

# Public Document Pack



CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL

Mr Dylan J. Williams  
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|   |   |                          |
|---|---|--------------------------|
| <b>RHYBUDD O GYFARFOD</b>                       | <b>NOTICE OF MEETING</b>                      |                          |
| <b>PWYLLGOR CYNLLUNIO A GORCHMYNION</b>         | <b>PLANNING AND ORDERS COMMITTEE</b>          |                          |
| <b>DYDD MERCHER, 7 MEDI, 2022 am 1:00 y. p.</b> | <b>WEDNESDAY, 7 SEPTEMBER 2022 at 1.00 pm</b> |                          |
| <b>SIAMBR Y CYNGOR AC YN RHITHIOL DRWY ZOOM</b> | <b>COUNCIL CHAMBER AND VIRTUALLY VIA ZOOM</b> |                          |
| <b>Swyddog Pwyllgor</b>                         | <b>Ann Holmes 01248 752518</b>                | <b>Committee Officer</b> |

## AELODAU / MEMBERS

Cynghorwyr / Councillors:

Geraint Bebb  
Jeff Evans  
Neville Evans (Cadeirydd/Chair)  
Glyn Haynes (Is-gadeirydd/Vice-Chair)  
Trefor Ll Hughes MBE  
John I Jones  
R. Llewelyn Jones  
Jackie Lewis  
Dafydd Roberts  
Ken Taylor  
Alwen P Watkin  
Robin Williams  
Liz Wood

***Please note that meetings of the Committee are streamed for live and subsequent broadcast on the Council's website. The Authority is a Data Controller under the Data Protection Act and data collected during this live stream will be retained in accordance with the Authority's published policy***

## **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:-**

Geraint Bebb  
Jeff Evans  
Neville Evans (Cadeirydd/Chair)  
Glyn Haynes (Is-gadeirydd/Vice-Chair)  
Trefor Ll Hughes MBE  
John I Jones  
Robert Ll Jones  
Jackie Lewis  
Dafydd Roberts  
Ken Taylor  
Alwen P Watkin  
Robin Williams  
Liz Wood

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

#### **1 APOLOGIES**

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

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

#### **3 MINUTES OF THE PREVIOUS MEETING\_**(Pages 1 - 18)

To present the minutes of the previous meeting of the Planning and Orders Committee held on 27 July, 2022.

#### **4 SITE VISITS\_**(Pages 19 - 20)

To present the minutes of the virtual planning site visit held on 17 August, 2022.

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## **5 PUBLIC SPEAKING**

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

None to be considered by this meeting.

## **7 APPLICATIONS ARISING\_(Pages 21 - 28)**

7.1 FPL/2022/51 – Plas Rhianfa, Glyn Garth, Menai Bridge

[FPL/2022/51](#)

## **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

## **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

## **10 DEPARTURE APPLICATIONS**

None to be considered by this meeting.

## **11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS\_(Pages 29 - 44)**

11.1 FPL/2022/93 – Cysgod y Plas, Llanddeusant

[FPL/2022/93](#)

11.2 FPL/2022/151 – Rhyd Goch, Llanfaethlu

[FPL/2022/151](#)

11.3 HHP/2022/172 – Bryn Parys, Amlwch

[HHP/2022/172](#)

## **12 REMAINDER OF APPLICATIONS\_(Pages 45 - 120)**

12.1 FPL/2021/159 – Maes Derwydd Estate, Llangefni

[FPL/2021/159](#)

12.2 FPL/2022/14 – Green Bank, Amlwch

[FPL/2022/14](#)

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12.3 FPL/2021/201/EIA – Breakwater, Holyhead

[FPL/2021/201/EIA](#)

12.4 S106/2022/4 – Former Primary School, Llanfachraeth

[S106/2022/4](#)

12.5 FPL/2022/66 – Porth Wen, Llanbadrig

[FPL/2022/66](#)

12.6 FPL/2022/33 - Bodhenlli, Bodorgan

[FPL/2022/33](#)

12.7 VAR/2022/44 – Coleg Menai, Llangefni

[VAR/2022/44](#)

12.8 FPL/2022/124 – Bryn Maelog, Rhosneigr

[FPL/2022/124](#)

### **13 OTHER MATTERS**

None to be considered by this meeting.

## Planning and Orders Committee

### Minutes of the hybrid meeting held on 27 July 2022

- PRESENT:** Councillor Glyn Haynes (Vice-Chair in the Chair)  
Councillor Robin Williams (Vice-Chair for this meeting only)
- Councillors Geraint Bebb, T LI Hughes MBE, John I Jones, R LI Jones, Jackie Lewis, Dafydd Roberts, Ken Taylor, Alwen Watkin and Liz Wood.
- Councillor Nicola Roberts – Portfolio Member for Planning, Public Protection and Climate Change
- IN ATTENDANCE:** Development Management Manager (RLJ),  
Senior Planning Officer (GJ),  
Senior Planning Officer (SH),  
Planning Officer (OR),  
Business Systems Manager (EW),  
Development Management Engineer (Highways) (IH),  
Legal Services Manager (RJ),  
Committee Officer (MEH).
- APOLOGIES:** Councillor Neville Evans
- ALSO PRESENT:** Local Members: Councillors Llinos Medi (application 7.1); Dafydd R Thomas (applications 7.3 & 7.4); Alun Mummery (application 7.5); Alun Roberts (application 12.3).
- Councillors Pip O’Neill, Llio A Owen, Derek Owen.

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In the absence of the Chair, the Vice-Chair chaired the meeting. Councillor Robin Williams was appointed Vice-Chair for this meeting only.

The Chair welcomed the Members to the first hybrid meeting of the Planning and Orders Committee which was held at the Council Chamber, Council Offices and virtually via ZOOM.

**1 APOLOGIES**

As noted above.

**2 DECLARATION OF INTEREST**

There were no declarations of interest.

### **3 MINUTES**

The minutes of the previous virtual meeting of the Planning and Orders Committee held on 6 July, 2022 were presented and were confirmed as correct.

### **4 SITE VISITS**

The minutes of the virtual site visits held on 20 July, 2022 were presented and were confirmed as correct.

### **5 PUBLIC SPEAKING**

There were Public Speakers in respect of applications 7.1, 7.4 and 10.2.

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

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

### **7 APPLICATIONS ARISING**

#### **7.1 FPL/2021/349 – Full application for the creation of a private equestrian ménage together with the change of use of agricultural land into an all year camping site at Caerau, Llanfairynghornwy**

The application was reported to the Planning and Orders Committee at the request of a Local Member who expressed concern that the scheme would be tantamount to overdevelopment of the site. At its meeting held on 15 June, 2022 the Committee resolved to visit the site. A virtual site visit was subsequently conducted on 29 June, 2022. At the meeting held on 6 July, 2022, members resolved to defer the application to allow the Officers to revisit the application and to make comparisons to application FPL/2019/22.

#### ***Public Speaker***

Mr Marc Whyatt, in support of the application, said that some comments that were made by the objectors to the application were factually incorrect, misleading and confusing. He would like the opportunity to settle any confusion and uncertainty that may have been caused by these comments that could have inadvertently lead to the wrong decision being made. He hoped that enough time has now been given for the committee members to make a professional justified decision from a planning perspective. The application was first submitted back in October of last year, 9 months ago, and we have been working closely with the council to satisfy any areas of concern. Prior to the application, we constructed 2 passing bays on the road which have since been approved, accepted and adopted by the council – this was part of a previous application. We have also conducted a traffic survey, at our expense – as recommended by the council, to satisfy any concerns relating to the flow of traffic on the roads. Councillor Llinos Medi raised a concern about the level of traffic from previous applications that have not yet been developed. Being a family with small children that attend the local Welsh schools and use the local

roads, the traffic levels are also a concern to us. He confirmed that the satisfactory traffic survey actually included all of the previous applications as a collective volume of traffic – not just for the campsite. In the previous Committee meeting on 6th July, the planning application was said to be a “carbon copy” of a recently rejected application leading to the idea that this application should also be rejected on the same grounds. The planning application which was used is not comparable to the development. Unlike application FPL/2019/223, their development was considered by the relevant authorities and documented in professional reports satisfying that it does not propose any harm to the AONB. The report was compiled by the Senior Planning Officer and the Senior Landscape and Tree Officer. Application FPL/2019/223 was also rejected because of the negative impact on the residential properties facing and in close proximity to the development. Once again, our development is not comparable as we do not have any residential properties in close proximity to our campsite. The planning application submitted has satisfied the concerns that were raised by the local committee, whereas application FPL/2019/223 had not. The Officer was questioned by Llinos Medi about his statement that there was no response from the community council regarding the application. This is actually true, there was no response during the permitted guidelines. Because the objections were raised outside of the guidelines, the late call in for the application to go to a committee was actually requested by Councillor Llinos Medi. There was never any such meeting between the developer and the Community Council to discuss the development or raise concerns – had this been the case, the concerns would have been satisfied without the application going to a Committee. Based on the assumption that it is acceptable to accept or reject an application based on a previous application of a “similar” nature, we easily found 9 applications that have been approved. Each of them also comparable by the same method, however more invasive on the AONB as they are all consisting of caravan parks, touring caravans and pitches. He stressed that the application should be considered by its own merits and not be decided based on the personal opinion of a councillor who is failing to be impartial.

The Development Management Manager reported that as mentioned in the report, the Committee resolved to defer the application until comparisons had been made between this proposal and application FPL/2019/233 which was refused in 2019. Application FPL/2019/233 was made for the creation of a seasonal camping site at Pen-Wal Bach at Newborough and refused on the 3 grounds as noted in the report. It is acknowledged that both sites are located in an AONB area, however the character of the AONB in these two locations are vastly different. Pen-Wal Bach is located in the Penlon area of Newborough and in close proximity to the highway leading to a public carpark and also closely adjoining the Newborough Warren sand dunes. The landscape in this area is flat and open in nature, with little topographic features aside from hedgerows which provide screening. The area also includes a number of other established camping and caravan sites and did not propose any additional screening. The local authority Landscape Advisor objected to the proposal at Pen-Wal Bach as it was contrary to planning policies TWR 5, PCYFF 4 and AMG 1 in the Joint Local Development Plan. The application at Caerau, Llanfairynghornwy is within an area that is typically characterised by a highly undulating topography,

with the site of proposed camping pitches being in a natural depression in the land and the land beyond the site rising in elevation to a hill. The site also includes mature vegetation to a substantial height. The site is distant from the nearest public highway and the boundary with which is also defined by a mature hedgerow. The proposal would not harm the sense of openness of the AONB as was the case with the Pen-Wal Bach application. Whilst the site includes a substantial amount of screening, a comprehensive landscaping scheme was submitted by the applicant and the Landscaping Officer has no objections. The schemes are incomparable in their context and settings and due consideration was given in each circumstances to the AONB and the effects the respective schemes would have upon it. The Development Management Manager further said that the application has been submitted since October 2021 and the applicant has addressed concerns raised to assure that it is acceptable before submitted to the Committee for a decision. As it has been noted, the site has been visited and deferred to be compared with another application in a totally different area. The recommendation was to approve the application subject to the planning conditions contained within the report.

Councillor John I Jones said that 14 letters of objection have been submitted as regards to this application and comparison has been made to another application in Penlon, Newborough.. However, as noted within the Officer's report it is noted that the land at Caerau is in a natural depression. Councillor Jones did not believe that consideration has been given, during the consultation period to the risk of flooding. NRW's flooding maps of the site is highlight the site in purple which equates to the land being at high risk of flooding due to rain water. The maps also show that the middle of the site is of medium risk of flooding. Councillor Jones further said that the site could have been used as a camping site during the summer months and the reviews on the internet of the site notes that the fields become wet after it has been raining. He noted that this application is to have the camping site open for all the year round and it may be suitable for parking during the summer months on site but the evidence on the NRW flooding maps that the site is unsuitable to be open all year. Councillor Jones questioned as to why the Ecology Officer has not made comments as regards to the application due to the nature of the gradient of the land at Caerau. The Development Management Manager said that it is important to note that this application is for a campsite and no building will occur on site and the tents will not be a permanent feature on the site. During the consultation process with the statutory consultees, NRW has not raised any concerns as to the application due to the proposed use of the site. Councillor John I Jones referred that there is reference within the Officer's report that there is a risk of flooding on the site.

Councillor Llinos Medi, a Local Member said she called-in the application to the Committee following a meeting with the Cylch y Garn Community Council who had concerns as regards to the application and following receipt of a number of letters objecting by local residents of the nearby village. She highlighted the role of the Elected Members as they represent their local communities and she has been asked by the residents of the local communities to represent them as to the objection to this application. Councillor Medi further said that as was reported at the last meeting of this Committee a number of previous



applications for holiday use had been approved for this site which have yet to be developed and which will increase the traffic in the area. She noted that it is appreciated that the applicant has commissioned a Traffic Management Plan as regards to this application has not taken into account the previous applications on site which have been approved and yet to be developed. She further said that the highway network near the site are narrow rural lanes and there will be considerable movement of traffic from the site as the tourists will be staying on the site for a short period. Councillor Medi asked the Committee to give careful consideration to the application with regard to the cumulative impact both of the proposal and movement of visitors on the AONB and the road network.

The Development Management Manager said that a Traffic Management Plan has been submitted with the application and 2 passing places have been afforded by the applicant and the Highways Authority has not raised concerns as regards to the application.

Councillor R LI Jones ascertained as to the amount of caravan sites on the Island. The Development Management Manager responded that this application is for a camping site and not a caravan site and each application needs to be considered on its own merits.

Councillor Ken Taylor said that the application complies with planning policies and proposed that the application be approved. Councillor Liz Wood seconded the proposal.

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

## **7.2 FPL/2022/7 – Full application for the redevelopment of existing caravan par to accommodate static caravans and extension to site to accommodate touring caravans, together with the erection of a toilet/shower block at Mornest Caravan Park, Pentre Berw**

The application was reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 15 June, 2022 the Committee resolved to visit the site. A virtual site visit was subsequently conducted on 29 June, 2022. At its meeting held on 6 July, 2022 resolved to approve the application in totality contrary to the Officer's recommendation on the grounds that the static caravan site extension element was deemed to comply with Policy TWR 3.

The Development Management Manager reported that the static caravan element of the scheme was recommended for refusal as the increase of 190% in the numbers is not considered a minor extension as is permitted under the policy. It is acknowledged that a certificate of lawful use has been granted on the site for the year round siting of the touring caravans and this may indeed allow some additional units over the 10%, however it is not considered that this is sufficiently material consideration to permit a 190% increase in numbers, which is substantially over the guide figure of 10%. The local members stated

that the 190% increase was acceptable and complies with relevant policy as it would not create any unacceptable visual impact and would not be visible from the public realm. Whilst this is correct, planning policy TWR 3 does not include any mechanisms which allows extensions over the minor level based on the visual merits. The recommendation is to refuse the extension of the static caravans on the site.

Councillor Alwen P Watkin, and a Local Member said that the caravan site at Mornest, Pentre Berw was established over 50 years ago and the business is to be taken over by the third generation of the family. The applicant has worked closely with the Planning Authority over the course of the last 5 years so as to conform with the planning policies within the Joint Local Development Plan. Several site visits have occurred with Planning Officers to make the application acceptable and many amendments have been made to the application; slate roof on the toilet block, relocation of the touring site and significant design work on the site. As a Local Member, Councillor Watkin considered that it is legally possible to approve the application as the planning policies does not refer to certain elements of planning issues and is ambiguous. She referred to section 4 of planning policy TWR 3 and explained, how in her view, the proposal complies with the criteria listed in this section. She referred to the statement in TWR 3 that each application will be assessed on its merits due to the considerable variety in size, nature and location of sites and said that this was key in the instance. The application site does not impair the amenities of neighbouring properties. Sections 6 and 7 of TWR 3 refers that any increase in the number of units and chalets are small and are in keeping; the applicant has approval to allow the tourers to be on site throughout the year. Councillor Watkin further said that the applicant has sought legal advice from Mr Gwion Lewis QC, who is an expert in planning law, and he has afforded his comments on the application to the Local Members and the applicant and has noted that the site has a Certificate of Lawful Use for higher number of tourist on the site and this application would results in having less static caravans and have an upgraded landscaping of the site; this should be a material consideration as is noted within legislation and therefore it is justified to approve the application contrary to the TWR 3 planning policy. Councillor Watkin said that she has previously said at the last meeting of this Committee that not all applications needs to be considered within the Joint Local Development Plan but the law refers that decisions should be made on a planning basis in line with the Joint Local Development Plan unless there is relevant material consideration which justifies making a decision contrary to the Joint Local Development Plan (Section 38, Part 6, Planning and Compulsory Purchase Act 2004). In the opinion of Mr Gwion Lewis QC this is the law in this case. As the applicant has a Certificate of Lawful Use for permanent tourers already, the Committee would not set a precedent in approving the application.

Councillor Watkin said that she referred to an application at Nant Newydd, Brynteg which was permitted on appeal. Mr Gwion Lewis QC has reviewed that application as well and has reviewed that the process undertaken by the Planning Inspectorate; he considered that the application before the Committee at Mornest, Pentre Berw should also be rationalised in a similar manner. She noted that as a member of the Planning and Orders Committee she did not

wish to see the Committee being challenged through appeal as was the case in Nant Newydd, Brynteg. She asked the Committee to consider the application carefully and that this is a Welsh family trying to make a living in their community. Councillor Alwen Watkin proposed that the application be approved contrary to the Officer's recommendation.

The Development Management Manager responded that the Planning Authority must work within the planning policies; the Joint Local Development Plan was implemented in 2017. Whilst it has been said that the applicant has been working with the Planning Authority for 5 years in respect of this application the policy has been implemented for a number of years. Reference has been made to Criterion 4 and Criterion 7 of TWR 3 and the Development Management Manager noted that the policies refer to the increase of 10% figure in allowing the extensions of caravan sites. He further said that reference has been made that the applicant has a Certificate of Lawful Use for keeping tourers on the site throughout the year; this does not stipulate that the tourers need to be on the site throughout the year as static caravans would need to be. The Development Management Manager referred that reference made to Section 38 of the Planning and Compulsory Purchase Act 2004 by Mr Gwion Lewis QC is a matter of opinion and not law.

Councillor Dafydd Roberts, also a Local Member said that the tourers element of the application was approved at the last meeting of this Committee. The local concerns as regards to the tourers has been addressed. As regards to the static caravan element of the application, he considered that the site is out of sight and would not harm the amenities of the neighbouring properties. Councillor Dafydd Roberts seconded the proposal of approval of the application.

Councillor Ken Taylor said that the application is contrary to planning policy TWR 3 and he proposed that the application be refused in accordance with the Officer's recommendation. Councillor Robin Williams seconded the proposal of refusal of the application.

Following the vote of 3 for approving the application contrary to the Officer's recommendation and 7 in refusing the application:-

**It was RESOLVED to refuse the extension to the number of existing static caravans on the site as it was contrary to the provision of Planning Policy TWR 3 of the Joint Local Development Plan in accordance with the Officer's recommendation contained in the written report.**

### **7.3 FPL/2022/63 – Full application for the erection of a food and beverage sales kiosk for ice cream, waffles and soft drinks at Ocean's Edge, Lon Isallt, Trearddur Bay**

The application was reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 15 June, 2022 the Committee resolved to approve the application. However, at the meeting the Officer inadvertently reported that the Highways Authority had been consulted

and had raised no objection to the proposed development whereas in fact, the Highways Authority had not been consulted. Given the highway concerns raised by Members at the June meeting, the Planning Service on discovering that the Highways Authority had not been consulted, informed the Chair and the two Local Members who participated at the June meeting that Highways would be consulted and the matter reported back to the Committee. Having now been consulted, the Highways Authority confirms it has no objection to the scheme. The application was reported again to the Committee in the interest of completeness, openness and transparency and to ensure that all matters have been taken into account in determining the application. At the subsequent meeting of 6<sup>th</sup> July, 2022 members resolved to refuse the application contrary to the Officer's recommendation and it was considered that the proposal was contrary to planning policy MAN 6, with specific reference to criterion 2 which states 'The shop will not significantly harm nearby village shops'.

The Development Management Manager reported that specific reference was made to an ice cream van situated nearby to the application site. He noted that an ice cream is not a village shop as is noted within planning policies as it is a temporary facility that can be relocated. The Local Member, Councillor Dafydd R Thomas has previously said that the ice cream van departs the site every evening and returns every morning. The Spar shop in the vicinity would be considered as a village shop within the planning policy. Nevertheless, Trearddur Bay is a popular tourist destination and the Local Members have noted previously that the village is gridlock with traffic during the summer months. Due to the scale of the unit, it is not considered that the volume of generated business would be of such extent as to significantly harm nearby village shops and other businesses. He further noted that the location of Ocean's Edge is unique as it is outside the development boundary but within the village of Trearddur Bay. Section 119 of Planning Policy Wales (11<sup>th</sup> edition) refers that *'it is not the function of the planning system to interfere with or inhibit competition between users of and investors in land'* and again it is reminded that competition is not a material planning consideration. The Development Management Manager said that there is a risk of costs if the application was refused and overturned at appeal. The Planning Authority maintain their stance that the proposal is in accordance with all relevant policies as set out in the previous report to this Committee. The recommendation is of approval of the application.

Councillor Dafydd R Thomas, a Local Member said that the development is a small wooden shed and questioned whether planning policies contradicts each other in respect of this application. He noted that the ice cream van nearby does pay a fee to the local authority to be sited on the site. A small café has recently opened around the corner to this application site. Whilst he acknowledged that there is ample business for all the facilities at Trearddur due to the high number of tourist visiting during the summer months it will be difficult for some businesses in the village in the winter months.

The Development Management Manager said that the proposal is for the erection of a retail kiosk with a proposed floor area of 13m<sup>2</sup> which is considered to be minor in scale. He addressed the comments by the Local Member as

regards as to whether the planning policies contradict each other; the intention of the MAN 6 policy is to deal with selling within the open countryside which stops the detrimental effect on other businesses and to limit what is sold in rural area, Ocean's Edge is within the Trearddur Bay area as regards context.

Councillor Robin Williams ascertained whether Trearddur Bay was defined in a rural area or a village. The Development Management Manager responded that Ocean's Edge is within the Trearddur Bay area but is located outside the development boundary within the Joint Local Development Plan and is therefore contrary to MAN 6 planning policy. Councillor Williams whilst accepting the reasoning that the locality of the development is within MAN 6 of the Joint Local Development Plan he considered that it should be within MAN 5 as Trearddur Bay is a large village and extremely popular during the summer months. He did not consider that the impact of approving the proposal will have an impact on other retailers in the village. Councillor Robin Williams proposed that the application be approved. Councillor Ken Taylor seconded the proposal of approval.

Councillor Dafydd Roberts said that development boundaries has a significance and this proposal is within MAN 6 of the Joint Local Development Plan. Councillor Roberts proposed that the application be refused contrary to the Officer's recommendation. Councillor Alwen Watkin seconded the proposal of refusal.

The Legal Service Manager said that the site is outside the development boundary but within the settlement of Trearddur Bay and it is impossible to leave the site without crossing the development boundary. He noted that the ice cream van is not defined as a village shop within planning policy context and offering a range of services. He further said that it would be difficult to argue on appeal that village shops would be affected by this proposal.

Following the vote of 8 in approval of the application and 2 for refusal of the application contrary to the Officer's recommendation:-

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

#### **7.4 FPL/2021/2022 – Full application for the erection of 8 affordable residential apartments, construction of new vehicular access, construction of new road on site together with soft and hard landscaping on land adjacent to Garreglwyd Road, Holyhead**

The application was reported to the Planning and Orders Committee at the request of a Local Member amid local concerns as regards to highway safety, overdevelopment of the site and the development's appearance in the locality. At its meeting held on 15<sup>th</sup> June, 2022, the Committee resolved to visit the site. A virtual site visit was subsequently conducted on 29<sup>th</sup> June, 2022. At the meeting held on 6<sup>th</sup> July, 2022, it was resolved to defer the application to allow for further highways information to be consulted upon.

### ***Public Speaker***

Ms Sarinha Farook, Cadnant Planning spoke in support of the application and said that the application site is a vacant area of land within the development boundary of Holyhead and within a built-up residential area. The site is unkempt and unsightly in appearance and when viewed within the street, it forms a break in the building line and appears quite out of character with the remainder of the area. This proposal seeks to re-use this parcel of previously developed land for the provision of eight affordable dwellings for local people. The development would improve the appearance of the street scene and bring the site back into use to provide much needed housing in the area. There is a clear demand for affordable housing in the area. The Council's Housing Strategy department has expressed their support for the development. Following recent comments from the Highways department, a Transport statement has been provided which demonstrates that the development would not result in any significant impact upon the existing road network. It is acknowledged that there is a school close to the development site, but it is also normally acknowledged that schools should be located in residential communities that they serve and that the short-lived problems should not frustrate an otherwise acceptable development proposal. Given the sustainable location of development, it is expected that occupiers of the development will make use of the public transport in the area. Concerns have also been raised in regard to the impact of construction on existing dwellings in the vicinity. However, it should be noted that the Local Planning Authority have recommended a condition for the submission of construction method details for their review prior to the commencement of works. The applicant is willing to provide these details prior to works commencing. As the Committee report states, the initial scheme was withdrawn and redesigned so that the proposed apartments would have a better relationship with neighbouring properties, with no adverse overlooking, overshadowing or overbearing impacts. Additionally, given the range of dwellings and variety of designs of buildings along the street, including Ysgol Cybi to the east, it is considered that the proposed development would not appear out of keeping with the local area. The scale of the building would be two storeys in height, which is in keeping with surrounding dwellings in the area. Therefore, it is considered that the proposal would make good use of a vacant plot in a residential area, providing eight affordable dwellings to help meet the high demand for local housing in the area. The development would improve the site visually, and would not have any adverse impacts on the highway network or neighbouring properties.

The Development Management Manager reported that following the highways assessment of the application the Highways Authority had no concerns in regards to the scheme. However, the required spaces in line with the local authority parking standards is 10 spaces, but only 8 are provided by this scheme. Despite the shortfall of 2 parking spaces, it is considered the proposal is acceptable as it is located in a sustainable location which is accessible by bus and rail with local amenities also within walking and cycling distance. The site layout of the development was shown to Members at the Committee which showed 8 parking spaces to the north of the site together with bicycle and bin storage. He further said that the revised scheme has been amended by

reducing the level of the site so as to ensure the finished floor levels of the proposal and the neighbouring dwellings are similar and thus will not be overbearing upon the neighbouring properties. The Development Management Manager further reported that the Holyhead Town Council had expressed concerns in regards to the effect of the proposal on the privacy of the bungalows in the locality of the site; due to the orientation and distance of the building to these properties, it is not considered that any overlooking that would occur would not be unacceptable. A 1.8m boundary fence will also be provided on the boundary to safeguard the amenities of neighbouring properties. It is considered that the scheme conforms with planning policies PCYFF 2, TAI 1, TAI 8 and 15 of the Joint Local Development Plan as is highlighted within the Officer's report. The recommendation is to approve the application subject to conditions contained within the report.

Councillor T LI Hughes MBE and a Local Member said that there are immense parking and highways issues in the area of this proposed development and especially when children are taken to school in the morning and collected in the afternoon. He noted that Ysgol Cybi and Holyhead High School are nearby to the proposed development (pictures taken by a local resident were viewed by the Committee of cars parked along Garreglwyd Road). Councillor Hughes said that over 400 houses have been built in the Llaingoch area over the last few years and the traffic issues are concerning in the area. He referred to the transportation plan commissioned by the developer and ascertained as to whether the SCP Transportation had visited the site to compile the transport assessment. Ms Farook, Cadnant Planning confirmed that SCP Transportation had visited the site. Councillor Hughes further said that planning permission was given recently on the site for 2 bungalows which was acceptable to the neighbouring properties but now the site is for 8 flats which is causing concerns as regards to traffic issues and the overbearing and overlooking on the Maes Cybi residents. Councillor Hughes considered that the application should be refused due to overdevelopment of the site and traffic issues in the area.

The Development Management Manager said that reference has been made to the effect on the residential amenities of the residents of Maes Cybi estate. He noted that the development does meet the requirements of the planning guidelines as there is a distance of 19m from the development and the neighbouring properties at Maes Cybi; obscured glazing will be on the windows facing neighbouring properties.

The Development Management Engineer (Highways) said that a transport statements was afforded with the application due to highways concerns by local residents. He noted that the level of traffic is higher during school hours with children been taken and collected from the nearby schools.

Councillor R LI Jones said that there is traffic issues in the area following the development of the large housing estate in Llaingoch. He noted that the highways structure in the area needs to be reviewed due to the effect of emissions from vehicles near the schools in the area.

Councillor Dafydd R Thomas, a Local Member agreed that there are traffic issues in the area with parking on the side of the road near this development when children are taken and collected from the nearby schools. He considered that approving this application would contribute to the highways issues in this area.

Councillor Dafydd Roberts said that the Local Members are aware of traffic issues in the area but the Highways Authority consider that the development would not contribute to the traffic in the area. He accepted that the Highways Authority conforms to national policies as regards to traffic management.

Councillor Robin Williams whilst sympathising with the comments of the local members as regards to the traffic in the area when children are taken and collected from the nearby schools. However, he said that similar issues are experienced in many areas where there is a school. Councillor Williams proposed that the application be approved and Councillor Liz Wood seconded the proposal of approval.

Councillor Trefor LI Hughes MBE proposed that the application be refused due to overdevelopment and traffic issues. Councillor R LI Jones seconded the proposal of refusal.

Following the vote of 6 of approval of the application and 4 against:-

**It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the planning conditions contained within the written report and a planning obligation to secure affordable housing.**

#### **7.5 FPL/2021/336 – Full application for alterations and extensions to health centre, the construction of new parking spaces together with soft landscaping at Llanfairpwll Health Centre, Ffordd Penmynydd, Llanfairpwll**

The application was reported to the Planning and Order Committee at the request of a Local Members. At its meeting held on 6<sup>th</sup> July, 2022 the Committee resolved to visit the site. A virtual site visit was subsequently conducted on 20<sup>th</sup> July, 2022.

The Development Management Manager reported that the application is for an extension to the existing Health Centre at Llanfairpwll with other associated development comprising of the creation of five additional car parking spaces together with soft landscaping in the form of a paved path. The proposal is for a rear extension to the Health Centre and the Llanfairpwll Health Centre is located along Ffordd Penmynydd, within the development boundary of Llanfairpwll as defined in the Joint Local Development Plan. Concerns have been raised regarding the parking arrangements at the Health Centre and the Highways Authority had no objections as regards to the development. However, the Highways Authority has requested a Traffic Management Plan during the construction period of the development. He further said that the



Betsi Cadwaladr University Health Board has confirmed that the number of patients has reduced following the pandemic and the consultation rooms will assist with virtual patient consultations and there is no need for additional parking spaces beyond the 5 already proposed. There are 28 parking spaces currently on site and the 5 additional parking spaces conform to the relevant parking standards. He noted that having additional parking spaces to the 5 already proposed would entail having to fell additional trees which the Ecological Officer would reject. The recommendation was of approval of the application.

Councillor Alun Mummery, a Local Member read out an email sent by Mr Wyn Thomas, Area Director, Betsi Cadwaladr Health Board in 2016 to the Chair of the Llanfairpwll Community Council and to Councillor Mummery. Mr Wyn Thomas had visited the site of the Llanfairpwll Health Centre in November 2016 due to concerns by the Community Council as regards to parking on the site. Mr Thomas had agreed that there was adequate space to extend the car park and to extend to Health Centre at the rear of the building when funding became available. Councillor Mummery referred to the letters of objection to the application as regards to plans in 2019 to create 21 parking spaces at the Health Centre whereas this application is for only 5 car parking spaces. An application FPL/2019/284 was returned to the applicant as it was considered unacceptable from an ecological perspective and from the point of view of the Environment Wales Act. He noted that in the initial version of the Officer's report stated that there was a potential for bats in the woodland behind the surgery but Councillor Mummery said that he lives 200 yards from the Health Centre and he is not aware of any siting of bats in the area. However, there have been siting of rats in the vicinity but no reference is made within the report as regards to this matter. Reference has been made to ecology issues but when the site was fenced in without access to the rear of the site this has caused problems for the Community Council due to overgrowth of trees and having to complain regularly to the Health Board for them to be cut back as it encroaches onto the playing field and a footpath near the site. Councillor Mummery ascertained whether the hedgerow and trees at the rear of the building will be maintained by the applicant. Councillor Mummery further said that the Highways Authority have no objection to the application as Llanfairpwll has public car parks within short walking distance to the site. He ascertained as to the formula used as regards to adequate parking space for such a site. The Development Management Engineer (Highways) responded that the formula used is 1 parking space of each consultation room.

The Development Management Manager responded that the extension to the building is at the rear of the current building and there is inadequate space for the creation of further parking on site. He noted that 5 parking space are proposed which is in accord with the parking conditions. In response to the maintenance of the hedgerow and trees at the rear of the building it would be a matter for the Community Council to discuss with the Betsi Cadwaladr University Health Board in respect of this matter.

Councillor Jackie Lewis questioned whether more trees could be felled at the rear of the Health Centre to allow for further parking space on the site and new

planting could occur thereafter. The Development Management Manager responded that this is not part of the application before the Committee.

Councillor Ken Taylor said that parking issues is the main problems in every village. Councillor Taylor proposed that the application be approved. Councillor Jackie Lewis seconded the proposal of approval.

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

## **8 ECONOMIC APPLICATIONS**

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

## **9 AFFORDABLE HOUSING APPLICATIONS**

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

## **10 DEPARTURE APPLICATIONS**

### **10.1 FPL/2022/116 – Full application for the erection of a dwelling together with associated development (so as to amend the design approved under appeal ref APP/L6805/A/11/2158396) at Gallt y Mwg (Wylfa), Pencarnisiog, Ty Croes**

The application was reported to the Planning and Orders Committee as it is recommended that the application be approved contrary to Policy PCYFF 1 of the Joint Local Development Plan.

The Development Management Manager reported that the site benefits from a safeguarded permission for a replacement dwelling which was afforded planning approval under application reference 28C108D which has been safeguarded via a material start and therefore is valid in perpetuity. The application is to change the design of the dwellings; the safeguarded consent is for a 1.5 storey bungalow and the proposal seeks to obtain permission for a 2 storey dwelling with the roof height being reduced. The floor space is to be increased from 120m<sup>2</sup> to 165m<sup>2</sup> and it is proposed to use more modern finishing materials. Having considered the scheme against the safeguarded consent and the relevant policies within the Joint Local Development Plan, the proposal is deemed to be acceptable as it is an improvement and in keeping with neighbouring properties and the character of the area. The recommendation was of approval of the application.

Councillor Robin Williams proposed that the application be approved and Councillor Ken Taylor seconded the proposal of approval.

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

## **10.2 FPL/2020/149 – Full application for the erection of 8 affordable dwellings together with the creation of a new vehicular access and associated development on land at Stad y Felin, Llanfaelog**

The application was reported to the Planning and Orders Committee as it is recommended that the application be approved contrary to Policy TAI 16 of the Joint Local Development Plan.

### ***Public Speaker***

Mr Rhys Davies, Cadnant Planning, in support of the application said that the success of the original Stad y Felin plan has encouraged Grŵp Cynefin to look to extend the estate and provide more affordable homes for local people who are in need. The Grwp Cynefin owns the land and the intention is to let these houses on social rental, similar to the other houses on the site. The social housing homes enable Grŵp Cynefin to apply for Welsh Government grants to be able to build the homes and keep the rental affordable throughout the lifetime of the houses. As a result of this, this plan has been included in the Anglesey affordable homes development programme which is administered by the Strategic Housing Team with finances earmarked for this financial year. The plan has received positive feedback from Welsh Government as regards design – which has to meet the quality development standards for housing associations and local authorities (2021). However, Bryn Du is identified as a cluster settlement which is contrary to provisions of planning policy TAI 16. The Planning Policy Unit and Legal Department within the Council have confirmed that policy TAI 16 is not applicable in clusters such as Bryn Du. Having said that, after completing a housing needs assessment and following an extensive discussion with the planning policy team it is agreed that there are no opportunities to develop affordable housing for the numbers needed in Rhosneigr, Llanfaelog and Pencarnisiog. He further said that a Section 106 legal agreement would disqualify the developer in ascertaining a social housing grant as Welsh Government has amended legislation recently and securing affordable housing needs to be by a planning condition rather than by planning obligation.

The Development Management Manager reported that Bryn Du has been allocated as a cluster under the provisions of the Joint Local Development Plan and therefore planning policy TAI 6 is applicable. Planning Policy TAI 6 supports new housing in clusters subject to adherence with its criterion as was outlined in the Officer's report. Due to the lack of opportunities in the area for affordable housing the proposed development can be considered as an exception site within planning policy TAI 16 to afford affordable housing. The Housing Department and the Planning Policy Unit have stipulated that there is a need for affordable housing in the area and they are supportive of this application of 8 houses on the site as it is a natural extension to the Stad y

Felin estate. The Development Management Manager further said that the recommendation is to delegate approval of the application to Officers at the end of the consultation period which comes to an end on 3 August, 2022 in accordance with the recommendation contained within the Officer's report subject to the planning conditions contained therein and that affordable housing be secured by means of a condition as opposed to a planning obligation.

Councillor Ken Taylor proposed that the application be approved and Councillor Jackie Lewis seconded the proposal of approval.

**It was RESOLVED to delegate approval of the application to Officers at the end of the consultation period in accordance with the recommendation contained within the Officer's report subject to the planning conditions contained therein and that affordable housing be secured by means of a condition as opposed to a planning obligation.**

## **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 MAO/2022/13 – Minor amendments to scheme previously approved under planning permission FPL/2019/7 (erection of new primary school and creation of vehicular access) so as to create a new 2.5m wide path to provide better access to the new school, remove the existing wall and the erection of a new fence/wall in its place together with the removal of an Ash tree on land opposite Bryn Meurig, Llangefni**

The application was reported to the Planning and Orders Committee as the application is presented on behalf of the County Council.

The Development Management Manager reported that the application is for the creation of a 2.5m wide footway running from the junction of Cildwrn Road B5109 and B4422 towards the relocated agricultural access. This will involve demolition of the existing stone wall together with re-building the wall with blockwork/pebbledash and set back 1m. Permission has already been granted for a 2m wide footway in this area under the previously approved permission. The application is also for the creation of a 2.5m wide path from the agricultural access to the new school by removing the stone wall, hedge and tree to be replaced with a mixture of 1.2m high weldmesh fence with a new native mixed hedgerow located behind, and anew limestone wall together with the planting of 2 trees. The previously approved scheme identified a 2.5m wide footway in this area, however, there are some discrepancy in the proposed plans and a 2.5m wide footway is not possible without removal of the existing stone wall and Ash tree which was not part of the previously approved scheme. An Arboricultural report has been submitted and has

identified that the tree is infected by Ash Dieback and the report states that the tree needs to be removed within 6 months. The Landscape Officer has confirmed the presence of the disease and it is unlikely that the tree can be retained beyond 10 years.

Councillor Geraint Bebb proposed that the application be approved and Councillor Robin Williams seconded the proposal of approval.

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

**12.2 MAO/2022/16 – Minor amendments to scheme previously approved under planning permission FPL/2021/361 (erection of new foundation phase unit) so as to allow the re-wording of conditions (07) (biosecurity risk assessment), (17) (construction traffic management plan), (18) (landscaping), (20) (pedestrian paths) and (21) (landscape) on land adjacent to Ysgol y Graig, Llangefni**

The application was reported to the Planning and Orders Committee as the application is presented on behalf of the County Council.

The Development Management Manager reported that the application is for minor amendment to the previously approved scheme as regards to Conditions (07), (17), (18), (20), (21) so as to allow temporary works to the access before discharging the conditions so as to allow temporary access for archaeologist to gain access to the site.

Councillor Geraint Bebb proposed that the application be approved and Councillor Alwen P Watkin seconded the proposal of approval.

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

**12.3 FPL/2022/51 – Full application for the erection of a 6 bedroom ancillary accommodation building together with associated development at Plas Rhianfa, Glyn Garth, Menai Bridge**

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

Councillor Alun Roberts, a Local Member requested that a site visit be undertaken so that Members can view the site.

Councillor Ken Taylor proposed that a site visit be conducted in accordance with the Local Member's request. Councillor Robin Williams seconded the proposal.

**It was RESOLVED to undertake a virtual site visit in accordance with the Local Member's request for the reason given.**

**13 OTHER MATTERS**

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

**COUNCILLOR GLYN HAYNES  
VICE-CHAIR IN THE CHAIR**

## PLANNING SITE VISIT

### Minutes of the virtual meeting held on 17 August, 2022

|                       |   |
|-----------------------|---|
| <b>PRESENT:</b>       | Councillor Neville Evans (Chair)<br>Councillor Glyn Haynes (Vice-Chair)<br><br>Councillors Geraint Bebb, Jeff Evans, Trefor Lloyd Hughes, MBE, R. Llewelyn Jones, Dafydd Roberts, Ken Taylor, Alwen Watkin, Robin Williams, Liz Wood. |
| <b>IN ATTENDANCE:</b> | Development Management Manager (RLIJ)<br>Senior Planning Officer (JR)<br>Development Management Engineer (Highways) (WIH)<br>Committee Officer (ATH)  |
| <b>APOLOGIES:</b>     | None  |
| <b>ALSO PRESENT:</b>  | Local Member: Councillor Alun Roberts, Councillor Nicola Roberts (Portfolio Member for Planning) (for part of the meeting)  |

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#### **1. FPL/2022/51 – Full application for the erection of a 6 bedroom ancillary accommodation building together with associated development at Plas Rhianfa, Glyn Garth, Menai Bridge**

The Senior Planning Officer outlined the proposal and its location on the site of the existing disused tennis court within the garden grounds of the Plas Rhianfa Hotel. Members were shown plans and photographs which gave an indication of the design of the proposed extension. Members were also shown videos which set out the two access points/entrances to the Hotel along with the application site within its context in the grounds of the Hotel and relative to the gardens and main listed building.

It was confirmed that the proposal had been amended and scaled down from the original submission for a two storey 8 bedroom ancillary building to a single storey, 6 bedroom ancillary building.

Councillor Alun Roberts, a Local Member highlighted parking issues in particular on-street parking including for deliveries in the vicinity of the Hotel on the A545 Beaumaris road; the potential for increased light pollution on the banks of the Menai within an AONB and concerns around tree preservation.

The Development Management Manager confirmed that parking provision was sufficient and in line with parking standards.

The Senior Planning Officer clarified points raised with regard to the proposed building's fenestration and overlooking.

The Committee noted that the availability of road traffic accident statistics for the Beaumaris road would be helpful.

**Councillor Neville Evans  
(Chair)**



Planning Committee: 07/09/2022

7.1

Application Reference: FPL/2022/51

Applicant: Hancox

Description: Full application for the erection of a 6 bedroom ancillary accommodation building together with associated development at

Site Address: Plas Rhianfa, Glyngarth, Menai Bridge



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

Recommendation: Permit

### Reason for Reporting to Committee

At the requests of Councillors Carwyn Jones & Alun Roberts.

At the meeting held on the 27th July 2022, members resolved to visit the site. The virtual site visit took place on the 17th August 2022 and members will now be familiar with the site.

### Proposal and Site

The application is for the erection of a 6 bedroom ancillary accommodation building together with associated development. The proposal building will be located on the site of the existing disused tennis

court within the Victorian ornamental garden grounds of the existing Plas Rhianfa hotel in Glyn Garth which is on the Register of Landscapes Parks and Gardens of Special Historic Interest in Wales Ref: PGW(Gd)49(ANG). The site also lies within the Anglesey Area of Outstanding Natural Beauty (AONB).

The proposed development site is set back from the SE side of the A545 Beaumaris Road out of Menai Bridge towards Beaumaris in a fine setting overlooking Menai Strait.

The large extravagant sea-side villa of Plas Rhianfa is a grade II\* listed building (Cadw Ref. 81142) and is described as of ornate French gothic style (inspired by the chateaux of the Loire). Dressed Penmon limestone rubble facing, with freestone dressings and (with the exception of the turrets), fish scale slate roofs. Built to enjoy the prospect over the Menai Strait, on a dramatically sloping site, the house is unusually configured: the ground level entrance at the rear connects to the main block by a covered bridge, and the principal storey is in fact the second storey of the main accommodation block.

The adjacent Gate-house, with gate-piers and retaining wall to courtyard, situated to NW is itself a small-scale essay in the French Gothic style and grade II listed (Cadw Ref. 83051). Directly to the S is the grade II listed (83052) French gothic/chinoiserie style Summer house and dovecote in garden of Plas Rhianfa.

### **Key Issues**

- Whether the proposal complies with relevant development plan policies
- Whether the proposal is acceptable in terms of siting, design, appearance and scale.
- Whether the proposal would significantly affect the character of the listed building.

### **Policies**

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

Strategic Policy PS 14: The Visitor Economy

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment

Strategic Policy PS 5: Sustainable Development

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

Strategic Policy PS 1: Welsh Language and Culture

Policy TRA 4: Managing Transport Impacts

Policy TRA 2: Parking Standards

Policy PCYFF 4: Design and Landscaping

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy TWR 2: Holiday Accommodation

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Policy AMG 5: Local Biodiversity Conservation

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

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

Technical Advice Note 13: Tourism (1997)

Technical Advice Note 24: The Historic Environment (2017)

## Response to Consultation and Publicity

| Consultee   | Response   |
|---|--|
| Cyngor Gwynedd Council                                      | No comments.   |
| Cadw Consultations  | The impact of the proposed single-storey building on the registered park and garden is considered acceptable, and not significant. |
| Priffyrdd a Trafnidiaeth / Highways and Transportation      | Conditional approval.  |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit | Comments/advice regarding the relevant policy framework.   |
| Cynghorydd Alun Roberts                                     | Request that the application be referred to the Planning and Orders Committee for determination.                                   |
| Ymgynghorydd Tirwedd / Landscape Advisor                    | Conditional approval.  |
| Cynghorydd Gary Pritchard                                   | No response at the time of writing the report.   |
| Cyngor Cymuned Cwm Cadnant Community Council                | No objection.  |
| Iechyd yr Amgylchedd / Environmental Health                 | No response at the time of writing the report.   |
| Cynghorydd Carwyn Jones                                     | Request that the application be referred to the Planning and Orders Committee for determination.                                   |
| Cyfoeth Naturiol Cymru / Natural Resources Wales            | Conditional approval.  |
| Ymgynghorydd Treftadaeth / Heritage Advisor                 | No response at the time of writing the report.   |
| Dwr Cymru Welsh Water                                       | Conditional approval.  |
| Ymgynghoriadau Cynllunio YGC                                | Comments in relation to SuDS requirements.   |

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 24/06/2022.

At the time of writing the report, one representation had been received.

The objection received was on the basis of the initial submission for a two storey, 8 bedroom ancillary building and which has since been amended to a single storey, 6 bedroom ancillary building. The amended plans have been subject to additional statutory publicity and no further representations have been received.

### Relevant Planning History

17C464/LB - Caniatâd Adeilad Rhestredig i ail-leoli piler y giât garreg i ledu'r fynedfa / Listed Building Consent to relocate the stone gate pillar to widen the access at Plas Rhianfa, Glyn Garth - Granted 18.08.2011

17C464A/LB - Caniatâd Adeilad Rhestredig ar gyfer gwaith amrywiol yn / Listed Building Consent for various works at Plas Rhianfa, Glyn Garth - Caniatáu/Granted 15.09.2011

17C464B/LB - Caniatâd Adeilad Rhestredig i gael gwared ar 2 falconi presennol yn / Listed Building Consent for the removal of 2 no existing balconies at Plas Rhianfa, Glyn Garth - Caniatau/Granted 10.11.2011

17C464C - Newid o defnydd breswyl i letygarwch, digwyddiadau a swyddogaethau cysylltiedig gan gynnwys llety cysgu atodol ynghyd â dymchwel adeilad o fewn y cwrt, adeiladu maes parcio newydd ac estyniad i gwrtil yn / Change of use from residential into a hospitality, events and related functions including ancillary sleeping accommodation together with the demolition of a building within the courtyard, construction of a new car park and extension to curtilage at Plas Rhianfa, Glyn Garth - Caniatau/Granted 01.05.2012

17C464D/LB -Caniatâd Adeilad Rhestredig ar gyfer newid o defnydd breswyl i letygarwch, digwyddiadau a swyddogaethau cysylltiedig gan gynnwys llety cysgu atodol ynghyd â dymchwel adeilad o fewn y cwrt yn / Listed Building Consent for the change of use from residential into a hospitality, events and related functions including ancillary sleeping accommodation together with the demolition of a building within the courtyard at Plas Rhianfa, Glyn Garth - Caniatau/Granted 14.05.2012

17C464E - Newid defnydd yr annedd presennol i 8 ystafell wely yn gysylltiedig â 'Chateau Rhianfa' yn / Change of use of dwelling into 8 bedrooms linked to Chateau Rhianfa at Coed Celyn, Glyn Garth - Caniatau/Granted 21.09.2015

SCR/2022/51 - Barn sgrinio ar gyfer codi adeilad llety ategol 8 lloft ynghyd a datblygiadau cysylltiedig yn / Screening opinion for the erection of a 8 bedroom ancillary accommodation building together with associated development at Plas Rhianfa, Glyn Garth - Dim angen AEA/EIA Not required 09.03.2022

LBC/2022/5 - Caniatâd Adeilad Rhestredig ar gyfer codi adeilad llety ategol 8 lloft ynghyd a datblygiadau cysylltiedig yn / Listed Building Consent for the erection of a 8 bedroom ancillary accommodation building together with associated development at - Plas Rhianfa, Glyngarth, Porthaethwy / Menai Bridge - Heb Benderfyniad / Not yet determined

### **Main Planning Considerations**

The application is for the erection of a 6 bedroom ancillary accommodation building together with associated development.

The proposal building will be located on the site of the existing disused tennis court within the Victorian ornamental garden grounds of the existing Plas Rhianfa hotel in Glyn Garth which is on the Register of Landscapes Parks and Gardens of Special Historic Interest in Wales Ref: PGW(Gd)49(ANG). The site also lies within the Anglesey Area of Outstanding Natural Beauty (AONB).

The proposal is also subject to a separate application for Listed Building Consent (Ref LBC/2022/5).

The application was initially submitted for a two storey, 8 bedroom ancillary accommodation building, but has been amended due to concerns from consultees in relation to the design, scale and impact of the proposal upon the character and appearance of the adjacent Listed Building and the locality.

Under the revised proposals, following discussions with the relevant consultees, a single storey, 6 bedroom building is proposed.

The revised proposal is now clearly subservient in terms of height, being wholly single-storey, and scale. Other amendments include the addition of two oriel windows, and the introduction of contrasting stone cladding to west elevation. It is considered that these amendments address the LPAs original concerns that the initial proposed gable end of the extension, which is the principal view from the gardens, was somewhat stark in its appearance.

The proposed contemporary and relatively plain design of the extension, together with its subservient scale and height, will allow the larger scaled and extravagantly elaborated detailed heritage asset to continue to dominate its setting.

Additionally, it is considered that the proposed green roof and parapet wall will limit the visual impact of the extension from the principal building viewpoints whilst the existing tall stone wall will greatly obscure views from the North. Existing vegetation and substantial mature trees will reduce the proposed extension's impact from the S and W.

The proposed contemporary palette of materials are considered to be of high quality and sympathetic to the heritage asset and its setting and it is not considered that the proposals would harm the special character or setting of the listed building, adjacent listed buildings, the Registered Historic Garden or the designated AONB.

The proposal is therefore considered to accord with the provisions of policies PCYFF2, PCYFF3, AMG1, PS20 and AT1. The green roof proposed will also lead to a biodiversity enhancement and satisfy the Section 6 Duty of the Environment Wales Act 2016.

Strategic Policy PS 12 relates to the visitor economy and states that whilst ensuring compatibility with the local economy and communities and ensuring the protection of the natural, built and historic environment the Councils will support the development of a year-round tourism industry by protecting and enhancing existing serviced accommodation and supporting the provision of new high quality serviced accommodation....

Policy TWR 2 relates to Holiday Accommodation and Criteria 3 states that proposals for extending existing holiday accommodation establishments will be permitted, provided they are of a high quality in terms of design, layout and appearance and that all the following criteria can be met:

- i. In the case of new build accommodation, that the development is located within a development boundary, or makes use of a suitable previously developed site;*
- ii. That the proposed development is appropriate in scale considering the site, location and/or settlement in question;*
- iii. That the proposal will not result in a loss of permanent housing stock;*
- iv. That the development is not sited within a primarily residential area or does not significantly harm the residential character of an area;*
- v. That the development does not lead to an over-concentration of such accommodation within the area.*

In terms of criterion (i), the development is located within the curtilage of the existing hotel and therefore falls within the definition of previously developed land as defined in section 3 of PPW 11.

For the reasons outlined above, the proposal is considered to be appropriate and accords with the criterion (ii).

Criterion (iii), (iv) and (v) are not relevant to this particular development which comprises an extension to an existing business.

The proposal therefore accords with the relevant provisions of policy TWR 2.

In terms of the landscape impact of the proposal, the submitted photographs indicate a limited amount of visibility from within the historic gardens of Plas Rhianfa, principally from viewpoints 1 and 2 and minimal visibility near the shore at viewpoints 8 and 9. Photos 12-17 from the opposite shore of the Menai Strait and 18 from Bangor Pier show minimal visibility, with the proposal largely screened by mature trees in the gardens and along the shore. The garden trees are a mixture of conifer and broadleaves and there is likely to be increased visibility during the winter months, however there is still likely to be considerable screening. The proposals would not therefore have an adverse visual impact in views across the Menai Strait towards the AONB.

The proposals should conserve and enhance the character of the AONB, in particular the historic gardens and mature trees associated with the site consequently any approval will include a condition in relation to the long term management of trees.

The Highways Department have also been consulted in relation to the proposals and have raised no objections subject to a condition requiring the submission of a Construction Traffic Management Plan (CTMP).

## **Conclusion**

The proposal is therefore considered to be acceptable and accords with relevant development plan policies and have considered the character and significance of the listed building and its setting, as well as the setting of adjacent listed buildings, and submitted a proposed design that both protects and enhances the listed building and adjacent listed building, the registered historic garden and designated AONB subject to conditions.

## **Recommendation**

That the application is permitted 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) The ancillary accommodation shall only be occupied in connection with the use of the existing hotel.**

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

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

- (i) The routing to and from the site of construction vehicles, plant and deliveries.**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- (iv) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (v) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vi) The arrangements for loading and unloading and the storage of plant and materials;**
- (vii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

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

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

### **(04) Prior to the commencement of the development hereby approved a scheme for the protection of trees (Tree Protection Plan) in accordance with BS 5837:2012, for all trees within 20metres of the proposed development and site access route, shall be submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan shall include a specification for the**

**protective fencing to safeguard trees during the construction and a plan indicating the alignment of the protective fencing. It shall include details of site access, temporary parking, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing. The Tree Protection Plan shall be implemented as approved throughout the duration of the development works.**

Reason: In accordance with PCYFF 4 to ensure retained trees are not harmed by the proposal.

**(05) No development shall commence until a foul water 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 water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.**

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

**(06) No surface water and/or land drainage 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.

**(07) 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 Plan: 20-762 3 001**
- **Block Plan Proposed: 20-762 3 001 Rev A**
- **Site & Roof Plan Proposed: 20-762 3 005 Rev B**
- **Lower & Upper Floor Plans Proposed: 20-762 3 010 Rev F**
- **Elevations Proposed: 20-762 3 011 Rev D**
- **Sections Proposed: 20-762 3 012 Rev C**
- **Access Statement, Gary Johns Architects, May 2022**
- **Design Statement, Gary Johns Architect, May 2022**
- **Heritage Statement, Barton Willmore, now Stantec, May 2022**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1, PS4, PS5, PS14, PS19, TRA2, TRA4, PCYFF1, PCYFF2, PCYFF2, PCYFF3, PCYFF4, TWR2, AMG1, AMG5 AT1.

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

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Planning Committee: 07/09/2022

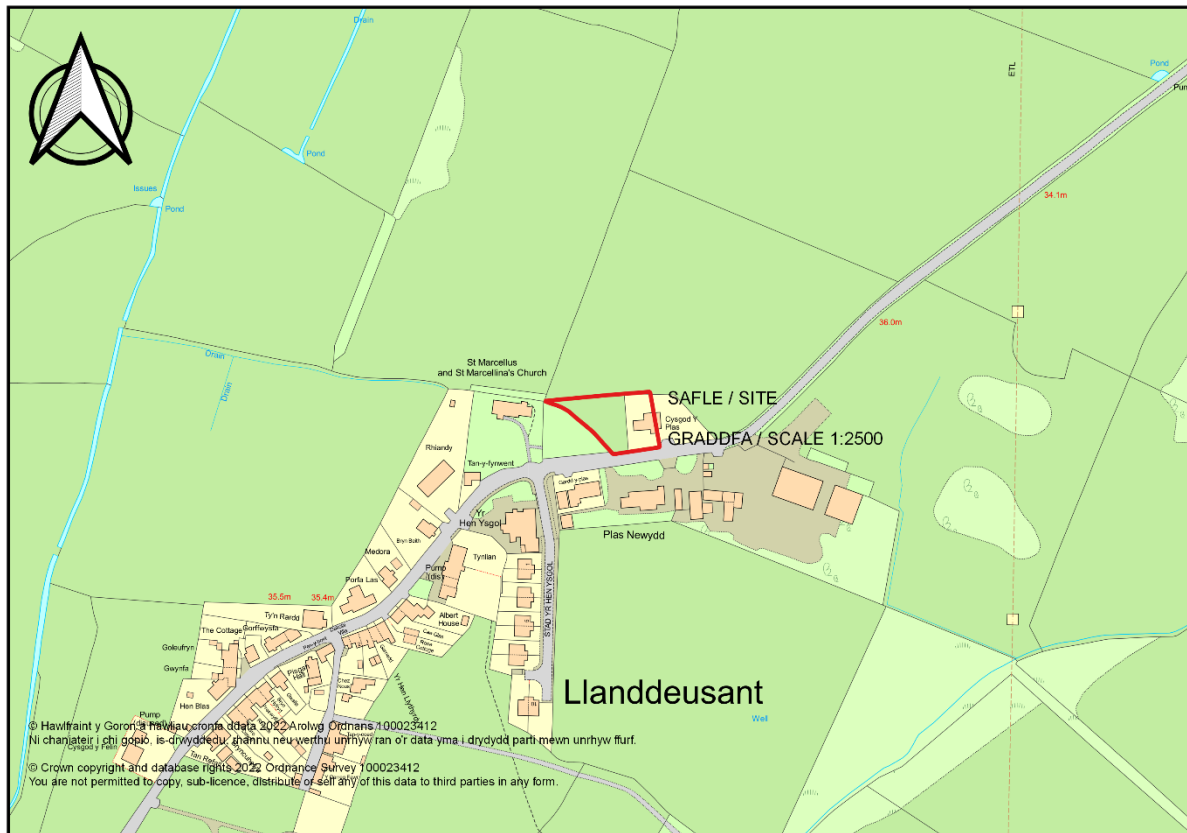
11.1

Application Reference: FPL/2022/93

Applicant: Mr & Mrs Owain & Sian Owen

**Description:** Full application for the erection of a new dwelling which is now partially retrospective (single storey side extension & front porch), detached garage, new vehicular access and extension to cemetery at

**Site Address:** Cysgod Y Plas, Llanddeusant



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

**Recommendation:** Permit

### Reason for Reporting to Committee

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

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

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

## Proposal and Site

The application is for full planning permission for the erection of a new dwelling. The development has already commenced and is therefore part retrospective. The development is proposed to be a two-storey property with a pitched roof, a single storey side extension, front porch to the principal elevation facing the highway, and detached garage.

The site is located to the north-east limits of Llanddeusant village, and to the north-east of the church and cemetery. The site is part of larger plot of agricultural land which extends to the north, bounded by hedgerows.

## Key Issues

In particular, compliance with the following JLDP Policies:

- Policy PCYFF 1 (Development Boundaries)
- Policy PS 17 (Settlement Strategy)

Regard is also made to Planning Policy for Wales (Feb 2021), and Technical Advice Note 6 (Planning for Sustainable Rural Communities) (TAN 6).

## 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  
Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 16: Housing Provision  
Strategic Policy PS 17: Settlement Strategy  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Policy TRA 2: Parking Standards

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

## Response to Consultation and Publicity

| Consultee   | Response             |
|---|----------------------|
| Cynghorydd John Griffith  | No comments received |
| Cynghorydd Kenneth P. Hughes  | No comments received |
| Cynghorydd Llinos Medi Huws   | No comments received |
| Cyngor Cymuned Tref Alaw Community Council                                  | No comments received |
| Priffyrdd a Trafnidiaeth / Highways and Transportation                      | No objection         |
| Gwasanaeth Cynllunio Archeolegol Gwynedd<br>Archaeological Planning Service | No comments          |
| Iechyd yr Amgylchedd / Environmental Health                                 | Comments             |

|  |                       |
|--|-----------------------|
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | No comments received  |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit                  | No comments received  |
| Ymgynghorydd Tirwedd / Landscape Advisor                                     | Condition recommended |
| Draenio Gwynedd / Gwynedd Drainage   | Standard comments     |
| Dwr Cymru Welsh Water  | Condition recommended |

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 18/05/2022. At the time of writing this report, no letter of representation had been received at the department.

### Relevant Planning History

FPL/2020/225 - Cais llawn ar gyfer codi annedd a modurdy ynghyd a creu mynedfa i gerbydau ar dir yn / Full application for the erection of a dwelling and garage together with the construction of a vehicular access on land at - Plot 1 - Cysgod Y Plas, Llanddeusant, Holyhead - - Dychwelwyd i'r Ymgeisydd / Returned to Applicant

MAO/2022/6 - Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatâd cynllunio 47C154 (Cais amlinellol ar gyfer codi annedd ac creu fynedfa i gerbydau) er mwyn diwygio amodau (05)(Manylion ffensio, waliau), (07)(Cynllun Draenio) ac (15)(Dim Dwr Wyneb) yn / Minor amendments to scheme previously approved under planning permission 47C154: (Outline application for the erection of a dwelling and the construction of a vehicular access) so as to amend conditions (05)(Fencing, Walling details), (07) (Drainage Scheme) and (15)(No Surface Water) at - Plot 2, Plas Newydd, Llanddeusant, Caergybi / Holyhead - - Dychwelwyd i'r Ymgeisydd / Returned to Applicant

MAO/2022/8 - Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatâd cynllunio 47C153: (Cais amlinellol ar gyfer codi annedd sydd yn cynnwys manylion llawn am yr fynedfa ynghyd a chreu estyniad i'r fynwent presennol) er mwyn diwygio amod (05)(manyion ffensio, waliau), (07)(Cynllun Draenio) ac (15)(Dim Dwr Arwyneb) yn / Minor amendments to scheme previously approved under planning permission 47C153: (Outline application for the erection of a dwelling with full details of the vehicular access together with the extension of the existing cemetery) so as to amend condition (05)(Fencing, walling details), (07) (Drainage Scheme) and (15)(No Surface Water) at - Plot 1 (Cysgod Y Plas), Llanddeusant, Caergybi/Holyhead - - Dychwelwyd i'r Ymgeisydd / Returned to Applicant

VAR/2020/48 - Cais o dan Adran 73 i ddiwygio amod (01) o caniatâd cynllunio rhif RM/2020/1 (Codi annedd) er mwyn newid lleoliad yr annedd yn / Application under Section 73 for the variation of condition (01) of planning permission reference RM/2020/1 (Erection of a dwelling) so as to allow amended siting of dwelling at - Cysgod y Plas, Llanddeusant - Caniatáu / Permit 28/10/2020

RM/2020/1 - Cais am faterion a gadwyd yn ôl ar gyfer codi annedd ac creu fynedfa i gerbydau yn / Application for reserved matters for the erection of a dwelling and construction of a vehicular access at - Cysgod y Plas, Llanddeusant - Caniatáu / Permit 05/03/2020

RM/2020/3 - Cais am faterion a gadwyd yn ôl ar gyfer codi annedd ac creu fynedfa i gerbydau yn / Application for reserved matters for the erection of a dwelling and the construction of a vehicular access at - Plas Newydd, Llanddeusant - Caniatáu / Permit 05/03/2020

47C154 - Cais amlinellol ar gyfer codi annedd sydd yn cynnwys manylion llawn am yr fynedfa newydd ar dir gyferbyn a / Outline application for the erection of a dwelling together with full details of the new vehicular access on land opposite - Plas Newydd, Llanddeusant - Caniatáu / Permit 28/04/2017

47C153 - Cais amlinellol ar gyfer codi annedd sydd yn cynnwys manylion llawn am yr fynedfa ynghyd a chreu estyniad i'r fynwent presennol ar dir gyferbyn a / Outline application for the erection of a dwelling with full details of the vehicular access together with - Plas Newydd, Llanddeusant - Caniatáu / Permit 28/04/2017

### **Main Planning Considerations**

The application is for the erection of a new residential property to the north-east of Llanddeusant. The development for which this application is made has commenced and is at an advanced stage of construction.

Previous permissions for the site are therefore of relevance and must be considered in the assessment of this application.

Outline Planning Permission (47C153) was originally granted for the erection of a dwelling with full details of the vehicular access together with the extension of the existing cemetery. Following this, an application for the remaining Reserved Matters (RM/2020/1) was submitted and approved.

Later in 2020, an application (VAR/2020/48) to vary Condition 1 of RM/2020/1 was submitted and approved. This amended the siting of the proposed development to the east of the previously approved location.

On 07/11/2020, a Planning Application (FPL/2020/225) was submitted for 'The erection of a dwelling and garage together with the construction of a vehicular access on land at Cysgod y Plas, Llanddeusant'. Following requests for clarification on certain matters relating to the application, no further information was submitted by the applicant to validate the application. An Enforcement Enquiry was opened during this time and upon investigation, it became clear to Council Officers that works had commenced on site.

Following an independent survey of the site, the development was confirmed to have been built within the application boundary of the extant permissions, and that the siting of the dwelling was, for all intent and purposes, in accordance with details approved under permission ref: VAR/2020/48. Therefore, notwithstanding that the development proposed and being constructed includes a side extension, front porch, garage and access it otherwise accords with the originally approved plans. Consequently, it is considered that the previous permissions have been implemented and constitute a valid fallback position.

In considering the proposals against the current Development Plan, there has however been a change in policy since the original approval following the adoption of the Joint Local Development Plan (JLDP) and the current application therefore falls to be considered against current policies, having regard to the valid fallback position.

The application site is located outside of the development boundary as identified within the JLDP.

Policy PCYFF 1 'Development Boundaries' states that outside the development boundary, development will be resisted unless it is in accordance with specific policies in the JLDP or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

With regard to Policy PS 17 (Settlement Strategy), housing development is to be distributed in accordance with the settlement strategy outlined in the Policy, based on a settlement's level of service provision, function and size (population) and subject to its environmental, social and infrastructure capacity to accommodate development. Llanddeusant is classed as 'Open Countryside' in this regard, and the Policy notes that only housing development that complies with Planning Policy Wales-February 2021 (PPW) and Technical Advice Note 6 (TAN 6) will be permitted in the Open Countryside.

PPW considers 'Development in the Countryside' at paragraph 3.60, and notes the following:

*“Development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where they meet a local need for affordable housing or it can be demonstrated that the proposal will increase local economic activity. However, new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area”.*

As noted above, Llanddeusant is not located within an identified settlement that has assessed by the Council to have the ability to accommodate new housing development in terms of infrastructure, access, habitat and landscape conservation.

The proposal is neither considered to be an affordable housing unit, nor is applied for through the submission. It is not considered that the proposal will increase economic activity, and nor is any assessment provided by the applicant to suggest that it would.

TAN 6 also notes (in paragraph 2.2.3) that:

*“where development proposals are intended to meet local needs, planning authorities should recognise that a site may be acceptable even though it may not be accessible other than by the private car. Development not intended to cater primarily for local needs should continue to be located in market towns, local service centres or clusters of smaller settlements where a sustainable functional linkage can be demonstrated and which are accessible by public transport”.*

As noted above, the proposal is not intended to meet local needs, and is not located in a market town, local service centre or a cluster of smaller settlements (as identified in JLDP Policy PS17).

It is not considered that the proposals comply with the provisions, and aspirations of PPW or TAN 6. The principle of development is not considered to be acceptable when considered against the current Development Plan.

However, and as noted above, as the development (currently under construction) has extant consent, the following must be considered:

- Is there a likelihood that the existing permission can be implemented; and
- Are the changes / additions to the permission an improvement to that previously approved.

The relevant permissions (47C153 / RM/2020/1 / VAR/2020/48) have been implemented with the dwelling at an advanced stage of construction. It is therefore a question of whether the proposed changes / additions represent an improvement to the scheme previously approved. The proposed changes / additions include:

- The addition of a porch to the front elevation, and extension to the west elevation, a detached garage and new access.

The proposed additions / changes are not considered to impact on neighbouring resident's amenity values and are considered to provide further architectural detail and interest to development. No concerns were raised by the Councils Highways department with regards to the new access. It is therefore considered to be an improvement to the previously approved scheme.

## **Conclusion**

The proposal is not located within an identified development boundary and is located within open countryside. The proposal is not considered to meet the criteria or aspirations set out by PPW, or TAN 6. The application is in conflict with the strategic aims and Policies of the JLDP. However, a fallback position

exists as the site benefits from an extant permission which has been implemented with the dwelling now being at an advanced stage of construction.

The proposed changes / additions to include a porch, side extension, detached garage and amended access are considered to be an acceptable improvement to the scheme previously approved and it is not considered that the development will have an unacceptable impact upon the character and appearance of the area or the amenities of neighbouring properties.

### **Recommendation**

That the application is permitted subject to the following conditions:

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

- **Location Plan Plot 1: PLOT1/LP/01 Rev. L**
- **Block Plan Plot 1: PLOT1/BP/03 Rev. O**
- **Elevations: PLOT1/ELEV/05 Rev. G**
- **Floor Plan: PLOT1/FP/06 Rev. D**
- **Proposed Detached Garage: PLOT1/FP/07**

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

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

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

**(03) The access shall be laid out and constructed strictly in accordance with the submitted plan Drawing Ref: PLOT1/BP/03 Rev. O before the dwelling is 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.

**(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) All planting in the approved details of landscaping (Plot 1 - Block Plan / Plot1/BP/03 O) shall be carried out in the first planting and seeding seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.**

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

**(06) No foul water, surface water and/or land drainage 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.

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

Reason: In the interests of residential and visual amenity.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS5, PS16, PS17, PS19, TRA2, PCYFF1, PCYFF2, PCYFF3, PCYFF4

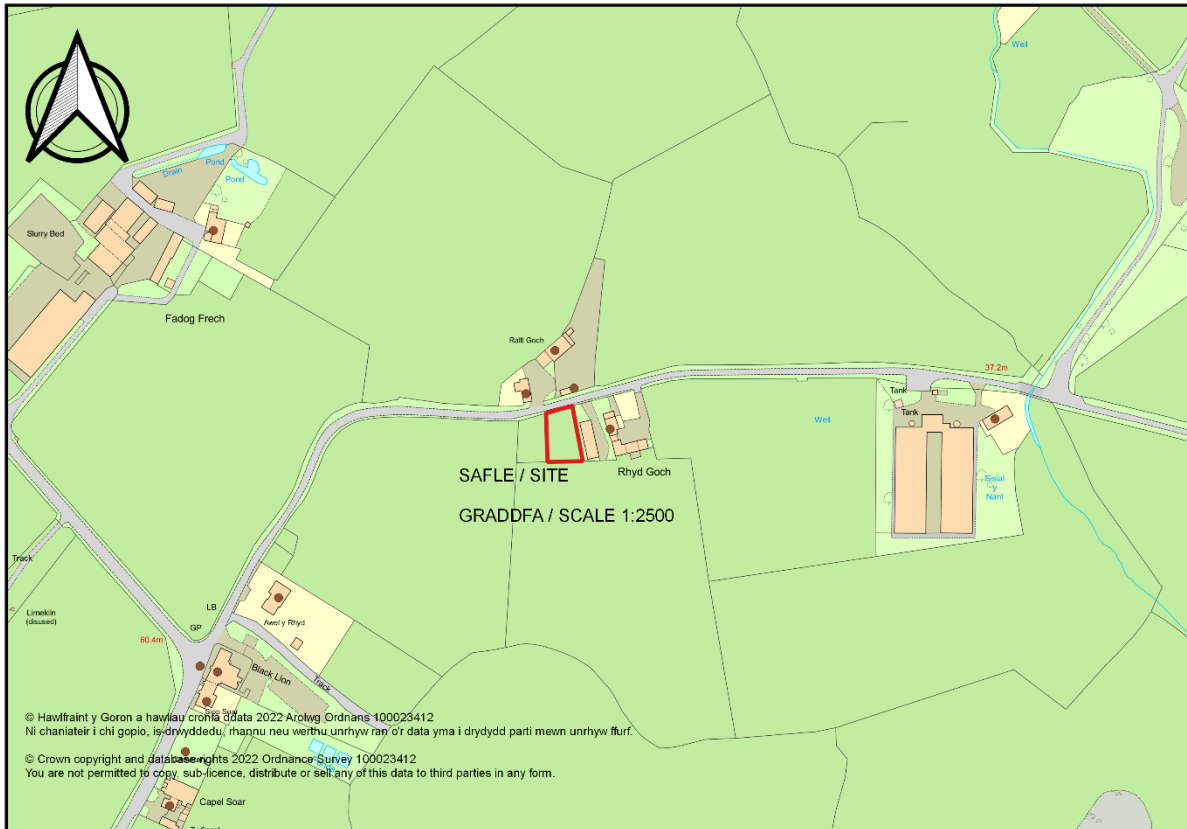
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/151

Applicant: Mr. Elfyn Hughes

Description: Full application for change of use of agricultural land to form part of the residential curtilage at

Site Address: Rhyd Goch, Llanfaethlu



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

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

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

**Proposal and Site**

The property is a detached two storey dwelling and is located outside the settlement boundary of Llanfaethlu.



The proposal involves the extension to the residential curtilage of the property at the rear of the dwelling.

### **Key Issues**

The applications main issues are whether the proposal will have a detrimental impact on the amenities of the adjoining properties or on the surrounding area.

### **Policies**

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

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

Technical Advice Note 12: Design (2016)

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

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

| <b>Consultee</b>                             | <b>Response</b>  |
|--|--|
| Cyngor Cymuned Llanfaethlu Community Council | Requested information in regards to the proposed long term use of the extended curtilage |
| Cynghorydd Jackie Lewis                      | No response to date  |
| Cynghorydd Llinos Medi Huws                  | No response to date  |
| Cynghorydd Llio Angharad Owen                | No response to date  |
| Ymgynghorydd Tirwedd / Landscape Advisor     | Recommended species of planting  |

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 12/07/2022. . No representations were received. However, following discussions with the applicant and the subsequent amendments to the proposed scheme, there is a duty to re-notify neighbours and the latest date for the receipt of any representation is 08/09/2022.

### **Relevant Planning History**

No previous site history

### **Main Planning Considerations**

The original scheme submitted as part of the current application was for the change of use of the whole field to form part of the extended residential curtilage of the property. However the scheme was considered unacceptable due to the scale of the extended curtilage. Following discussions with the applicant the scheme has been reduced by 50% and involves only half of the neighbouring field.

The applicant states that the application site has historically been used as part of the residential curtilage of the property and intended to submit an application for a Certificate of Lawfulness for the use of the land as a residential curtilage. However a recent agricultural use of the land prevented such an application being submitted.

The applicant has confirmed that his elderly mother currently resides at Rhyd Goch. The reason for extending the residential curtilage is so that a static caravan can be placed on the land. The static caravan will be used incidental to the dwelling and the applicants son will reside in the caravan in order to be on hand to assist with the care of his grandmother.

**Impact on surrounding properties and surrounding area** – Criteria 7 of Policy PCYFF 2 of the Anglesey and Gwynedd Joint Local Development Plan states that planning permission will be refused where the proposed development would have an unacceptable impact on the health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisance. The extension to the residential curtilage will not have a detrimental impact on the amenities currently enjoyed by the occupants of neighbouring properties.

Policy PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan states that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Landscaping is proposed as part of the development and the existing hedging located along the field boundary will be improved and a new fence will be erected and new planting along the new extended curtilage will ensure that the proposal respects the character of the locality.

Whilst the proposal does not include the siting of a static caravan the siting of a static caravan incidental to the use of the residential dwelling is permitted under the provision of Part 5 of the Town and Country Planning (General Permitted Development) Order 1995 and paragraph 1 of the First Schedule of the Caravan Sites and Control of Development Act 1960.

The nearest neighbouring property is located directly opposite the extended curtilage. However due to the existing screening and the fact that a road separates both properties it is not considered that allowing the extension to the residential curtilage will have a detrimental impact on the amenities currently enjoyed by the occupants of the dwelling.

However to ensure that no further developments are carried out on the site, without consideration of the impacts on the neighbouring property and surrounding area a condition will be imposed on the permission removing permitted development rights in regards to any building or enclosure (Class E of Part 1 of Schedule 2) of the Town and Country Planning (General Permitted Development) Order 2013.

## **Conclusion**

The proposal will not have a detrimental impact on the amenities of the adjoining property or on the surrounding locality.

## **Recommendation**

Permit subject to the following conditions and to delegate authority to Officers to issue the decision following the completion of the consultation period ending 08/09/2022.

**(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  
Proposed site plan and planting scheme**

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) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Class E of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interests of residential and visual amenity.

**(04) The site shall be landscaped strictly in accordance with the proposed site plan received 15/08/2022 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.

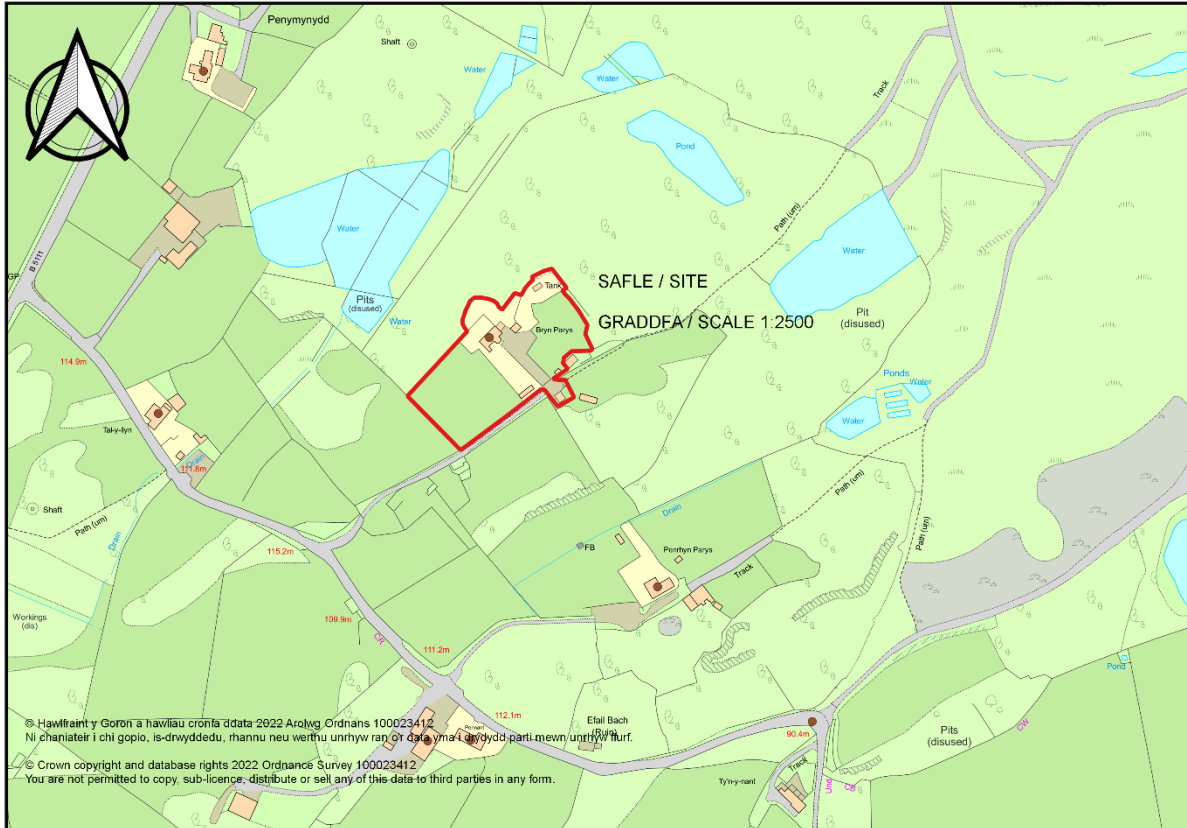
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: HHP/2022/172

Applicant: Mr. Derek Owen

Description: Full application for demolishing a garage to erect a new garage in its place at

Site Address: Bryn Parys, Amlwch.



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

Local Member Application

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

**Proposal and Site**

The application is made for the demolition of existing detached single garage and erection of a new larger double garage in its place.

## Key Issues

The key issues are if the proposal complies with current policies, and whether the proposal would have a negative impact on the existing building, the surrounding area or neighbouring residential properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy TRA 2: Parking Standards

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

Technical Advice Note 12: Design (2016)

Planning Policy Wales (11th edition)

### Response to Consultation and Publicity

| Consultee  | Response   |
|--|--|
| Ymgynghorydd Tirwedd / Landscape Advisor                                     | The proposal is located in the Special Landscape Area (SLA) Parys Mountain and Surrounds and adjacent to a PRow. The application is not of a nature or scale where qualities and characteristics of the SLA (AMG 2) would be affected by the proposal, or more than localised visual effects result from the proposal. |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Informatives for the applicant.  |
| Cynghorydd Aled Morris Jones   | No response at the time of writing the report.   |
| Cynghorydd Liz Wood  | No response at the time of writing the report.   |
| Cyngor Tref Amlwch Town Council  | No response at the time of writing the report.   |
| Iechyd yr Amgylchedd / Environmental Health                                  | Informatives for the applicant.  |
| Swyddog Llwybrau Troed / Footpaths Officer                                   | No Comments to make  |

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 24/08/2022. No letters of objection were received during this consultation period.

### Relevant Planning History

None

### Main Planning Considerations

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties. The nearest neighbouring property (Penrhys Parys) to the proposed new garage is approx. 120.26m which is

a greater amount than the indicative minimum distances measured in SPG Guidance Note 8: Proximity of Development. It is considered the proximity of the development is considered acceptable.

Policy PCYFF 2 ensures the development is acceptable if the proposed development would not have an unacceptable adverse impact on:

The health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisance.

Bryn Parys is a rural property located at an elevated sloping position near Mona Mine Yard, and Parys Mountain. A public footpath crosses the curtilage of the property, it is considered this erection of a new garage will not have a detrimental impact on this public footpath. The proposed double garage is to be erected at the site of existing single garage and the proposal is not considered an overdevelopment of the site as it is slight increase in footprint of existing footprint of garage.

The proposal is considered an improvement on the existing garden garage which is in a current state of disrepair with high quality durable materials chosen for the new garage. The modern design and material choices of the proposal are considered acceptable as is in keeping with the character of other new modern high quality developments within the locality and on Anglesey as a whole.

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

1) 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.

Given the context of other buildings and existing uses, it is not considered that the proposal would give rise to an unacceptable visual effect in the local landscape as to have a similar footprint to existing structure at the site.

The form and proportion of the development also respect the character of the surrounding built environment and landscape in accordance with the guidance provided in the following Supplementary Planning Guidance Notes:

- Design Guide for the Urban and Rural Environment (2008).

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

## **Conclusion**

It is considered that the proposal is acceptable in land use planning terms. 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.

## **Recommendation**

That the application is permitted 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) 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.**

- **2236-A3-02 – Location & Block Plan Proposed**
- **2236-A3-05 – Proposed Floor Plan & Elevations**
- **2236-A3-06 – Proposed Flat Roof Plan and Section**
- **2236-A3-07 – Proposed 3d View / Specification**

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.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 2, PCYFF 3, TRA 2

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Planning Committee: 07/09/2022

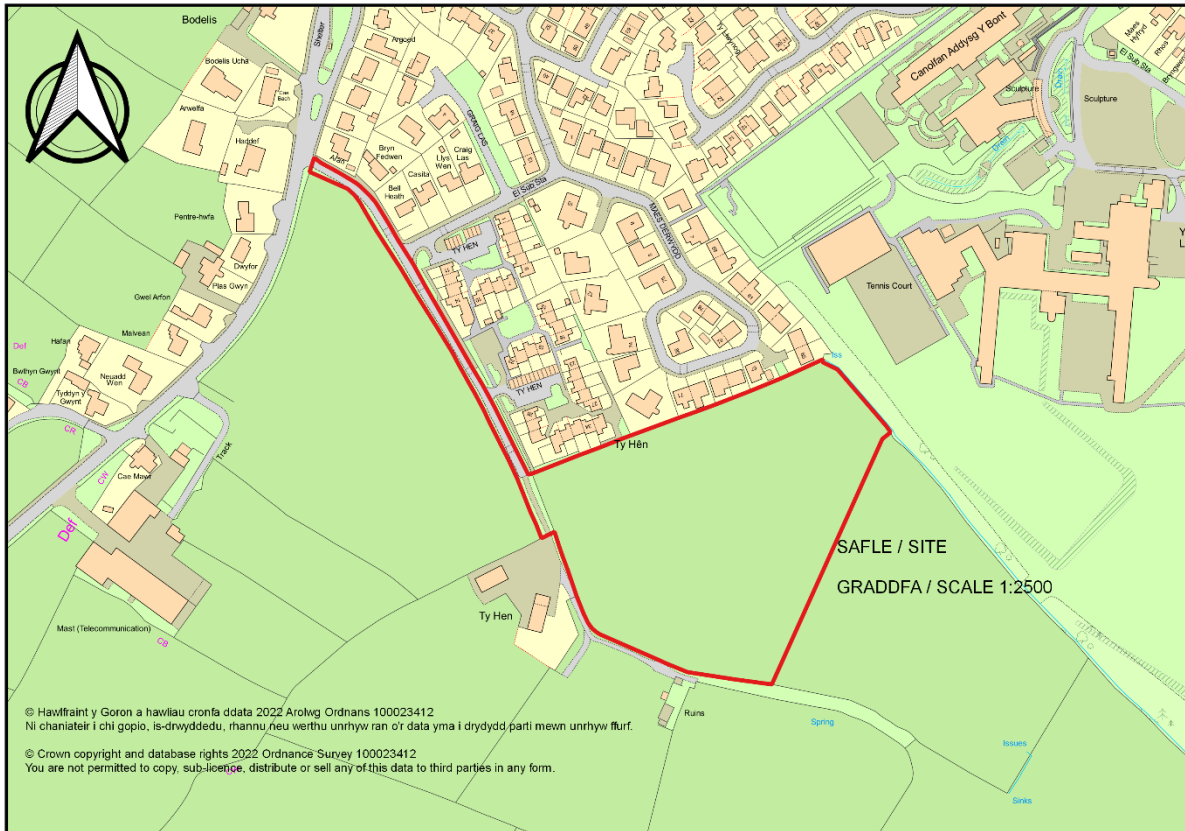
12.1

Application Reference: FPL/2021/159

Applicant: Quatrefoil Homes/Mr & Mrs Roberts

**Description:** Full application for the erection of 50 residential dwellings, 12 residential apartments, construction of a new vehicular access and road, construction of a foul water pumping station together with soft and hard landscaping on land adjacent to

**Site Address:** Maes Derwydd Estate, Llangefni



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application has been called into the Planning and Orders Committee at the request of both Local Members due to local concern

**Proposal and Site**

The application site comprises approximately 2.4 hectares of agricultural land situated on land adjacent Maes Derwydd, Llangefni and to the rear of Ysgol Gyfn Llangefni.

This is a full application for the erection of 50 residential dwellings, 12 residential apartments, construction of a new vehicular access and road, construction of a foul water pumping station together with soft and hard landscaping. There will be a total of 6 affordable dwellings. The layout plan illustrates a new access from the site to join the existing highway and a pavement will be provided from within the application side which will lead to the existing pavement in front of Tai Hen.

This is a major planning application which has been subject to statutory pre-application consultation process. The requirement to carry out a pre-application consultation is set out in Section 17 of the Act and the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended by the 2016 Order

### **Key Issues**

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

### **Policies**

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

PS 1: Welsh Language and Culture

ISA 1: Infrastructure Provision

ISA 5: Provision of Open Space in New Housing Developments

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable Development

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

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PCYFF 6: Water Conservation

PCYFF 5: Carbon Management

PS16: Housing Provision

PS17: Settlement Strategy

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

TAI 8: Appropriate Housing Mix

PS18: Affordable Housing

TAI 15: Affordable Housing Threshold & Distribution

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

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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) 18: Transport (2007)

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

Supplementary Planning Guidance Affordable Housing (2004)  
 Supplementary Planning Guidance IOCC Deign Guide for the Urban and Rural Environment (2008) “SPG Design Guide”  
 Supplementary Planning Guidance Parking Standards (2008)  
 Supplementary Planning Guidance Planning Obligations (Section 106 Agreements) (2008)  
 Supplementary Planning Guidance Housing Mix (October 2018)  
 Supplementary Planning Guidance Maintaining and Creating Distinctive and Sustainable Communities.  
 Supplementary Planning Guidance Open Space in New Residential Development (2019)

### Response to Consultation and Publicity

| Consultee  | Response   |
|--|--|
| Rheolwr Polisi a Strategaeth / Policy & Strategy Manager                     | No comments due to no requirement to provide Welsh Language Statement.   |
| Cynghorydd Nicola Roberts  | Call in requested due to local concern.  |
| Bwrdd Iechyd Betsi Cadwaladr Health Board                                    | No response  |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit                  | Standard policy comments.  |
| Gwasanaeth Tân Gogledd Cymru /North Wales Fire Service                       | Comments received in relation to road width, surface of road and water supply.   |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Conditional Approval.  |
| Ymgynghorydd Tirwedd / Landscape Advisor                                     | Conditional Approval.  |
| Iechyd yr Amgylchedd / Environmental Health                                  | Conditional Approval.  |
| Gwasanaeth Addysg / Education Service  | No requirement for financial contribution.   |
| Ymgynghoriadau Cynllunio YGC   | No comments.   |
| Dwr Cymru Welsh Water  | Conditional Approval.  |
| Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service     | Conditional Approval.  |
| Strategol Tai / Housing Strategy   | Comments received in relation to the Housing Need in the area.   |
| Cyfoeth Naturiol Cymru / Natural Resources Wales                             | Conditional Approval in relation to the need for a Biosecurity Assessment and works to proceed in accordance with the Ecological Assessment.           |
| Cyngor Tref Llangefni Town Council   | Comments in relation to the access from the main road, no provision of playing area for children and no community benefit towards childrens education. |
| Priffyrdd a Trafnidiaeth / Highways and Transportation                       | The Highways Section is satisfied with the proposal with suitably worded conditions.   |
| Cynhorydd Geraint Ap Ifan Bebb   | Call in requested due to local concern.  |

The planning application was advertised by way of placing a site notice near the site and neighbouring properties notified in writing. A notice was also placed in the local newspaper. The publicity period for the latest amended plans and additional information expired on the 17th August, 2022.

3 letters of support was received, the main comments as follows:-

- Welcome development; however concerned that the houses are too expensive for local people and first time buyers

47 objection letters were received and 11 web comments were received, the main comments as follows:-

- Increase in traffic at the junction of the Ty Hen Road and B4422 which is already dangerous and a blind bend in the road.
- The development should include road humps
- Not enough parking at Ty Hen at present and people parking on the road.
- Infrastructure not capable of coping with the development
- Is there a need for this amount of housing in Llangefni baring in mind other housing developments in Llangefni.
- Impact on local community, peace and tranquillity
- Affordable homes not at an affordable price
- Social Housing is required in Llangefni
- Impact on Ecological wildlife
- Pressure on Schools, dentists, doctors and NHS
- Impact on overlooking/loss of amenity
- Stream will be affected
- No decent size gardens and no communal play area
- No primary school places available
- Impact on Conservation Area
- Visual impact of height of dwellings, overbearing and out of place with nearby residential properties.
- Creating a precedent
- Impact on Welsh Language
- Concerns of short cut taken through Maes Derwydd
- Cycle way should have been part of the application

In response to the reasons for objection:-

- The Highways Department has confirmed that they are satisfied with the proposal that has been submitted and sufficient visibility is available from the Ty Hen Road junction.
- The Highways Authority has not requested that the applicant provide speed humps with this planning application.
- It is not possible to consider lack of parking outside of the application site. The proposal meets the parking requirements and has sufficient parking to cater for the development. This will ensure no further parking problems outside of the site.
- The highways authority is satisfied that the infrastructure is capable of coping with the increase of traffic.
- The site is an allocated housing site (T17) in the Joint Local Development Plan. The information submitted with the planning application states that there is a need for housing in Llangefni.
- There will inevitably be some disruption during construction works, however a condition will be imposed requesting further information on lighting, working hours, dust and control measures etc to ensure that the development does not have an unacceptable impact on nearby residential properties.
- The affordable homes have been shown on the proposed site plan, these will be subject to a Section 106 agreement to ensure they are kept as affordable dwellings for the lifetime of the permission.
- An ecological report has been submitted with the planning application and the proposal takes into account ecological mitigation. Further landscaping work will be required in order that the development complies with PCYFF4 of the JLDP. This will be conditioned to ensure further details is received prior to the commencement of work on site.

- The Education Department has confirmed that no education contribution is required as the new Corn Hir School took into account numbers from allocated housing sites when designing the new school. Betsi Cadwaladr has been consulted numerous times but have not responded on whether there is a need to contribute towards local facilities in the area.
- The proposal has been amended and dwellings have been moved back in order to ensure that the properties comply with the SPG on Urban and Rural Environment (Proximity).
- The apartments are kept away from the existing stream on site.
- There is sufficient garden space for each property and the proposal does include an open space area of over 1000 square metres.
- The application site is not within the Llangefni Conservation Area. It is not considered that the proposal would have a negative impact upon the setting of Llangefni Conservation Area.
- The proposal entails a mixture of different types of dwelling houses from 2 – 5 bedroomed dwellings. There is a mixture of different types and scale of houses in the immediate area and it is not considered that the design, scale or height will look out of place in the area.
- The parcel of land forms part of the T17 housing allocation under the JLDP, and it is not considered that this sets a precedent for other developments in the area.
- As the proposal meets the housing needs in the locality, there was no need to provide a Welsh Language Statement as part of Policy PS1. It is not considered that the proposal would have a negative impact on the Welsh Language.
- There is no formal short cut proposed through Maes Derwydd. People wanting to use the PROW on Maes Derwydd will need to walk around Ty Hen to reach the PROW.
- The proposal does include a public footpath which links to the footpath in front of Ty Hen estate.

### **Relevant Planning History**

None

### **Main Planning Considerations**

#### **Principle of Residential Development**

In the JLDP Llangefni is identified as an Urban Service Centre under Policy TAI 1 (Housing in Local Service Centres). This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based upon the indicative provision shown within the Policy. The application site is within the development boundary and forms part of the T17 housing allocation which is land allocated as a housing site in the plan. The proposal is therefore considered against Policy TAI 1.

The application site is located on an allocated site (T17) within the development boundary of Llangefni under the provisions of PCYFF 1 and the principle of residential development is therefore acceptable and aligns with policy TAI 1, further the JPPU have confirmed that at present capacity exists in the settlement and that no Welsh Language Statement is required with the planning application. A satisfactory record of how the Welsh language was considered has been provided with the planning application and has been assessed by the Welsh Language Officer.

Criterion (3) within Policy PCYFF 2 seeks 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 (unless there are local circumstances or site constraints that dictate a lower density). The size of the proposed development site is approximately 2.38 hectares. The density of this proposal (62 units) on part of the allocation (2.38 hectares) totals 71.4 units per hectare fails to comply with Policy PCYFF 2; however, it is necessary to consider the proposed development includes open space provision, SUDS requirements and to ensure that the proposed dwellings are located at an acceptable distance away from existing residential properties.

Policy TAI 8 of the JLDP requires that the mix of housing in a development are appropriate and align with the need of the area. The mix of dwellings comprises detached and semi-detached houses and two

blocks of Apartments. There will be 6 number 1 bedroom, 12 number 2 bedrooms, 23 number 3 bedrooms, 15 number 4 bedroom, and 6 number 5 bedroom. The proposal would increase the provision of detached, semi-detached, terraced houses and flats in Llangefni. The proposed housing mix would complement the housing mix provided within the area and in light of the above, the Local Planning Authority are of the opinion that the proposal can be supported on the grounds of need in the locality.

Policy TAI 15 requires that part of the proposed development is provided for affordable housing purposes and in Llangefni this equates to 10% of the overall number of units which equates to 6.2 units. The council's Housing Service has confirmed that there is a need for affordable housing based on the council housing waiting list and the Tai Teg register and they have confirmed that they are satisfied with 6 affordable units. A total of 6 no affordable units will be provided and a financial contribution of £16,666 will be required towards affordable housing in the vicinity.

### **Highway Considerations and Sustainability:**

It is material that the application site is allocated for residential purposes in the JLDP and that at part of this process the adequacy of the highway network serving the development would have been assessed in preparing the plan.

An Access Feasibility Study has been provided with the planning application, within the study the TRICS database has been interrogated for surveys of developments similar to that proposed to determine the trip generation for the development. The Highway Authority has confirmed that they are satisfied with the proposal with appropriately worded conditions.

The Highways Authority has confirmed that the site layout is satisfactory and each dwelling complies with car parking standards. There is a good estate road and a footway is proposed from the development site which links to the existing footway in front of Ty Hen estate. The application site is also within walking distance of the public right of way at Maes Derwydd which runs parallel with Ysgol Gyfun Llangefni and Ysgol y Bont.

Access to the site is via the B4422 and a 70m x 2.4m visibility splay provided in each direction and sufficient parking spaces has been provided for each of the dwelling.

### **Drainage**

Drainage plans have been submitted with the planning application and confirmation has been received that foul drainage from the development would be discharged into the public sewer at manhole chamber reference SH44759751 located on the main road near the Ty Hen estate. A pumping station will be provided and will be adopted by Welsh Water. Welsh Water has confirmed that this is acceptable with an appropriate worded condition.

Surface water run-off will be stored in new in-site ditch and discharged into a stream which will be controlled by a weir. Surface water from the development will need to be disposed of via a SuDS system and approval will be required from the Suds Approving Body which is an arm of the council.

### **Ecology and Biodiversity:**

In line with Strategic Policy PS19 and AMG5 of the Joint Local Development Plan and the requirements of the Environment (Wales) Act 2016 to seek to maintain and enhance biodiversity a Preliminary Ecological Appraisal was submitted with the planning application.

The Ecological Appraisal states that Mitigation Measures outlined in the ecological report will need to be adhered to.

Natural Resources Wales has confirmed that they are satisfied with the ecological assessment and confirm that the proposal is not likely to harm or disturb bats and/or Great Crested Newts (GCN). NRW

states that there is potential for GCN to use/access the site in their terrestrial phase and an adequate buffer zone should be achieved from the ditch. This buffer zone is shown on the proposed site plan.

The ecological assessment has picked up Himalayan balsam and three-cornered garlic which are considered non-native species (INNS) on the land, the applicant will be required to provide a Biosecurity Risk Assessment prior to any commencement of work on site.

### **Landscaping**

The proposal includes further landscaping as shown on the proposed site plan. However, the proposal will need to incorporate biodiversity enhancement as recommended by the ecological survey to ensure that the proposal complies with the requirements of Policy PCYFF4 and AMG5 of the JLDP. It is considered necessary to place conditions on the permission to ensure that no development takes place until details of hard and soft landscaping have been submitted and a landscape management plan is submitted to the LPA for approval.

### **Relationship with Adjacent Properties**

The council's SPG Design Guide provides guidance on the proximity of development to other properties and boundaries to prevent overlooking and other unacceptable impacts. Amended plans were received in the course of determining the planning application which increased the distances from the rear elevations of the dwellings to the boundaries. The distances are now acceptable such that there will not be any unacceptable impacts on the residential amenities of the existing residential properties.

Consideration has been given to the distance of the proposed new dwellings to existing residential properties at Ty Hen and Maes Derwydd Estate. Initially the position of the proposed dwellings failed to comply with the Supplementary Planning Guidance on Proximity of development. The plans were amended to move the dwellings away from the North boundary. It is also considered necessary to ensure that a Construction Environmental Management Plan is submitted prior to the commencement of work on the site to ensure an agreement is reached on working times and other construction activities.

It is considered that the amendments made to the proposal complies with the requirements of PCYFF2 of the JLDP.

### **Other Matters:**

Policy ISA 5: of the JLDP requires that new housing proposals for 10 or more dwellings in areas where existing open space cannot meet the needs of the proposed development, will be expected to provide suitable open space provision in accord with the policy. There is a deficiency in provision of children's playing space in Llangefni. The recreational need in the informal play space category is 622.56 square metres and the proposal provides 1010 square metres of informal public open space as part of the proposed development which covers the shortfall.

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

The council's Education Section have confirmed that no financial contribution is required in this instance due to sufficient capacity being available at the new Ysgol Corn Hir school.

## Conclusion

In summary the proposal for 62 residential units on this allocated housing site aligns with material policies and is acceptable having weighted the material considerations described in the report.

## Recommendation

That the application is permitted 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) The approved means of enclosure shall be completed prior to the use of the dwelling houses hereby approved. The means of enclosure should be constructed or erected in accordance with drawing number jig/1650/20 Rev A and shall thereafter be retained for the lifetime of the development hereby approved and any replacement shall be to an equivalent specification.**

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

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

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Local Planning Policy.

**(04) The provisions of Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded on the affordable units as shown on drawing number jig/1650/20 Rev A.**

Reason: To ensure the dwellinghouses are retained as affordable units.

**(05) The application site shall be developed strictly and entirely in accordance with the Preliminary Ecological Assessment by Enfys Ecology dated 16<sup>th</sup> April, 2021 V1.**

Reason: In the interests of ecology.

**(06) No tree or vegetation removal or intrusive works near existing trees and hedges shall take place between 1<sup>st</sup> March and 31<sup>st</sup> August in any year unless the trees and vegetation has been examined by a suitably qualified ecologist to confirm the absence of nesting birds. The results of this survey shall be submitted to and approved in writing by the Local Planning Authority prior to any vegetation removal between 1<sup>st</sup> March and 31<sup>st</sup> August.**

Reason: To safeguard any nesting birds which may be present on the site.

**(07) Full details of a lighting scheme which shall include full specifications of all external lights, a plan showing any light spillage on the application site and surrounding land; specifications and heights of any columns, bollards or other such fixtures for the development must be submitted to and approved in writing by the Local Planning Authority before the use hereby approved commences. The development shall thereafter be carried out in accordance with the Lighting**



**Scheme approved under the provisions of this condition and then operated and maintained in accordance with the approved scheme for the lifetime of the development.**

Reason: To safeguard the amenities of occupants of the surrounding properties and in the interest of ecology

**(08) No development with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.**

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.

**(09) Any construction works should be carried out between the following times – 0800 – 1800hrs – Monday to Friday; 0800 – 1300hrs on Saturday's and no working on Sunday's or Bank Holidays.)**

Reason: In the interest of residential amenity

**(10) 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.

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

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

**The sustainability of the construction methods to be employed;**

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

**Working hours during the construction**

**Dirt and dust control measures and mitigation**

**Noise, vibration and pollution control impacts and mitigation;**

**Existing hedge and tree protection measures.**

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

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

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

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

**(12) Notwithstanding the drawing submitted with the planning application, natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.**

Reason: In the interests of amenity.

**(13) No development shall take place until details of a scheme to either protect the structural condition or divert the public water main crossing the site has been submitted to and approved in writing by the local planning authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the public water main. No other development pursuant to this permission shall be carried out until the approved protection measures or diversion scheme have been implemented and completed. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.**

Reason: To protect the integrity of the public watermain(s) and avoid damage thereto.

**(14) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference number SH44759751 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.**

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.

**(15) Works shall not commence on the site until the access has been completed in accordance with the details shown in drawing no. SCP/190889/F01 and it shall thereafter be retained for as long as the development remains in existence.**

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

**(16) The access shall be constructed with 25 metre by 25 metre splays on either side.**

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.

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

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

**(18) The estate road 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.

**(19) The dwellings shall not be occupied until the access road shown on drawing no. SCP/190889/F01 has been constructed to the base course level.**

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

**(20) The car parking accommodation shall be completed in full accordance with the details as shown on drawing reference A900 (Job No. jig/1650/20) 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.

**(21) The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on the estate is occupied.**

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

**(22) 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.

**(23) 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.

**(24) 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.

**(25) 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.

**(26) Prior to the commencement of work on site, the following details should be submitted for approval in writing by the Local Planning Authority:**

**- the proposed road layout and typical construction details based on ground investigation information to verify its adequacy.**

**- the location and the type of street lighting furniture.**

**The development shall be constructed with in accord with the details that have been approved in writing by the Local Planning Authority under the provisions of this planning condition.**

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

**(27) 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 “ Management and Maintenance Plan”. 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. The access and estate roads shall thereafter be maintained in accord with the Management and Maintenance Plan approved under the provisions of this condition for the lifetime of the development hereby approved.**

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

**(28) No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:**

**i) hard surfacing materials;**

**ii) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, etc.) and**

**iii) ecological enhancements**

**Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant). Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.**

Reason: In order that the proposal integrates into the area and achieves appropriate ecological enhancements in accordance with Policies PCYFF 3 and 4 and AMG 5 of the JLDP.

**(29) The landscaping works shall be carried out in accordance with the approved details during the first planting season immediately following completion / occupation of the development/ the agreed implementation program. The completed scheme shall be managed in accordance with an approved scheme of landscape management.**

Reason: In order that the proposal integrates into the area and achieves appropriate ecological enhancements in accordance with Policies PCYFF 3 and 4 and AMG 5 of the JLDP.

**(30) A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings on the site. The landscape management plan shall be carried out as approved.**

Reason: In order that the proposal integrates into the area and achieves appropriate ecological enhancements in accordance with Policies PCYFF 3 and 4 and AMG 5 of the JLDP.

**(31) All arboricultural works and tree protection measures identified in Arboricultural Impact Assessment (AIA) and Tree Protection Fencing shall be implemented as detailed in Appendix 5 (Schedule of Operations) of the Tree Solutions Arboricultural Report, Jan 2022.**

Reason: In order that the proposal integrates into the area in accordance with Policies PCYFF 3 and 4 of the JLDP.

**(32) 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.**

- Elevations and Floor Plans Teryn Four Bed Premier – A111
- Elevations and Floor Plans Teryn Four Bed – A110
- Elevations and Floor Plans Teryn Three Bed – A109
- Elevations and Floor Plans Hafren – A107
- Elevations and Floor Plans Alwyn and Dinas – A113 Rev A
- Preliminary Drainage Layout Planning – 1491/102 Rev A
- Visibility Block Plan – jig/1650/22
- Preliminary Drainage Layout Planning: Rising Main – 1491/103
- Site Masterplan – jig/1650/20 Rev I
- Elevations and Floor Plans Celyn – Five Bed – A112 Rev B
- Elevations and Floor Plans Brianne Four Bed – A104 Rev B
- Elevations and Floor Plans Claerwen – A103 Rev A
- Elevations and Floor Plans Apartment – A102 Rev C
- Elevations and Floor Plans Glaslyn – A108 Rev A
- Elevations and Floor Plans Vyrnwy – A106 Rev A
- Landscape Plan – A901 Rev A
- Location Plan – AL 0 001
- Preliminary Ecological Appraisal V1– Enfys Ecology – dated 16/04/2021
- Access Feasibility Study – MC/190889/TN01 – 10 January 2020
- Arboricultural Impact Assessment + Method Statement – Tree Solutions January 2022
- Water Conservation Statement
- Welsh Language Statement, Richards Moorehead + Laing Ltd – June 2022

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1, ISA1, ISA5, PS4, TRA2, TRA4, PS5, PS6, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF5, PCYFF6, PS16, PS17, TAI1, TAI8, PS18, TAI15, AMG3, AMG5, PS19

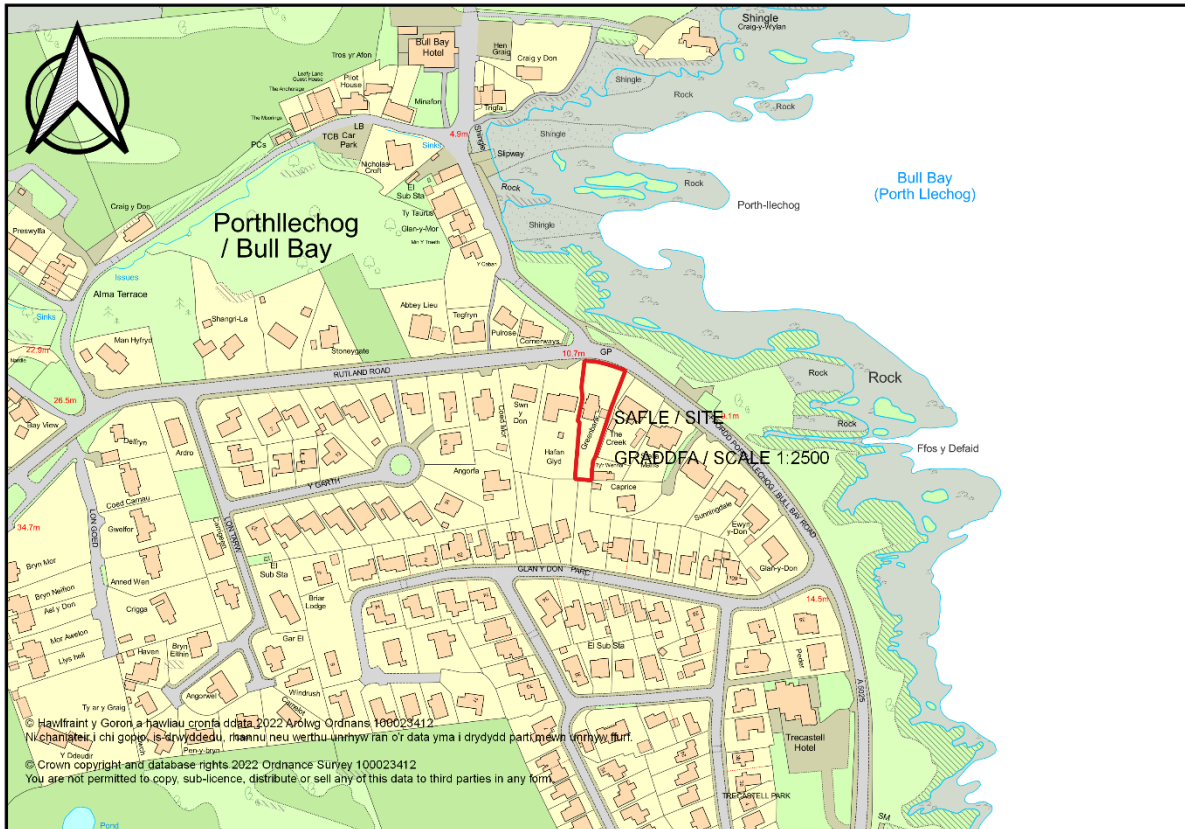
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/14

Applicant: Gladstone Investments LP

Description: Full application for the demolition of the existing dwelling and garage together and erection of new dwelling together with alterations to the vehicular access at

Site Address: Green Bank, Bull Bay Road, Bull Bay, Amlwch



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application has been called into the planning committee by Cllr Aled Morris due concerns relating to design and over-development of the site.

**Proposal and Site**

This is a full planning application for the demolition of the existing single storey dwelling and garage together with the erection of a two storey dwelling and alterations to the vehicular access at Green Bank, Bull Bay.

The application site fronts the A5025 Bull Bay Road and overlooks the Sea.

## Key Issues

The key issue is whether the proposal complies with policy, the amenity of adjacent residential properties and highway considerations.

## Policies

### Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 4: Design and Landscaping  
Policy TAI 13: Replacement Dwellings  
Policy TAI 8: Appropriate Housing Mix  
Policy AMG 5: Local Biodiversity Conservation  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)  
Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

## Response to Consultation and Publicity

| Consultee  | Response   |
|--|--|
| Cynghorydd Derek Owen  | No response at the time of writing the report.   |
| Cynghorydd Liz Wood  | No response at the time of writing the report.   |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Satisfied with the ecological information submitted with the planning application.   |
| Cynghorydd Aled Morris Jones   | Request that the planning application be presented to the planning committee for consideration due to design and over-development. |
| Cyngor Tref Amlwch Town Council  | No objection.  |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit                  | Standard policy comments.  |
| Priffyrdd a Trafnidiaeth / Highways and Transportation                       | Satisfied with the proposal with a condition requiring a Construction Traffic Management Plan.                                     |
| Dwr Cymru Welsh Water  | Conditional Approval.  |
| Cyfoeth Naturiol Cymru / Natural Resources Wales                             | Conditional Approval in relation to the ecological assessment and protected sites.   |
| Iechyd yr Amgylchedd / Environmental Health                                  | Standard comments in relation to working hours.  |



6 web comments and 4 formal letters of objection have been received from neighbouring properties, the comments as follows:-

- Scale of development
- Not in keeping with the area
- Impact on tranquillity
- Need for further parking
- Traffic and dangerous corner of the road
- Loss of Light
- Impact on Holiday let next door
- It may be used for holiday letting business which will increase noise
- Block View
- De-valuation of property

In response to the comments made:

- It is not considered that the scale of the replacement dwelling over-dominates the site, there is sufficient room within the plot to accommodate the proposal. The height of the replacement dwelling is no higher than the neighbouring property 'The Creek'.
- There is no particular style of dwellings in the area, it is not considered that the proposal will look out of place on the site.
- There will be some noise during construction; however this will be for a limited time. It is expected that some noise will be generated during construction works.
- There is sufficient space for parking within the site.
- The Highways Department are satisfied with the improvements to the existing access and have recommended that a construction traffic management plan is submitted to the Authority prior to the commencement of work on site.
- It is not considered that the proposal will have an impact on loss of light to neighbouring properties.
- It is not considered that the replacement dwelling will impact on the holiday home next door.
- The planning application submitted is for a residential dwelling and not a holiday home.
- Right to a view is not a planning consideration
- It is not considered that the proposal will de-value neighbouring properties. This is also not a material planning consideration.

### **Relevant Planning History**

11C/91 – Demolition of existing timber frame building and construction of a new dwelling at Greenbank, Bull Bay – Approved 12/12/86

11C/91/A – Erection of a garage at Greenbank, Bull Bay – Permission required 18/4/89

11C/91/B – Demolition of existing bungalow together with the erection of a new bungalow at Greenbank, Bull Bay – Approved 5/11/97

### **Main Planning Considerations**

#### **Policy Consideration**

The most relevant development plan policy against which to assess the application is policy TAI 13: Replacement Dwellings, together with other more general policies relating to design and place shaping etc.

Policy TAI 13 states that proposals for the replacement of a dwelling that meet the following criteria, where appropriate, will be granted.

1. Outside development boundaries or identified clusters, the present dwelling has a lawful residential use;
  2. The building is not listed
  3. The existing dwelling is of no particular architectural and/or historic and/or visual merit, for which it should be conserved;
  4. Outside development boundaries the existing dwelling is not capable of retention through renovation and extension and/or it is demonstrated that the repair of the existing building is not economically feasible;
  5. Outside development boundaries, the proposed dwelling is not a replacement for a caravan or holiday chalet that has legal residential status;
- Outside a Coastal Change Management Area, the siting of a replacement dwelling should be within the same footprint as the existing building unless it can
6. be demonstrated that relocation within the curtilage lessen its visual and amenity impact in the locality;
  7. Outside development boundaries, the siting and design of the total new development should be of a similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling that does not lead to significant greater visual impact could be supported;
  8. In area at risk from flooding and outside a Coastal Change Management Area;
    - i. A flood consequence assessment has been undertaken for the development and satisfactory risk mitigation has been identified.
    - ii. The dwelling will incorporate flood mitigation and resiliency measures in accordance with Community and Local Government (CLG) publication 'Improving the flood performance of new buildings; flood resilient construction';
    - iii. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overlapping of the tidal defences;
    - iv. A flood warning and evacuation plan has been prepared for the property and is to be displayed on site.
  9. Exceptionally, when a recently or inhabited or habitable dwelling is destroyed by accident, planning permission may be granted for a new dwelling, in situ. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

Planning permission for a replacement dwelling may be subject to a condition to ensure:

1. The demolition of the original dwelling and where appropriate the demolition of outbuildings on the completion of the new dwelling and/or
2. That permitted development rights are removed.

The above policy is supported by Supplementary Planning Guidance (SPG): Replacement Dwellings and Conversions in the Countryside which was adopted on the 6th September 2019 and which provides further guidance and advice in relation to applications for replacement dwellings in the countryside.

Criteria 1, 4, 5 and 7 are not relevant as the application site is within the cluster of Bull Bay as identified in Policy TAI 6 of the Joint Local Development Plan.

The proposal relates the replacement of an existing unlisted dwelling. It is not considered that the existing dwelling has any particular architectural, historic or visual merit such that it should be conserved, the proposal therefore meets criteria 2 and 3 of the policy.

Criteria 6 – The dwelling will be on the same footprint as the original dwelling.

Criterion 8 of the policy relates to flood risk. The application site is not within a C2 Flood area.

## **Coastal Change Management Area**

This site lies in close proximity to PU18.13 'Trwyn y Parc i Trwyn Cwmryd' as identified within the Shoreline Management Plan, the position in relation to this policy unit is No Active Intervention for both the policy epochs to 2025 and 2055. A review of the SMP 2 reveals that this site is not subject to erosion in the near future. In light of this the site lies outside of the Coastal Change Management area. It is noted that a Flood Consequence Assessment has been submitted with the application which concludes that overall, the proposed development is deemed acceptable in terms of flood risk.

## **Special Protection Area (SPA) and Special Area of Conservation (SAC)**

The application site is located within 25 metres of the SPA and 59m of the SAC. The ecologist has confirmed that the proposed development is unlikely to have an impact on the features of these two designations.

## **Design**

The existing dwelling is a single storey cottage with a pitched roof, a conservatory is located on the front elevation and a small pitched roof garage is located to the East of the existing dwelling.

The proposal is to replace the existing dwelling and garage with a larger and modern two storey dwelling. The existing dwelling has a floor area of approximately 105.18 square metres. There are no particular style of dwellings in the immediate area, the properties in the immediate area range from single storey and dormer dwellings. The floor area of the replacement dwelling will be a total of 308 metre square and no higher than the neighbouring property 'The Creek' to the East and approximately 1m higher than 'Hafan Glyd' to the West.

Amendments have been received to the proposal to ensure that the proposal complies with the Supplementary Planning Guidance on Urban and Rural Environment. The dwelling has been moved back within the plot to ensure no impact upon the neighbours.

The existing dwelling is smaller than the majority of properties in the area and the replacement dwelling will fit comfortably within the site without harming existing residential properties. It is considered that the proposal will complement and enhance the character and appearance of the site in terms of appearance and the use of high quality materials meets the policy requirements PCYFF3. It is accepted that this is a modern design, but the scale, massing and elevational treatment will integrate into the surroundings and improve the appearance of the site.

## **Ecology**

The planning application includes a total of 3 bird boxes on the side elevations and 2 bat boxes on the rear elevation together with the planting of native vegetated areas to the front of the site and additional native vegetated areas to the East boundary. An ecological report has been received with the planning application and a condition will be placed on the permission to ensure that works proceed in accordance with the Preliminary Roost and Ecological Assessment and Emergence.

## **Highways**

The Highways Authority has confirmed that they have no objection to the proposal. A construction traffic management plan will be required prior to the work commencing on site. The current vehicular access is being improved and widened as part of the planning application.

## **Impact on Adjacent Residential Properties**

The planning application has been amended to ensure that the amenities of adjacent residential properties will not be affected. The dwelling has been moved back within the plot, and the side screens of the balcony will be 1.8m high and obscurely glazed.

It is not considered that the proposal will have a negative impact upon the residential amenity of adjacent residential properties. The existing dwelling currently overlooks neighbouring properties and it is not considered that the replacement dwelling will increase the amount of overlooking to neighbouring residential properties.

### **Conclusion**

It is considered that the proposal complies with the JLDP policies. The amendments made to the planning application ensures that the amenity of adjacent residential properties are maintained. It is considered that the proposal will complement and enhance the character and appearance of the site in terms of appearance and the use of high quality materials.

### **Recommendation**

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

Reason: In the interests of visual amenity.

**(03) No surface water and/or land drainage 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.

**(04) The development shall take place in accordance with the Section 6.0 Biodiversity Enhancements and Section 7.0 Reasonable Avoidance Measures contained within the Preliminary Roost and Ecological Assessment and Emergence – 31<sup>st</sup> August 2021 by Enfys Ecology submitted under application reference FPL/2022/14.**

Reason: To safeguard any protected species or nesting birds which may be present on the site.

**(05) 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.

**(06) Any construction works should be carried out between the following times – 0800 – 1800hrs – Monday to Friday; 0800 – 1300hrs on Saturday's and no working on Sunday's or Bank Holidays.)**

Reason: In the interest of residential amenity

**(07) Prior to the use of the balcony hereby approved, both 1.8 side screens of balcony at first floor level on the proposed east and west elevations as labelled on the drawing BR:PETERS:PL03A shall be fitted with obscure glazing (level 5 obscurity level) and thereafter shall be retained as such for the lifetime of the development hereby approved.**

Reason To safeguard the residential amenities of occupants of the adjacent residential property

**(08) The development permitted by this consent shall be carried out strictly in accordance with the plans submitted under planning application reference FPL/2022/14.**

- **Location Plan**
- **Proposed Site Plan – BR:PETERS:PL01C**
- **Proposed Floor Plans - BR:PETERS:PL02A**
- **Proposed Elevations and Section - BR:PETERS:PL03A**
- **Proposed Elevations and Section - BR:PETERS:PL04A**
- **Preliminary Roost and Ecological Assessment and Emergence – Enfys Ecology dated 31/08/2021 V1**

Reason: For the avoidance of doubt.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS5, PCYFF1, PCYFF2, PCYFF3, PCYFF4, TAI13, TAI8, AMG5, TRA2, TRA4

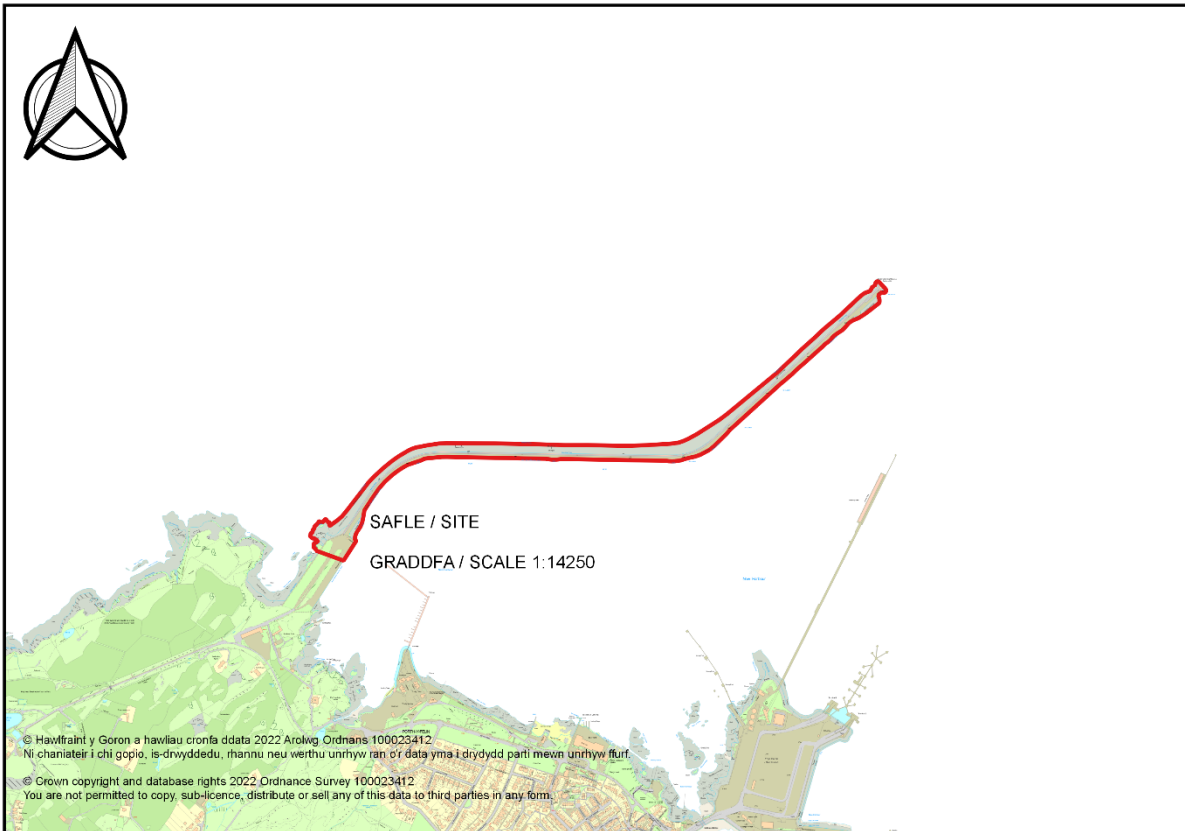
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference: FPL/2021/201/EIA**

**Applicant:** Mr. Steven Edwards

**Description:** Full application for the refurbishment / repair of the breakwater structure together with formation of a temporary concrete batching plant for the fabrication, curing and storage of concrete armour units at

**Site Address:** Breakwater / Salt Island, Holyhead



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The proposal constitutes EIA development.

**Proposal and Site**

The Holyhead Breakwater was constructed between 1848 and 1873 with the intention of providing sheltered water for the Port of Holyhead and to protect the surrounding coastline from erosion and flooding. The structure is designated a Grade II\* listed building and the lighthouse at its end is listed as Grade II. The Breakwater is formed of a wide rubble mound upon which a vertical blockwork superstructure is constructed.

Due to considerable wave action over time, there has been a displacement and erosion of the rock that constitutes the rubble mound with the resultant need to repair damage to the mound (by replacing lost material) and, indeed, to the stone blockwork superstructure. The blockwork is currently repaired on an ongoing basis. Due to the cost implications of the current, reactionary maintenance regime, the proposed development is seen to represent a more long-term and sustainable solution to stabilise the rubble mound which, in turn, will provide a sound foundation for the superstructure.

The application encompasses two individual components at two locations. In terms of work to the breakwater structure, the works include:

- the placement of concrete tetrapods to the full length of the Breakwater's seaward side and reinforcing Z-shaped concrete units to prevent displacement;
- rock replacement to widen the existing rubble mound to the Breakwater roundhead together with the installation of tetrapod and Z-shaped blocks; and
- restoration of the rubble mound by the attachment of an articulated concrete mattress (ACBM) to sections of the leeward side together with installing a rock revetment where conditions prohibit the placing of the ACBM.

The secondary component of the application concerns the establishment of a temporary concrete batching plant where the concrete components will be manufactured and cured prior to their transit, by barge, to the Breakwater site either for direct placement or storage at Soldier's Point. The batching plant is proposed to be located within the Port area on Salt Island and includes:

- installation of a temporary plant, conveyors and cement silos;
- concrete hoppers;
- siting of shipping containers to accommodate office, welfare and storage facilities in addition to a testing laboratory; and
- bays to enable aggregate stockpile storage.

The whole of the site would be located adjacent to the Grade II listed Admiralty Pier and Customs House and would be enclosed by hoarding to separate it from the demarcated lanes for port/ferry traffic.

The proposal represents a major infrastructure operation with two options being considered in relation to the duration of operations. The first option envisages a single-phase operation undertaken over a period of around two years, whereas the second option outlines a three-phased approach carried out in six-month increments with two year intervals between increments. A decision on the timescale is dependent upon the appointment of the successful contractors who will undertake the work.

## **Key Issues**

The key issue to consider in relation to the application is the essential work required to be undertaken to the Grade II\* listed building in order to preserve the structure's integrity and avoid its further deterioration that, in turn, may adversely affect the continued viability of the Port. Given the scale of the development, consideration has to be afforded to impacts of varying degrees, both long- and short-term, that will affect several aspects of the locality and these include:

- impacts on the historical asset;
- impacts on the historical environment in general;
- marine and terrestrial ecology;
- water quality;
- flood risk;
- significant visual impacts (both short- and long-term);
- noise, vibration and dust, from the batching plant in particular;
- potential economic impacts;
- traffic impacts; and
- potential impacts to users of the Coastal Path.

## Policies

### Joint Local Development Plan

#### *National planning policy*

Planning Policy Wales (Edition 11, December 2021)

#### *Wales National Marine Plan 2019*

GEN\_01: Planning policy

GEN\_02: Planning policy

P&S\_01: Ports and Shipping

P&S\_02: Ports and Shipping

#### *Technical Advice Notes*

TAN 5: Nature Conservation and Planning

TAN 11: Noise

TAN 12: Design

TAN 14: Coastal Planning

TAN 15: Development and Flood Risk

TAN 20: Planning and the Welsh Language

TAN 23: Economic Development

TAN 24: The Historic Environment

#### *Relevant Local Development Plan Policies*

Strategic Policy PS 1: Welsh Language and Culture

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 3: Design and Place Shaping

Policy PCYFF 4: Design and landscaping

Strategic Policy PS 19: Conserving and where appropriate enhancing the natural environment

PS 20: Preserving and where appropriate enhancing heritage assets

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

AMG 6: Protecting sites of regional or local significance

#### *Supplementary Planning Guidance*

Supplementary Planning Guidance: Maintaining and creating distinctive and sustainable communities (July 2019)

Supplementary Planning Guidance: Design guide for the urban and rural environment.

### Response to Consultation and Publicity

| Consultee                                   | Response   |
|---|--|
| Cynghorydd Jeff M. Evans                    | No Response  |
| Ymgynghorydd Treftadaeth / Heritage Advisor | The refurbishment proposals would initially generate visual impacts to the setting of nearby listed buildings and views into and out of conservation areas but these would decrease over time due to the effects of weathering, algal growth and general patination. The regimented pattern of the Tetrapods would initially emphasise their |



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|  | <p>prominence but their predicted displacement would eventually somewhat mitigate their visual prominence.</p> <p>However, these impacts should be considered against the potential loss of the heritage asset were the refurbishment/repair work not undertaken. The placement of the Articulated Concrete Block Mattress (ACBM) on the leeward side of the breakwater was granted listed building consent on 8 August 2022.</p> <p>The proposed batching plant will not be sited on any part of the listed Admiralty Pier and, given its temporary nature, will not have any long-term impacts on listed buildings within close proximity or either the Holyhead Town or Holyhead Beach Conservation Areas.</p>  |
| Cynghorydd Glyn Haynes                           | No Objection   |
| Cynghorydd Robert Llewelyn Jones                 | Requests adequate consultation on the application given the status of buildings on Salt Island and ensure they are not adversely impacted by the proposals.  |
| Cyngor Tref Caergybi / Holyhead Town Council     | No Objection   |
| Cyfoeth Naturiol Cymru / Natural Resources Wales | <p>NRW agree that the impact in relation to the loss of habitats on both the leeward and seaward sides is minor adverse and agree with the 'negligible' impact assessment in relation to coastal processes made for both construction and operation activities. However, in relation to the spread of invasive non-native species (INNS), they do not agree with the predicted impact of minor adverse hence the need for the imposition of an appropriate condition to agree biosecurity measures to minimise the risk. A further condition is suggested in relation to developing a long-term monitoring plan for INNS.</p> <p>NRW agree with the conclusions of the EIA report, and the Shadow HRA within it, that there will be no likely significant effect on North Anglesey Marine SAC, or on any protected marine mammal species, nor do they consider that the predicted impacts from the proposed scheme will have any significant effect on marine mammal species. Furthermore, there will not be any significant increase in the risk to marine mammals of collision with the additional construction vessels given the existing high levels of boat traffic using the marina and Holyhead Port. They are also satisfied that there will be no significant effect on the features of any SPAs.</p> <p>The proposed development represents a lower risk for bats, as defined in the guidance document</p> |

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|   | <p>'Natural Resources Wales Approach to Bats and Planning (2015)'. As such, NRW advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site. We also consider that the proposed development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. They do however recommend that any additional lighting proposed as part of the scheme is in accordance with provisions of the Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK.</p> <p>From a flood risk perspective, NRW recognises that any repairs or upgrading to the breakwater will in general have a beneficial impact on flood risk to the marina during the most prevalent weather conditions at this location and, as such, welcome these measures. They do, however, recommend that an Emergency Flood Plan is undertaken which should form part of any management procedures for the site.</p> <p>NRW have no objection regarding the landscape and visual issues arising from the proposed development and do not expect the batching plant to have a discernible effect upon views from the AONB at this distance.</p> |
| Stenaline   | No response  |
| The Royal Commission on the Ancient and Historical Monuments of Wales | No response  |
| Draenio Gwynedd / Gwynedd Drainage                                    | No observations to offer in terms of land drainage or local flood risk   |
| Swyddog Llwybrau Troed / Footpaths Officer                            | No response  |
| RSPB Lake Vyrnwy  | No response  |
| GCAG / GAPS   | The visibility of the ACBM at spring tides would constitute a temporary adverse impact upon the the appearance of the Breakwater but can be regarded as a minor impact that would not materially undermine the significance or appreciation of the structure. As with the remainder of the refurbishment and repair proposals, it is considered that this is outweighed by the benefits of securing the long-term preservation of the heritage asset.  |
| Cadw Listed Building Consent Notificatio CADW                         | No response  |

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| Mwynau a Gwastraff / Minerals & Waste       | Suggested conditions in relation to the batching plant.  |
| Iechyd yr Amgylchedd / Environmental Health | <p>redicted impacts from construction-stage activities and construction-stage road traffic are of negligible significance at all receptor locations, therefore negating the need for mitigation.</p> <p>Given the unique nature of this proposal, its location in the marine environment and the tidal nature of such works, it would be envisaged that some works shall occur outside of 'normal' working hours.</p> <p>The findings and summary of the assessment of air quality impacts correctly state that if best practice dust minimisation and suppression techniques are utilised the residual impacts can be classified as not significant from the perspective of:</p> <ul style="list-style-type: none"> <li>• Construction phase dust and particulate matter;</li> <li>• Construction phase road traffic emissions; and</li> <li>• Construction phase vessel emissions.</li> </ul> <p>As lighting required for such a project may be exempt from Statutory Nuisance action, the department has no further comment to make in this regard.</p> <p>No contaminated land issues requiring remediation are envisaged. However, if during development, material is found or suspected of being contaminated, then the developer should undertake soil testing and analysis and prepare a suitable remediation strategy if the land is found to be contaminated.</p> <p>In general terms, the Public Protection department would recommend and support the adoption of all proposed mitigation measures and the implementation of a 'Construction Environmental Management Plan' (CEMP) as part of the construction works for the duration of this development.</p> |
| Ymgynghorydd Tirwedd / Landscape Advisor    | <p>The visual assessment follows the guidance provided in the Council's scoping opinion in relation to the assessment of visual effects. It covers an area of natural and built designations, landscape and seascape character and visual effects related to important and representative views.</p> <p>The visual appraisal considers works to the Breakwater (operational effects) and construction</p>  |

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|   | <p>effects. As described in the submission, the tetrapod units would be 1.1m above spring mean high water mark, meaning a proportion of the new structures would be visible at all times. At lowest tide, all of the new structures would be visible.</p> <p>The magnitude of effects on visual receptors will depend on factors related to sea state. When new it will be most visually prominent.</p> <p>Construction effects related to the transport and storage of materials, the batching plant and transportation would not be significant given the proposed location away from sensitive designations and receptors, duration and reversibility.</p> <p>In terms of impacts following completion of the works, significant adverse effects are identified from the upper landing of the Breakwater and Wales Coast Path related to proximity and where views of the seaward side are available. However, no significant effects are identified for views from the AONB and Newry Beach Conservation Area due to distance and viewpoint location.</p> <p>Mitigation of visual impacts would be through weathering effects. Some displacement of units is predicted and this would break up the highly regimented pattern shown in the images. Significant adverse visual effects are identified from a number of viewpoints where views of the seaward side are greatest. Mitigation through time will occur but residual significant effects are predicted. The effects relate to public views of the Breakwater and changes to the character and appearance of the area.</p> |
| Rheolwr Polisi a Strategaeth / Policy & Strategy Manager    | Dim ymateb   |
| Crown Marine Estate   | No response  |
| Priffyrdd a Trafnidiaeth / Highways and Transportation      | Given that road access to the application site (batching plant) will be via the A55 and Black Bridge and that armour units will be transported from the port to the Breakwater site by barge, it is not considered that the highway network will be detrimentally impacted. As a result, there is no objection to the proposed development.  |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit | Advise of the numerous designations applicable to the application site and adjacent/surrounding area in addition to the local plan policies that should be considered in the proposal's assessment.  |

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|  | <p>Also advise of considerations that should be applied to specific matters in relation to the proposals, namely, the impacts on heritage assets, visual amenity and marine conservation.</p> <p>Specific reference in terms of the principle and acceptability of the proposal should be made to Policy AMG 4: Coastal Protection.</p> <p>The advice also highlights the importance of obtaining NRW's opinion in relation to the impact upon the SAC/SPA and the Flood Consequence Assessment.</p> |
| Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer | No response  |
| Dwr Cymru Welsh Water                                    | <p>As the proposed development does not propose to connect to the public sewerage or water supply systems, no comment is provided in these respects.</p> <p>However, in respect of surface water drainage, advise that approval of Sustainable Drainage Systems (SuDS) features may be required. The developer is advised to engage in consultation with the County Council should this requirement apply.</p>   |
| Llywodraeth Cymru (Priffyrdd/Highways)                   | No immediate concerns with the proposal, however advise the imposition of a condition requiring the submission and agreement with the LPA of a Construction Traffic Management Plan prior to construction activities beginning on site to be applied if permission is granted.   |

The application was publicised by means of a press advert, the display of site notices and the distribution of neighbour notification letters.

The latest date for the receipt of observations was 27 June 2022. At the time of writing this report, one letter of representation had been received in relation to the application. It objected to the proposal on the basis of the proximity of the batching plant to local homes, stating that the plant would generate noise, dust and odours.

### Relevant Planning History

SCR/2019/50 - Barn sgrinio ar gyfer atgyweirio yn / Screening opinion for the refurbishment at Morglawdd Caergybi/Holyhead Breakwater – EIA is required 01/10/2019

SCO/2020/1 - Barn sgopio ar gyfer atgyweirio yn / Scoping opinion for refurbishment at Morglawdd Caergybi/Holyhead Breakwater – 20/08/2020

LBC/2021/26 - Caniatâd Adeilad Rhestredig ar gyfer ailwampio / trwsio strwythur y morglawdd ynghyd â ffurfio man gwaith creu concriid dros dro ar gyfer adeiladu, creu a storio unedau concriid durol yn / Listed Building Consent for the refurbishment / repair of the breakwater structure together with formation of a temporary concrete batching plant for the fabrication, curing and storage of concrete armour units at Morglawdd Caergybi/Holyhead Breakwater – Withdrawn 12/11/2021

LBC/2022/19 - Caniatâd Adeilad Rhestredig ar gyfer ailwampio / trwsio strwythur y morglawdd/ Listed Building Consent for the refurbishment / repair of the breakwater structure Morglawdd Caergybi/Holyhead Breakwater – Granted 08/08/2022

## **Main Planning Considerations**

### ***Impacts on the historic asset and historical environment in general***

The consultation response of the Council's Heritage Advisor confirms that the proposals would initially generate visual impacts not only to views of the Grade II\* listed Breakwater and Grade II listed lighthouse but to the setting of nearby listed buildings in addition to views into and out of conservation areas. In respect of visual impacts relating to the Breakwater, these would diminish over time due to weathering and the predicted displacement of the tetrapods. In relation to the batching plant, again, there would be impacts from the perspective of views into and out of conservation areas and the siting of the plant in close proximity to several listed buildings would impact upon the setting of those buildings. However, as the plant's installation is to be for a temporary period, those impacts would be short-lived and would have no lasting adverse effects on setting.

Similarly, GAPS advises that although the visibility of the ACBM at certain tide levels would constitute a temporary adverse impact upon the appearance of the Breakwater, such impact can be categorised as minor given that it would not materially undermine the significance or appreciation of the structure.

In both responses, whether it be in respect of the refurbishment proposals themselves or the installation of the batching plant, the consensus is that, although adverse impacts are predicted, these are outweighed by the benefits of securing the long-term preservation of the heritage asset in respect of the former element and the temporary nature of the installation in respect of the latter.

In policy terms, the proposals comply with relevant policies relating to ports and shipping as set out in the National Marine Plan. The guidance provided in TAN24 acknowledges that changes in the historic environment are inevitable with such change effected by natural processes and wear and tear amongst other reasons. The threat posed to the Breakwater by wave action necessitates the work encapsulated in the proposals which represents a sustainable, long-term solution to an ongoing problem and seeks to avoid the piecemeal and costly approach of previous maintenance solutions.

Policy PS20, which refers to the preservation of historic assets, advocates the preservation and enhancement of historic assets, their setting and significant views. Whilst it is acknowledged that there would initially be adverse visual impacts, some of which will remain following completion of the works, the overall benefit gained in terms of preserving the historic asset outweighs the adverse impacts identified. The proposal is therefore seen to comply with the requirements of PS20.

### ***Marine and terrestrial ecology***

In local plan terms policy PS19 is concerned with the conservation and, where possible, enhancement of the natural environment. The policy states that proposals that have significant adverse effects on the area's distinctive natural environment, countryside and coastline will be refused unless the need for such development clearly outweighs the value of that natural asset.

JLDP policy AMG5 advocates the protection and enhancement of biodiversity through avoiding significant harmful impacts of development and considering opportunities to enhance wildlife habitats whereas policy AMG6 refers to the protection of sites of regional or local significance. The application site lies adjacent to a Marine SAC and SPA and, in such areas of local biodiversity importance, development proposals will be refused unless they can demonstrate that there is no other alternative site, the need for development outweighs the importance of the site for local nature conservation and that appropriate mitigation/compensation proposals are contained within the proposal.

The proposed development will impact upon local ecology and, with the majority of the impacts applicable to the marine environment, this is an important consideration in relation to the determination of this application given the designation afforded to the area immediately adjacent to the application site. The environmental statement (ES) which supports the planning application concludes that although loss of habitat is predicted, this will be temporary in nature and is considered to be of minor adverse significance. This conclusion is supported by NRW in its consultation response. The applicant also advised that the tetrapod and other concrete units would quickly become colonised by species once they had been laid.

Similarly, NRW agreed that the conclusions of the ES and the Shadow Habitat Regulations Assessment within it that there will be no likely significant effect on the North Anglesey Marine Special Area of Conservation (SCA), or on any protected marine mammal species. NRW also advised that the predicted impacts from the proposed scheme would not have any significant effect on marine mammal species. It added that there would not be any significant increase in the risk to marine mammals of collision with the additional construction vessels given the existing high levels of boat traffic using the marina and Holyhead Port. They are also satisfied that there will be no significant effect on the features of any Special Protection Areas (SPAs).

NRW also agree that the proposed development will not affect bats and will not be detrimental to the maintenance of a local population at a favourable conservation status.

However, concern was raised by NRW in relation to the potential spread of invasive non-native species (INNS). They do not agree with the predicted impact contained in the ES of minor adverse as a result of the proposed development and, as such, advise the need for the imposition of an appropriate condition to agree biosecurity measures to minimise the risk of such spread. A further condition is suggested in relation to developing a long-term monitoring plan for INNS.

Overall, the risk to local ecology and of significant effects to designated areas of wildlife importance are considered to be insignificant whereas minor adverse impacts to habitat can be overcome relatively quickly through re-colonisation on completion of works. In terms of addressing development policy criteria, the proposals are considered to comply with the requirements of policies PS19 and AMG5. Similarly, no detrimental impacts are predicted in relation to local biodiversity sites meaning that the proposal complies with policy AMG6.

In terms of terrestrial ecology, the south-western part of the application site adjoins the Chwarel Morglawdd local wildlife site (LWS). The applicant states that a 20m fenced buffer zone will be created to prevent any wildlife ingress into the application site. The residual impact to the LWS is considered to be negligible with such mitigation in place.

### **Water quality**

Development criteria is set out in Policy PCYFF2 of the JLDP. The policy advises that planning permission will be refused where development proposals would have unacceptable adverse impacts on localities by virtue of pollution or nuisance. The proposal has the potential to cause amenity impacts as a result of surface water run-off and dust generation, with these issues being magnified in relation to the operation of the concrete batching plant.

The ES advises that a Water Framework Directive (WFD) compliance assessment was undertaken for assessing activities and projects for compliance with the Directive. It was concluded that the proposed development would not cause a deterioration within Holyhead or Caernarfon Bays and was therefore considered to comply with WFD requirements. However, NRW advised that the risk of working in an area where *Didemnum vexillum* is present could increase the risk of the spread this invasive species. As such, the conditions suggested by NRW to be imposed on any consent would require the undertaking of a detailed and robust Biosecurity Risk Assessment which would aid in identifying whether any of the activities could pose a risk in terms of spread of this invasive species and whether these potential impacts could be mitigated. A condition requesting the preparation and agreement of a Construction Environment

Management Plan (CEMP) will also be attached to any permission granted and will list water quality as an issue to be addressed.

### ***Flood risk***

Strategic Policy PS6 states that, in order to adapt to the effects of climate change, proposals will only be permitted where it is demonstrated they have taken account of certain issues, one of which is locating development away from flood risk areas unless it can be clearly demonstrated that there is no risk or that risk can be adequately managed. The policy also requires development to reduce the risk of flooding within the plan area and be able to withstand the effects of climate change. The proposed development will fulfil both of these requirements in respect of its beneficial contribution to flood reduction in relation to its surrounding area.

TAN15 provides advice in relation to development and flooding and states that new development should be directed away from Zone C towards suitable land in Zone A. NRW confirms that the Breakwater is contained in Flood Zone C whereas the site of the batching plant is contained in Zone A. The nature of the development required in respect of the Breakwater is to shore up an existing structure which provides benefits in relation to flood management. Indeed, NRW recognise that any repairs or upgrade to the Breakwater will represent a beneficial impact on flood risk and as such, welcome the measures proposed, although recommend that an Emergency Flood Plan is undertaken and that this be subsequently be incorporated into any management procedures for the site.

### ***Coastal processes***

Policy AMG4 of the JLDP lists the criteria that must be met when considering development proposals from the perspective of coastal protection. In particular it requires that the development does not cause unacceptable harm to the following:

- Water quality;
- Public access considerations;
- The built environment, or the landscape, or seascape character;
- The area's biodiversity interests due to their location, scale, form, appearance, materials, noise, or emissions or due to an unacceptable increase in traffic.

The ES supporting the application concludes that, in relation to coastal processes, both the construction and operational phases of the proposal will have negligible impacts. This conclusion is supported by NRW in its consultation response.

It is clear from the consultation responses received that the proposed development meets the criteria contained in, and therefore complies with, policy AMG4.

### ***Landscape/visual impacts (both short- and long-term)***

Policies PCYFF 3 and 4 of the JLDP refer to design and place shaping/landscaping issues. The former requires development to demonstrate high quality design which considers the natural, historic and built context whereas the latter requires all development to integrate into their surroundings.

Earlier sections of this report have considered the visual impacts on the setting of historical assets and the historical environment in general, it is also necessary to consider the visual impacts that arise in relation to the wider amenity. A visual assessment was undertaken to assess the visual impact of the proposed development. This concluded that the proposed development would generate:

- Potential for significant visual effects from the south and west of the Breakwater structure, predominantly affecting recreational users of the Coastal Path, Breakwater and Mynydd Twr;
- Moderate adverse effects for users of the Coastal Path in proximity to the proposed storage area at Soldier's Point but that these would recede to minor adverse/negligible in relation to more distant work on the Breakwater;



- Moderate adverse effects would arise during the operational phase but these would be permanent; and
- Negligible effects to views from within the AONB.

Although moderate adverse effects are recognised in the operational phase, these have to be balanced against the damage and potential demise of the Breakwater structure if no remedial work is undertaken. Given that weathering and displacement will occur to the armour units, it is considered that this will marginally reduce visual effects over time.

In relation to the batching plant, although its tallest component will be 15m in height, its location is heavily influenced by port infrastructure. As such, it is not expected that this will impact adversely upon visual amenity and, given the temporary nature of its siting, any impacts that do arise will be relatively short-term. In terms of views from the AONB, NRW's consultation response does not expect the batching plant to have a discernible effect from such a distance.

In terms of the design of the solution to preserve the historic structure, this has been approached from a practical perspective and, although there will be initial adverse impacts, albeit minor in nature, the practical approach to the design is considered acceptable. The use of natural rock to serve the same purpose in earlier efforts to reinforce the rubble mound has been demonstrated to be ineffective in that rock armour has been too easily displaced. The design of the tetrapod units reduces the risk of displacement to the point where it is considered to be a more practical, long-term and sustainable solution to the preservation of the structure.

### ***Noise and vibration***

The ES states that a noise and vibration assessment considered impacts during the construction stage and that this included work at both locations within the application site. This found that noise levels were more than 5dB below the respective thresholds set in national guidance and, from this, it was concluded that a negligible impact would arise requiring no mitigation. Similarly, the change in noise level in relation to construction road traffic was considered to generate a negligible impact.

The Council's Public Protection Service agreed with these findings and that due to the negligible significance at all receptor locations, mitigation measures would be unnecessary. As such, the proposal is considered to comply with the requirements of Policy PCYFF2.

### ***Air quality***

The air quality assessment undertaken by the applicant took into account impacts likely to arise during the construction phase of the scheme and considered impacts related to dust, road vehicle and vessel exhaust emissions. Through adopting best practice mitigation measures and their incorporation into a CEMP. The adoption of such best practice means that off-suite effects are considered to be not significant. The Council's Public Protection Service concurred with these findings, adding that if best practice dust minimisation and suppression techniques are utilised the residual impacts can be classified as not significant from the perspective of:

- Construction phase dust and particulate matter;
- Construction phase road traffic emissions; and
- Construction phase vessel emissions.

The Service also recommended the adoption of all proposed mitigation measures as part of a CEMP that would be implemented during the construction phase of the proposed scheme. This requirement will be imposed as a condition of any permission granted for the proposal. The use of best practice methods in terms of dust minimisation will ensure that the proposed development complies with the relevant criterion contained in policy PCYFF2.

### ***Traffic impacts***

Two options for the delivery of materials are under consideration. In relation to the location at Salt Island, delivery of materials can be by sea or road, whereas delivery of materials to Soldier's Point will be by sea. Where the transfer of material to Soldier's Point is concerned, transport to the Breakwater would be by barge with up to three barges being operational. Manufactured armour units would be stored at Soldier's Point during the construction phase.

Although the applicant advises that the preferred option for delivery of materials would be by sea, assessment of a worst-case scenario in relation to traffic movements was also undertaken and this focused on the delivery of concrete from an existing batching plant (Cae'r Glaw Quarry, Gwalchmai) to a designated area within the Port. The residual impact for all highway links assessed traffic impacts to be not significant. The Council's Highways Service was consulted on the application and noted that the proposals appeared not to have a detrimental impact on the highway network given that road access to the Port site was to be via the A55 and Black Bridge and that the transportation of fabricated armour units will be by sea. As such, there was no objection to the application.

Welsh Government's Highway Department were also consulted and although not expressing any immediate concerns with the proposal, advised the imposition of a condition requiring the submission and agreement with the LPA of a Construction Traffic Management Plan prior to construction activities beginning on site to be applied if permission were granted.

### ***Potential impacts to users of the Coastal Path***

At the time of writing the report, no response had been received from the appropriate officer in relation to being consulted on this application.

The Coastal Path passes within 100m of the southern extent of the application site, however, it is not anticipated that the activities proposed as part of this application, outside of the visual effects referred to in other parts of this report, will impede upon continued and uninterrupted use of the path.

### ***Economic impacts***

As a strategically important international ferry port providing the main transport link between the UK and Ireland, the Breakwater provides coastal protection to the Port of Holyhead. As the second busiest ferry port in the UK, Holyhead processes around two million annual visitors travelling between the UK and Ireland. In addition, Holyhead welcomes cruise ships and has become Wales' premier port for such vessels. This generates significant income for the local and wider economy. As such, the importance of Holyhead Port is considered vital to the economy of Anglesey and North Wales.

Were the Breakwater to be allowed to deteriorate, it would eventually detrimentally affect the Port to the point where it was no longer viable. Given the above, the refurbishment of the Breakwater structure is considered essential in the context of retaining the port's viability and thereby retaining the link with Ireland and the ability to welcome cruise liners to the region.

### **Conclusion**

Although the proposed development will impact upon the appearance, character and setting of the Breakwater and other listed assets and will have lasting visual impacts, it is recognised that significant work is required to secure the integrity of the structure into the future. Failure to undertake essential work will result in further deterioration. The proposed development is considered to offer a long-term, sustainable solution to the preservation of the listed structure to a point where it remains effective to serve its intended purpose.

Ecological impacts are predicted although these will be of minor adverse significance and, in terms of habitat loss, temporary in nature. This element is likely to recover relatively quickly. Given the numerous

ecological designations adjacent to and in close proximity to the application site, no likely significant effect is predicted as a result of the proposed development. Similarly, there will be no likely significant effect on protected marine mammal species nor any significant increase in the risk of collision between marine mammals and sea traffic.

The proposed batching plant within the Port area will unavoidably generate short-term impacts in relation to visual amenity in general and on the historical environment in particular. However, these will be short-lived and will no longer impact upon views once removed following completion of the refurbishment work. Impacts from fabrication and construction activities are considered negligible and the adoption of best practice in terms of operational procedures will ensure that these activities continue to be undertaken within acceptable parameters.

The future viability of the Port depends upon favourable sea conditions and the refurbishment of the Breakwater is essential to ensuring not only the preservation of the historic asset, but also that favourable sea conditions are maintained into the future. The economic importance of the Port to the economy of the town, county and wider region cannot be under-estimated.

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

### **Recommendation**

That the application is permitted subject to the following conditions:

**(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

**(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 any other documents accompanying such application unless included within any provision of the conditions of this planning permission:**

- **PB9014-200-014 Rev. 01 – Location Plan**
- **PB9014-RHD-BW-XX-DR-C-0066 Rev. P02 - Layout Plan: Overall**
- **PB9014-RHD-BW-XX-DR-C-0070 Rev. P02 – Layout Plan: CH 920 – 1240m**
- **PB9014-RHD-BW-XX-DR-C-0074 Rev. P3.0 – Roundhead Section A**
- **PB9014-RHD-BW-XX-DR-C-0083 Rev. P02 – Trunk Sections CH 200 to 2000m**
- **PB9014-RHD-BW-XX-DR-C-0087 Rev. P02 - Site Boundary**
- **PB9014-RHD-BP-DR-C-0228 Rev. 01 – Batching Plant Sections: Indicative**
- **PB9014-RHD-BP-DR-C-0227 Rev. 01 – Batching Plant Plan View: Indicative**
- **Photomontage View 4 Drwg. No. 06 Rev. 01**
- **Visual & Sensory Aspect Areas Drwg. No. 03 Rev. 01**

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

**(03) No development with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.**

Reason: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.

**(04) Prior to the operation of the development or phase of development, a long-term monitoring plan for invasive non-native species shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:**

- **Details of the methods and triggers for action to be undertaken.**
  - **Timescales for the long-term monitoring (i.e. monitoring at years 1, 3 and 10 post construction. Following year 10 reporting, an assessment in collaboration with NRW as to whether further monitoring and/or management is necessary).**
  - **Timescales for submission of monitoring reports to the LPA.**
  - **Details of any necessary contingency and remedial actions and timescales for actions.**
- The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.**

Reason: An invasive non-native species long term monitoring plan should be submitted prior to operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on protected sites and marine interests.

**(05) No development shall take place on the Breakwater/Soldier's Point portion of the site until a 20m fenced buffer zone with the Chwarel Morglawddi Local Wildlife Site has been provided. Details of the fence shall be submitted to and agreed in writing with the local planning authority prior to its erection. The fenced buffer zone shall be adequately maintained and remain in place over the duration of the refurbishment works.**

Reason: In the interests of wildlife protection.

**(06) The developer shall notify the local planning authority in writing of the date of commencement of the refurbishment works if conducted as one continuous scheme, or, if conducted over multiple phases, the commencement and completion date of each phase.**

Reason: For the avoidance of doubt

**(07) Prior to construction activities beginning on site a Construction Traffic Management Plan (CTMP – including details of Abnormal Load Movements) shall be agreed with the Planning Authority in consultation with the Welsh Government.**

Reason: In the interests of highway safety

**(08) No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted for the written approval of the local planning authority in order to manage the impacts of construction. The CEMP shall include:**

- i. **the location, design and implementation programme for the laydown areas, compounds and concrete armour unit construction areas (storage area of aggregate, sand, silos, cement, chemicals, rebar; operational area for concrete production including heavy plant, pumps and concrete mixing operations; concrete armour units curing area; concrete armour unit dispatch hub/area); other construction compounds and any temporary facilities for construction staff.**
- ii. **details of construction traffic management, which shall include: identification of the routes that construction and material delivery vehicles would take and measures to regulate the routing of construction traffic; times within which traffic can enter and leave the site; times of deliveries, site access, loading and unloading of plant and materials; sheeting of haulage vehicles, access within the site including measures to ensure safe and convenient pedestrian, cycle and vehicular access through those areas not under construction or where construction is complete; wheel washing facilities; and details of parking for contractors' vehicles, site operatives and visitors;**
- iii. **details of site hoardings (including their erection, maintenance, security and any decorative displays);**

- iv. details and methodology of restrictions to be applied during construction including timing, duration and frequency of works and measures to control the emission of dust, dirt, vibration and noise during construction;
- v. details of site waste management for the recycling and/or disposal of all waste resulting from construction works (chemical - hazardous, concrete, ferrous / non-ferrous, refuse – non-hazardous);
- vi. a construction drainage scheme including information as to water attenuation, water treatment, water recycling and harvesting, disposal and information how all water entering or arising on site shall avoid contamination of all water courses and prevent nuisance and flooding to land, buildings, watercourses or adjacent highways during the construction period;
- vii. details of fuel and chemical storage and containment; details of water consumption, waste water and energy use. Provision for safe storage of the proposed fuel storage and chemicals in accordance with Control of Pollution (Oil Storage) (Wales) Regulations 2016;
- viii. demonstrate how relevant guidelines for pollution prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan;
- ix. avoidance and mitigation measures (including a detailed lighting plan showing type and siting of lighting and light spill reduction measures, use of 2 metre high acoustic fencing, warning signs and site toolbox talks to ensure amenity, all key habitat retention and sensitive areas are protected and remain unaffected by construction works);
- x. ecological clerk of works to ensure construction compliance with approved plans and environmental regulations;
- xi. list of on-site contacts, their roles and responsibilities;
- xii. contact details for local community liaison;
- xiii. protocols for adverse weather conditions;
- xiv. biosecurity risk assessment; and
- xv. practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts to sensitive receptors during construction (may be provided as a set of method statements).

The approved details shall be complied with in full throughout the refurbishment/construction period.

Reason: For the avoidance of doubt to ensure that impacts of the construction are mitigated and maintained to an acceptable level and site development and operations can be undertaken safely, in the interests of residential amenity, pollution prevention, the environment and nature conservation.

**(09) Throughout the period of site operation and construction, provision shall be made as required for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of leached or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.**

Reason: To prevent pollution and to protect the water environment.

**(10) No development shall commence on the batching plant site until a pollution prevention programme identifying potential pollution risks and the mitigation, remediation and management procedures to control such risks shall be submitted for the written approval of the Local Planning Authority. Upon written approval of the local planning authority, the scheme shall be implemented in full.**

Reason: To prevent pollution and to protect the water environment

**(11) No solid matter, sand or gravel or excess amounts of suspended matter, soil, grease or any other offensive or injurious matter shall pass into any watercourse from any activities or operations hereby approved.**

Reason: To prevent pollution of the water environment

**(12) Unless the local planning authority agrees otherwise, the batching plant shall be dismantled and the site restored to its former condition within 3 months of the fabrication of the final concrete armour unit.**

Reason: In the interests of visual amenity.

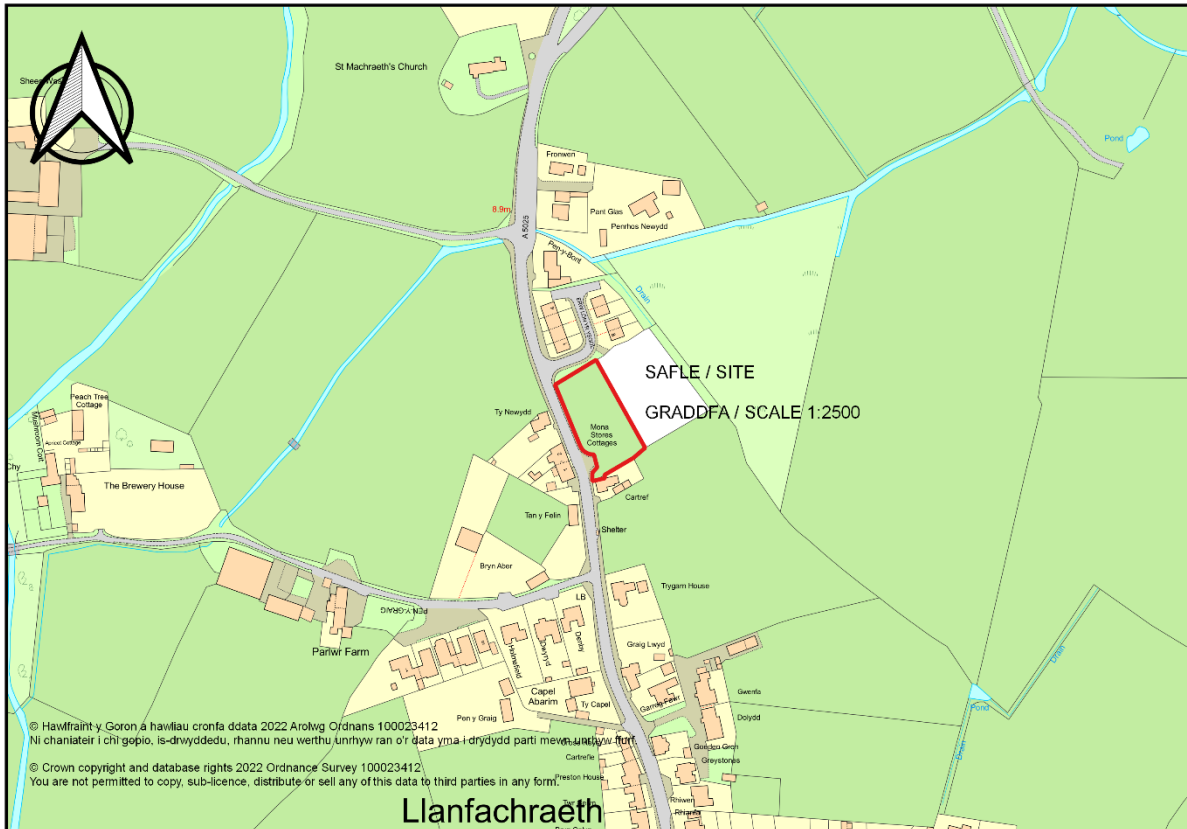
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: S106/2022/4

Applicant: AMP Construction

Description: Application for the amendments of Section 106 Agreement in relation to affordable housing of planning permission 27C23A on land adjacent to

Site Address: Former Llanfachraeth Primary School, Llanfachraeth



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application was called in to be determined by the planning committee at the request of Councillor Jackie Lewis.

**Proposal and Site**

The site is located in the rural settlement of Llanfachraeth, which is noted as a Local Village under the provisions of the Anglesey and Gwynedd Joint Local Development Plan. The site is located on the northern most edge of the village with access to the site directly from the A5025 coastal road. The north of the site shares its boundary with a recently erected housing estate whilst the southern boundary is

shared with a residential property. The site benefits from an extant permission under application reference 27C23A which was made for 7 dwellings. This permission is currently being implemented and at the time of writing this report, some units have had their slabs cast and are in the process of having the walls erected to first floor level. Application 27C23A included a S106 legal agreement which secured the provision of 2 affordable dwellings, this application is made to reduce the number down to 1 unit.

### **Key Issues**

The key issues are if the reduction of the number of affordable dwellings on site is acceptable in currently policy terms and whether or not there is a viability issue in providing 2 affordable units.

### **Policies**

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

Policy PCYFF 1: Development Boundaries  
 Policy TAI 4: Housing in Local, Rural & Coastal Villages  
 Policy TAI 15: Affordable Housing Threshold & Distribution  
 Strategic Policy PS 18: Affordable Housing

Supplementary Planning Guidance - Affordable Housing (2004)

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

| <b>Consultee</b>  | <b>Response</b>                                  |
|---|--|
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit | Comments regarding viability                     |
| Cynghorydd Jackie Lewis                                     | Called in.                                       |
| Cynghorydd Llinos Medi Huws                                 | No response.                                     |
| Cynghorydd Llio Angharad Owen                               | No response.                                     |
| Cyngor Cymuned Llanfachraeth Community Council              | Wishes to see 1 dwelling retained as affordable. |

Publicity was afforded to the scheme by the posting of personal letters to occupiers of surrounding properties. The latest date for comments to be made in response to the afforded publicity was the 29th June 2022. At the time of writing this report, 9 letters of representation had been received, with 7 being in objection and 2 in support.

#### **Relevant Planning History**

27C23B - LUC proposed material start 27C23A

27C23A - Erection of 5 dwellings together with alterations to the exi

#### **Main Planning Considerations**

##### ***Current Development Plan***

Llanfachraeth is noted as part of the Rural West housing price area, which under the provisions of policy TAI 15 notes that an affordability of 20% is viable on developments of 2 or more dwellings in this area. A 20% affordability level for this development would equate to 1 dwelling being affordable. The provision of



1 affordable dwelling would therefore conform with the requirements of Anglesey and Gwynedd Joint Local Development Plan.

### **Viability**

Notwithstanding the above, Paragraph 7.7.2 of the Affordable Housing SPG states "...Where a developer seeks to re-negotiate the level or type of affordable housing previously agreed at the time of the original planning application, the developer will be required to demonstrate how the circumstances relating to economic viability have changed through the submission of an updated financial viability appraisal...." .]

In relation to this particular application the developer has submitted a viability assessment and Red Book Valuation, which seeks to amend the current agreement with a range of options put forward. Whilst the details and figures of these documents cannot be shared due to GDPR, the principle reason put forward by the developer was that construction costs have risen significantly in the recent 2 years and that the legal agreement does not align with the current development plan in adoption.

Having liaised with the officers of the Joint Planning policy unit, it was concluded that in light of the change in circumstances since the original approval was given and together with assisting the actual delivery of an affordable unit on the site, it is considered acceptable to reduce the affordable provision on the site to 1 unit with a 20% discount if the affordable unit would be either one of the 2 or 3 bed semi-detached units.

### **Conclusion**

Having assessed the current situation regarding viability and the merits of the scheme against policy TAI 15 of the JLDP, it is not considered there are valid policy or material ground to refuse the proposed amendment to the S106 agreement.

### **Recommendation**

That the application is permitted

Application Reference: FPL/2022/66

Applicant: Mr. Dafydd Owen

Description: Full application for the change of use of land into a car parking area at

Site Address: Porth Wen, Llanbadrig



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

**Recommendation:** Refuse

**Reason for Reporting to Committee**

At the request of the Local Member - Councillor Aled Morris Jones.

**Proposal and Site**

The application is made for the change of use of land into a car parking area at Porth Wen, Llanbadrig.

The proposed car park covers an area of approximately 0.5 hectares (1.2 acres) and is located along a single track country lane some 0.7km from the main A5025 highway. The site is located in the open countryside in a designated Area of Outstanding Natural Beauty roughly half way between the settlements of Cemaes and Bull Bay which are each approx. 3.5km away.

## Key Issues

The key issues are whether the proposal is justified and complies with relevant local and national planning policies and whether it is acceptable in terms of its location and impacts upon the designated Area of Outstanding Natural Beauty.

## Policies

### Joint Local Development Plan

Strategic Policy PS 14: The Visitor Economy  
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 5: Sustainable Development  
Policy TRA 4: Managing Transport Impacts  
Policy TRA 2: Parking Standards  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Policy TWR 1: Visitor Attractions and Facilities  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11, February 2021)

Supplementary Planning Guidance - Tourism Facilities and Accommodation - March 2021

## Response to Consultation and Publicity

| Consultee   | Response   |
|---|--|
| Prifffyrdd a Trafnidiaeth / Highways and Transportation     | Dim gwrthwynebiad.   |
| Ymgynghorydd Tirwedd / Landscape Advisor                    | Comments in relation to impacts of the development on the landscape and designated AONB.   |
| Gritten Ecology   | Ecological Survey conducted indicates that the site has limited ecological interest and the biodiversity enhancements proposed are appropriate for the proposal. |
| Ymgynghorydd Treftadaeth / Heritage Advisor                 | No comments from a Built Heritage perspective.   |
| Cyfoeth Naturiol Cymru / Natural Resources Wales            | No objection.  |
| Iechyd yr Amgylchedd / Environmental Health                 | Comments in relation to relevant environmental and health and safety considerations.   |
| Swyddog Llwybrau Troed / Footpaths Officer                  | If footpaths are to be fenced, a minimum width of 2.5m must be provided.   |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit | Comments and advice in relation to the relevant policy framework.  |

|  |  |
|--|--|
| Uned Datblygu Economaidd / Economic Development Unit | Concern regarding the impact on the AONB, that the proposal would encourage and increase traffic to the site, impact on peace and tranquility, dark skies and wildlife, main attraction is the privately owned Porth Wen brickworks, location would not have same appeal if the owner closed off access. |
| Cynghorydd Richard Griffiths                         | No response at the time of writing the report.   |
| Cynghorydd Aled Morris Jones                         | Request that the application be referred to the Planning and Orders Committee for determination.   |
| Cynghorydd Richard Owain Jones                       | No response at the time of writing the report.   |
| Llanbadrig Community Council                         |  |
| GCAG / GAPS  | No comments.   |
| Cadw Scheduled Monuments                             | No response at the time of writing the report.   |
| Cynghorydd Derek Owen                                | Support.   |
| Cynghorydd Liz Wood                                  | No response at the time of writing the report.   |

The application was afforded statutory publicity. This was by the posting of personal notification letter to the occupiers of the neighbouring properties, the posting of a site notice near the site and and advertisement in the local press. The latest date for the receipt of representations was the 13/06/2022.

At the time of writing the report one letter of objection had been received, the contents of which is summarised below:

- The proposed development will go some way to resolving the car parking issues at this site, however this new facility may exacerbate the other problems identified in the application and only result in making matters worse than they are now and grow into something wholly unmanageable in the future.
- The new car park will inevitably increase the numbers of cars using the single track lane, which as described in the application is already struggling with the current traffic.
- The increased visitor numbers will then only increase the behavioural issues referred to in the application.
- Visitors looking for free parking will still park in the passing places and with increased traffic, the road will then become frequently impassable for residents, farmers and visitors alike.
- Last summer, during the trial period, cars & increasingly vans, spread out from the proposed site across the field and parked wherever they chose. A number of these vans then stayed overnight.
- the dangers of creating a new facility is that it will inevitably encourage more visitors to the now closed Brickworks
- Signage to reduce parking in the passing places with occasional enforcement and the installation of some posts by the verges closest to the Brickworks, would also go a long way to resolving the current parking issues.
- Concern that the facility would be used for overnight stays for which there are no facilities and the possible future expansion of the facility.

### Relevant Planning History

None.

## Main Planning Considerations

Policy PCYFF1 of the JLDP states that outside development boundaries development will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

National Planning Policy guidance recognises the importance of tourism development to the rural economy but also recognises that development should be located in suitable locations. It recognises that new developments in the open countryside away from existing settlements must continue to be strictly controlled with paragraph 3.60 of Planning Policy Wales (PPW, 11th edition, Feb 2021) stating that development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation and in rural areas the majority of new development should be located in those settlements which have relatively good accessibility by non-car modes. All new development should be of a scale and design that respects the character of the surrounding area.

The principal policy in dealing with this proposal is TWR 1: Visitor Attractions and Facilities which states that:

*“Proposals to develop new visitor attractions and facilities or to improve and extend the standard of existing facilities will be encouraged to locate to sites within the development boundary.*

*Where there are no suitable opportunities within the development boundary, only proposals that involve the following will be granted:*

- 1. The re-use of an existing building(s) or a suitable previously used site; or*
- 2. The re-use of an existing building(s) or a site closely related to other existing buildings that forms part of an existing tourist facility; or*
- 3. An activity restricted to a specific location due to its appropriate use of a historical or natural resource or its proximity to the attraction which it relates.*

*All proposals will be required to comply with all the following criteria:*

- i. The scale, type and character of the proposed development is appropriate for its urban/rural setting;*
- ii. The proposed development is of high quality in terms of design, layout and appearance;*
- iii. The proposed development will support and extend the range of facilities within the Plan area;*
- iv. The proposal is supported by evidence to demonstrate that there would be local employment opportunities.*

*Where appropriate, the development can be accessed by various modes of transport, especially sustainable modes of transport, such as walking, cycling and public transport. “*

This policy aims to encourage the development of high quality sustainable tourism attractions and facilities in the right place. The natural and built environments are key factors in attracting tourists into the Plan area, however new tourism developments can have a negative impact upon the local environment and communities if they are insensitively developed or inappropriately located.

Further guidance on the location of development can be found in section 8.1 of the Tourism Facilities and Accommodation SPG (March 2021) with paragraph 8.1.2 stating that:

*“8.1.2 The policy stipulates that where there are no opportunities are available for development within the development boundary the Authority would consider other locations as follows:*

- i. ....*
- ii. ....*

iii. *A site closely related to other existing buildings that forms part of an existing tourist facility..... On sites outside existing settlements, the Council's will permit tourism developments only in exceptional circumstances where the applicant has been able to demonstrate specific locational requirements and economic benefits which would justify allowing the proposal.*

iv. *An activity restricted to a specific location due to its appropriate use of an existing historical or natural resource or its proximity to the attraction which it relates – the Plan recognises that some new tourism attractions and facilities will have specific locational requirements such as a lake or woodland. The criteria used to assess its proximity to the attraction it relates includes the degree of separation and physical distance from the attraction. The landscape and visual impact of the proposed development and the ability to integrate the development into the landscape and townscape will also be important considerations in assessing the proposed development's suitability."*

The reasons for the application are set out in Section 4 of the Planning Statement submitted with the application which states that *'The two public footpaths referred to above (located either side of the proposed car park) are used as popular access routes by walkers, ramblers and others to Port Wen Bay, the cliff top Ynys Môn Coastal Footpath, the North Ynys Môn Heritage Coast, national Trust land and the derelict Porth Wen brickworks. The consequence of this popularity is that:*

*· There is uncontrolled parking chaos along the narrow unclassified road to Llanlleiana and Llanbadrig that runs from the A5025 coast road past the site. Cars are indiscriminately parked along grass verges partially obstructing the roadway, in front of access gateways to fields, track and lanes and to residential properties.....'*

It is understood from the Coastal Path Officer that despite the fact that the Anglesey Coastal Path encompasses the entire coast of Ynys Môn, the traffic and parking issues which are being experienced here, do not, by and large occur elsewhere.

Whilst there are links to the Anglesey Coastal Path (ACP) from near the application site, it does not appear to be an obvious or natural location from which to join the ACP and the likelihood is, that it is the presence of the nearby Porth Wen Brickworks, a Scheduled Ancient Monument, which mainly attracts people to this particular location. Porth Wen Brickworks, however, is located on private property with no public access and where there are known health and safety concerns. It is therefore emphasised that any persons entering the brickworks site without the landowner's permission, are unlawfully trespassing.

It is unlikely to be a coincidence that the area where the traffic and parking issues are occurring and where the car park is proposed is as close as it is possible to get to the brickworks by car. Indeed in response to a query by the Landscape Officer that a location closer to the A5025 may, if justified, be preferable, the agent advised that this would not do away with the problems of indiscriminate roadside parking and vehicular pedestrian conflict.

The LPA consider that the provision of a car parking facility in this location, would likely lead to an increase in visitors to the area, and to the Brickworks in particular. Given the fact that the brickworks is private property, outside the applicant's ownership and with known health and safety concerns, the LPA consider that it would be imprudent for the Council to be seen to be encouraging or facilitating trespassing on private property.

Whilst acknowledging that there are existing traffic and parking issues and that the provision of a car park would undoubtedly go some way to alleviate those issues, in the LPA's opinion, were it not for the presence of the Porth Wen Brickworks, the traffic and parking issues would not exist and the need for a car parking facility in this location would not arise, as noted above such issues do not occur elsewhere.

Whilst there is undoubtedly a need to combat the problem in some way, it does not justify approval of an otherwise inappropriate and unjustified development in the open countryside, in a designated Area of Outstanding Natural Beauty, other means are available to the appropriate Authorities in an effort to tackle the issues i.e. parking restrictions, yellow lines, fixed penalty notices etc.

The application site is not 'previously developed land', does not form part of an existing tourist facility, and is not intended to serve a specific tourist attraction, consequently no need or justification for the development has been demonstrated and the proposal is therefore contrary to policy TWR 1.

Strategic policy PS 19 relates to conserving and where appropriate enhancing the natural environment and states that the Councils 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.

Policy AMG 1 relates to Area of Outstanding Natural Beauty Management Plans and states that proposals within or affecting the setting and/or significant views into and out of the Areas of Outstanding Natural Beauty must, where appropriate, have regard to the relevant Area of Outstanding Natural Beauty Management Plan.

The Anglesey AONB Management Plan 2015-2020 notes:

CCC 3.1 All development proposals within and up to 2Km adjacent to the AONB will be rigorously assessed to minimise inappropriate development which might damage the special qualities and features of the AONB or the integrity of European designated sites.

CCC 3.2 All new developments and re-developments within and up to 2Km adjacent to the AONB will be expected to adopt the highest standard of design, materials and landscaping in order to enhance the special qualities and features of the AONB. Proposals of an appropriate scale and nature, embodying the principles of sustainable development, will be supported.

LANDMAP describes the area '*to the east and west of Amlwch, extending from the coast 2km... inland, this is an intricate small scale landscape with winding lanes, glimpses of the coast, small craggy hillocks and damp valleys... There are scattered houses and small fields... Within the area is the settlement of Bull Bay dominated by bungalows and holiday accommodation, and an adjacent golf course... These detract from the integrity of the nearby landscape, as do views glimpsed to Wylfa power station... Otherwise, this is an attractive varied landscape...*' and of **High** value as an '*Attractive and distinctive intricate landscape with rocky parts, views to coast, sheltered valleys... Generally unspoilt, except around Bull Bay*'

The installation of the proposed grass reinforced mesh would have localised adverse visual effects restricted to the site and immediate surroundings. When in use, parked vehicles will be prominent with temporary effects. Other structures such as barriers/bins/signage would if needed have more permanent effects.

The proposal would neither conserve nor enhance the special qualities of the AONB and there is no compelling need or justification for the development in this particular location which would outweigh the value of the site and national policy protection. The proposal is therefore contrary to policy AMG 1 of the JLDP.

## **Conclusion**

The Local Planning Authority therefore consider there is no need nor justification for the development in this location and that it would be harmful to the special qualities of the designated Area of Outstanding Natural Beauty contrary to policies PCYFF1, PCYFF2, PS14, TWR 1, PS19 and AMG1.

## **Recommendation**

That the application is refused for the following reasons:

**(01) The Local Planning Authority considers that the proposal would result in an unacceptable and unjustified development in the open countryside unrelated to any existing tourist attraction contrary to the provisions of policies PCYFF1, PS14 and TWR1 of the Anglesey and Gwynedd Joint Local Development Plan.**

**(02) The Local Planning Authority considers that the development neither conserves nor enhances the special qualities and features of the designated Area of Outstanding Natural Beauty to the detriment of the character and appearance of the area contrary to policies PS19 and AMG 1 of the Anglesey and Gwynedd Joint Local Development Plan.**



**Application Reference:** FPL/2022/33

**Applicant:** OW & RB & EW Pritchard

**Description:** Full application for the erection of 2 roofs over the existing yards at

**Site Address:** Bodhenlli, Cerrigceinwen, Bodorgan



**Report of Head of Regulation and Economic Development Service (Owain Rowlands)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is presented to the Committee as the application is made on land which is owned by the County Council.

**Proposal and Site**

The application is made for the erection of two roofs over the existing feeding yard and handling yard on the working dairy farm.

The application site is an agricultural unit located in an open countryside location in Cerrigceinwen.

## Key Issues

They key issues are whether the proposed scheme is acceptable, whether it complies with current policies, and whether the proposed development would impact any neighbouring properties.

## Policies

### Joint Local Development Plan

#### Joint Local Development Plan:

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

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

Planning Policy Wales (11th edition)

### Response to Consultation and Publicity

| Consultee  | Response   |
|--|--|
| Cynhorydd Geraint Ap Ifan Bebb                   | No response at the time of writing the report.   |
| Cynghorydd Nicola Roberts                        | No response at the time of writing the report.   |
| Ymgynghorydd Tirwedd / Landscape Advisor         | The proposed building is internal to the yard and would be seen in the context of the other agricultural buildings. The building would integrate well into its agricultural context, and would be compliant with policies PCYFF 3 and PCYFF 4. |
| Iechyd yr Amgylchedd / Environmental Health      | Informatives for the applicant.  |
| Cyfoeth Naturiol Cymru / Natural Resources Wales | No objections and informatives for the applicant.  |
| Cyngor Cymuned Llangristiolus Community Council  | No response at the time of writing the report  |

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 29/06/2022. At the time of writing this report, no letters of representations had been received at the department.

### Relevant Planning History

36LPA827/CC – Full plans for the construction of a full containment slurry store on land at Bodhenlli, Cerrigceinwen. Approved 31/07/2003.

36LPA827A/CC – Erection of an agricultural shed for the housing of livestock at Bodhenlli, Cerrigceinwen. Approved 09/09/2009.

36LPA827B/CC - Full application for the erection of an agricultural shed at Bodhenlli, Cerrigceinwen. Approved 04/06/2015.

## **Main Planning Considerations**

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties.

## **Proposal and Site**

Bodhenlli is a working dairy farm, located down a private track in an open countryside location in Cerrigceinwen. The proposed scheme is for the erection of two roofs over the existing handling and feeding yards.

The applications' main issues are:

- i. Siting and Design
- ii. Impact on Adjacent Residential Properties

### **i. Siting and Design**

The existing handling yard is located to the north west of the farmyard, in close proximity to the largest agricultural buildings on site. The proposed roof covering will measure approximately 12.8m outwards from the existing shed, and 9.5m wide. It will have a pitched roof at 4.6m in height with its eaves at 3.3m. This will be approximately 0.8m lower than the ridge height of the largest agricultural shed, and of a similar height to other buildings nearby, ensuring integration into its surroundings.

The existing feeding yard is located approximately 21m to the east of the handling yard, in the middle of the cluster of agricultural buildings on site. This proposed roof covering will extend northward from one of the existing buildings, measuring between 15.6m and 17.5m in length, and 8.5m wide. It will have a pitched roof at 4.5m in height, with its eaves at 3.3m and 2.8m.

Both yard coverings will have plastisol coated box profile sheet covering to the roof and walls. This is a similar material choice to the existing agricultural buildings on site, ensuring that the proposed development is of high quality and will integrate into its surrounding built environment, as is required by policy PCYFF 3. It is considered that no greater visual impacts will arise from these yard coverings, as they will be seen in the context of the existing agricultural buildings from all surrounding viewpoints.

In order to comply with the Environment Wales Act (2016), all planning applications must show overall biodiversity enhancement. In regards to this application, a bird box and a bat box have been added to the proposed yard coverings. Additionally, a new hedge is to be planted adjacent to the handling yard. This is considered to provide overall biodiversity enhancement, and complies with the requirements of the Environment Wales Act and policy PCYFF 4.

### **ii. Adjacent Residential Properties**

It is considered that the site is located far enough away from neighbouring properties so as to give rise to no greater impacts upon their privacy and amenities. The nearest residential properties, Bryn Henlli and Tyn Llan, are over 300m away to the south and south-east. Given the vast distance between the yard coverings and neighbouring properties, and their integration into their agricultural context, it is not considered that the proposed development will have any negative impact upon nearby residential properties. It is therefore considered that the proposal is compliant with policy PCYFF 2 of the JLDP.

## **Conclusion**

This proposal is considered a small scale development that will provide a roof covering over two existing yards on a working dairy farm. The principle of development for agricultural purposes is accepted within local and national planning policies, and there are also benefits from the development with investment in the local economy and the opportunity for the farming business.

Both yard coverings are considered to integrate into their surrounding built environment, with an appropriate colour scheme ensuring that they will be seen in the context of the existing agricultural buildings. Given the vast distance between the site and surrounding neighbouring properties, and the intervening topography, it is not considered that the proposed development would have any negative impacts upon those properties.

### **Recommendation**

That the application is permitted 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) 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:**

- A1-03a: Proposed site plan, proposed floor plans, elevations & section (feeding yard)
- A2-02a: Proposed floor plans, elevations & section (handling yard)
- A3-04b: Site and location plan

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

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

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

**(04) All planting in the approved details of landscaping contained in the proposed plan reference A1-03a 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 plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.**

Reason: In order that the proposal integrates into the area as required in JLDP Policies PCYFF 3 and PCYFF 4.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 2, PCYFF 3, PCYFF 4

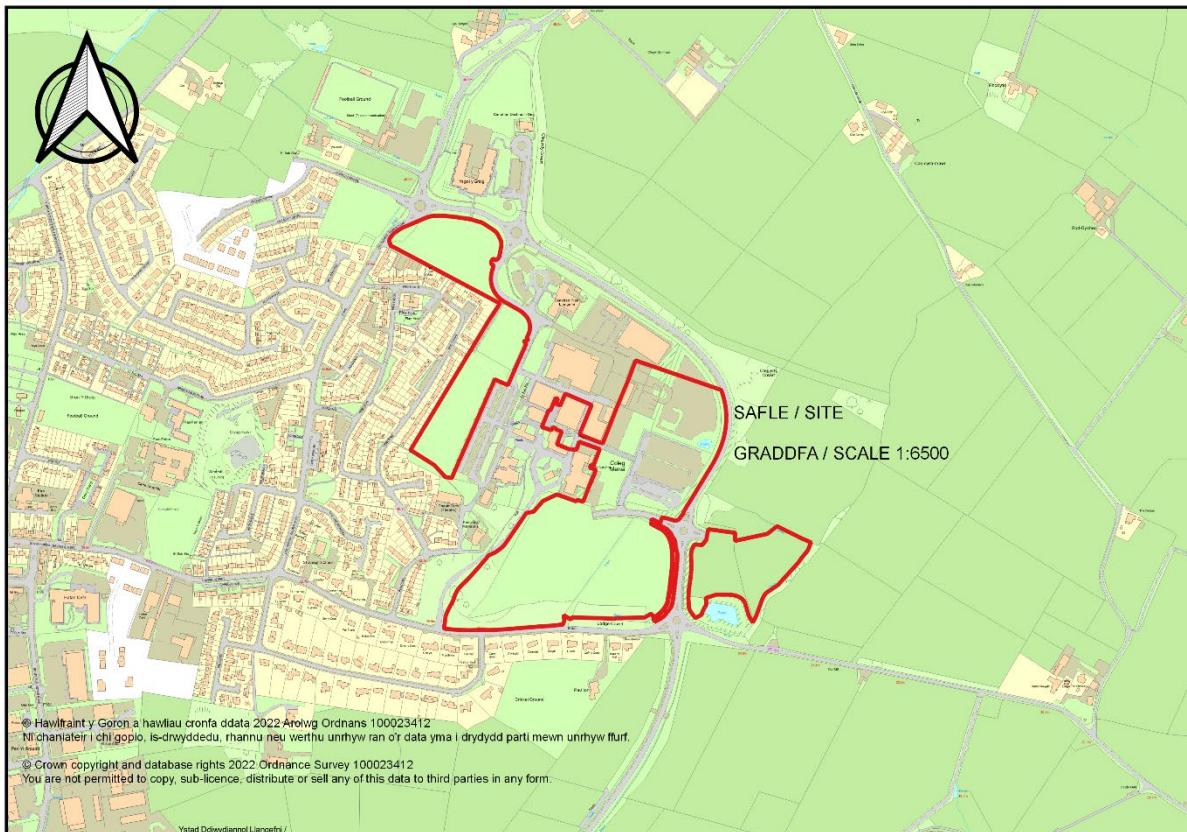
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2022/44

Applicant: Mr STUART HUGHES

**Description:** Application under Section 73 for the variation of condition (33) (travel plan) and condition (35) (highways and drainage) of outline planning permission 34C304K/1/EIA/ECON (Hybrid application for engineering centre, car park, childrens play area and outline application for residential dwellings, hotel, food and beverage and car park) so as to approve the details after commencement of work on site at

**Site Address:** Coleg Menai, Llangefni



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application relates to the variation of conditions of consent of an application which was accompanied by an Environmental Impact Assessment. It is therefore referred to the Planning and Orders Committee for determination in accordance with paragraph 3.5.3.10 of the Constitution.

**Proposal and Site**

This is an application under Section 73 for the variation of condition (33) (travel plan) and condition (35) (highways and drainage) of outline planning permission 34C304K/1/EIA/ECON (Hybrid application for

engineering centre, car park, childrens play area and outline application for residential dwellings, hotel, food and beverage and car park) so as to approve the details after commencement of work on site at Coleg Menai, Llangefni.

### Key Issues

The key issue is whether the highways department is satisfied with the information submitted with the planning application.

### Policies

#### Joint Local Development Plan

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

Strategic Policy PS 5: Sustainable Development

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Strategic Policy PS 2: Infrastructure and Developer Contributions

Strategic Policy PS 1: Welsh Language and Culture

Policy ISA 1: Infrastructure Provision

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

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Policy PCYFF 2: Development Criteria

Policy PCYFF 4: Design and Landscaping

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 1: Development Boundaries

Policy PCYFF 6: Water Conservation

Policy PCYFF 5: Carbon Management

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

Policy TAI 8: Appropriate Housing Mix

Policy TAI 15: Affordable Housing Threshold & Distribution

#### Response to Consultation and Publicity

| Consultee  | Response  |
|--|---|
| Cynghorydd Paul Charles Ellis                          | No response at the time of writing the report.                                |
| Cynghorydd Dylan Rees                                  | No response at the time of writing the report                                 |
| Cynghorydd Non Lewis Dafydd                            | No response at the time of writing the report.                                |
| Cyngor Tref Llangefni Town Council                     | No opinion,.  |
| Draenio Gwynedd / Gwynedd Drainage                     | No observations.  |
| Priffyrdd a Trafnidiaeth / Highways and Transportation | Satisfied that the information deals with the requirements of the conditions. |

The application was advertised by the distribution of letters to neighbouring properties. The expiry date to receive representations was the 3/8/22. At the time of writing the report 1 letter was received supporting the application stating that having a park closer to the houses by the college would be of benefit to them.

#### Relevant Planning History

34C304K/1/EIA/ECON - Hybrid application for the creation of an engineering centre and outline planning for residential development and hotel at - Coleg Menai, Llangefni

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

RM/2020/10 - Minor amendments to scheme previously approved under planning permission 34C304K/1/EIA/ECON so as to allow development to commence on plot 2 on land at - Coleg Menai, Llangefni - Permit

RM/2020/11 - Application for reserved matters for the erection of 91 dwellings together with associated development on land at - Coleg Menai, Llangefni - Permit

MAO/2021/1 - Minor amendments to scheme previously approved under planning permission 34C304K/1/EIA/ECON so as to allow development to commence on separate plots within Site B on land at - Coleg Menai, Llangefni - Permit

VAR/2022/24 - Application under Section 73 for the variation of outline planning permission 34C304K/1/EIA/ECON and Condition (01) of planning permission reference RM/2020/10 (Erection of 60 dwellings) so as to allow amended plans at - Coleg Menai, Llangefni – Permit

DIS/2021/82 - Application to discharge conditions (05) (Species and Habitat Conservation Plan) and (09) (Construction Traffic Management Plan) of planning permission RM/2020/10 (reserved matters for erection of 60 dwellings) on land at - Coleg Menai, Llangefni - Condition Partially Discharged

DIS/2021/83 - Application to discharge condition (23) (Construction Environmental Management Plan) of planning permission 34C304K/1/EIA/ECON: Hybrid application applying for full planning permission for the creation of a new engineering centre, car parking, children's play area and associated works and applying for outline planning permission with some matters reserved for a residential development of 153 dwellings, a hotel and food and beverage facility along with associated car parking and works on land at - Coleg Menai, Ffordd y Coleg, Llangefni - Condition Partially Discharged

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

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

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

34C304R/1/DIS - Application to discharge conditions (02) and (03) of planning permission 34C304K/1/EIA/ECON on land at - Coleg Menai, Llangefni

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

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

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

34C304W/1/DIS - Application to discharge condition (09) of planning permission 34C304K/1/EIA/ECON on land at - Coleg Menai, Llangefni

## **Main Planning Considerations**

A Hybrid application for full planning permission for the creation of a new engineering centre, car parking, children's play area and associated works and applying for outline planning permission with some matters reserved for a residential development of 153 dwellings, a hotel and food and beverage facility along with associated car parking and works on land at Coleg Menai, Ffordd y Coleg, Llangefni was approved under planning permission reference 34C304K/1/EIA/ECON on the 25/07/2017. Further non-material amendments were made under planning application references MAO/2020/16 and MAO/2021/1 to amend the wording of some of the conditions of the previous consent.

The part of the site which relates to the outline permission was identified within the masterplan as Site 2 and Site 3 which were the areas for affordable housing.

This is an application under Section 73 for the variation of condition (33) (travel plan) and condition (35) (highways and drainage) of outline planning permission 34C304K/1/EIA/ECON (Hybrid application for engineering centre, car park, children's play area and outline application for residential dwellings, hotel, food and beverage and car park) so as to approve the details after commencement of work on site at Coleg Menai, Llangefni.

Condition 33 stated that development should not take place until a Travel Plan had been submitted to and approved in writing by the Local Planning Authority. The Travel Plan needed to set out proposals to encourage visitors, staff and contractors to travel to and from the site by alternative means of travel to single occupancy private car, this needed to set out a timetable for implementation and a programme and methodology for monitoring and review. The reason for this condition was to encourage travel to and from the site by more sustainable means than single occupancy cars.

However, development has commenced on site without firstly discharging the condition. A Travel Plan has been received with this Section 73 application and the Highways Department has confirmed that there will be significant increase in traffic, but they are of the opinion that sufficient measures are in place as identified in the travel plan. It is therefore considered that the information satisfies the requirement of Condition 33 for Plot 2 and Plot 3 only.

Condition (35) stated that no development shall commence until measures are in place to secure the future maintenance of the roads and drainage in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. As the work has already commenced on site, the applicants are in breach of this condition; however, details of the future maintenance of the road and drainage has been submitted with this planning application and the Highways Department has confirmed that the information submitted by the agent is sufficient to discharge the requirement of Condition 35 on Plot 2 and Plot 3 only.

## **Conclusion**

Information was submitted as part of this planning application to satisfy the requirements of condition (33) travel plan and condition (35) measures to secure the future maintenance of the roads and drainage. The Highways Department has confirmed that the information satisfies the requirements of the conditions for Plot 2 and Plot 3.

## **Recommendation**

That the application is permitted subject to the following conditions:

### **Full planning permission**

The following conditions (numbered 01 to 17 inclusive) relate to the full planning permission ("Site A") which for the avoidance of doubt include the following components; the New Engineering Centre ("the Centre"), 254 space car park ("the Car Park") and children's play area ("the Play Area").



**(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) Prior to the commencement of work on the car park a strategy (“the Planting Strategy”) for “Site A” shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that planting connectivity (“Planting connectivity ” means; A line, or lines, of continuous/ near continuous planting which allow and facilitate the free movement of wildlife species (such as red squirrel) along the corridor, normally between (or close to) areas of favourable habitat, and also facilitate spread of woodland ground flora over longer timeframes, thereby enabling greater overall ecological sustainability and viability in a given area.) will be adequately maintained. The Planting Strategy shall include; the corridor to be retained/established, the planting required with species composition to be undertaken and lighting specifications to be utilized along this corridor and adjacent areas where light spill may affect the corridor, and a management and maintenance plan ensuring that the Planting Strategy is thereafter implemented in full in accordance with the approved details throughout the lifetime of the development.**

Reason: To protect any protected species.

**Condition (02) discharged under application reference 34C304R/1/DIS.**

**(03) Prior to the commencement of work on the Car Park a Biosecurity Risk Assessment (“the Assessment”) shall be submitted to and approved in writing by the Local Planning Authority. The Assessment as approved shall be implemented during the course of the development in accordance with a timetable within the Assessment and shall include a management and maintenance plan ensuring that the Assessment as approved is thereafter implemented in full throughout the lifetime of the development.**

Reason: To protect the wildlife present.

**Condition (03) discharged under application reference 34C304R/1/DIS.**

**(04) Prior to the occupation or first use of the Centre alternative habitats (Bat boxes) shall be installed in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority and thereafter implemented in full in accordance with the agreed scheme’s details throughout the lifetime of the development.**

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

**(05) Prior to the commencement of any works a Construction Environmental Management Plan (including a Construction Travel Plan) (“the Plan”) shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include the following matters and the times and duration for when such steps shall be operative:**

- Protective measures to trees and shrubs
- Signage for the construction traffic, pedestrians and other users of the site,
- Controls on the arrival and departure times for the construction vehicles;
- Piling methods (if employed)
- Earthworks;
- Hoardings to the site,
- Hours of working,
- Details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated
- Waste management and disposal and material re use,

- Prevention of mud / debris being deposited on public highway;
- Protection of the amenities of nearby residential occupiers
- Materials storage; and hazardous material storage and removal.
- Emergency Containment Procedures
- The routing to and from the site of construction vehicles, plant and deliveries
- The parking of vehicles for site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials
- Wheel washing facilities where appropriate
- A system for the management of complaints from local residents

**The developer shall ensure that the requirements of the approved Plan shall be adhered to throughout the construction of the development.**

Reason: To ensure the construction environment is not harmful to the amenities or wildlife of the locality.

**Condition (05) discharged under application 34C304P/1/DIS and DIS/2021/82 for Site 2 and Site 3.**

**(06) With the exception of those identified in the Tree Retention & Removal Plan (drawing number CS087795-CAP-XX-00-DR-L-0011 Rev P3 dated 13.12.2016) the prior agreement of the local planning authority in writing shall be obtained before any trees or hedges on "Site A" subject to this full planning permission or on the boundaries of the site are lopped, topped or felled, and if any such trees or hedges are felled they shall be replaced in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority at the same time as obtaining the prior agreement.**

Reason: the interests of amenity.

**(07) The site ("Site A") shall be landscaped and trees and shrubs shall be planted in accordance with a scheme to be agreed in writing with the local planning authority before any development work is commenced.. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained throughout the lifetime of the development 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, unless the local planning authority gives written consent to any variation.**

Reason: In the interests of amenity.

**Condition (07) discharged under application reference 34C304N/1/DIS.**

**(08) Full details of any lighting, its luminosity and hours of use to be included as part of the development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and any lighting installed shall be done and thereafter operated in full in accordance with the approved details throughout the lifetime of the development.**

Reason: In the interests of amenity.

**Condition (08) discharged under application reference 34C304U/1/DIS.**

**(09) Full details of all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the local planning authority prior to their installation or erection and thereafter implemented and maintained in full in accordance with the approved details throughout the lifetime of the development.**

Reason: In the interests of amenity.

**Condition (09) discharged under application reference 34C304W/1/DIS and DIS/2021/82 for Site 2 and Site 3.**

**(10) The Centre, as shown on Drawing No. CS087795-CAP-XX-00-DR-L-0001 Rev P1 – Site Location Plan, shall not be occupied or used until a drainage scheme (“the Drainage Scheme”) has been submitted to and agreed in writing by the Local Planning Authority and implemented to its written satisfaction. The Drainage Scheme shall demonstrate how the Centre will be effectively drained to the public sewerage system and how the foul flows will eventually drain to:**

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

**or**

**ii) Another point of connection on the public sewerage system is identified by a hydraulic modelling assessment.**

**In either case the drainage connection approved by the Local Planning Authority shall be made in accordance with the recommended connection options following the implementation of any necessary improvements to the sewerage network as may be identified by the hydraulic modelling assessment.**

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

**Condition (10) discharged under application reference 34C304V/1/DIS.**

**(11) The proposed development site is crossed by a 400mm public rising main and a 150mm public combined sewer. No operational development shall be carried out within 3 metres either side of the centreline of the 150mm public combined sewer and 4 metres either side of the centreline of the 400mm public rising main.**

Reason: To protect the integrity of the public sewers and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

**(12) The proposed development site is crossed by trunk/distribution watermains. No operational development shall be carried out within 3 metres either side of the centreline of the public watermains.**

Reason: To protect the integrity of the public sewers and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

**(13) No surface water from within the curtilage of the development site (“site A”) shall discharge onto the county highway. The Centre and the Car Park shall not be occupied or brought into use until full design details for the surface water drainage of the site have been submitted to and approved in writing by the Local Planning Authority and been implemented in accordance with those approved details. The approved details shall thereafter be maintained throughout the lifetime of the development**

Reason: To ensure the site is adequately drained without detriment to the adjoining highway.

**Condition (13) discharged under application reference 34C304T/1/DIS.**

**(14) The occupation or first use of the Centre shall not take place until a travel plan (“the Travel Plan”) has been submitted to, approved in writing by and deposited with the Local Planning Authority. The Travel Plan shall set out proposals to positively encourage visitors, staff and contractors to travel to and from the site by alternative means of travel to that of single occupancy private car. The Travel Plan shall set out a timetable for implementation and a programme and methodology for monitoring and review of the Travel Plan. The approved Travel Plan shall be implemented in accordance with the approved details and timetable contained within it.**

Reason: To encourage travel to and from the Site by more sustainable means than single occupancy cars.

**(15) a) No development of the Car Park (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work (“the Programme”) 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 Programme.**

**b) A detailed report on the archaeological work undertaken pursuant to the Programme, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within twelve months of the completion of the archaeological fieldwork or completion of the development, whichever is the sooner.**

Reasons:

1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2016 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

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).

**Condition (15a) discharged under application reference 34C304NQ/1/DIS.**

**(16) Full details of the Play Area shall be submitted to and approved in writing by the Local Planning Authority and it shall be completed prior to the occupation of any dwelling constructed in pursuance of the outline consent forming part of this planning permission. A management and maintenance plan shall accompany these details and thereafter be implemented in full throughout the lifetime of the development.**

Reason: To ensure that the development contributes to the creation of safe, healthy, distinctive and vibrant communities by providing a well designed and suitably equipped play area.

**(17) The development permitted by this consent shall be carried out strictly in accordance with the listed drawings and plans submitted below and as required to be approved under the conditions imposed;**

| Drawing number                                    | Dated.     | Plan Description   |
|---|------------|--------------------|
| CS087795-CAP-XX-00-DR-L-0009<br>P1 & P2<br>Rev P6 | 10.02.2017 | Landscape Strategy |

|   |            |  |
|---|------------|--|
| CS087795-CAP-XX-00-DR-L<br>0010<br>Rev P1 | 23.09.2016 | New Engineering Centre Masterplan                              |
| ENG-CAP-CP-00-DR-D-0301<br>Rev PO1        | 23.09.2016 | Fencing Layout & Detail  |
| ENG-CAP-CP-00-DR-D-0701<br>Rev P-01       | 23.09.2016 | Pavement Layout  |
| ENG-CAP-EB-CM-DR-D-1301<br>Rev P-01       | 23.09.2016 | Road Lighting & Illuminated Traffic Signs                      |
| ENG-CAP-CP-CM-DR-D-0502<br>Rev P-01       | 23.09.2016 | Proposed Foul & Surface Water Drainage layout                  |
| ENG-CAP-CP-00-XX-DR-E-017<br>Rev P2       | 23.09.2016 | External Lighting & CCTV                                       |
| ENG-CAP-CP-00-DR-D-0602<br>Rev P01        | 23.09.2016 | Earthworks Site Cross Section                                  |
| ENG-CAP-CP-00-DR-D-1101<br>Rev P-01       | 23.09.2016 | Kerbs, Footways and Paved areas<br>Car Park Layout             |
| ENG-CAP-CP-EB-CM-DR-D-0501<br>Rev P-01    | 23.09.2016 | Proposed Foul & Surface Water Drainage layout                  |
| NEC-LAW-0-0-DEL-AR-061001<br>Rev P3       | 23.09.2016 | New Engineering Centre<br>Elevations Sheet 1                   |
| NEC-LAW-0-0-DSC-063001<br>RevP1           | 23.09.2016 | New Engineering Centre<br>Typical Section                      |
| NEC-LAW-0-U01-DFP-061002<br>Rev P3        | 23.09.2016 | New Engineering Centre<br>First Floor-General Arrangement Plan |
| NEC-LAW-0-U03-DFP-061004<br>Rev P3        | 23.09.2016 | New Engineering Centre<br>Third Floor-General Arrangement Plan |
| NEC-LAW-0-0-DEL-AR-061002<br>Rev P4       | 23.09.2016 | New Engineering Centre<br>Elevations Sheet 2                   |

|  |            |   |
|--|------------|---|
|  |            | Soft Landscaping Materials Palette                              |
| NEC-LAW-0-G01-DFP-061001<br>Rev P3     | 23.09.2016 | New Engineering Centre<br>Ground Floor-General Arrangement Plan |
| NEC-LAW-0-U02-DFP-061003<br>Rev P3     | 23.09.2016 | New Engineering Centre<br>Second Floor-General Arrangement Plan |
| NEC-LAW-0-U04-DFP-061005<br>Rev P1     | 23.09.2016 | New Engineering Centre<br>Roof-General Arrangement Plan         |
| CS087795-CAP-XX-00-DR-L-0008<br>Rev P3 | 05.12.2016 | Masterplan  |
| CS087795-CAP-XX-00-DR-L-0011<br>Rev P3 | 13.12.2016 | Tree Retention & Removal Plan                                   |

Under planning application reference 34C304K/1/EIA/ECON.

#### Outline planning permission

**The following conditions (numbered 18 to 46 inclusive) relate to the outline planning permission (“Site B”) which for the avoidance of doubt include the following components; residential development (“the Residential Development”), hotel (“the Hotel”) and ancillary food and drink facility with associated car parking (“the Facility”).**

**(18) Approval of the following reserved matters shall be obtained for Plots 1 – 5 (hereafter referred to individually as a “Plot” and together as “Plots”) of the site subject to this outline planning permission (hereafter referred to as “Site B”) prior to the commencement of development within the relevant Plot viz. the layout, scale, appearance of the buildings and the landscaping. Reserved matters may be submitted in relation to any or all of the Plots.**

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

**(19) Application for approval of the reserved matters hereinbefore referred to shall be made not later than the expiration of three years beginning with the date of this permission.**

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

**(20) The development to which this permission relates shall be begun not later than whichever is the later of the following dates namely: - (a) the expiration of five years from the date of this permission or (b) the expiration of two years from the final approval of the said reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.**

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

**(21) Prior to the commencement of work on the car park a strategy (“the Planting Strategy”) for plots 1-5 within “Site B” shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that planting connectivity (“Planting connectivity ” means; A line, or lines, of continuous/ near continuous planting which allow and facilitate the free movement of wildlife species (such as red squirrel) along the corridor, normally between (or close to) areas of favourable habitat, and also facilitate spread of woodland ground flora over longer timeframes, thereby enabling greater overall ecological sustainability and viability in a given area) will be adequately maintained. The Planting Strategy shall include; the corridor to be retained/established, the planting required with species composition to be undertaken and lighting specifications to be utilised along this corridor and adjacent areas where light spill may affect the corridor, and a management and maintenance plan ensuring that the Planting Strategy is thereafter implemented in full on each plot in accordance with the approved details throughout the lifetime of the development.**

Reason: To protect any protected species.

**(22) Prior to commencement of development within a Plot, a Biosecurity Risk Assessment (“the Assessment”) relating to that Plot shall be submitted to and approved in writing by the Local Planning Authority. The Assessment as approved shall be implemented during the course of the development of the relevant Plot in accordance with a timetable within the Assessment and shall include a management and maintenance plan ensuring the Assessment as approved is thereafter implemented in full throughout the lifetime of the development of the relevant Plot.**

Reason: To protect the wildlife present.

**(23) Prior to commencement of any works within a Plot a Construction Environmental Management Plan (including a Construction Travel Plan) (“the Plan”) relating to that Plot shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include the following matters and the times and duration for when such steps will be operative:**

- Protective measures to trees and shrubs
- Signage for the construction traffic, pedestrians and other users of the site,
- Controls on the arrival and departure times for the construction vehicles;
- Piling methods (if employed)
- Earthworks;
- Hoardings to the site,
- Hours of working,
- Details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated
- Waste management and disposal and material re use,
- Prevention of mud / debris being deposited on public highway;
- Protection of the amenities of nearby residential occupiers
- Materials storage; and hazardous material storage and removal.
- Emergency Containment Procedures
- The routing to and from the site of construction vehicles, plant and deliveries
- The parking of vehicles for site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials
- Wheel washing facilities where appropriate
- A system for the management of complaints from local residents

**The Plan shall be adhered to through the construction of the development of the relevant Plot**

Reason: To ensure the construction environment is not harmful to the amenities or wildlife of the locality.

**Condition 23 partially discharged by planning application DIS/2021/83 for Site 2 and 3.**

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

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

**(25) Details for the construction, extent and features of ponds included as part of the scheme shall be submitted to the Local Planning Authority for its written approval prior to the commencement of those works and thereafter such ponds shall be implemented in full in accordance with the approved details throughout the lifetime of the development.**

Reason: To ensure there is no harm to the environment.

**(26) An Arboricultural Implications Assessment and Arboricultural Method Statement to BS: 5837 2012, based on the submitted Amenity Tree Care Tree Survey and Constraints Report shall accompany any full or reserved matters application and the approved details of such Assessment and Method Statement shall thereafter be implemented in full throughout the lifetime of the development.**

Reason: In the interests of amenity.

**(27) A Woodland Management Plan outlining the way woodland is to be managed, covering matters such as aims, list of operations to be performed, timetable, and provision for review. Operations may include thinning of planted trees, removal of guards and ties, removal of dead/diseased limbs, actions to encourage particular wildlife species, and provision of control of invasive species and other actions, as appropriate shall accompany any full or reserved matters application for Plot 4 and shall be approved in writing by the Local Planning Authority prior to commencement of development on Plot 4 pursuant to the relevant reserved matters approval and thereafter implemented in full throughout the lifetime of the development on Plot 4.**

Reason: In the interests of amenity.

**(28) With the exception of those identified in the Tree Retention & Removal Plan (drawing number CS087795-CAP-XX-00-DR-L-0011 Rev P3 dated 13.12.2016) the prior agreement of the local planning authority in writing shall be obtained before any trees or hedges on a Plot or on the boundaries of the site are lopped, topped or felled and if any such trees or hedges are felled they shall be replaced in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority at the same time as obtaining their prior agreement.**

Reason: the interests of amenity.

**(29) Prior to the commencement of Development of a Plot, a scheme detailing the landscaping and tree and shrub planting required for that Plot shall be submitted to and agreed in writing by the local planning authority. This planting and landscaping work for the relevant Plot shall be carried out in full accordance with the approved scheme to the satisfaction of the local planning authority during the first planting season following the occupation of the building(s) on the relevant Plot or the completion of the development of the relevant Plot, whichever is the sooner. The said trees and shrubs shall be maintained throughout the lifetime of the development of the Plot 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, unless the local planning authority gives written consent to any variation.**



Reason: In the interests of amenity.

**(30) Full details of any lighting, its luminosity and hours of use to be included as part of the development shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and any lighting installed shall be done and thereafter operated in full in accordance with the approved details throughout the lifetime of the development.**

Reason: In the interests of amenity.

**(31) Full details of all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the local planning authority prior to their installation or erection and thereafter implemented and maintained in full in accordance with the approved details throughout the lifetime of the development.**

Reason: In the interests of amenity.

**(32) No part of the development the subject of outline consent shall be commenced until the all stages of the Llangefni link road are completed and operational to the written satisfaction of the Local Planning Authority.**

Reason: In the interests of highway safety.

**(33) Prior to the commencement of development of a Plot a Travel Plan relating to that Plot shall be submitted to and approved in writing by the Council. The relevant Travel Plan shall set out the proposals to positively encourage visitors, staff and contractors to travel to and from the relevant Plot by alternative means of travel to single occupancy private car, set out a timetable for implementation and a programme and methodology for monitoring and review. The approved Travel Plan shall be implemented on each Plot in accordance with the approved timetable for that Plot.**

Reason: To encourage travel to and from the Site by more sustainable means than single occupancy cars.

**Condition 33 discharged under planning application VAR/2022/44 for Plot 2 and 3 only.**

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

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

Reason: In the interests of amenity and highway safety.

**(35) No development of a Plot shall commence until details of measures to secure the maintenance of the roads and drainage serving that Plot have been submitted to and approved in writing by the local planning authority and thereafter such measure shall be implemented on the Plot in accordance with the approved details.**

Reason: To comply with the requirements of the Highway Authority, in the interests of safety and amenity to ensure there is safe and convenient access to the various parts of the development site

Condition 35 discharged under planning application VAR/2022/44 for Plot 2 and 3 only.

**(36) Development on Plot 1 shall not commence until a drainage scheme for Plot 1, as identified on Drawing No. CS087795-CAP-XX-00-DR-L-001 Rev P1 – Site Location Plan has been submitted to and agreed in writing by the Local Planning Authority. The Scheme shall demonstrate the foul flows only from no more than 23 dwellings shall discharge to the public sewer in Lon Talwrn between manhole reference number SHH46767151 and SH46767152 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.**

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.

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

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

or

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

**Thereafter the connection for the relevant Plot shall be made in accordance with the recommended connection options following the implementation of any necessary improvements to the sewerage network as may be identified by the hydraulic modelling assessment.**

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

**(38) The agreed drainage scheme for each Plot shall be delivered in full and remain in operation for the duration of the use of each Plot prior to occupation of any building on the relevant Plot hereby approved.**

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.

**(39) The proposed development site is crossed by a 400mm public rising main and a 150mm public combined sewer with their approximate position being marked on the attached Statutory Public Sewer Record. Their position shall be accurately located and marked out on Plot 4 before works commence on Plot 4 and no operational development on Plot 4 shall be carried out within 3 metres either side of the centreline of the 150mm public combined sewer and 4 meters either side of the centre line of the 400mm public rising main.**

Reason: To protect the integrity of the public sewers and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

**(40) Plot 4 is crossed by a trunk/distribution watermain with their approximate position being marked on the attached plan. Their position shall be accurately located and marked out on Plot 4**

**before works commence on Plot 4 and no operational development on Plot 4 shall be carried out within 3 meters either side of the centreline of the public watermains.**

Reason: To protect the integrity of the public sewers and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

**(41) No surface water from within the curtilage of the Plots shall be discharged into the county highway. No development shall commence on each Plot until full design details for the drainage of the relevant Plot have been submitted to and approved in writing by the Local Planning Authority. No building car park or access road hereby approved shall be brought into use on a Plot until the approved scheme for that Plot has been implemented in full in accordance with the approved details.**

Reason: To ensure the site is adequately drained without detriment to the adjoining highway.

**(42) (a) No development of Plot 1, Plot 4 or Plot 5 (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological works for the relevant Plot has been submitted to and approved in writing by the Local Planning Authority. The development at Plot 1, Plot 4 and Plot 5 shall be carried out and all archaeological work completed in strict accordance with the approved details for the relevant Plot.**

**(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 twelve months of the completion of the archaeological fieldwork or completion of the development at Plot 1, Plot 4 and Plot 5 (as relevant) whichever is the sooner.**

Reason:

1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2016 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

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).

**(43) 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 twelve months of the completion of the archaeological fieldwork or completion of the development, whichever is the sooner.**

Reasons:

1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2016 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

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).

**(44) Full details of the proposed children's play area shall be submitted to and approved in writing by the Local Planning Authority and shall be completed in accordance with the approved details prior to the occupation of any dwelling. A management and maintenance plan shall accompany these details and thereafter implemented be in full throughout the lifetime of the development.**

Reason: To ensure that the development contributes to the creation of safe, healthy, distinctive and vibrant communities by providing a well designed and suitably equipped play area.

**(45) The development permitted by this consent shall be carried out strictly in accordance with the listed drawings and plans submitted below and as required to be approved under the conditions imposed;**

| Drawing number                                    | Dated.     | Plan Description                                   |
|---|------------|--|
| CS087795-CAP-XX-00-DR-L-0009<br>P1 & P2<br>Rev P6 | 10.02.2017 | Landscape Strategy                                 |
| CS087795-CAP-XX-00-DR-L 0010<br>Rev P1            | 23.09.2016 | New Engineering Centre Masterplan                  |
| ENG-CAP-CP-00-DR-D-0301<br>Rev PO1                | 23.09.2016 | Fencing Layout & Detail                            |
| ENG-CAP-CP-00-DR-D-0701<br>Rev P-01               | 23.09.2016 | Pavement Layout                                    |
| ENG-CAP-EB-CM-DR-D-1301<br>Rev P-01               | 23.09.2016 | Road Lighting & Illuminated Traffic Signs          |
| ENG-CAP-CP-CM-DR-D-0502<br>Rev P-01               | 23.09.2016 | Proposed Foul & Surface Water Drainage layout      |
| ENG-CAP-CP-00-XX-DR-E-017<br>Rev P2               | 23.09.2016 | External Lighting & CCTV                           |
| ENG-CAP-CP-00-DR-D-0602<br>Rev P01                | 23.09.2016 | Earthworks Site Cross Section                      |
| ENG-CAP-CP-00-DR-D-1101<br>Rev P-01               | 23.09.2016 | Kerbs, Footways and Paved areas<br>Car Park Layout |
| ENG-CAP-CP-EB-CM-DR-D-0501<br>Rev P-01            | 23.09.2016 | Proposed Foul & Surface Water Drainage layout      |
| NEC-LAW-0-0-DEL-AR-061001<br>Rev P3               | 23.09.2016 | New Engineering Centre<br>Elevations Sheet 1       |
| NEC-LAW-0-0-DSC-063001                            | 23.09.2016 | New Engineering Centre<br>Typical Section          |

|  |            |   |
|--|------------|---|
| RevP1                                  |            |   |
| NEC-LAW-0-U01-DFP-061002<br>Rev P3     | 23.09.2016 | New Engineering Centre<br>First Floor-General Arrangement Plan  |
| NEC-LAW-0-U03-DFP-061004<br>Rev P3     | 23.09.2016 | New Engineering Centre<br>Third Floor-General Arrangement Plan  |
| NEC-LAW-0-0-DEL-AR-061002<br>Rev P4    | 23.09.2016 | New Engineering Centre<br>Elevations Sheet 2                    |
|  |            | Soft Landscaping Materials Palette                              |
| NEC-LAW-0-G01-DFP-061001<br>Rev P3     | 23.09.2016 | New Engineering Centre<br>Ground Floor-General Arrangement Plan |
| NEC-LAW-0-U02-DFP-061003<br>Rev P3     | 23.09.2016 | New Engineering Centre<br>Second Floor-General Arrangement Plan |
| NEC-LAW-0-U04-DFP-061005<br>Rev P1     | 23.09.2016 | New Engineering Centre<br>Roof-General Arrangement Plan         |
| CS087795-CAP-XX-00-DR-L-0008<br>Rev P3 | 05.12.2016 | Masterplan  |
| CS087795-CAP-XX-00-DR-L-0011<br>Rev P3 | 13.12.2016 | Tree Retention & Removal Plan                                   |

**Under planning application reference 34C304K/1/EIA/ECON.**

Reason: For the avoidance of doubt.

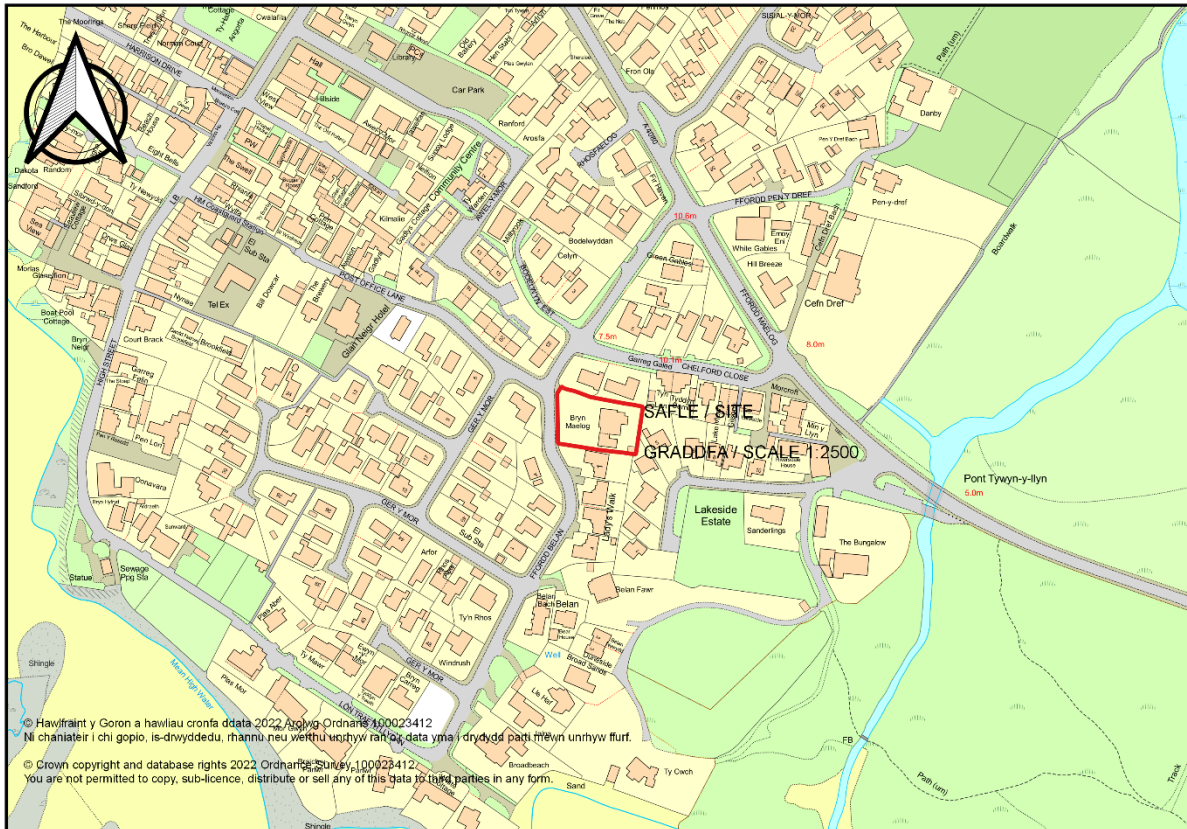
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/124

Applicant: Mr James Regan

Description: Full application for the demolition of the existing self-catered guesthouse and the erection of a replacement self-catered guesthouse together with associated development at

Site Address: Bryn Maelog, Ffordd Belan, Rhosneigr



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is presented before the planning committee at the request of Councillor Neville Evans, who wished to reiterate the concerns of the Community Council.

**Proposal and Site**

The proposal site is located on Ffordd Belan in the coastal village of Rhosneigr, with access afforded to the site via its own short private track. The current site includes a dilapidated building which is set to the rear of the plot, with the front portion being largely overgrown by medium height vegetation. Lawful use for C1 purposes has been established on the site under application reference LUE/2020/9, with other

notable applications in recent years being for alterations and extensions for use as self-catering holiday accommodation. The front elevation of the site is bound by ffordd belan, with all 3 other boundaries directly adjoining the residential curtilages of neighbouring properties. The rear and southern side elevations are defined by a 2+ high rendered block wall, with the northern side elevation being defined by a low hit and miss style timber fence. Several design types exist locally, with different dwellings types being located to each side and rear elevation. The site itself is at a higher elevation than the road, with a gentle gradient rising from the pavement adjoining the front of the site.

The application is made for the demolition of the existing guesthouse together with the erection of a new larger guesthouse in lieu which will also be for C1 use purposes. A new improved vehicular access is also proposed as part of the scheme, along with several ecological enhancement features and landscaping.

### Key Issues

Having established the lawful C1 use of the site, it is considered the main issues are the impacts of the scheme upon surrounding residential amenity together with its design and other relevant material consideration as set out below in the report.

### 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  
 Strategic Policy PS 5: Sustainable Development  
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
 Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character  
 Policy TRA 4: Managing Transport Impacts

### Response to Consultation and Publicity

| Consultee  | Response   |
|--|--|
| Cyngor Cymuned Llanfaelog Community Council                                  | Concern in relation to traffic and general disturbance.            |
| Cynghorydd Neville Evans   | Called in.   |
| Cynghorydd Douglas Massie Fowlie   | No response  |
| Prifffyrdd a Trafnidiaeth / Highways and Transportation                      | No objections subject to conditions.                               |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | No response.   |
| Dwr Cymru/Welsh Water  | Standard advisory notes relating to protection of their apparatus. |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit                  | General policy context.  |
| Cyfoeth Naturiol Cymru   | No objection   |
| Ymgynghoriadau Cynllunio YGC   | General comments regarding SUDs.                                   |

Publicity was afforded to the scheme by the posting of personal letters to occupiers of surrounding neighbouring properties. The latest date for comments to be made in response to the afforded publicity was the 29th of June 2022. At the time of writing this report, 4 letters of objection had been received and the issues raised will be addressed later in this report.

### **Relevant Planning History**

FPL/2020/85 - Full application for alterations and extensions for use as self-catering holiday accommodation at - Permit

OP/2019/7 - Outline application for the demolition of the existing building erection of 4 local market houses with full details of access, appearance, layout and scale at - Withdrawn

LUE/2020/9 - Application for a Lawful Development Certificate for the existing use of the dwelling as a self catered Guest House (Class Use C1) at - Permit

### **Main Planning Considerations**

#### ***Principle of Development***

Whilst the principle of the use of the site is not considered contestable due to the recently granted lawful use certificate, close consideration must be given to ensuring that the use does indeed fall within the remit of the C1 use class. Particular concern was expressed by the planning policy unit in relation to the use of the building due to the inconsistency in the application documentation in how it was referred to. Nonetheless, the application form refers to the development as a replacement guest house and it is considered that this aspect can be sufficiently controlled by the imposition of a condition which restricts the use to C1 use only. Criteria 2 of Strategic Policy PS 5 states that all proposals should give priority to effective use of land and infrastructure, prioritising wherever possible the reuse of previously developed land and buildings within development boundaries and therefore careful consideration must be given to the principle of demolishing an existing building. The application was accompanied by a structural survey, which was carried out by a suitably qualified structural engineer. The findings of the survey were clear in recommending that the best course of action was to demolish the existing structure and erect a new structure in lieu due the numerous defects in the existing structure and high likelihood of uncovering more defects if renovation were to be attempted. As such, it is considered that the proposition to demolish the existing structure has been reasonably justified and thus conforms with policy PS 5.

#### ***Design and Appearance***

The existing building on site is in a dilapidated state, with some elements being almost ruinous. The works represent a drastic betterment to the appearance of the site within the street scene and will have a positive effect upon the character of the area. The proposed building will be 3 storeys in height and will be sited on the same albeit larger footprint of the existing building which will ensure the least amount of impact. The scheme does appear drastically larger in scale when viewing the elevation drawings, however it must be noted that the scheme is only 0.5m higher than the existing building. Having the new structure sited on the original footprint will ensure the additional height will not appear imposing or overbearing upon the street, where the general pattern of development is dwellings being set back from the highway. The form of the building will be fairly typical in terms of its proportions, including a hipped slate roof and timber cladding as primary finishing materials. These materials are already in use locally and as such it is not considered that the scheme would introduce any new materials to the general area. Several materials and design types exist in the immediate area surrounding the site and as such it is not considered that there are clear patterns of development for the area in this respect. Rhosneigr as a settlement includes several modern contemporary style properties and therefore it is not considered that this scheme would appear out of character for the area or the settlement. Policy PCYFF 3 of the JLDP is



made in relation to design and sets out how it is expected that all schemes are '*expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places*'. Due to the above, it is considered that the design of the scheme aligns with the thrust of policy PCYFF 3. Concerns were raised as part of the objections in regards to the design and layout of the scheme, however due to the condition of the existing building and its existing lawful use, it is not considered that there are grounds for refusal on this basis.

### **Impact Upon Residential Amenity**

The schemes impact upon residential amenity was a primary concern in the letters of objections received and due to the increase in scale, is considered to be a key consideration in the acceptability of the proposal. The largest increase in scale is located to the south of the site, where at present only a single storey 5.5m high ruinous outbuilding is located. In this area, the height will be raised to 9.5m, with the hip of the gable running down to 7m at a distance of 2.8m from the boundary with the neighbouring property to the south. The increase in height is acknowledged to be dramatic, however as the application site is to the north of the property, it is not considered that the loss of light would be drastic enough to warrant refusal and as the adjoining area of curtilage is only a side passage, it is not considered that the additional mass would be overbearing to an extent that would harmfully impact the enjoyment of the adjoining dwelling house. It is also worth noting that the Supplementary Planning Guidance Design Guide set out that in a side to boundary arrangement, a distance of 2.5m is required and therefore the proposed arrangement will comply with the relevant SPG distance. New windows (including bi-folding doors) are proposed on the ground floor of the southern elevation, however due to the existing 2m high block wall it is not considered that these windows could be overlooking in nature. The first floor contains a single window, which will serve an en-suite and will be conditioned to be obscure glazed only to prevent overlooking.

The rear elevation includes 2 sets of bi folding doors on the ground floors, with the first floor including 2 bedroom windows. The remainder of the windows are velux style and not considered as overlooking. As previously mentioned, the rear boundary includes block wall which is 2m+ and therefore prevents the bifolding doors from being overlooking in nature. The existing building already contains bedroom windows in the rear elevation which are in a similar position to the proposed scheme and therefore it is not considered that the scheme would exacerbate any existing overlooking arrangements on this elevation. Nonetheless, the distance between the bedroom windows and the relevant facing windows of the adjoining property is 15m, which conforms with the secondary to secondary distance of 9-15m set out in the SPG design guide. Having visited the site, it also appears the adjoining property to the rear is at a slightly higher elevation which will somewhat soften any overlooking as it would lessen any direct lines of sight into the property.

The northern side elevation includes living room windows on the ground floor along with bedroom windows on the first floor. The SPG design guide sets out that a distance of 21m is required between living rooms windows, in this circumstance only 10m exists. Whilst the scheme does not comply with the required distance, it must be considered that the SPG is guidance only and is not to be applied rigidly. Further to this, it must also be considered that the existing arrangement includes living room windows (bay window) in the same position and the proposed scheme proposes a slight betterment as the windows will be smaller. There is existing boundary treatment in the form of a low hit an miss fence, which is not considered sufficient to completely eradicate the overlooking but will soften it to an extent. As the scheme does not worsen the existing overlooking situation, it is not considered that the department have ground to object to the proposed arrangement/layout. The bedroom windows will also be in the same position as existing and therefore will not exacerbate any overlooking to an extent that would warrant refusal.

Several letters also raised concern with the proposed bar area which is marked on the proposed ground floor plan. Whilst this does raise concern in regards to noise and disturbance, it must be considered that the bar area is not a separate use outside of the lawful C1 use and as such the bar area is incidental to the enjoyment of the C1 use and any disturbance or noise that arises from this element would be dealt with via other regulatory processes which are outside of the remit of the planning department.

## **Highways**

The traffic generated by the scheme and the access was also a point which was raised in several of the letters of objection. Whilst it is acknowledged that the scheme will generate a level of traffic, it must be considered that the use is an existing use which has been established via a certificate of lawful use application. As a result, the use could occur at present without planning permission with occupants all using the substandard access or street parking. The scheme offers a significant improvement to the parking and access arrangements, with the new access allowing 2 way traffic with improved visibility and also providing 10 parking spaces. The highways officer had no objections to the scheme subject to the imposition of standard highways conditions.

## **Ecology**

Under policy AMG 5 of the JLDP and the Councils Duty under The Environment Wales Act (2016), all proposals are required to demonstrate a net gain to the biodiversity of a site. An ecological survey was included as part of the application documentation which provided a baseline for the current biodiversity of the site and also included recommendations for enhancement and net gain. The recommendations have been clearly marked on the proposed plans and as such it is considered that the scheme effectively achieves biodiversity net gain in the urban location.

## **Conclusion**

Having considered all relevant policies and material considerations, the proposal is deemed acceptable subject to the conditions attached to the consent.

## **Recommendation**

To approve 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) 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 OS Plan / A.00.01**
- **Biodiversity Enhancement Plan / N/A**
- **Drainage Layout / 21232/501 P1**
- **Proposed Elevations / A.02.04**
- **Proposed First Floor Plan / A.02.02**
- **Proposed Ground Floor Plan / A.02.01**
- **Proposed Second Floor Plan / A.02.03**
- **Proposed Site Layout / A.00.03**

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

**(03) The premises shall be used for C1 use only and for no other purpose (including any other purpose in class C of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification)).**

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

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

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

**(06) The access shall be constructed with 40 metre by 2.4 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.**

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

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

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

**(08) The car parking accommodation shall be completed in full accordance with the details hereby approved before the building is 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.

**(09) 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.

**(10) 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, including any Temporary Traffic Management Measures and Traffic Regulation Orders necessary to facilitate safe construction of the scheme including any advance, preparatory and demolition works;**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- (iv) Identification of the routing strategy and procedures for the notification and conveyance of indivisible "out of gauge" loads. This includes any necessary measures for the temporary**

protection of carriageway surfaces; for the protection of statutory undertakers' plant and equipment; and for the temporary removal of street furniture;

(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 storage of plant and materials and the loading and unloading of plant and materials

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

(ix) Proposals for communicating information and advance notice relating to the approved plan to the Council and other stakeholders;

**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 and demolition traffic and construction activities in the interests of highway safety.

**(11) The en-suite first floor window in the southern elevation shall be obscure glazed only and shall not glazed or re glazed with any other glass apart from obscure for the lifetime of the development.**

Reason: In the interest of residential 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.

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