landscape features should be shown on the proposed plans and the development amended so that the specified plots do not impinge on existing hedgerow. Having regard to these considerations it is not considered that the proposal in its present form complies with policy AMG 5.

NRW's explain that the Beddmanarch – Cymyran SSSI designated shellfish waters which is 420 metres from the site, they are the statutory consultee for this protected site. It is material to consider if there are any direct or indirect effects on this designation and this is assessed below in relation to foul drainage.

Foul & Surface Water Drainage Foul drainage for the development will be discharged into the public sewer. Objections have been received on the basis that the public sewer in the vicinity will not be able to accommodate the additional loading from the development. Welsh Water who are the responsible organisation have also concluded that the receiving sewerage treatment works at Llanfachraeth does not have the required capacity in order to accommodate the proposed development. Their consultation response states that the applicant will have to commission a "Flow and Load Survey at the Works" which would identify any improvements requires as a basis for preventing pollution and harm to the environment.

NRW have also requested confirmation from Welsh Water that the sewage treatment works covering the area can cope with the additional flow that would be generated without causing a deterioration in effluent quality and without increasing the bacterial load onto the Beddmanarch – Cymyran SSSI. Welsh Water have confirmed on two occasions that a Grampian type planning condition can satisfactorily regulate this requirement. The condition would recommended would require a scheme for the upgrading of the waste water treatment facilities prior to the commencement of the development and thereafter none of the proposed dwellings could be occupied until the scheme approved under the requirements of this condition had been completed. Having regard to Welsh Water's recommendation which they explain is based on appeal decisions it appears that such a condition would ensure that there is no harm to the SSSI but NRW's comments as the statutory consultee on this protected site are awaited at the time of writing.

Surface water drainage proposals have been described in the introduction of this report. The stream which crosses the site would be replaced by a concrete u channel and surface water from the development would be discharged at an attenuated rate into this channel and thereafter through a culvert under the A5025 which leads to the Afon Alaw. The submitted details indicate that these proposal will result in a betterment of drainage across the site from Parc Llynon and downstream where a separate highways scheme will shortly be implemented to address existing problems due damaged pipes downstream. Comments are still awaited from the council's Highways and Drainage Section on the

acceptability of these proposal. It is also clarified that a separate Suds Approval will be required from the Suds Approving Body (SAB) which is an arm of the council.

Other Considerations The comments of the council's Highways Section as regards highway safety etc are awaited at the time of writing.

The council's Education Service has confirmed that no contribution will be required towards education in the locality, this will be based on sufficient capacity being available.

Policy ISA 5: of the JLDP requires that new housing proposals for 10 or more dwellings in areas where existing open space cannot meet the needs of the proposed development, will be expected to provide suitable open space provision in accord with the policy. The JPPU have, however, confirmed that there is sufficient open space provision within the community to meet the needs of this proposed development therefore no new provision of open spaces or financial contribution will be required.

Policy PCYFF 6 of the JLDP requires that proposals for 10 dwellings or more should be accompanied by a Water Conservation Statement. The supporting text of this policy explains that the aim of this policy is to protect and improve water resources through increased efficiency and demand management of water through water conservation measures and SUDS. Whilst the planning application is accompanied by a Flood Risk Assessment & Drainage Strategy which includes a SUDS assessment there is no supporting information including water conservation measures and without this information the proposal cannot be considered acceptable having regard to the requirements of policy PCYFF 6.

Conclusion

Given the assessment above it is clear that significant amendment, additional information and justification is required to address the objections listed. Important consultee responses are also waited from NRW, Highways and the council's drainage section.

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development result in a less resilient and cohesive Wales as it has not been demonstrated that the development would meet the needs of the community as described in the report. It is also considered that the development would result in ales prosperous Wales in terms of the loss of potential archaeology, biodiversity.

Recommendation

That planning permission is REFUSED for the following reasons:

(01) The application site is located within Llanfachraeth which is a lower order settlement under the settlement strategy which indicates that development will be restricted to a scale and type to address the community need for housing on windfall/infill plots within development boundaries. The proposed development would exceed its indicative supply for Llanfachraeth and this is exacerbated by the existing units in the land-bank and units that have been completed in the village since the base date of the Anglesey and Gwynedd Joint Local Development Plan (2017) JLDP. The proposed development on its own would exceed its indicative supply for Llanfachraeth and that this is further exacerbated by the existing units in the land-bank and the units that have been completed in the village since the base date of the JLDP which would contravene the provisions of policies PS 17 and TAI 4 of the JLDP.

(02) Policy PS 1 of the Anglesey and Gwynedd Joint Local Development Plan (2017) requires that Welsh Language Statement is submitted for residential development which provides more than the indicative housing provision set out in policy TAI 4. No Welsh Language Statement has been submitted with the planning application and on this basis the proposal is considered to contravene policy PS1 which seeks to protect, promote and enhance the Welsh language.

(03) Policy TAI 15 (Affordable Housing Thresholds and Distribution) requires that housing development provides affordable housing in line with thresholds in the policy which is 20% in Llanfachraeth. It is unclear from the information submitted what the proposed affordable provision is proposed in terms of the number of units, mix or tenure. Without this information the proposal is considered to contravene policy TAI 15 which seeks to meet the community's needs for affordable housing.

(04) Policy TAI 8 (Appropriate Housing Mix) states that the council will work with partners to promote sustainable mixed communities by ensuring that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community by compliance with the listed criteria. The adopted Housing Mix SPG (October 218) "SPG Housing Mix" states that a planning application for 5 or more housing units should submit a Housing Statement to support the planning application. It is unclear from the information submitted whether the housing mix in terms of type, bedroom numbers, tenure, number of affordable housing units meets these requirements and the proposal is considered to contravene the provisions of policy TAI 8 and the SPG Housing Mix.

(05) The submitted plans do not illustrate existing landscape features on the application site and it is also considered that the proposed development would also impinge of some of these landscape features. The proposal is therefore considered to contravene the provision of policy PCYFF 4 which amongst other requirements seeks to ensure that development respects, retains and complements any existing positive landscape and other features on the site.

(06) The Supplementary Planning Guidance for the Urban and Rural Environment (2008) provides guidance on recommended distances between existing and proposed dwellings and their boundaries. The distances recommended in the guidance are intended to prevent unacceptable overlooking and impacts on the outlook from the respective properties. There are a number of plots forming part of the development where the guidance is not met and the proposal is therefore not considered acceptable having regard to this guidance.

(07) Planning Policy Wales (Edition 10) "PPW" and Technical advice note "TAN 24" The historic environment (2017) explain that the conservation of archaeological remains and their setting is a material consideration in determining planning applications whether those remains are scheduled monument or not. Gwynedd Archaeological Planning Service have determined that there is a potential for archaeological impact and require a pre-determination assessment and without this information the proposal cannot be considered having regard to the provisions of PPW and TAN 24.

(08) Policy AMG 5 (Local Biodiversity Conservation) "AMG 5" states that proposed developments must protect and where appropriate enhance biodiversity by avoiding significant impacts through sensitive location of development and by creating opportunities to improve and manage habitats and landscape features. The overall loss of the priority habitat on the application site and landscape features would represent a local loss of biodiversity and this would contravene the provisions of policy AMG 5.

(09) Policy PCYFF 6 of the JLDP requires that proposals for 10 dwellings or more should be accompanied by a Water Conservation Statement, the aim of this policy is to protect and improve water resources through increased efficiency and demand management of water through water conservation measures and SUDS. Whilst the planning application is accompanied by a Flood Risk Assessment & Drainage Strategy which includes a SUDS assessment there is no supporting information including water conservation measures and without this information the proposal cannot be considered acceptable having regard to the requirements of policy PCYFF 6.

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/2020/264

Applicant: Pennaeth Prifffyrdd, Gwastraff ac Eiddo / Head of Highways, Waste and Property

Description: Full application for the erection of 8 business units (Class B1, B2 and B8), construction of soft and hard landscaping together with associated works on land at

Site Address: Former Heliport Site, Penrhos Industrial Estate, Penrhos, Holyhead



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

Recommendation: Permit

Reason for Reporting to Committee

The Isle of Anglesey Council is the applicant.

Proposal and Site

The application site comprises previously developed land located on the Penrhos Industrial Estate. The application site amounts to an area of 0.58 hectares.

The application sites is bounded by existing retail properties to the west (Morrison's) and north west. To the east there are existing industrial units forming part of the Penrhos Industrial Estate. To the south east there is the Welsh Water waste water treatment plant.

This is a full planning application is made for 8 business units for B1, B2 and B8 industrial purposes with floor area measured externally of 933 M2.

Key Issues

- Principle of Development on an Industrial Allocation
- Impact of the development on the Character and Appearance of the Area and the Area of Outstanding Natural Beauty

Policies

Joint Local Development Plan

Joint Local Development Plan

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 5: Carbon Management

PCYFF 6: Water Conservation

PS 7: Renewable Energy Technology

PS 13: Providing Opportunity for a Flourishing Economy

CYF 1: Safeguarding, Allocating and Reserving Land and Units for Employment Use

PS 19: Conserving and Where Appropriate Enhancing the Natural Environment

PS 20: Preserving and where appropriate enhancing heritage asset

AMG1: 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

Planning Policy Wales Edition 9 (2016) "PPW"

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

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

Technical Advice Note (TAN) 18: Transport (2007) "TAN 18"

Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017) "TAN 20"

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

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

Isle of Anglesey Council AONB Management Plan 2015-2020o

Response to Consultation and Publicity

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: General policies are listed. The proposed development is located on the Penrhos Industrial Estate which has been designated as a 'primary' employment site under Policy CYF 1 of the JLDP for B2 and B8 uses. Whilst the site is not safeguarded for B1 use it is considered that the principle of this use, and the proposal in general is acceptable under Policy CYF 1. The site is also located immediately adjacent to the AONB and policy considerations are listed. Policy requirements in relation to the Welsh language are described and information requested on how consideration was given Welsh language in formulating the proposals.

Ymgynghoriadau Cynllunio YGC: Observations awaited at the time of writing.

Dwr Cymru Welsh Water: Observations awaited at the time of writing.

Priffyrdd a Trafnidiaeth / Highways and Transportation: Observations awaited at the time of writing.

Iechyd yr Amgylchedd / Environmental Health: General considerations in relation to working hours and construction listed. Contaminated land condition recommended.

Cynghorydd Glyn Haynes: Observations awaited at the time of writing.

Cynghorydd Robert Llewelyn Jones: This is what we need in order to encourage our small developers to be able to grow. I am sure there will be a lot of interest.

Cyngor Tref Caergybi / Holyhead Town Council: Observations awaited at the time of writing.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: There are two recommendations for further protected species information in relation to bats and newts a number of ecological matters are raised reptiles, compatibility with ecological planning conditions attached to planning permission 19LPA1023B/CC.

GCAG / GAPS: Whilst there is a general potential for archaeology in the locality, as well as a notable potential for remains owing to the density of known archaeological features just south-west of the A55 at Parc Cybi, there seems to be no clear indication of any concerns for this particular site. Historic investigations in the area associated with the industrial estate have suggested there is a low potential for unknown sites, and much of the landscaping already undertaken as part of the gradual development of the estate means it is unlikely that any material still remains.

Gwasanaeth Tân ac Achub Gogledd Cymru North Wales Fire and Rescue Service: No observations.

Uned Datblygu Economaidd / Economic Development Unit: No response at the time of writing.

Cyfoeth Naturiol Cymru / Natural Resources Wales: Observations awaited at the time of writing.

Ymgynghorydd Tirwedd / Landscape Advisor: The site is within Landscape Character Area 2: Holy Island, in an area considered in LANDMAP to be of lower landscape value. Conditions on the external colour of the building will be necessary in order not to add to the prominence of the buildings at the edge of the estate and conserve views from the AONB.

Welsh Government (Highways): Observations awaited at the time of writing.

The proposal was advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The publicity period expired on the 04.02.21. At the time of writing no observations have been received.

Relevant Planning History

DIS/2019/96 - Application to discharge condition (03)(Drainage Scheme) and part of condition (08)(Surface water drainage details) of planning permission 19LPA1023B/CC Discharged 17.10.2019.

19LPA1023C/DIS/CC - Application to discharge conditions (03) (Drainage scheme) (08) (Surface water drainage and lighting) (14) (Slab level) (15) (Lighting Scheme) (16) (External materials and finishes) (18) (Landscaping details) Discharged 20.01.2019.

19LPA1023B/CC - Full application for the erection of 10 unit business (Class B1, B2 and B8) Permitted 10.04.2018.

19LPA1023A/CC Full application for the erection of 10 flexible business units together with associated parking and service yard, landscaping, electrical vehicle charging point, solar panels and two bin/recycling and cycling stores, conditionally approved 07.12.2015

46LPA910/CC Demolition of heliport buildings, the change of use of land to a civic amenity site and waste transfer station together with the siting of two portable buildings and the installation of a weighbridge, conditionally approved 04.08.09.

19LPA1023/SCR/CC – Screening opinion for the erection of business units, EIA not required 30.09.15.

Main Planning Considerations

Principle of Industrial Development on the Application Site The application site is located within the settlement boundary of Holyhead under the provisions of PCYFF 1 of the JLDP. Strategic policy PS 13 of the JLDP states that the council will facilitate economic growth by safeguarding and allocating sites and land for employment /business purposes under the provisions of CYF 1. The application site is allocated as proposal C10 under the provisions of CYF 1 which safeguards land for employment industrial purposes.

Planning permission has been granted on the site immediately abutting to the west (19LPA1023B/CC) for 10 business units and construction of these is substantially complete. The proposal subject to this application comprise a second phase of this development.

The application site also comprises previously developed land and it government policy in section 4.9 of PPW on the grounds of sustainability to re-use such sites in existing settlements where there is vacant or under-used land for suitable uses such as that being applied for.

Given the considerations described above and that planning permission has previously been granted for industrial development the principle is clearly acceptable.

Impact of the development on the Character and Appearance of the Area and the Area of Outstanding Natural Beauty The boundary of the AONB at the nearest point runs along the railway line to the south west. The AONB also borders the northern boundary of the Penrhos Industrial Estate near Penrhos Beach. Whilst the application site is not within the AONB the impact on the setting of the AONB to the south west and the north is a material consideration. Paragraph 5.3.5 of PPW explains that the primary objective of designating AONB's is the conservation and enhancement of their natural beauty. Development Management decisions affecting AONB's should favour conservation of natural beauty, although it will be appropriate to have regard to the economic and social well-being of the areas.

The application site is surrounded by existing commercial/industrial and developments and a waste water treatment plant which limits views of the site from the AONB. Immediately abutting to the west is the first phase of this development which partially encloses this second phase of development in views from the AONB to the west. The application also comprises previously developed land where the principle of industrial development has clearly been established in the planning history and by the allocation under CYF 1 of the JLDP and there is thus an expectation that the application site will come forward for industrial development. These are significant material considerations which not only establish the principle of development in proximity to the AONB but are also significant economic and social well-being considerations which it are appropriate to weight in assessments of the proposal under the relevant provisions of PPW as described in the preceding paragraph. Comments are awaited from NRW but it is clear that there are limited views of the proposal from the AONB and that the proposal will enhance previously developed land, will be high quality in external appearance in conjunction with landscaping.

There is a statutory requirement for the LPA to have regard to the AONB purposes. Regard has been taken of these statutory requirements in terms of the use of appropriate external materials, enhancing the application site via landscaping.

Other Material Considerations In terms of ecology the council's EEA has requested further protected species information in relation to bats and newts a number of ecological matters are raised reptiles, compatibility with ecological planning conditions attached to planning permission.19LPA1023B/CC. These aforementioned issues are ongoing with the applicant's at the time of writing and comments are also awaited from NRW. The landscaping proposals will provide ecological enhancements as required under the Environment Act but could change as a result of the ongoing ecological discussions.

Information is requested at the time of writing to show how consideration has been given to the language in formulating the proposals in accord with material guidance 'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance (SPG) (adopted July 2019).

A number of consultation response are awaited and these will be reported verbally at the planning committee.

Conclusion

The principle of industrial development is clearly acceptable. The proposed development is in proximity to the AONB and it is considered that the proposed development conserves and enhances this statutorily designated landscape but comments are awaited from landscape consultees at the time of writing. Outstanding matters remain in terms of the ecological matters described in the report and information has been requested in terms of the Welsh language.

Recommendation

That planning permission is permitted subject to the planning conditions listed below:

(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:

Phase 2 Location Plan December 2020

General Arrangement & Setting Out 20264/401 P1

Road 3 Vertical Alignment & Site Section 20264/402 P1

Site Sections 20264/403 P1

Surfacing Layout & Construction Details 20264/404 P1

Drainage Layout 20264/501 P1

Drainage Details Sheet 1 20264/502 P1

Drainage Details Sheet 2 20264/503 P1

Drainage Details Sheet 3 20264/504 P1

39696-WOOD-XX-P2-DR-A-0002_S4_P01

Proposed Floor and Roof Plan 39696-WOOD-XX-P2-DR-A-0003 P01

Proposed Elevations 39696-WOOD-XX-P2-DR-A-0004 P01

Phase 2 GA Bin Store General Plans & Elevations

39696-WOOD-XX-P2-DR-A-0005_S4_P01

39696-WOOD-XX-DR-LA-6010 Rev A

Soft Landscaping Plan 39696-WOOD-XX-DR-LA-6011 Rev A

Preliminary Ecological Appraisal (November 2020)

Drainage Statement for Full Planning Application for the Development of Block C at Penrhos Industrial Estate (November 2020)

Planning Statement No. 2 21/12/20

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

(03) Notwithstanding the details 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 surrounding land have been submitted to an approved in writing by the Local Planning Authority. The development shall be constructed in accord with the slab and proposed levels approved under the provisions of this condition.

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

(04) No development shall commence until full details of a lighting scheme for the development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the scheme approved under the provisions of this condition and shall be operational before the use hereby permitted is commenced and then operated and maintained in accordance with the approved scheme for the lifetime of the development.

Reason: To conserve the Area of Outstanding Natural Beauty and safeguard ecology, highway safety and prevent of light pollution.

(05) Notwithstanding the details hereby approved no development shall commence until full details of all external materials and finishes (which shall include such details for all building(s)), Hard Landscaped Areas, engineering operations, fencing and works associated with the development) which shall include colours, construction details (where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The details approved under this condition shall be implemented in full and adhered to in the completion of the development hereby approved.

Reason: In the interests of visual amenities of the locality also to ensure that the development conserves and enhances the Area of Outstanding Natural Beauty.

(06) The landscaping scheme as shown on drawing number 39696-WOOD-XX-DR-LA-6011 Rev A shall be implemented not later than the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner.

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

(07) Any tree 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 species, size and maturity to be approved by the Local Planning Authority.

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

(08) 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 protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Local Planning Policy.

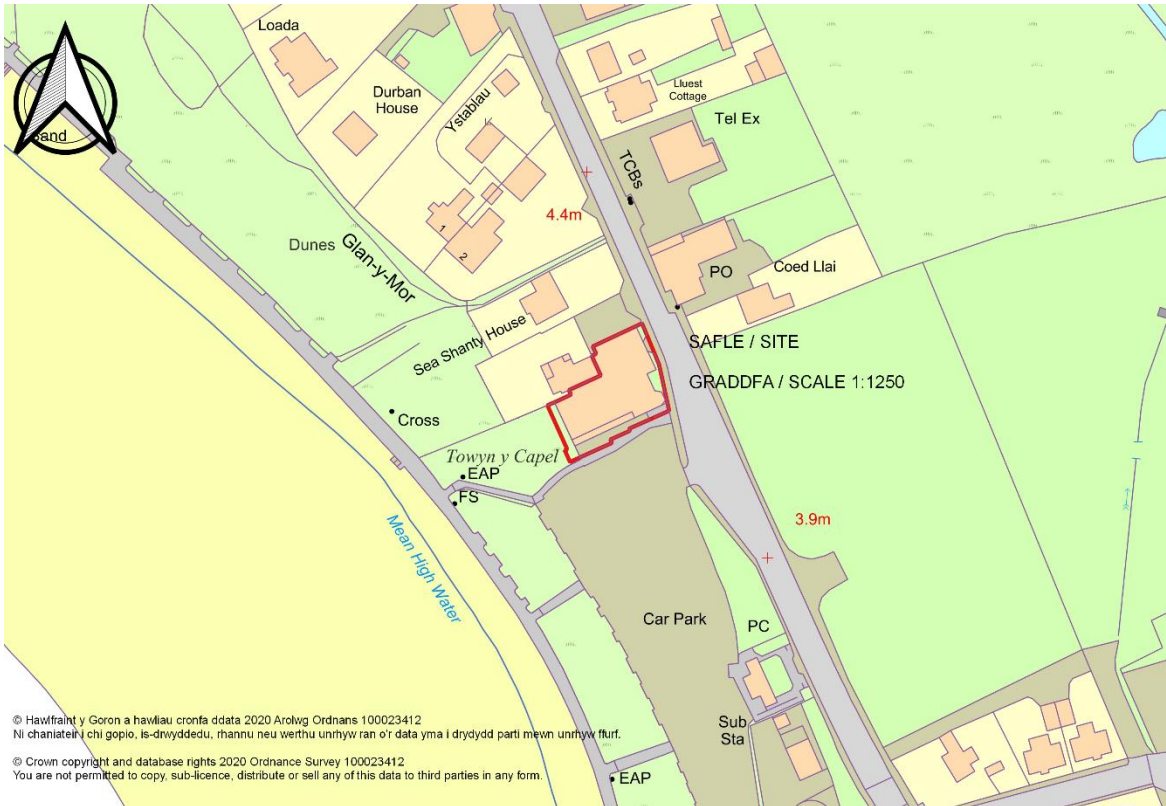
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/195

Applicant: Mr Phil Brown

Description: Full application for alterations and extensions at

Site Address: Sea Shanty Cafe, Lon St Ffraid, Trearddur Bay



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application encompasses council owned land.

Proposal and Site

This full planning application is submitted at the Sea Shanty which is a café bar located off Lon St Ffraid in a central location in the settlement of Trearddur Bay. To the south of the Sea Shanty there is an existing public car park. To the west there are sand dunes and the foreshore.

There are two proposals subject to this planning application:

- An extension to the existing which encompasses part of an existing raised decked area on the southern elevation facing the existing car park.

- Provision of a decked area on the western elevation of the building to provide additional outside seating areas. This area would extend west around 3.2 metres along the whole length of this side of the building and would entail removing part of the existing sand dunes (amounting to an area of around 35m² according to the submission) and then erecting a retaining structure of 0.6m in height built with railway sleepers along the new boundary.

The planning application is accompanied by an ecological report and a flood consequences assessment and an update thereof. The planning application is also supported by which details the economic and other benefits which the Sea Shanty has provided and explains why the proposed conservatory and outdoor decking area is required to meet social distancing requirements in the current Covid pandemic so as to preserve the business and mitigate revenue loss. A Welsh Language Statement and a supporting letter explaining that the Sea Shanty provides training and jobs for young Welsh people was also submitted.

Key Issues

- Principle of the development having regard to material planning policy provisions.
- Flood risk having regard to Technical Advice Note 15.
- Landscape considerations
- Ecological considerations.

Policies

Joint Local Development Plan

Joint Local Development Plan

PS 1 (Welsh Language and Culture)

TRA 2 (Parking Standards)

TRA 4 (Managing Transport Impacts)

PS 5 (Sustainable Development)

PCYFF 1 (Development Boundaries)

PCYFF 2 (Development Criteria)

PCYFF 3 (Design and Place Shaping)

PCYFF 4 (Design and Landscaping)

MAN 5 (New Retaining in Villages)

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 4 (Coastal Protection)

AMG 5 (Local Biodiversity Conservation)

Planning Policy Wales (Edition 10)

Technical Advice Note 4 Retail and Commercial Development

Technical Advice Note 5 Nature Conservation and Planning "TAN 5"

Technical Advice Note 12 Design

Technical Advice Note 13 Tourism

Technical Advice Note 14 Coastal Planning

Technical Advice Note 15 Development and Flood Risk "TAN 15"

Technical Advice Note 16 Sport Recreation and Open Space

Technical Advice Note 20 Planning and the Welsh Language

Technical Advice Note 23 Economic Development

Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities Design Guide for the Urban and Rural Environment

Parking Standards

Building Better Places – Placemaking and the Covid-19 Recovery (July 2020) Welsh Government

Isle of Anglesey Council AONB Management Plan 2015-2020

Response to Consultation and Publicity

Cynghorydd Dafydd Rhys Thomas: Support, whilst there was some local opposition and controversy regarding the original planning application for the building of the Sea Shanty cafe some years ago. The Sea Shanty has been a great asset to our village. It has made the village a thriving vibrant place and many businesses have benefited e.g. the Post Office, garage shops and indeed other hospitality venues. Even on dark out of season winter days the Sea Shanty brings people to the bay from near and far afield. The Sea Shanty also is important to the economy as many as 60 staff are trained and employed including many young people and local suppliers also benefit greatly. The Sea Shanty is more than a cafe it's a fascinating place to visit and enjoy. There is tremendous attention to detail in the development and has been completed to the highest standards. The owner regularly maintains the building. I can understand the concerns about our environment in this very sensitive area but the increase to the footprint is not large and I am sure the applicant and our environmental officers will minimise any adverse effects and indeed will provide mitigation.

Cynghorydd John Arwel Roberts: The application states it's not in a flood plain ? I have concerns about the increase of water coming off the proposed extension on the roof, can the drainage cope? If approved would we see another application in a few years time to enclose the rest of the veranda hence further increasing the amount of water going into a soak away. The car park floods from time to time due to high tides and strong winds. If the authority are happy with the soakaway etc. then I would have no objection on the grounds of tourism and employment, however, if you have concerns then I would ask for a site visit.

The area surrounding the Sea Shanty is crucial to the environment and has taken years to grow back to what it should be and would hope that no new paths etc. are included in the plan.

Cynghorydd Trefor Lloyd Hughes: No observations received.

Trearddur Community Council: Can it be noted please that Trearddur Community Council is opposed to this application for the following reasons:

1. Concerns that the development is eroding the sand dunes and extending the building line along the beach front,
2. The detrimental affect on the habitat and loss of marram grass
3. The risk of weakening the natural sea defences in a flood risk area (TAN 15)
4. We do not believe the applicant owns or has lease of this area.

The Community Council have previously objected to this application on the following grounds: 1. Concerns that the development is eroding the sand dunes and extending the building line along the beach front, 2. The detrimental affect on the habitat and loss of marram grass 3. The risk of weakening the natural sea defences in a flood risk area (TAN 15) 4. We do not believe the applicant owns or has lease of this area. (They would require a lease from Isle of Anglesey County Council) These objections still stand. The County Council supplied the link to the update of TAN 15 regarding coastal flooding and erosion and the Community Council has concerns that any further development within the dunes could result in further risks of coastal flooding and erosion as outlined by the Wales Government. 1. The development site is on the edge of a flood plane 2. Removal of a greater part of the sand dunes has already increased the flooding potential in this area and the County Council are well aware of our continued concerns from previous reporting on : (a) The regular flooding of the adjacent car park together with its associated affects on the unprotected Lon Isallt (b) A flood alleviation scheme that has been put in place to try and keep Ravenspoint Road and the B4525 Road clear is in this area (c) The previous need for a new promenade and sea wall due to wave intensity, to name but a few... The increase in development does not offer any support or benefit to our community on the contrary it has caused severe parking problems and is a major disruption to road traffic management at a pinch point on the B4525. There is nothing in the supporting letters and documents on file to suggest any support for the

community, the environment or local culture and as for the letter supporting the requirement of the Welsh Language, sadly this has not been evident in its operation to date.

Highways: As the proposal does not impact the public highway, or is proposing to generate an increase in traffic to the site, I have no comments to make.

IOCC Drainage/Structures Having assessed the comments of the community council confirm that the proposed extension will not reduce the capacity of the car park to contain overtopping flood waters. The small alterations proposed to the sand dune will not, in themselves, affect the integrity of the dunes. However, I do concur with the Community Council's view that "the gradual eroding of the sand dunes would strip away the natural protection from the wave impact" as such I would caution against any proposals, beyond this application, that encroach further into the dune system.

Regional Emergency Planning Service The North Wales Councils Regional Emergency Planning Service (NWC-REPS) would like to make a number of 'Generic' Observations (applicable to all sites) regarding access and evacuation at sites considered to be at risk of flood.

Information on the registration process for Natural Resources Wales Flood Warnings and the completion of Community and Personal Flood Plans is also listed. Please note that, whilst the North Wales Councils Regional Emergency Planning Service (together with other professional partners including Natural Resources Wales and the Emergency Services) are always willing to provide advice and guidance on Site or Property Flood Plans (i.e. Community Flood Management Plans) they will not 'Rubber Stamp' or 'Sanction' these plans as this is the legal responsibility of the Site / Property Owner and not the Local Authority.

Heritage Advisor: No comments.

Property: The Sea Shanti is partially constructed on land in the ownership of the County Council and leased on a long term ground lease. Discussions are ongoing with regards to a small extension to the existing lease. Following consultation with the relevant local and portfolio members, revised terms will be offered. As standard; there will be a condition that the applicant obtains all necessary permissions. If the proposal is not acceptable from a planning point of view there would be no benefit to either party to proceed with the revision to the existing lease.

Ecological and Environmental Adviser: Any development or activity which leads to loss of sand dune area should be carefully considered; the remaining dunes at Trearddur are a limited resource and there is no effective means of replacing lost areas. Coastal sand dunes are a habitat listed under Section 7 of the Environment Wales Act (2016) as being of principal importance for the purpose of maintaining and enhancing biodiversity in Wales. Likewise, common lizards (present on the dunes) are a species listed in Section 7 also. There is a loss of habitat and potential impact on species here, or there would be no need for the various methodology points. Whilst conditions are recommended to mitigate impacts it is acknowledged that having regard to the Council's duty under Section 6 of the Environment Act to seek to conserve and enhance biodiversity the options for truly lessening risks are less than perfect, and are in effect seeking to make the best of the situation, in the absence of ability to properly restore/ make up for the surface area that will be lost. Whilst it can be argued that the area in question is not large, cumulative effects of losses over the years add up to make the habitat area less and less ecologically viable. Recent historic losses include area for the Sea Shanti itself, and the Dwr Cymru pumping station on the SE side of the car park for example. If size of proposal and precedent are going to be seen as reasons to grant permissions, we cannot rule out the loss of significant further areas in future.

Also required that bird nest boxes were shown on the elevations of the development having regard to the council's under the Environment Wales Act (2016) to seek to maintain and enhance biodiversity whilst carrying out its functions.

Has confirmed that on the basis of the written confirmation received from the applicant's that the pollution prevention guidelines supplied by NRW are followed then the proposal can be deemed to be screened out from requirement for Appropriate Assessment under the Habitat Regulations.

Natural Resources Wales: NRW have been consulted on numerous occasions in relation to the proposals and the initially expressed concerns about the adequacy of the Flood Consequences Assessment but is now content with the proposal as per comments below:

Flood Risk:

The planning application proposes less vulnerable development for the erection of an extension and alterations to the existing building. Our Flood Risk Map, confirms the site to be within Zone C2 of the Development Advice Map (DAM) contained in TAN15 and the 0.5% (1 in 200 year) and 0.1% (1 in 1000 year) annual probability tidal flood outline. Our records also show that flooding within the vicinity of the development site has occurred previously from the overtopping of defences.

Section 6 of TAN15 requires the Local Planning Authority to determine whether the development at this location is justified. Therefore, we refer you to the tests set out in section 6.2 of TAN15. If you consider the proposal meets the tests set out in criteria (i) to (iii), then the final test (iv) is for the applicant to demonstrate, through the submission of an FCA, that the potential consequences of flooding can be managed to an acceptable level.

The revised FCA shows that the risks and consequences of flooding are manageable to an acceptable level. The FCA states the following: 'the reduction in width of the dune is not considered to affect the integrity of the dune system which is well protected...' and 'the small extension would not affect the stability of the dune system protecting this area of Holyhead'. Whilst no modelling has been submitted in support of this, given the scale of the proposed development and the supporting information, we have no objection to the proposed development 'on flood risk grounds' subject to an appropriately worded condition to ensure that the development is carried out in accordance with the revised FCA dated December 2020.

As it is for your Authority to determine whether the risks and consequences of flooding can be managed in accordance with TAN15, we recommend you consider consulting other professional advisors on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding. Please note, we do not normally comment on or grant the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

Protected Sites: From the information provided, we consider that the proposal is not likely to have a significant effect on a Anglesey Terns SPA. We are in receipt of the LPA ecologist's assessment which confirms his view that the proposal is unlikely to have a significant effect on the SPA under Regulation 63 of the Conservation of Habitats and Species Regulations 2017. We also note the applicant's agreement to abide by PPG6 guidance. They must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Landscape Adviser: The proposed deck extension is to be located to the southwest of the building on the edge of the dune, although the whole width of the deck does not require removal of dune habitat. Photos show that vegetation on the edge of the dunes is not all marram grass with clumps of sea beet. The AONB is located away from this edge and it is not considered that the proposal would affect the setting of the AONB or indirectly affect natural beauty, AONB features or special qualities. This is a busy location and would not affect AONB qualities such as Peace and Tranquillity. The design is a functional deck (there were no details on the plans seen) and would be timber or other decking composite or plastic. These can be coloured or unpainted treated/non-slip surfaced if wooden. Similar considerations apply to benches and seating. If a non-wooden or painted surface is used, it would ideally reflect the appropriate colour palette used for the building. These details could be conditioned or provided pre-determination.

No landscaping is proposed in terms of trees or shrubs and would not be appropriate here. There is a loss of habitat and the effect of this is a matter considered by others. Similar considerations apply to PCYFF 4. There is a loss of an area of natural landscape, a positive feature of the site. The appearance of the deck and associated furniture can be coloured to help visual integration. There are views of the present sitting-out area which is enclosed by timber picket fencing. A timber wall would retain the dunes

from the decked area, marginally extending the width beyond the 3 metre strip. No other above ground enclosure is proposed to prevent sand erosion onto the deck or access to the dunes. It is not considered that the proposed deck would affect local views adversely and is in keeping with the character of existing use.

The development is within an area described by LANDMAP as being of Moderate Value and adversely affected by built environment described in LANDMAP as haphazard and poor quality in parts. It is not considered that the site represents this LANDMAP description and contains features and qualities of higher value. Nonetheless, the decking would not cause significant harm to landscape or townscape character. It would through the retaining structures harmonise with the existing landform and landscape at this minor scale and the loss of the traditional feature is localised. Overall in relation to AMG 3 it is considered negligible to slight adverse as a result of the minor encroachment on dune habitat on the scale described.

The comments of the community council were forwarded to NRW who confirmed that their advice above remain valid.

Joint Planning Policy Unit: Policy considerations relevant to the proposal in relation to retailing, landscaping, flooding and the Welsh language are described. In considering the scale of the proposed development, it is considered that the risk that the development would have a significant negative impact on the character and language balance of the community is very low. If possible, it would be a condition that bilingual signs be used in the new development. If it is decided to grant planning permission it is suggested that an explanatory note be included with the award to highlight that the Office of the Welsh Language Commissioner and the Welsh Government include information on their websites about the advantages of the Welsh language in business and what is the role of businesses in maintaining and strengthening the Welsh language in communities, as well as examples of good practice and the experiences of businesses and charities of using the Welsh language.

Gwynedd Archaeological Planning Service: I have reviewed the amended application and can confirm that there are no comments to be made in this instance. The proposed works are both minor in scale, and in a place where previous development has taken place – as such the archaeological potential is very low.

Environmental Health: Considerations in relation to nuisance including working hours/burning of waste, building control, foul drainage, food hygiene and Health and Safety legislation.

The planning application was advertised on receipt and following the receipt additional information and the following representations were received.

Objections - 14

- The Sand Dunes are an integral/iconic part of the Trearddur Bay sea front and for visual, environmental and historic reasons should not be further destroyed given the development that has already been undertaken.
- The sand dunes provide a natural sea defence from storms and flooding. One writer explains that they have already been severely eroded as a result of strong winds/high tides.
- The dunes adjacent to the Sea Shanty are an ancient burial ground and although the many hundreds of bodies have now been removed, it is nevertheless a most important historic site that should therefore be preserved.
- The remaining sand dunes must not be built on, it's an important habitat for wildlife. Far too many wild spaces in Bae Trearddur are being developed.
- It is assumed that the extension to the Sea Shanty would be to accommodate extra business. This in turn will lead directly to a significant increase in people visiting Trearddur Bay. Already we locals have to put up with a considerable increase in Tourist numbers to the Bay (the huge success of the Sea Shanty being very much part of that) with for example, considerable difficulty with driving through the Bay during the main tourist season where car parking arrangements are unable to cope with the present volume of

visitors. To increase visitor numbers would impose yet further considerable disadvantage to local people with absolutely no gain whatsoever for them.

- Questioned whether the footprint if the proposed extension remains within the boundary of the business owners land.
- Land owned by the community has already been developed here, is more community land being requested?
- What benefit to the community would this bring? I would suggest none. The only beneficiary would be the Sea Shanty owner and his economic prosperity.
- I see this as a "land grab" which is part of the owners plan to ultimately develop to the point where his business has an open aspect to a sea view, which would once and for all change the profile of the Trearddur Bay sea front.
- Proposal would comprise an eyesore. By enlarging it as per plan would make it look totally out of proportion with its surroundings/overdevelopment.
- Part of the car park has already been taken by the cafe with the resulting chaos during the summer months of nowhere to park.

Support - 14

- This planning application will provide much needed employment to a long standing business who already employ many young people in the tourism/restaurant sector.
- We think the extension would be an excellent idea as it would give them much more space. It is a great family restaurant and we love going there with our children and grandchildren.
- More outside seating welcomed as the writer states that they will currently only eat in outside areas of restaurants. Social distancing considerations referred to by others.
- Employment opportunities for builders and tradesmen.
- Impact of lockdown on businesses and tourism in the area.
- Car park adjacent is in poor condition and could do with surfacing.
- Development would provide more space for locals to get a seat.
- Excellent plan but double yellow lines are required on the main road.
- Proposal will have minimal impact on the dunes.
- Smarten the existing building, sympathetic modest extension.
- Local business growing.

An amended ownership certificate, an uaddendum Flood Consequences Assessment and a Welsh Language Statement were subsequently advertised as additional information and the publicity period expired on the 07.01.21.

Objection – 1

- Application form incorrectly implies that the site is in the ownership of the restaurant.
- Queried whether the council has already gifted the land to the Sea Shanty. The whole area was gifted to the community as open space and a large area has already been taken by the original development.
- Overdevelopment which is not needed.
- Proposal contrary TAN 15 proposal could result in coastal erosion, edge of flood plain, removal of dunes has already resulted in flooding elsewhere (adjacent car park), flood alleviation scheme for "Ravenspoint Road" is not fit for purpose and the need for a new promenade/sea wall.
- Removal of any sand dunes will exacerbate the flooding effect in the area, by sea water overtopping and by torrential rain events, pictures are provided in support of this.
- Traffic gridlock due to deliveries and short term parking adjacent, No more customer capacity is required as it benefits nobody except the restaurant and causes additional traffic and pedestrian hazards.
- As a requisite to the development plan there is nothing in the submission to suggest any support or benefit for the community, the environment or local culture.
- Support for the Welsh language has not been evident in the operation to date.

Support -2

- Fantastic use of available land and a credit to the owner and planner for a design that will enhance the already popular site which will certainly boost the local economy , provide jobs and will improve and increase the Sea Shanty experience for all that visit Trearddur and Anglesey, I wish we had such a facility in Cemaes.
- Sea Shanty is a must see destination.
- Provides permanent employment for 37 Welsh speaking staff and 30 others, will create more employment.
- Local suppliers are used where possible.
- Proposal will enhance the appearance of the location, development has been designed by an architect to blend in with the environment.
- Proposal will enable the business to remain viable with increased numbers of visitors in the future. The owner has and will continue to support the local environment and has created a good length of payment along a notoriously dangerous road.

Relevant Planning History

46C38U/DIS - Application to discharge condition (04) (samples of the external finishing material) from planning permission 46C38S/ECON Condition discharged 22.09.2014.

46C38X/AD - Application for the siting of 2 illuminated signs and 1 sign non-illuminated at Refused/ Approved (split decision) 12.04.2016.

46C38Y/DIS - Application to discharge condition (02) (scheme of illumination) from planning permission 46C38S/ECON (erection of a restaurant) Condition discharged 31.03.2016.

46C38W/DIS - Application to discharge condition (03) being reptile reasonable avoidance scheme from planning permission 46C38S/ECON Condition discharged 17.10.2014

46C38T/DIS - Application to discharge condition (03) being reptile reasonable avoidance scheme from planning permission Refused/ Approved (split decision) 22.07.2014.

46C38V/FR - Full application for the erection of an extension to provide a boat store with a balcony Permitted 21.11.2014.

46C38Q - Erection of a single storey cafe with an attached two storey dwelling house Permitted 19.08.2010.

46C38S/ECON - Full application for the erection of a restaurant Permitted 04.07.2014.

46C38M - Full plans for the erection of a dwelling Refused 09.05.2005.

46C38N - Detailed plans for the erection of 2 dwellings Permitted 10.07.2006.

46C38P - Amendments to planning consent 46C38N Permitted 10.10.2006.

46C38L - Outline application for the erection of a dwelling together with alterations to the existing vehicular access Withdrawn 02.11.2004.

46C38C – Detailed plans for the demolition of existing café and erection of a restaurant/café with owners accommodation Conditionally approved 01.08.1988 subject to a legal agreement requiring demolition of the existing café within 9 months of the erection of the owners accommodation).

46C38B Demolition of existing building and erection of a restaurant/cafe with owners accommodation Withdrawn

46C38A Demolition of existing cafe and the erection of a new restaurant and cafe together with owners bungalow Permitted 01.01.1990.

46C38 Demolition of existing cafe and the erection of a new public house and restaurant together with provision for owners separate living accommodation Permitted 01.01.1990.

Main Planning Considerations

Introduction As can be seen from the planning history that the application site has a long history of being used as a café restaurant. Planning permission was granted for the café restaurant presently on the site under reference 46C38S/ECON in 2014.

The existing café restaurant is partially constructed on land in the ownership of the County Council and leased on a long term ground lease. This planning application is reported to the planning committee on this basis, but would also as per the comments of the council's property section entail an extension to the extent of lease area to accommodate the proposals. The applicant has confirmed that the appropriate notification required under the planning act has been served on the council as landowner.

Principle of the development having regard to material planning policy provisions The proposals being applied for are an extension to the café restaurant which is located within the settlement boundary of Treaddur Bay. Treaddur Bay is classified as a Coastal Village under the settlement strategy of the JLDP and whilst this is not a higher order settlement the application site is considered to be in a sustainable location given that it is located on the main Holyhead /Bangor bus route which is one of the most frequent services on the island. It is also material that Treaddur Bay is an important tourist destination on the Island. The Sea Shanty is one of a number of commercial eateries which have been developed in the settlement over recent years. Taking all these matters into account the proposal is considered to be in a sustainable location.

Planning Policy Wales (PPW) (10 ed, Dec 2018) recognises that strong rural economy is essential to support sustainable and vibrant rural communities. The establishment of new enterprises and the expansion of existing business is crucial to the growth and stability of rural areas.(para 5.6.1).

A supporting statement is provided by the applicant which explains why they consider that the proposals are required in terms of the economic resilience of the business and requirements for safe operation of the café restaurant use given the Covid 19 pandemic. Material guidance is contained in Building Better Places – Placemaking and the Covid-19 Recovery published by the Welsh Government which recognises the impacts described by the applicant and advises decision makers in development management should consider widely what is material to a particular application and apply this to their considerations particularly where the outcome will be a benefit to creating better places.

Criteria 4 of strategic policy PS 13: Providing Opportunity for a Flourishing Economy, states that whilst seeking to protect and enhance the natural and built environment, the Councils will facilitate economic growth in accordance with the spatial strategy of the Plan by supporting economic prosperity and sustainability of rural communities by facilitating appropriately scaled growth of rural enterprises, extension of existing businesses in appropriate accessible locations consistent with the Plan's Spatial Strategy and in line with Strategic Policies PS5 and PS6.

The comments of the council's JPPU explain that although policy MAN 5: New Retailing in Villages refers to retail the principles of the policy can be used to assess the suitability of any new business or commercial enterprise within villages. This policy states that new businesses or extensions to existing shops will be granted providing they conform to the listed criteria. The proposal relates to an existing café restaurant all within the settlement boundary in a sustainable location. There is an existing car park adjacent and no issues are raised by the Highway Section in relation to car parking or highway safety. Given that the proposals entail small scale extensions to an existing café restaurant having regard to the policy requirements of MAN 5 it is not considered that there will be a material impact on nearby centres.

There is a residential property abutting to the north and the decked area on the western elevation in close proximity and abuts its residential curtilage. Looking at the planning history it appears that this dwelling was formerly constructed and used in association with the café restaurant. The decked area on the western elevation of the building in close proximity and abuts the curtilage of this residential property. No objections are raised by the council's Environmental Health on the basis that the proposal would unacceptably impact on the amenity of this property. . Given that decked area is associated with an existing café restaurant use the conditions recommended will regulate the opening hours of the decked area and any lighting so that the residential amenity of the residential property would not be unacceptably affected.

Flood risk having regard to Technical Advice Note 15 As explained in the NRW comments the proposal entails less vulnerable development within the C2 flood risk zone which is shown on their development advice maps. Looking at the DAM map it appears that these comments apply to the western part of the café restaurant which is partially within this flood zone and where the proposed decked area would extend further into this flood zone. Given that the decked area is within a C2 flood zone the policy tests in section 6 of TAN 15 would need to be satisfied to align with national planning policy. The applicable first test (ii) in this instance requires that the location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region. As far as this test is concerned the local planning authority are satisfied on the basis of the information provided by the applicant and having regard to the aims of PPW in terms of supporting sustainable and vibrant rural communities and the expansion of existing business that the proposal complies with this policy test.

Section 6 of TAN 15 requires that both the next policy tests (iii) and (iv) are complied with. Test (iii) requires that the application site concurs with the aims of PPW and meets the definition of previously developed land. As far as the decked area on the western elevation is concerned there is a gravel service strip along this gable of the building but the proposals would extend around 3.2 metres into the sand dunes along the whole length of this side of the building and would entail the removal of around 35m² of sand dunes according to the submitted ecological survey. It is acknowledged that this is a relatively small area but this does not meet the definition of previously developed land and part of the proposal does not therefore comply with test (iii).

Test (iv) requires that the potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable." NRW have confirmed that the revised FCA shows that the risks and consequences of flooding are manageable to an acceptable level nor will the stability of the sand dunes be affected. Given the scale of the development NRW are content on the basis that planning conditions stipulating that the development is undertaken in accord with FCA. On this basis the proposal is considered compliant with test (iv) of TAN 15.

In accord with NRW recommendation the planning authority have consulted IOCC Drainage/Structures and the Regional Emergency Planning Service on matters such as emergency plans, procedures and measures to address structural damage that may result from flooding and no further matters were raised in this regard.

Landscape considerations The landscape Adviser's comments consider the decking on the west of the building and confirm that the whole length of the deck does not require removal of dune habitat, further that the available photographs show that vegetation on the edge of the dunes is not all marram grass with clumps of sea beet. Further that given mitigation in terms of the external appearance of the decking and associated structures could regulated by way of a planning condition. Overall in relation to AMG 3 it is concluded that the proposal would have a negligible to slight adverse as a result of the minor encroachment on dune habitat on the scale described.

Some 200 metres to the east the area is designated as part of the AONB. Paragraph 5.3.5 of PPW explains that the primary objective of designating AONB's is the conservation and enhancement of their

natural beauty. Development Management decisions affecting AONB's should favour conservation of natural beauty, although it will be appropriate to have regard to the economic and social well-being of the areas. Given that the proposal entails minor alterations it is not considered that the proposed development will materially affect the special qualities of the AONB. NRW raise no issues on this basis. There is a statutory requirement for the Local Planning Authority to have regard to the AONB purposes. Regard has been taken of these policy and statutory requirements and as per the comments of the council's Landscape officer it is not considered that the proposal will material impact on the setting of the AONB having been assessed.

Ecological considerations Policies PS 19 and AMG 5 in the JLDP are material in relation to the protection and enhancement of local biodiversity. Policy AMG 5 (Local Biodiversity and Conservation) states that a proposal affecting sites of local biodiversity importance will be refused unless they can conform to all the listed criteria which require that there is no satisfactory alternative, the need for the development outweighs local nature conservation and that appropriate mitigation/compensation is included.

The council's Ecological and Environmental Adviser states that there is a loss of habitat being the sand dunes and a potential impact on common lizards, further whilst the area in question is not large, cumulative effects of losses over the years add up to make the habitat area less and less ecologically viable. It is also explained that Coastal sand dunes are a habitat listed under Section 7 of the Environment Wales Act (2016) as being of principal importance for the purpose of maintaining and enhancing biodiversity in Wales. Likewise, common lizards (present on the dunes) are also a species listed in Section 7. As explained in the preceding section, however, the whole length of the decking does not require the removal of dune habitat, and it is a relatively small area. Further the council's EEA is content to recommend a planning condition to mitigating the impacts of the development on these habitats and on this basis it can be concluded that appropriate mitigation has been included as part of the proposal. The Local Planning Authority accept that there is a need for development given the economic and Covid considerations previously considered. Information has been submitted with the planning application to explain that the proposals comprise part of proposals for safety measures for customers and staff of the Sea Shanty to mitigate loss of revenue given the economic and Covid considerations previously considered. In the circumstances of this planning application it is accepted that there are any alternatives available such as to avoid developing these sand dunes.

The planning application has been screened under the Habitat Regulations by the council and NRW have confirmed that from the information provided the proposal is not likely to have a significant effect on the Anglesey Terns Special Protection Area which is protected ecological site.

Other Consideration A Welsh Language Statement and other supporting information has been submitted with this planning application which has been assessed by the council's JPPU. They conclude that given the scale of the development the risk that the development would have a significant negative impact on the character and language balance of the community is very low. On this basis and including the mitigation recommended in the form of an informative highlighting the advantages of using the Welsh language it is considered that proposal will comply with relevant policy provisions.

Conclusion

The proposal is considered acceptable having regard to the relevant planning policy provisions notably MAN 5 in location which is considered sustainable in Anglesey's context. All other material considerations have been assessed and subject to the planning conditions recommended it is considered that the proposal can be permitted subject to planning conditions. A supporting statement is provided by the applicant which explains why they consider that that the proposals are required in terms of the economic resilience of the business and requirements for safe operation of the café restaurant use given the Covid 19 pandemic. This is a significant material consideration having regard to the economic considerations and the planning guidance considered in the committee report. The outside decked area on the western elevation of the building is, however, within a C2 Flood risk zone. NRW are now content having regard to the amended Flood Consequences Assessment that the consequences of flooding are manageable to an acceptable level. All policy test with exception of 6 (iii) of TAN 15 are met, though this is a relatively small

area it does not meet the definition of previously developed land as required by policy and this part of the proposal does not comply with the policy requirement. Having assessed all these material considerations, however, it is considered that the balance of the recommendation weighs in favour of the development being approved subject to planning conditions recommended. Discussions are ongoing as regards the detail of these planning conditions at the time of writing and an update will be provided at the planning committee.

Recommendation

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

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

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

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans tabled 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.

Site OS Plan A.0.0.1 rev A

Site Block Plan A.0.0.2 rev A

Existing Elevations A.1.2

Existing Plans A.1.1

Proposed Elevations A.02.2 rev B

Proposed Plan A.02.1 rev A

Flood Consequences Assessment (March 2015) Brian Killingworth

Ecological Report, Sea Shanty Resteraunt, Treaddur, Anglesey (November 2020 (revised 15/11/20)Kesterel Environmental Services

Welsh Language Statement (December 2020) W M Design

Flood Consequences Assessment Addendum (December 2020) Brian Killingworth

Email 05/01/21 Re: FPL/2020/195 - Sea Shanty Cafe, Lon St Ffraid, Bae Trearddur/Trearddur Bay (Minor) V4 - NRW Response NRW:01054672 Adrian Williamson

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

(03) The decked area hereby approved on the western elevation of the building shall not be operated/used (including any associated lighting) between the hours of 10.00 pm to 08.00am.

Reason To safeguard the amenities of the locality.

(04) The use of the development hereby approved shall be undertaken strictly in accord with the Flood Consequences Assessment Addendum (December 2020) Brian Killingworth and the Flood Consequences Assessment Addendum (December 2020) Brian Killingworth.

Reason To ensure that the risks and consequences of flooding are managed.

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: HHP/2020/302

Applicant: Mrs Rachael Woodhall

Description: Full application for alterations and extensions at

Site Address: 38 Lon Conwy, Benllech



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

Recommendation: Permit

Reason for Reporting to Committee

Application been called in to committee by local member Cllr Margaret Roberts due to concerns about overlooking and loss of privacy

Proposal and Site

The proposal is for alterations and extensions to the 38 Lon Conwy, Benllech property including the erection of a new conservatory and new raised patio area towards the rear of the property.

Key Issues

The key issues are whether the design of the scheme is considered acceptable in respect of the location of the site, the effect on the neighbouring properties and effect on local amenities.

Policies

Joint Local Development Plan

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

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Vaughan Hughes	No Response
Cynghorydd Ieuan Williams	No Response
Cynghorydd Margaret Murley Roberts	Called in to Committee
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	No Objection

In response to the publicity afforded to the application documents were received raising concerns about overlooking and loss of privacy on behalf of a neighbouring occupier and a letter of support was received from the agent. These matters are addressed in the report.

Relevant Planning History

HHP/2019/92 - Full application for alterations and extensions at - 37 Lon Conwy, Tyn Y Gongl, Benllech - Permit

Main Planning Considerations

The proposal is for alterations to the dwelling to update/modernise the current single storey property, including the rear patio area which is in need of repair. The proposed conservatory/patio area has a similar footprint to the current conservatory/patio area, The proposed development is subservient to the existing property in respects of scale and size and does not dominate the original elevation, therefore it is appropriate to the dwelling and its surrounding area.

PCYFF 3 – 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.

The curtilage of the property is well defined with fencing and mature hedges/shrubs providing screening. The current patio is a raised patio of approx. 1.2 m with concrete balustrade approx. 1.9m in total. The proposed raised patio will have an approx. height of 1.2m with a glass balustrade of 1.4m height. The overall height of patio area will therefore increase from 1.9m to 2.6m.-(SPG: Guidance Note 6, Site and Setting: Neighbouring property - Proposals should not interfere or impose upon neighbouring land.)

The proposed new Conservatory will be similar in style and placement to current conservatory with a slight increase in width/height whilst still being subservient to the existing dwelling. (SPG Guidance Note 19: Conservatories and Garages: The scale and form of conservatories should follow and obtain the guidance from the shape of the existing dwelling.)

Albeit that currently there is extensive overlooking from the existing raised patio and conservatory of gardens either side of the application site, the increase in height and closer proximity of the raised patio and conservatory may lead to overlooking of the limited parts of those gardens which are currently not overlooked. It is considered the 70cm increase in the height of this outdoor seating area does not justify a refusal of proposed application in respect of privacy / obtrusiveness due to the minor scale of the proposal, subject to screening being introduced to each side to limit overlooking – a condition is proposed

to this effect. These screens shall be 1.8m in height and situated on the west and east sides of the patio. It is considered appropriate to maintain the-mature shrubs/hedges located to the rear of the garden, between the application site and the property to the rear, to maintain existing privacy due to the changes proposed to the raised patio and conservatory as part of the application.

Conclusion

It is considered the scheme is appropriate subject to conditions

Recommendation

(01) The development shall begin no 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.

- **20003–1021 Proposed Site Plan**
- **20003–1022-A Proposed Floor Plans**
- **20003–1023-A Proposed Elevations**

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

(03) No development shall commence until a scheme for the provision of 1.8m screens either side of the raised patio have been submitted to and approved in writing by the local planning authority. No use of the raised patio or conservatory hereby approved shall be made until the screens are erected in accordance with the approved details. The screens shall be maintained as part of the development and any replacement shall be in accordance with the details as approved under this condition.

Reason: in the interests of the privacy and amenity of neighbouring occupiers.

(04) No development shall take place until a scheme for the maintenance of the existing hedges to provide privacy screening, as shown marked A-B on the plan attached herewith, has been submitted to and approved in writing by the local planning authority. The development will thereafter proceed in accordance with the details as approved under this condition.

Reason: in the interests of the privacy and amenity of neighbouring occupiers.

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/2020/31

Applicant: The Head of Lifelong Learning

Description: Minor amendments to scheme previously approved under planning permission FPL/2019/7 (Erection of primary school) so as to amend cladding and remove 2 classrooms on land adjacent

Site Address: Bryn Meurig, Llangefni



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

Recommendation: Permit

Reason for Reporting to Committee

Application is being made on behalf of Isle of Anglesey County Council

Proposal and Site

Planning permission was granted under planning permission FPL/2019/7 for the erection of a new primary school together with the creation of a new vehicular access on the 08/03/2019. The application is submitted under section 96A which seeks non material amendments to the appearance and layout of the approved scheme.

Key Issues

Whether or not the proposed amendments can be considered as a no material minor amendment.

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 6: Water Conservation
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy ISA 1: Infrastructure Provision
Policy ISA 2: Community Facilities
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
Policy AMG 5: Local Biodiversity Conservation
Planning Policy Wales (Edition 10, December 2018)
Technical Advice Note 5: Nature Conservation and Planning (2009)
Technical Advice Note 12: Design (2016)
Technical Advice Note 18: Transport (2007)

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	No Objection

Relevant Planning History

SCR/2018/2 - Screening opinion for the erection of a new primary school together with the creation of new vehicular access onto the B5109 on land opposite - Bryn Meurig, Llangefni - EIA Not Required

DIS/2019/55 - Application to discharge condition (03) (Tree protection plan) (06) (Construction method statement) (15) (Construction traffic management plan) of planning permission FPL/2019/7 on land opposite - Bryn Meurig, Llangefni - Condition Partially Discharged

DIS/2019/83 - Application to discharge conditions (10) (Great Crested Newt Mitigation and Compensation Method Statement), (11) (Great Crested Newt Site Ecology Management) and (12) (Post construction Amphibian Surveillance) of planning application FPL/2019/7 (erection of a new primary school) on land opposite - Bryn Meurig, Llangefni - Condition Partially Discharged

MAO/2019/11 - Minor amendments to scheme previously approved under planning permission FPL/2019/7 so as to amend the approved external appearance, design of the main entrance and adjoining access gate, relocation of a substation and the design and positioning of fencing on land opposite - Bryn Meurig, Llangefni - Permit

FPL/2019/7 - Full application for the erection of a new primary school together with the creation of new vehicular access onto the B5109 on land opposite - Bryn Meurig, Llangefni - Permit

FPL/2018/15 - Full application for the erection of a new primary school together with the creation of new vehicular access onto the B5109 on land opposite - Bryn Meurig, Llangejni - Withdrawn

Main Planning Considerations

Since the capacity of the new school will be less than originally envisaged, the application proposes to remove two classrooms from the western part of the school. The area in which the classrooms were situated will be replaced by a hard surfaced area which could be used as a playing area. The proposal also entails changing the external cladding. Although the type of cladding will be changed from Trespa to Rockpanel, the type of colour will remain the same.

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.

It is not anticipated that the proposed amendments will be great enough to cause an impact different to that caused 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 have been undertaken as part of the application. The Authority's Landscape Specialist has no objection to the proposed amendments. 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.

Conclusion

The proposed amendments are deemed non material and in line with Welsh Government advice on the such applications.

Recommendation

Approve the application under Section 96A of the Town and Country Planning Act 1990.

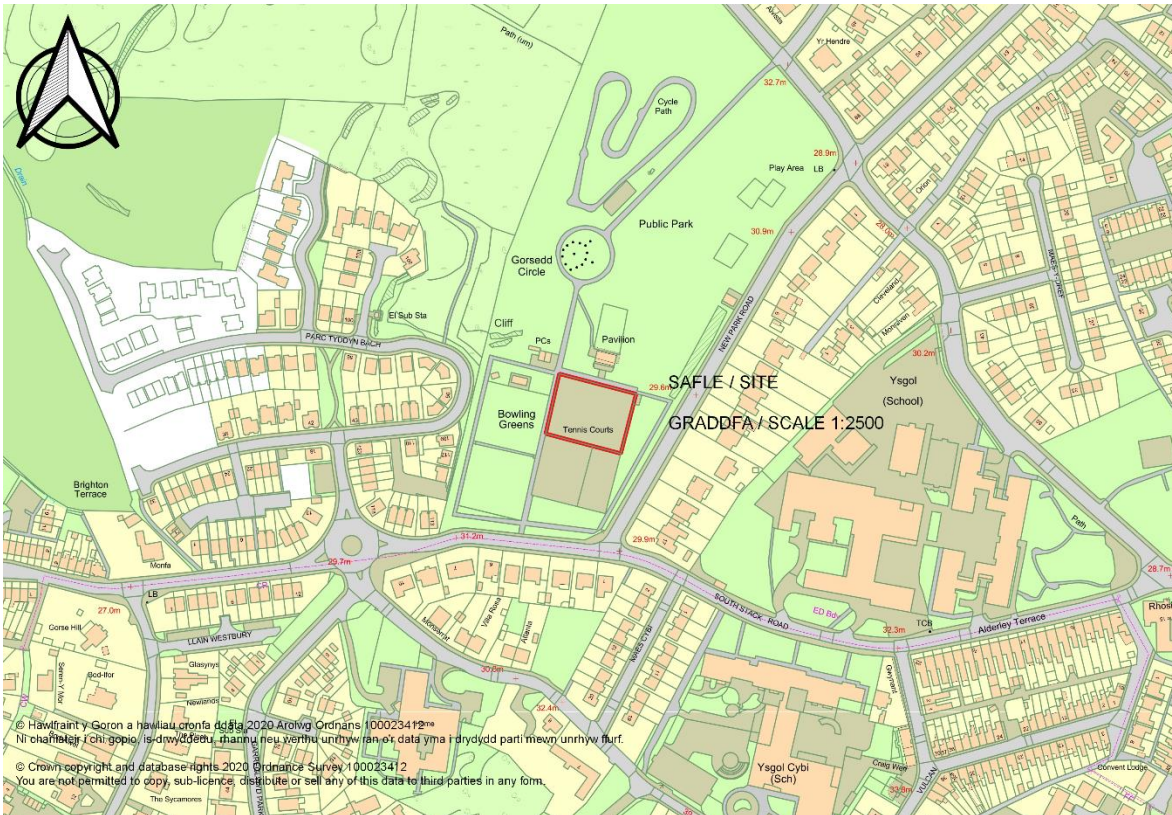
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/258

Applicant: Mr Rob Henderson

Description: Full application for conversion of existing tennis court into 3G synthetic surface, replacing existing fencing with new 4.5 metre high fence together with replacing existing lighting with new LED lighting at

Site Address: Garreglwyd Park, South Stack Road, Holyhead



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application is presented to the planning committee as Holyhead High School and Cybi Primary School will be using this facility during school hours.

Proposal and Site

The proposal is a full application to change the existing tennis court into a 3G synthetic surface, replacing existing fencing with a new 4.5m high fence together with replacing existing lighting with new LED lighting at Garreglwyd Park, Holyhead.

Key Issues

The key issue is whether the proposal complies with planning policy and also consideration to the LED lighting and whether they would harm the area and amenities of adjacent residential properties.

Policies

Joint Local Development Plan

PCYFF2: Development Criteria
PCYFF3: Design and Place Shaping
ISA2: Community Facilities

Planning Policy Wales Edition 10 (December 2018)
Technical Advice Note 12: Design
Technical Advice Note 16: Sport, Recreation and Open Space

Response to Consultation and Publicity

Consultee	Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments
Iechyd yr Amgylchedd / Environmental Health	Standard Comments
Cynghorydd Glyn Haynes	No response at the time of writing the report.
Cynghorydd Robert Llewelyn Jones	Concerns that the development will have a negative impact upon adjacent residential properties in terms of light spill, noise, parking.
Cyngor Tref Caerdybi / Holyhead Town Council	No response at the time of writing the report.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	No response at the time of writing the report.

Neighbouring properties have been notified through the posting of individual letters. The expiry date to receive representations expired on the 19th January, 2021. At the time of writing the report 3 letters of representation had been received. The comments made as follows:-

- No objection to the application itself, concerns on anti social behaviour as a result of the proposal.
- Concerns as to where the cars will park, and cars parking as the road.
- The proposal would remove a tennis court that is required in the area.
- The proposed fence may not stop balls from going onto the highway causing danger to road users

In response to the comments raised:-

- Anti-social behaviour is a matter for the police. The Community Council has confirmed that there is CCTV on the site and will be monitored.
- The Highways Department has been consulted and they have confirmed that they are satisfied with the development.

Relevant Planning History

19LPA379/DC – Erection of a wall and fencing perimeter of Bowling Green at Holyhead Park, Holyhead – Approved 17/12/79

19C538 – Erection of a beacon at Holyhead Park, Holyhead – Approved 9/10/92

19C538A – Erection of a building for better security purposes at Holyhead Bowling Club – Approved 18/3/02

Main Planning Considerations

Background.

The application site currently comprises of a block of three tarmac tennis courts, the existing court area which totals around 1714 square metres. It is surrounded by a 3.0m high ball-stop fence around the perimeter and served by 4 mounted floodlight columns, each column accommodates 2 metal floodlights making a total of 8 floodlights.

Proposal

The proposal seeks to convert the existing courts from a tarmac area to become a high quality 3G synthetic turf facility, with a surface system to recognised sporting performance standards. The existing fence will be replaced with a 4.5m high open steel mesh fence, which is the recommended height for a 3G pitch. The proposal also involves replacing the existing 8no floodlights with 4no LED floodlights which will be fixed to the existing columns.

The LED lamps will reduce running costs and provide a more environmental solution, the upgraded floodlight system will improve the control of light spillage as the lamps will be directed down on the playing surface thereby reducing an overspill to the immediate surrounding area. Control switches and time clocks will be installed to the floodlights to ensure that they do not remain on any later than the permitted hours. The LUX levels provided with the planning application shows no overspill towards adjacent residential properties and will improve the current situation.

The 3G pitch will replace the Millbank pitch at Holyhead High School, which has suffered from flood damage and concerns about the poor surface in recent years. The proposed development would provide a 3G synthetic turf facility which will be available to local schools during the day and sporting groups for evenings and weekends. There are two schools within walking distance of the facility, Holyhead Secondary School and Cybi Primary School both these schools will make use of the proposed 3G facility as they don't have a facility of this nature.

The proposed development would provide a facility that can cater for full contact rugby training usage. The other two 3G facilities on the island, at Plas Arthur in Llangefni and at Canolfan David Hughes in Menai Bridge cannot offer this provision as they do not include the necessary underlying rubber shockpad layer. The proposed development would provide a safe, secure and modern facility to promote outdoor sporting all year round.

Policy Consideration

The main policy consideration is Policy ISA2: Community Facilities, the aim of the policy is to protect existing community facilities and encourage the development of new facilities where appropriate.

Policy ISA2 states that the provision of new or enhanced multiuse community facilities will be encouraged

Paragraph 4.5.6 of Planning Policy Wales states that planning authorities should encourage the multiple use of open spaces and facilities where appropriate, to increase their effective use.

A Healthier Wales is a goal of the Wellbeing of Future Generations Act 2015. This can be achieved through the reduction in emissions and air pollution by minimising the need to travel and maximising provision of sustainable forms of transport. It can also be achieved through improving access to services, cultural opportunities, green spaces and recreation facilities to support people adopt healthy lifestyles. Together they contribute to creating the right conditions for better health, well-being and greater physical activity.

Technical Advice Note 16: Sport, Recreation and Open Space states that young people's recreational needs are a priority, improving levels of physical activity and access to facilities in an outside schools. The Government recognises the critical importance of play for the development of children's physical, social, mental, emotional and creative skills.

Paragraph 3.11 of TAN 16 states that all-weather pitches are able to provide a substantive improvement in terms of playable hours and usability as part of a co-ordinated playing field strategy.

Paragraph 4.7 of TAN 16 states that the provision of floodlighting at sport and outdoor recreational facilities can allow for more efficient use of such facilities through extended opening hours subject to the development not affecting nearby residential properties.

The Highways Authority has no objection to the proposal.

Effect on adjacent residential properties

There are existing residential properties to the North and East of the application site. The local member has expressed concern on whether the lighting will affect overspill lighting towards residential properties and noise being created from the application site.

The Lux levels plan provided with the application indicates that the light spill will remain within the application site and will not overspill onto adjacent residential properties. There are 8no existing floodlights on the site at present; however, the proposed 4no LED floodlights will improve the current situation and allow light to be contained within the site. Unlike many light fittings, the proposed 4000K fittings provide a zero 'ULR' or upward light ratio.

The proposed 3G pitch will replace an existing tennis court and it is not considered that the proposal will have any more impact than what currently exists on the application site. The supporting documents provided with the planning application confirms that the Community Council will be ensuring that they will be regularly monitoring noise generated from the site and will have a plan in place to ensure that noise is kept to a minimum.

The new fence panels will be insulated from the posts using neoprene rubber gaskets fitted to every fence post/mesh fixing, these are proven to aid noise reduction by reducing rattle and vibration from ball impacts and will offer an improvement to the current fence.

The application site will be monitored by the Community Council with added assurance of the CCTV system the site currently has in place.

Conclusion

It is considered that the proposal complies with all policies listed above. The proposal will provide a 3G pitch that will be beneficial for the community and pupils of Holyhead High School and Cybi Primary School.

Recommendation

Permit

(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.

Site Location - 01

Proposed Site Plan - 02

Proposed AGP Elevations - 03

Proposed Lighting - 04

Design and Access Statement

OptiVision LED Gen 3 Lighting details received 13/1/21

Appendix A - Floodlighting design produced by Nick McLaren dated 14/12/20 received 13/1/21

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

(03) The 3G pitch shall only be used between the hours of 08.30 and 21.15hrs Monday to Friday, between 09.00 to 17.15hrs Saturday and between 09.00 to 17.15hrs on Sundays and Bank Holidays.

Reason:- To safeguard residential amenity

(04) The floodlights hereby approved shall only be illuminated between 08.30 to 21.15hrs Monday to Friday, between 09.00 to 17.15hrs Saturday and between 09.00 to 17.15hrs Sunday and Bank Holiday.

Reason: To safeguard the amenities of adjacent residential properties

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

Application Reference: VAR/2020/66

Applicant: Mrs Jennifer Jarvis

Description: 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

Site Address: Former Primary School, Pentraeth Road, Menai Bridge



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

Recommendation: Permit

Reason for Reporting to Committee

Local Members Robin Williams and Merion Jones have called the application to the Planning and Order Committee.

Proposal and Site

The development is a three storey block of eight apartments together with on-site parking spaces.

Condition 10 of planning permission FPL/2019/134 states:

(10)The obscured glazed panels as illustrated on drawing reference number 17.5803-5 Rev F provided on the first and second floor balconies on the western facing elevation shall be installed

before the occupation of apartments 6 and 8. The panels shall be maintained thereafter, and any replacement shall be of an identical size and obscured as that approved.

Reason: In the interest of residential amenity

The application seeks to remove the requirement to provide obscured glazed panels as part of the proposed development. The panels in question are located on the first and second floor western elevation of the apartment block which forms part of apartments 6 and 8.

Key Issues

Whether or not the removal of the obscure glazed panels will have a detrimental adverse impact upon the amenity of nearby residential properties.

Policies

Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture
Policy ISA 1: Infrastructure Provision
Policy ISA 5: Provision of Open Spaces in New Housing Developments
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Policy 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
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
Policy AMG 5: Local Biodiversity Conservation
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets
Planning Policy Wales (Edition 10, December 2018)
Technical Advice Note 2: Planning and Affordable Housing (2006)
Technical Advice Note 5: Nature Conservation and Planning (2009)
Technical Advice Note 15: Development and Flood Risk (2004)
Technical Advice Note 11: Noise (1997)
Technical Advice Note 18: Transport (2007)
Technical Advice Note 20: Planning and the Welsh Language (2017)
Technical Advice Note 24: The Historic Environment (2017)
Supplementary Planning Guidance - Planning and the Welsh Language (2007)
Supplementary Planning Guidance - Affordable Housing (2004)
Supplementary Planning Guidance: Parking Standards (2008)
Supplementary Planning Guidance - Planning Obligations (Section 106 Agreements) (2008)
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Response to Consultation and Publicity

Consultee	Response
Cyngor Tref Porthaethwy / Menai Bridge Town Council	Concerns regarding health and safety.
Cynghorydd Meirion Jones	Concerns regarding the impact upon the amenity of nearby properties.
Cynghorydd Alun Wyn Mummery	No Response
Cynghorydd Robin Wyn Williams	Concerns regarding the impact upon the amenity of nearby properties.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 10/12/2020. At the time of writing this report, two representations had been received at the department. The correspondence raises concerns regarding overlooking and impact upon amenity which will be discussed within the main core of the report.

Relevant Planning History

38C355B - Cais ol-weithredol i godi 8 o fflatiau ynghyd â maes parcio a gwaith cysylltiedig ar dir yn / Retrospective application for the erection of 8 apartments together with car parking and associated works on land at – Dismissed at Appeal - 07/20/2019

FPL/2019/314 - Cais llawn i godi 8 o fflatiau ynghyd â maes parcio a gwaith cysylltiedig ar dir yn / Full application for the erection of 8 apartments together with car parking and associated works on land at – Approved 17/07/2019

MAO/2020/11 - Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatád cynllunio FPL/2019/134 er mwyn diwygio cynllun y safle (lle parcio ychwanegol) a diwygio edrychiad ochr ogleddol yn yn / Minor amendments to scheme previously approved under planning permission FPL/2019/134 so as to amend site layout plan (additional parking space) and amend the north side elevations at – Approved 13/07/2020

Main Planning Considerations

The approved apartments are in an advanced stage of construction, however are yet to be occupied. Since the consent has clearly been safeguarded, the principle of the proposed development will therefore not be considered as part for the current application.

Balconies together with a large amount of glazing are predominately positioned on the southern elevation of the apartment block which allows future occupiers to benefit from far-reaching views of the Menai Strait and beyond.

The approved drawings together with condition 10 of planning permission FPL/2019/134 requires that obscured glazed panels are provided on the western facing elevations as part of the balconies prior to occupation. Whilst the balcony at apartment 6 is only positioned on the southern elevation, the balcony at apartment 8 is a wraparound balcony positioned on both the southern and western elevations. The reason that the condition was imposed was in the interest of residential amenity, therefore it is imperative that the amenity of nearby residential amenity is considered.

There are a range of uses and dwelling types in the immediate vicinity including two storey houses in blocks of four on the opposite side of Pentraeth Road; more terraced houses to the south of Holyhead Road; the nursery and business uses in the former school; and a petrol filling station on the nearby roundabout. Other dwellings to the west and north are in more spacious plots. A three storey dwelling has

also previously been approved within the curtilage of Cornelyn, which is positioned to the north of the application site.

As noted above, immediately to the south of the application site is a nursery. The obscured glazed panel are proposed on the western elevation which mitigates against overlooking towards the dwellinghouses located along this boundary.

There is a good sized area to the west of the proposed block which has four parking spaces, a cycle storage and an area for landscaping. The dwelling directly to the west and closest to the apartment block is known as Brynafon. The balconies are located approximately 11 metres from the boundary of this property and approximately 20 meters from the dwelling itself. Brynafon has a relatively spacious curtilage area which has amenity space to the front, rear and side. A garage is located between the eastern boundary and the main dwellinghouse. Two ground floor windows and one first floor window is located on the eastern elevation. The ground floor windows are positioned behind the garage which acts as a natural barrier whilst the first floor windows is fairly small which serves a dressing room.

Other dwellinghouses are also located to the west which are further away from the application site. Bryn Haul Bach is located to the north of Brynafon whilst Trem y Fenai is located towards the south.

Since the second floor balcony has been constructed, this enables the Local Planning Authority to assess the degree of the actual impact as opposed to making a judgement on the potential impact based on a drawing. Form standing on the balcony, it is apparent that direct views are available to the eastern elevation and the front and rear of Brynafon. Whilst the area to the front of the dwelling is used as a more accessible parking area, allowing access for deliveries and visitors and so forth, the area towards the rear is a predominately used as landscaped raised terrace with no apparent seating area. Views of the area immediately adjacent to the rear of the dwelling are obscured by the existing garage.

Whilst any development could be argued to have a potential impact upon the amenities of neighbouring properties or the character of the locality, the question which needs to be asked is whether or not that impact is so adverse that it warrants refusing the application.

Given the distance from the balconies and Brynafon, the use being made of the rear garden which is in view of the balcony area and the relatively dense residential area that the application site is located within (where some aspect of overlooking already exists), on balance it is not considered that the removal of the obscured glazed panel would have an adverse detrimental impact to warrant a refusal in this particular instance. Having fully assessed these observations and the objections raised, in this particular instance the Local Planning Authority considers that the proposed development is acceptable and does not have a significant impact as to justify refusing the application.

Conclusion

To approve the application together with the removal of condition requiring that the obscured glazed panels are installed priori to occupation.

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 Plan - 17.5803-6 Rev A**

- Site Layout - 17.5803-1 Rev G
- Proposed Elevations - 17.5803-5 Rev J
- Sectional Elevations - South - 17.5803-8 Rev D
- Ground Floor Layout Plans - 17.5803-2 Rev C
- First Floor Layout Plans - 17.5803-3 Rev E
- Second Floor Layout Plans - 17.5803-4 Rev C
- Bin Store Details - 17.5803-7 Rev A
- Planting Plan - 001 E

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

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

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

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

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

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

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

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

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

(07) The car parking accommodation shall be completed in full accordance with the details submitted before any of the units hereby approved are occupied 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.

(08) No surface water from within the development shall discharge onto the highway.

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

(09) Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

(10) The development hereby approved shall be constructed in accordance with the materials specified within the email dated 01/07/2019.

Reason: In the interest of visual amenity

(11) The development hereby approved shall be constructed in accordance with the recommendations provided within the Evans Wolfenden Partnership Site Investigation.

Reason: To prevent pollution to the water environment.

(12) The development hereby approved shall be constructed in accordance with the Anvis Traffic Management Plan

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

(13) The site shall be landscaped in accordance with the landscaping and planting scheme detailed on drawing 001 E during the first available planting season from the date of this decision. The said trees and shrubs shall be maintained for a period of ten years from planting and any trees or shrubs that die, or become severely damaged, or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted.

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

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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