

Public Document Pack



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Mr Dylan J. Williams
Prif Weithredwr – Chief Executive
CYNGOR SIR YNYS MÔN
ISLE OF ANGLESEY COUNTY COUNCIL
Swyddfeydd y Cyngor - Council Offices
LLANGEFNI
Ynys Môn - Anglesey
LL77 7TW

Ffôn / tel (01248) 752500
Ffacs / fax (01248) 750839

RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 7 RHAGFYR, 2022 am 1.00 o'r gloch yp	WEDNESDAY, 7 DECEMBER 2022 at 1.00 pm
CYFARFOD HYBRID, YN SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGEFNI AC YN RHITHIOL DRWY ZOOM	HYBRID MEETING, IN THE COUNCIL CHAMBER, COUNCIL OFFICES, LLANGEFNI AND VIRTUALLY THROUGH ZOOM
Swyddog Pwyllgor	Mrs Mairwen Hughes 01248 752518 Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

Geraint Bebb
Jeff Evans
Neville Evans (**Cadeirydd/Chair**)
Glyn Haynes (**Is-gadeirydd/Vice-Chair**)
Trefor LI 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_(Pages 1 - 12)

To submit, for confirmation, the minutes of the previous meeting of the Planning and Orders Committee held on 2 November, 2022.

4 SITE VISITS_(Pages 13 - 18)

- To present the minutes of the virtual planning site visits held on 16 November, 2022.
- To present the minutes of the planning site visit held on 30 November, 2022.

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

5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED

None to be considered by this meeting.

7 APPLICATIONS ARISING_ (Pages 19 - 76)

7.1 – HHP/2022/171 - Awel Y Bryn, Trigfa, Moelfre
[HHP/2022/171](#)

7.2 –DIS/2022/63 - Former Roadking Truckstop, Parc Cybi, Holyhead
[DIS/2022/63](#)

7.3 – FPL/2022/53 – Cae Braenar, Penrhos, Holyhead
[FPL/2022/53](#)

7.4 – HHP/2022/46 - Tan Yr Allt Bach, Llanddona
[HHP/2022/46](#)

7.5 – VAR/2022/41 - 1 Blue Water Close, Treaddur Bay.
[VAR/2022/41](#)

7.6– HHP/2022/230 – Dinas Bach, 5 Y Fron, Aberffraw
[HHP/2022/230](#)

7.7 – FPL/2022/189 – Bilash, Dew Street, Menai Bridge
[FPL/2022/189](#)

7.8 – FPL/2022/172 – Erianallt Goch, Carmel
[FPL/2022/172](#)

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 77 - 80)

11.1 – HHP/2022/239 – 10 Lon y Wylan, Llanfairpwll
[HHP/2022/239](#)

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

12 REMAINDER OF APPLICATIONS_ (Pages 81 - 130)

12.1 – FPL/2022/60 – Newborough School, Pen y Dref Street, Newborough
[FPL/2022/60](#)

12.2 – VAR/2022/69 – Bryn Meurig, Llangefni
[VAR/2022/69](#)

12.3 – VAR/2022/52 – Cumbria & High Wind, High Street, Rhosneigr
[VAR/2022/52](#)

12.4 – FPL/2022/247 – Henblas Country Park, Bethel, Bodorgan
[FPL/2022/247](#)

12.5 – FPL/2022/195 – Pendref, Llanfairynghornwy
[FPL/2022/195](#)

12.6 – FPL/2022/215 – Capel Bach, Rhosybol
[FPL/2022/215](#)

13 OTHER MATTERS

None to be considered by this meeting.

PLANNING AND ORDERS COMMITTEE

Minutes of the hybrid meeting held on 2 November, 2022

- PRESENT:** Councillor Neville Evans (Chair)
Councillor Glyn Haynes (Vice-Chair)
- Councillors Geraint Bebb, Jeff Evans, John I. Jones, R. Llewelyn Jones, Jackie Lewis, Dafydd Roberts, Ken Taylor, Robin Williams, Liz Wood.
- Local Members: Councillors Alun Roberts, Carwyn Jones (application 7.1), Ieuan Williams, Margaret M. Roberts (application 7.3), Aled M. Jones, Derek Owen (application 7.4) Arfon Wyn (application 12.4), Dafydd Rhys Thomas (application 12.5)
- IN ATTENDANCE:** Planning Development Manager (RLIJ)
Group Engineer (Development Control & Traffic Management (Highways) (AR)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** Councillors Trefor Lloyd Hughes, MBE, Alwen Watkin
- ALSO PRESENT:** Councillor Nicola Roberts (Portfolio Member for Planning) (for part of the meeting), Councillors Paul Ellis, Pip O'Neill, Keith Roberts, Senior Planning Officer (JBR), Planning Officer (OHR)
-

1. APOLOGIES

The apologies for absence by Councillors Trefor Lloyd Hughes, MBE and Alwen Watkin were presented and were noted.

2. DECLARATION OF INTEREST

Councillor Jackie Lewis declared a personal and prejudicial interest with regard to application 7.3 on the agenda on the basis of a personal association with the group opposing the proposal.

Councillor Glyn Haynes declared a personal and prejudicial interest with regard to application 12.3 on the agenda as a Governor of Ysgol Llanfawr and because his daughter is employed as a teacher at the school. Should application 12.3 be approved, the developer would be required to make a financial contribution of £110,313 towards facilities at Ysgol Llanfawr.

Councillor Robin Williams also declared a prejudicial interest with regard to application 12.3 on the agenda on the basis that the matter of the development had previously been considered by the Executive of which he is a member.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 5 October, 2022 were presented and were confirmed as correct.

4. SITE VISITS

The minutes of the virtual site visits held 19 October, 2022 were presented and were confirmed as correct.

5. PUBLIC SPEAKING

There were Public Speakers in respect of applications 7.1 and 7.3

6. APPLICATIONS THAT WILL BE DEFERRED

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

7. APPLICATIONS ARISING

7.1 HHP/2022/46 – Full application for demolition, alterations, and extensions at Tan yr Allt Bach, Llanddona

The application was reported to the Planning and Orders at the request of the three Local Members. At its meeting held on 5 October, 2022 the Committee resolved to visit the site; a virtual site visit subsequently took place on 19 October, 2022.

The Legal Services Manager read out a statement by Mr Richard Sandbach of JAR Architecture in support of the application which highlighted how the clients had engaged with the planning process through taking on board the issues raised by the consultation response and making adjustments to the proposal accordingly; the modest nature of the proposal as regards scale, form and materiality in order to minimise any detrimental visual impact on the local context, and the purpose of the renovations and improvements which were to meet family needs and to make the existing building safe, liveable and sustainable beyond its current capabilities.

The Planning Development Manager outlined the main planning considerations as detailed in the Case Officer's report in relation to the proposal's siting and design and its impact as regards Dark Skies and Area of Outstanding Natural Beauty designations. He advised that based on the Officer's view that the proposal is acceptable in land use planning terms, that it is subservient to the existing property in respect of scale and size and does not dominate the original elevation and is considered appropriate to the dwelling and its surrounding area, the recommendation is to approve the application.

Councillors Alun Roberts and Carwyn Jones spoke as Local Members to convey the many concerns of the locality and the Community Council about the siting, scale and design of the proposal which they felt would have a detrimental effect on the character of the village and a negative visual impact on the landscape and surrounding area particularly the AONB as well as potentially generating light pollution. There were also concerns about highway and construction issues the application site being located at the top of a hill adjacent to the narrow and steep road down to Llanddona beach. Councillor Carwyn Jones thought that these aspects had not been sufficiently captured by the virtual site visit that was conducted. Issues around potential usage as a holiday home/let; the creation of two dwellings with a glass link and the lack of sustainable housing for local people were also raised.

The Planning Development Manager responded to the points made by the Local Members and confirmed the following – that planning consent would be conditional upon the

submission of a traffic management plan; that the application is for the demolition of the existing uPVC extension and the erection of a glass linked single storey extension not two dwellings; that a Dark Skies Strategy has been presented to address and mitigate light effects and that a proposed Landscape Strategy has also been submitted in response to comments and advice given by the Landscape Officer.

Councillor Ken Taylor, although sympathetic to the concerns of the community and Local Members said that the application had to be considered in terms of planning policy and that the Officer's report confirms its acceptability as regards land use. Councillor Robin Williams agreed and proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor Ken Taylor.

Councillor Jeff Evans in saying that the Committee should be apprised of what might transpire with regard to potential use read out paragraph 4.1.6.3 of the Council's Constitution about open and transparent decision-making. He referred to the Local Member's comments about the virtual site visit not being able to show all aspects of the site and said that he did not therefore believe the Committee could be familiar with the site on the basis of a visit that had been conducted virtually. This being so he proposed that a second, physical site visit be held to enable Members to gain a better appreciation of the application site within its context. Councillor R. Llewelyn Jones seconded the proposal.

In the ensuing vote, the proposal to carry out a second site visit was carried.

It was resolved to undertake a second site visit for the reason given.

7.2 VAR/2022/48 – Application under Section 73 for the variation of condition (04) of planning permission reference 45C260B (Full application for change of use of the existing building from A1 (retail) to mixed use A1 and A3 (retail and food and drink) so as to change the existing opening hours at Madryn House, Pen y Dref Street, Newborough

The application was reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 5 October, 2022 the Committee resolved to approve a temporary permission to extend the opening hours of the premises until 10:00 p.m. each day contrary to the Officer's recommendation on the grounds that there are three other establishments in close proximity to the application site with later opening times therefore what is the difference between the current application and adjoining premises.

The Planning Development Manager referred to the Case Officer's report which addressed the reasons given by the Committee for approving the application contrary to the Officer's recommendation and he confirmed that it remained the Officer's view that extending the opening hours of the premises until 10pm each day, albeit temporarily for 2 years cannot be supported as the proposal would by reason of the noise and number of visitors to the establishment as well as the use of the outside seating area detrimentally affect the amenities of the neighbouring residential properties and as such is contrary to Policy CYFF 2 of the Joint Local Development Plan.

The Committee discussed the merits of the proposal and what it might entail especially as regards the impact of the outside seating area on nearby residential amenity and the numbers that might be involved. Councillor John I. Jones speaking as a Local Member described the character of the local area and the businesses operating in close proximity to the proposal. He said that he wanted to ensure a level playing field with regard to trading hours with most of the other businesses operating to around 8pm which he thought acceptable; he could not see why the proposal should operate to later hours and that he was particularly concerned by the likely effects of the outdoor seating area on the residential

neighbourhood in terms of noise, disturbance and visual impact should the opening hours be extended to 10pm even temporarily. Car parking was also an issue.

Councillor Robin Williams said that supported the proposal for the same reasons as cited at the previous meeting and he proposed that the Committee adhere to its decision to approve the application. Councillor Jeff Evans said that individual choice within regulations influence opening hours and he did not see why restrictions should be imposed with regard to the proposal if no such restrictions applied to the other business such as the fish and chip shop. He further suggested that people are likely to gather outside the other business premises nearby those being a fish and ships shop and public house, especially in summertime.

Councillor Ken Taylor proposed, seconded by Councillor Dafydd Roberts that the application be refused in accordance with the Officer's recommendation; the proposal was carried by the Committee.

It was resolved to refuse the application in accordance with the Officer's recommendation for the reasons set out in the written report. (Councillor Jeff Evans abstained from voting)

7.3 HHP/2022/171- Full application for alterations an extensions with Juliet balconies at Awel y Bryn, Trigfa, Moelfre

The application was reported to the Planning and Orders Committee having been called in by a Local Member. At its meeting held on 5 October, 2022, the Committee resolved to visit the site and a virtual site visit was conducted on 19 October, 2022.

Having declared a prejudicial interest in the application, Councillor Jackie Lewis withdrew from the meeting during the discussion and voting thereon.

Public Speakers

Mr Peter J Hogan, the owner of Wyncae, the property to the immediate right of Awel y Bryn in addressing the Committee as an objector to the application described the changes which the subject property had already undergone since its purchase in late 2020 which had resulted in a two bedroom bungalow sleeping four becoming a property able to sleep anywhere between 10 and 12 people. The further developments now proposed would mean the property could sleep between 14 to 16 people – the question of whether it has been overdeveloped has to be asked. Mr Hogan said his objections were based on the criteria outlined in Policy document PCYFF 7 in relation to restricting the light available to his own property; potential access and parking problems should there be 16 occupants at the subject property and potential noise pollution with that many people present and availing themselves of the facilities at the property. Mr Peter Hogan referred to changes to the planning regulations in Wales that would come into force later in the month which would see the introduction of three new use classes for primary homes, secondary homes and short term holiday accommodation. This being so he referred to Policy document TWR2 which deals with the concentration of such accommodation in an area and to the fact that Council Tax records show that the concentration of second homes and short term holiday lets in Moelfre at 27% is considerably higher than the 15% threshold. In light of this, the suitability of the proposal should be carefully considered.

Mr Philip Mc Cormick, Architect spoke in support of the application saying that the comments and objections raised by members of the public have been carefully considered and responded to in the Justification Statement dated 16 August, 2022. A response has also been made to the queries raised by Local Members following the virtual site visit and confirms that the Council's own policies do not require a turning space to be provided within application site in such a location with the majority of the properties on the estate not having a vehicular turning space within their curtilages. The Council's own Highways Officer has no objections to the proposal as submitted. The foul drainage is to a private drainage system capable of accommodating the proposal and the drainage aspects will be considered in

detail as part of a Building Regulations application in due course; the lane fronting the application site is privately owned with the applicants having full rights of way over it. Mr McCormick said that there seemed to be two types of objections to the proposal – those which are relevant to planning matters which have been considered by the applicants who have provided their views with evidence to back those statements, and those which appear to be based on false rumours that bear no relation to planning issues and are not factual nor relevant for the purpose of making a planning decision. The Justification Statement refers to details of a similar proposal for the subject property that was earlier approved by the Council as well as an approval in 2020 for substantial extensions to form a two storey dwelling only 3 properties away from the application site. The proposals as submitted are reasonable and appropriate and are supported by the Council.

The Planning Development Manager reported that the application is for the erection of new dormer windows to the front and rear elevation of the property to create a new 1st floor living space at the roof space of the existing single storey property. A number of objections to the proposal have been received many of which refer to the number of bedrooms which the property would have should the latest application be approved leading to concerns it may be used as an Airbnb or “party house ” with insufficient parking available for 12 or more occupants. The property is use class C3 (dwelling houses) with the agent confirming it will be used as a residential dwelling; this being so the application has to be considered in terms of relevant planning considerations around design, effect on amenity and parking. Given that the proposal will not increase the overall roof height of the property nor extend beyond the main external walls it is considered acceptable as regards design. As a similar scheme at the property was previously approved in 2020 and as there are other dormer roof extensions in the immediate vicinity, it is not considered that the proposed development would give rise to an unacceptable visual effect in the local landscape. It is also considered that any overlooking issues will be kept to a minimum given the positioning of the new dormers and Juliet style balconies away from neighbouring properties. No objection has been raised by the Highways Authority and a Parking Diagram has been submitted as part of the Justification Statement displaying space for up to 5 cars on the driveway of the property in compliance with parking standards for Class 3 Dwellings which require 4 car parking spaces for a 5 bedroom dwelling on any new development. The recommendation is therefore to approve the application.

Councillors Margaret M. Roberts and Ieuan Williams both spoke as Local Members to express their concerns about the proposal from the perspective of the number of occupants it would be able to accommodate, its potential usage as an holiday let/Airbnb (the property having been previously advertised as a holiday let) and the resulting impact on the amenities of the occupants of neighbouring properties as well as parking and access issues. Councillor Ieuan Williams thought the application premature given the imminent implementation of new regulations in respect of use classes which are meant to help local authorities manage the impact of second homes and short-term holiday lets on communities which is a particular issue on Anglesey where many local people are unable to buy properties in their communities because the number of second homes are driving up prices. He referred to criterion 10 of Policy PCYFF3 which requires that proposals create a healthy and active environment and consider the health and well-being of future users; he thought that the proposed development in being able to accommodate up to 16 people and in potentially being used as a holiday let/Airbnb would have an adverse effect on nearby residential amenities and as such is contrary to Policy PCYFF3. The sufficiency of the proposed parking arrangements is also an issue with local concerns around access contributing to the belief that the proposal will have a negative effect on the well-being and quality of life of the immediate neighbourhood. Councillor Ieuan Williams believed the application should be refused on the grounds of non-compliance with Policy CYFF3, Policy TRA2 and in potentially leading to the loss of permanent housing stock, because it is contrary to Policy TWR2; or otherwise, the site might be re-visited as with a previous application.

The Planning Development Manager advised that as the application submitted is for Use Class C3 Dwelling, it has to be considered on that basis and in that case Policy TWR2 does not apply. He outlined the change in planning regulations which amends Use Class 3 to cover primary homes and which introduces Use Class 5 secondary homes and Use Class 6 holiday accommodation. Whereas currently, change of use from Use Class C3 to Use Class C5 or C6 is allowed as permitted development, the Council is considering issuing an Article 4 Direction that would remove those permitted development rights. In the meantime as the applicant has indicated that the property will remain as Use Class C3 Dwelling, a condition could be imposed on consent to ensure the usage stays as such.

Councillor Ieuan Williams, Local Member said that he did not believe current arrangements were sufficiently robust in requiring applicants where they are seeking to make changes to their property to provide evidence that the property is their primary home and he thought that current processes need to be changed. He asked that should the Committee be minded to approve the application, consideration be given to imposing a condition limiting the use of the property to Use Class C3 Dwelling.

Councillor Jeff Evans thought the position unclear as to whether the subject property is a five bedroom home for a family or a holiday let. He did not wish to have to decipher intent in relation to an application. The Planning Development Manager advised that the applicant's agent had confirmed that the property will be Use Class C3 Dwelling.

Councillor Dafydd Roberts proposed that the application be approved in accordance with the Officer's recommendation with the addition of a condition to restrict the use of the property to Use Class C3 Dwelling. The proposal was not seconded.

Councillor Ken Taylor said that an additional condition regarding use class does not remove the parking and access issues in connection with the proposal. The Planning Development Manager advised that the Highways Authority has confirmed that the proposed parking scheme conforms to parking standards for a 5 bedroom house.

Councillor John I. Jones referred to the relevance of Policy PCYFF2 to the proposal which he believed could be more appropriately applied as grounds for refusing the application rather than approving it given that it states that planning permission will be refused where the proposed development would 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. On that basis he proposed that the application be refused contrary to the Officer's recommendation; the proposal was seconded by Councillor Ken Taylor and was carried in the subsequent vote.

It was resolved to refuse the application contrary to the Officer's recommendation as the proposal was deemed to be contrary to Policy PCYFF2.

In accordance with the requirements of the Constitution the application will be automatically deferred to the next meeting to allow the Officers to respond to the reason given for refusing the application.

7.4 FPL/2022/66 – Full application for the change of use of land into a car parking area at Porth Wen, Llanbadrig

The application was reported to the Planning and Orders Committee at the request of a Local Member. At its meeting on 5 October, 2022, the Committee resolved to approve the application contrary to the Officer's recommendation because it was deemed the proposal would combat existing parking and highway safety problems by providing a safe off road parking area; it would protect the landscape (a designated Area of Outstanding Natural Beauty) and highway verges from damage and on condition that overnight parking is prohibited and that the site is cleared and locked overnight.

The Planning Development Manager referred to the Case Officer's report which addressed the reasons given by the Committee at its previous meeting for approving the application contrary to the Officer's recommendation and he confirmed that Officers remain of the view that a car parking facility in this location would likely lead to an increase in visitors to the area; that the proposal would result in unacceptable and unjustified development in the open countryside unrelated to any existing tourist attraction and that the development neither enhances nor conserves the special qualities and features of the designated AONB. This being so the proposal is considered contrary to local and national planning policies and the recommendation remains to refuse the application.

Councillors Aled M. Jones and Derek Owen spoke as Local Members and reiterated their support for the application believing that the proposal would facilitate access to and from the coastline as well as to a number of other places of interest in the area which draw in visitors. The proposal would also make access easier for emergency vehicles and would alleviate the problems caused by vehicles parked on the side of the road and on verges thereby improving road safety. The solution proposed is a sustainable one the protection mesh intended for part of the field that would accommodate the car park being designed to allow the grass to grow through.

The Committee discussed the proposal from the perspective of the impact of parking charges on the use of the proposal and the effect on the local environment. Those Members in favour of the application thought the proposal could be managed sensitively to minimise the effects on the AONB and that it has advantages not only for the local area but potentially in easing traffic pressure on Cemaes. Members opposing the application raised concerns about the potential for increased littering in the countryside and believed that approval could set a precedent for similar proposals in other rural areas of the Island.

The Planning Development Manager in acknowledging that traffic and parking are problematic in this locality advised that the proposal in developing a car parking facility in the countryside in an Area of Outstanding Natural Beauty does not provide an acceptable solution. Charging for parking will likely mean that vehicles will continue to be parked on the road thereby exacerbating the problem; car parking charges cannot be controlled through the planning process.

Councillor Ken Taylor proposed, seconded by Councillor Jackie Lewis that the application be refused in accordance with the Officer's recommendation. Councillor Jeff Evans, seconded by Councillor Liz Wood proposed that the Committee reaffirm its previous decision to approve the application contrary to the Officer's recommendation. In the ensuing vote, the proposal to reaffirm approval was carried.

It was resolved to reaffirm the Committee's previous decision to approve the application contrary to the Officer's recommendation for the reasons given and to authorise the Officers to impose planning conditions on the consent as appropriate.

8. ECONOMIC APPLICATIONS

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

9. AFFORDABLE HOUSING APPLICATIONS

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

10. DEPARTURE APPLICATIONS

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

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12. REMAINDER OF APPLICATIONS

12.1 DIS/2022/68 – Application to discharge condition (07) (signage scheme) of planning permission FPL/2022/65 (for the retention of HGV parking area and associated works for a temporary period of 12 months) at Plot 9 (eastern half), Parc Cybi, Holyhead

The application was reported to the Planning and Orders Committee as it is to discharge a condition imposed by the Committee under planning application reference FPL/2022/65 for the retention of HGV parking area and associated works for a temporary period of 12 months at Plot 9 (eastern half), Parc Cybi, Holyhead at its meeting held on 15 June, 2022.

The Planning Development Manager reported that condition (07) required the applicant provide details of all internal and external signage for the site the purpose being to safeguard and maintain the Welsh language and culture. Details have been received from the applicant confirming that the signage scheme will be bilingual. The Highways Authority is satisfied with the information provided which is considered sufficient to fully discharge the condition.

Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation; the Committee supported the proposal.

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

12.2 FPL/2022/189 – Retrospective application to retain use of a flat at Bilash, Dew Street, Menai Bridge

The application was reported to the Planning and Orders Committee having been called in by a Local Member.

Councillor Robin Williams, speaking as a Local Member proposed that a site visit be carried out due to local concerns regarding the appearance of the proposal in what is a conservation area. Councillor Geraint Bebb seconded the proposal.

It was resolved that a site visit be undertaken in accordance with the Local Member's request for the reason given.

12.3 FPL/2022/53 – Full application for the erection of 22 open market dwellings and one affordable dwelling, alterations to the existing access, creation of an internal access road together with associated works on land adjacent to Cae Braenar, Holyhead

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

Having declared a prejudicial interest in the application, Councillors Glyn Haynes and Robin Williams withdrew from the meeting during the discussion and voting thereon.

Councillor Jeff Evans raised issues with regard to the application on the basis of the matter of the development having been previously considered by the Executive and the implications thereof as well as the substance of the information presented to the Executive in comparison with the application submitted to this Committee, specifically the reduction in the number of affordable homes and whether the Executive would have come to the decision of approving the development (the wording of which was queried given that within the democratic

process, it is the Planning and Orders Committee that has jurisdiction over planning applications) had it been presented with the application in its present form.

The Legal Services Manager advised that as long as the Planning Officers are able to confirm that there has been no intervention in their assessment, conclusion or recommendation in respect of the application then there is no concern from a planning perspective that another body within the Council has considered the matter.

The Planning Development Manager confirmed the following –

- That the Executive on 24 January, 2022 was presented with a report by the Housing Service seeking its approval to enter into negotiations with Watkin Jones as the developer, about the potential to purchase some of the proposed units as affordable homes for local people. Watkin Jones is the applicant with the Council having no involvement with the application. He was satisfied that the Planning Service has dealt with the application as an application by an experienced developer with no influence having been brought to bear on the recommendation by the Housing Service or any other person or body.
- That the Executive has no statutory authority over planning matters nor authority to determine planning applications.
- That a developer has the right to change/amend an application and there may be reasons e.g. commercial for wanting to reduce the number of affordable homes in connection with a development.
- That the application site has extant planning permission for the residential development of 14 dwellings. Four affordable units have been provided as part of this development and have been implemented on a nearby site at Turkeyshore Road. Those count as part of the current application which provides for 1 affordable unit making 5 affordable units in total. Given the policy requirement for affordable homes provision for Holyhead is 10% of the overall number of units which would be 2.3 units in the case of the application submitted, the developer in offering 5 units has provided in excess of the requirement.

Councillor Geraint Bebb proposed, seconded by Councillor Ken Taylor, that the application site be visited by the Committee because of the scale of the development and the strength of feeling locally regarding the proposal.

It was resolved that a site visit be undertaken for the reasons given.

12.4 HHP/2022/230 – Full application for alterations and extensions at Dinas Bach, 5 Ystad y Fron, Aberffraw

The application was reported to the Planning and Orders Committee having been called in at the request of a Local Member due to local concerns regarding the application.

Councillor Arfon Wyn, a Local Member asked that the Committee visit the application site on the grounds of local concerns regarding the proposal.

Councillor Ken Tayler proposed, seconded by Councillor Geraint Bebb that that the Committee visit the site.

It was resolved to that a site visit be undertaken in accordance with the Local Member's request for the reason given.

12.5 VAR/2022/41 – Application under Section 73 for the variation of conditions (09) (surface water drainage), (13) (approval of vehicle and car parking accommodation), and (14) (in accordance with plans to be approved) of planning permission reference 46C188G (the redevelopment of the site for up to 6 residential units) so as to allow the submission of the surface water drainage scheme, vehicle turning and car parking area together with the re-siting and amended design of the proposed dwellings at 1 Blue Water Close, Trearddur Bay

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

Councillor Dafydd Rhys Thomas, a Local Member requested that a site visit be carried out on the basis of concerns around traffic, flooding and drainage in the area.

Councillor Geraint Bebb proposed, seconded by Councillor Jackie Lewis that a site visit be undertaken.

It was resolved to undertake a site visit in accordance with the Local Member's request for the reasons given.

12.6 DIS/2022/63 – Application to discharge condition (05) (landscaping), (08) (signage), (16) (mitigation risk assessment) of planning permission FPL/2021/337 (full application for the construction of an Inland Border Facility (IBF) at the Former Roadking Truckstop, Parc Cybi, Holyhead

The application was reported to the Planning and Orders Committee as it is to discharge condition(s) imposed by the Planning and Orders Committee in determining application reference FPL/2021/337 at its meeting held on 2 March, 2022.

The Planning Development Manager reported that since the publication of the agenda and report for this meeting, Welsh Government has asked for further information in respect of condition (16) which required the applicant to submit a risk assessment which included mitigation measures should the site be unable to undertake the required checks or operate the site due to any unexpected site closure. In light of the request by Welsh Government, Officers recommend that consideration of the application be deferred.

It was resolved to defer the application in accordance with the Officer's recommendation for the reason given.

12.7 FPL/2022/225 – Full application for an extension to the existing welfare agricultural building at Cae Mawr, Trefor, Holyhead.

The application was reported to the Planning and Orders Committee as it is made on land which is owned by the County Council.

The Planning Development Manager outlined the main planning issues as set out in the Case Officer's report and referred to the dimensions of the proposed lean-to extension the purpose of which was to increase the dairy cow housing capacity within the shed as part of a restructuring of the business in a move away from retaining beef cattle. The proposal is considered a small scale extension the principle of which in being for agricultural purposes is accepted within local and national planning policies. It is not considered the proposed development will result in any negative impacts on the area or any neighbouring properties.

Councillor Ken Taylor proposed, seconded by Councillor Geraint Bebb, that the application be approved in accordance with the Officer's recommendation.

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the conditions set out therein.

12.8 FPL/2022/124 – Full application for conversion, alteration and extension of an existing outbuilding into a rural enterprise workers dwelling together with the installation of a sewage treatment plant at Eirianallt Goch Farm, Carmel, Llanerchymedd

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

Councillor Jackie Lewis, speaking as a Local Member and on behalf of another Local Member Councillor Llinos Medi who had referred the application to the Committee, proposed that a site visit be carried out to enable Members to see for themselves the outbuilding and agricultural dwellings on site relative to the farm. Councillor Geraint Bebb seconded the proposal.

It was resolved to undertake a 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 Neville Evans
Chair**

This page is intentionally left blank

PLANNING SITE VISITS

Minutes of the virtual meeting held on 16 November, 2022

- PRESENT:** Councillor Neville Evans (Chair)
- Councillors Geraint Bebb, Jeff Evans, Trefor Lloyd Hughes, MBE, R. Llewelyn Jones, Jackie Lewis, Ken Taylor, Robin Williams.
- IN ATTENDANCE:** Development Management Manager (RLIJ)
Planning Team Leader (GJ)
Development Control Team Leader (CR)
Senior Planning Officer (JR)
Planning Officer (OHR)
Group Engineer (Development Control & Traffic Management) (Highways) (AR)
Committee Officer (ATH)
- APOLOGIES:** Councillors Glyn Haynes, John I. Jones, Dafydd Roberts, Liz Wood
- ALSO PRESENT:** Local Members: Councillors Pip O'Neill (for application 3), Arfon Wyn (for application 4), Llinos Medi (for application 6)
-

1. HHP/2022/46 – Full application for demolition, alterations and extensions at Tan yr Allt Bach, Llanddona

Members were informed that arrangements were being made for the Committee to re-visit the application site in person.

2. FPL/2022/189 – Retrospective application to retain the use of a flat at Bilash, Dew Street, Menai Bridge

Members were shown the satellite view of the application site. A video of the lane down to the application site off Dew Street was shown and a second video showed the subject building in its context relative to the surrounding buildings along with the route back along the lane to Dew Street.

In response to questions about ease of access and occupation of the building, the Senior Planning Officer confirmed that the Highways Service is satisfied with access and parking arrangements and that the subject building is currently occupied.

Councillor Robin Williams, as a Local Member highlighted concerns with regard to access especially for emergency vehicles such as a fire engine given the narrow approach to the building, the substandard appearance of the building as a dwelling in a conservation area and its being out of place amid predominantly commercial premises.

3. FPL/2022/53 – Full application for the erection of 22 open market dwellings and 1 affordable dwelling, alterations to the existing access, creations of an

internal access road together with associated works on land adjacent to Cae Braenar, Penrhos, Holyhead

Councillor Robin Williams, declared a prejudicial interest in this application and withdrew from the meeting during the virtual site visit.

Members were shown a satellite view of the application site and access. The first video provided a closer view of the access and locality including single storey properties immediately adjoining the application site in Cae Braenar. A second video showed a wider view of properties in the surrounding area which included two storey properties. A third video showed the road from the access and application site through Cae Braenar to the highway taking in a three storey block of flats at a distance from the site.

Members were also shown the site map and the type of housing units proposed as part of the development.

4. HHP/2022/230 – Full application for alterations and extensions at Dinas Bach, 5 Ystad y Fron, Aberffraw

Members were shown a satellite view of the application site along with the site plans and the two proposed single storey extensions. The first video showed the perspective from the estuary which set the subject property in its context relative to surrounding properties. The second video showed the view from the garden of the next door property, 4 Y Fron including the boundary with number 5 and existing attached flat roof garage that would be demolished as part of the proposal and replaced with a single storey extension. Members were informed that the new proposed extension would be 0.8m wider than the existing garage and therefore 0.8 m closer to the boundary with 4 Y Fron. The third video showed the view from the access to 5 Y Fron as well as the proposed siting of the second single storey extension on the other side of the property and the estate road and neighbouring properties.

5. VAR/2022/41 – Application under Section 73 for the variation of conditions (09) (surface water drainage), (13) (approval of vehicle and car parking accommodation), and (14) (in accordance with plans to be approved) of planning permission reference 46C188G (the redevelopment of the site for up to 6 residential units) so as to allow the submission of the surface water drainage scheme, vehicle turning and car parking area together with the re-siting and amended design of the proposed dwellings at 1 Blue Water Close, Trearddur Bay

Members were informed that work had commenced before the conditions noted above were discharged hence the application. Planning consent has been safeguarded through a lawful use certificate on the basis that a material start has been made with regard to previous outline planning permission and reserved matters approval. A satellite view of the site was shown and the substance of the approved application for 6 residential dwellings was outlined. A video of the application site and access was shown; a second video showed the access from the site to the highway and a third video showed the immediate locality including a property nearby which had been subject to past flooding, the view along the road serving Trearddur Road estate and the mix of property types to be found thereon.

Members were shown the site plan as approved; the proposed changes as regards design and the re-siting of two of the dwellings as part of the current application were explained.

6. FPL/2022/172 – Full application for conversion, alteration and extension of an existing outbuilding into a rural enterprise workers dwelling together with the

**installation of a sewage treatment plant at Eirianallt Goch Farm, Carmel,
Llanerchymedd**

Members were shown a satellite view of the application site and relevant buildings. A series of videos were shown with Video 1 providing a view of the subject building from the front, side, and rear elevations; Video 2 set the context showing the view from the yard and access; Video 3 provided footage from the access to the highway and Video 4 showed the view from the yard along the access road past Eirianallt Goch which was originally approved as an agricultural dwelling and Erw Las, a second permitted agricultural dwelling within the farm complex. Video 5 showed the view of the farm complex from the highway.

The site plan was also shown which provided details of the proposed conversion. The location of the application site was confirmed as off the B5112 road between Llanerchymedd and Trefor.

**Councillor Neville Evans
(Chair)**

This page is intentionally left blank

PLANNING SITE VISIT

Minutes of the meeting held on 30 November, 2022

PRESENT:	Councillor Neville Evans (Chair) Councillors Jeff Evans, Trefor Lloyd Hughes, MBE, R. Llewelyn Jones, Jackie Lewis, Ken Taylor.
IN ATTENDANCE:	Development Management Manager (RLIJ) Planning Officer (HR)
APOLOGIES:	Councillors Geraint Bebb, Glyn Haynes, Dafydd Roberts, Robin Williams, Liz Wood
ALSO PRESENT:	Local Member: Councillor Alun Roberts

1. HHP/2022/46 – Full application for demolition, alterations and extensions at Tan yr Allt Bach, Llanddona

Members of the Committee commenced the site visit at Llanddona beach in order to gain a view of the proposal from the perspective of the beach. The application site was then inspected and Members were shown the proposed site plans and they viewed the existing dwelling. Concern was expressed regarding a glass link structure between the existing dwelling and proposed new side extension and the potential for creating two residential dwellings. The Officers explained the proposal and clarified that the intended extension to the side of the existing property does not include any bedrooms. It was also confirmed that the proposal means the existing 3 bedroom dwelling would become a 5 bedroom property.

**Councillor Neville Evans
(Chair)**

Planning Committee: 07/12/2022

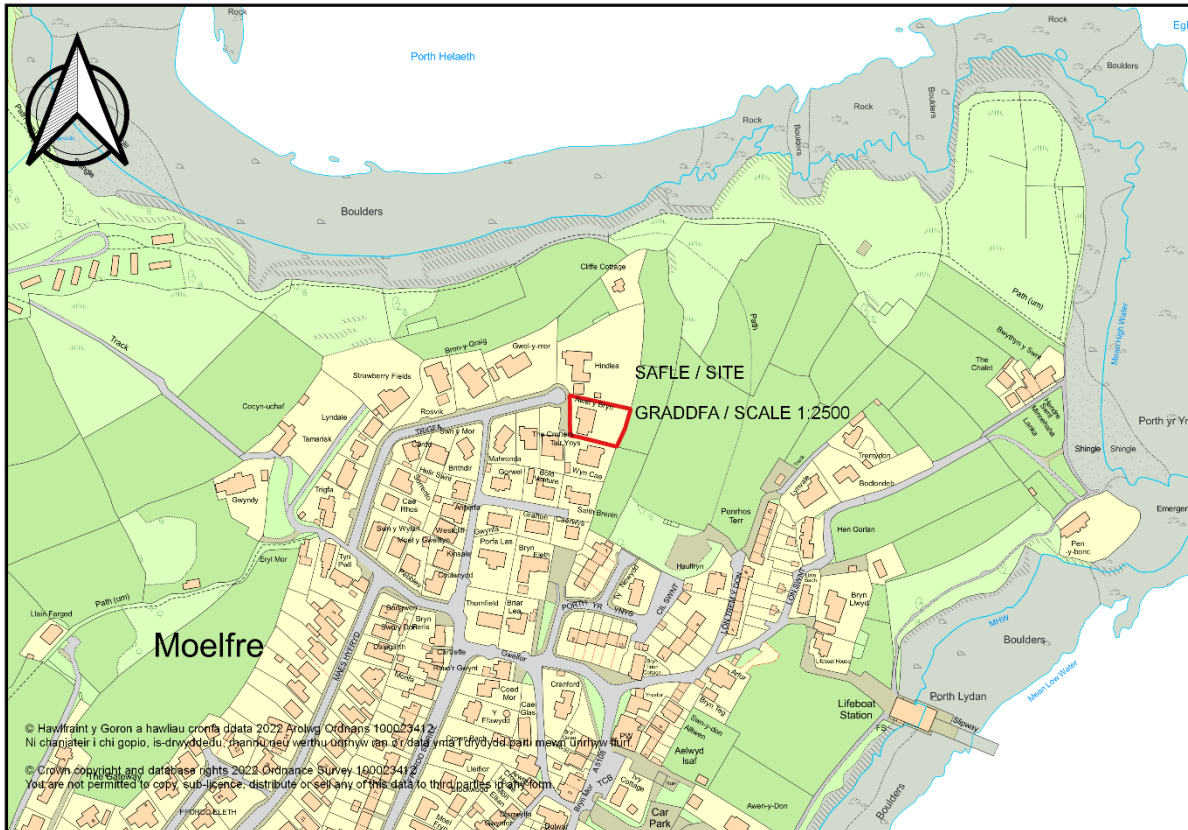
7.1

Application Reference: HHP/2022/171

Applicant: Mr & Mrs D Adams

Description: Full application for alterations and extensions with Juliet balconies at

Site Address: Awel Y Bryn, Trigfa, Moelfre



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

Recommendation: Permit

Reason for Reporting to Committee

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

At its meeting held on the 2nd November, 2022 the Committee resolved to refuse the application contrary to officer recommendation. The recorded reasons being as follows:

“The proposal was deemed to be contrary to Policy PCYFF2 of the Joint Local Development Plan”. This was due to:

1. Impact on the amenity of adjacent residential properties by virtue of noise and disturbance due to the increase in the number of bedrooms / occupants.
2. Overdevelopment of the property.

3. Access and Parking concerns generated from additional bedrooms.

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

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

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

This report will therefore give consideration to these matters labelled 1-3 above;

1. The use of the property has been noted to be the same residential use as existing which is in keeping with setting and character of a residential estate in which a variety of noise levels from each property is created. This is not out of the ordinary within a residential setting. As stated in the Justification Statement submitted by the applicant, the use of the property has been noted for family and friends of the applicant only. It is therefore considered the noise levels would remain similar to the existing noise levels from the occupants at the site. In Planning terms this small scale householder application for alterations and extensions and is considered acceptable and in accordance with relevant policy. It has been confirmed by the applicant that the use of the property is to be as a dwelling for family use only. The Planning Department cannot speculate on any future use of a property and must consider applications on its own merits and as submitted.

2. It is considered the development of 2 additional bedrooms and "snug" area is not an overdevelopment of the existing site as the footprint remains the same as the existing property. Similar style dormer extensions are within the estate and the extension is subservient to the existing main dwelling. The roofline of the property is to remain the same as existing. A 5 bedroom property is not considered to be an excessively large sized property. A similar application for a first floor extension was approved at this property in 2010. Rear elevation dormer roof extension to provide additional living accommodation could be developed under Permitted Development rights.

Many similar style dormer extensions are situated within the Trigfa estate. The character of the property will be similar to the existing property and that of neighbouring properties.

3.No objection is noted by the Highways department for this application. A Parking Diagram has been submitted as part of the Justification Statement displaying space for up to 5 cars on the driveway of the property. This proposal was considered acceptable by the Highways Department who raised no objection.

Conclusion

Given that the proposed development is a small scale dormer style extension, with no extension to the dwellings footprint or roof height, the design and scale of the proposed development is deemed acceptable and in accordance with relevant Policy and SPG Guidance. The property is a residential dwelling set within a residential estate and it is not considered that the noise and disturbance generated by 2 additional bedrooms will be materially different to that of the existing dwelling. The Highways Department has raised no objection to the proposed parking arrangements and therefore the proposal is considered acceptable.

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.

- **A(300)01 – Planning Drawing – Proposed Floor Plans & Sections**
- **A(300)02 Revision A – Planning Drawings Proposed Elevations**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 2, PCYFF 3, TRA 2, AMG 1

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

Application Reference: DIS/2022/63

Applicant: HMRC

Description: Application to discharge condition (05) (landscaping) (08) (signage) (16)(mitigation risk assessment) of planning permission FPL/2021/337 (full application for the construction of an Inland Border Facility (IBF) at

Site Address: Former Roadking Truckstop, Parc Cybi, Holyhead,



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

Recommendation: Condition Discharged

Reason for Reporting to Committee

The application is to discharge condition(s) imposed by the Planning and Orders Committee in determining planning application reference FPL/2021/337 "Full application for the construction of an Inland Border Facility (IBF) at the former Roadking Truckstop, Parc Cybi, Holyhead" at its meeting that was held on the 02/03/2022.

Member's will recall that at its meting that was held on the 2nd November it was determined to defer determining the application as Welsh Government Transport Division had requested further information. The additional information has now been received and has been forwarded to Welsh Government Transport Division to review.

Proposal and Site

This is an application to discharge condition (05) (landscape) condition (08) (signage) and condition (16) (mitigation risk assessment) of planning permission FPL/2021/337 (full application for the construction of an Inland Border Facility (IBF) at the former Roadking Truckstop, parc Cybi, Holyhead).

Key Issues

The key issue is whether the statutory consultees are satisfied that the information submitted is sufficient to discharge the conditions.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Strategic Policy PS 1: Welsh Language and Culture

Policy TRA 4: Managing Transport Impacts

Response to Consultation and Publicity

Consultee	Response
Cadw Consultations	No objection
Llywodraeth Cymru (Priffyrdd/Highways)	Support
Ymgynghorydd Tirwedd / Landscape Advisor	Landscaping details acceptable
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	No response to date

There was no requirement to carry out publicity as part of this planning application.

Relevant Planning History

SCR/2021/79 - Barn sgrinio ar gyfer cais llawn ar gyfer adeiladu Cyfleuster Ffiniau Mewndirol (IBF) ar dir yn / Screening opinion for full planning application for the construction of an Inland Border Facility (IBF) on land at - Parc Cybi, Caergybi / Holyhead - Dim Angen AEA / EIA Not Required 03/12/2021

FPL/2021/337 - Cais llawn ar gyfer adeiladu Cyfleuster Ffiniau Mewndirol (IBF) yn / Full application for the construction of an Inland Border Facility (IBF) at - Hen Safle Roadking, Stop Tryciau, Parc Cybi, Caergybi / Former Roadking Truckstop, Parc Cybi, Holyhead, - [object Object] - Caniatáu / Permit

DIS/2022/36 - Cais i ryddhau amod (02) (Cynllun Rheoli Traffig Adeiladu), (03)(Cynllun Rheoli Amgylcheddol Adeiladu), (07)(Manylion/Samplau o defnyddiau), (09)(Cynllun Cyflogaeth Lleol), (10) o ganiatâd cynllunio FPL/2021/337: Cais llawn ar gyfer adeiladu Cyfleuster Ffiniau Mewndirol (IBF) yn / Application to discharge conditions (02) (Construction Traffic Management Plan), (03)(Construction Environmental Management Plan), (07)(Details/Samples of Materials), (09)(Local Employment Scheme), (10)(Local Supply Chain Scheme) of planning permission FPL/2021/337: Full application for the

construction of an Inland Border Facility (IBF) at Former Roadking Truckstop, Parc Cybi, Holyhead - Not yet determined

Main Planning Considerations

Planning permission was granted under planning application FPL/2021/337 for the construction of an Inland Border Facility at the former Roadking Trucstop site on Parc Cybi, Holyhead.

Condition (05) of planning application FPL/2021/337 requested the applicant provide a landscaping scheme.

A landscaping recommendation drawing has been submitted from the applicant and the scheme has been forwarded to the Senior Landscape and Tree Officer who confirmed that the landscaping scheme was acceptable.

Condition (08) of planning application reference requested that the applicant submit a signage scheme which would include all external and internal signage be submitted for approval. This was to ensure that the signs will be bilingual.

The information provided in drawing reference 8652-AFF-ST-XX-DR-A-1111 (Rev B) confirm that all signs will be bilingual and that the Welsh text will appear first.

Condition (16) of planning application reference FPL/2021/337 requested that the applicant submit a risk assessment which included mitigation measures should the site be unable to undertake the required checks or operate the site due to any unexpected site closure.

A risk assessment scheme has been submitted however Welsh Government Transport Division requested further information. The requested details have now been received and the information has been forwarded to the relevant Officers at Welsh Government Transport Division. At the time of writing this report no response has been received at the department..

Conclusion

Sufficient information has been received to discharge conditions (02) (landscape), (08) (signage scheme) and condition (16) (risk assessment/mitigation measures).

Recommendation

That the application is permitted subject to a satisfactory response from Welsh Government Transport Division.

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/2022/53

Applicant: Watkin Jones & Son Ltd

Description: Full application for the erection of 22 open market dwellings and 1 affordable dwelling, alterations to the existing access, creation of an internal access road together with associated works on land adjacent to

Site Address: Cae Braenar, Penrhos, Holyhead



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

Recommendation: Permit

Reason for Reporting to Committee

The application is presented to the planning and orders committee at the request of the local member.

At the Planning Committee on the 2nd November, 2022 the Members requested a Site Visit. The virtual site visit was carried out on the 16th November and members are now familiar with the site and its settings.

Proposal and Site

The application site comprises approximately 0.8 hectares of land which is currently overgrown within the development boundary of Holyhead. The land is situated to the North of Ysbyty Penrhos Stanley. To the

North boundary is Cae Braenar estate, To the West is Cae Braenar and Digney Close estates and to the South is Lewascote estate. Access to the site will be via Cae Braenar estate and also includes a pedestrian access.

The application site as well as land to the east towards the sea is identified as protected open space/play area in the JLDP; however, consideration must be given to the fallback position for 14 dwellings which has been lawfully implemented. The trees on the north-east and south-west boundaries are protected by a Tree Preservation Order.

This is a full application for the erection of 23 affordable dwellings, alterations to the existing access, creation of an internal access road together with associated works.

The proposal constitutes 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
- Design
- Open Space
- Highway Considerations and Sustainability
- Drainage
- Ecology and Biodiversity Considerations
- Japanese Knotweed
- Landscape
- Relationship with Adjacent Properties
- Welsh Language and Culture

Policies

Joint Local Development Plan

PS 1: Welsh Language and Culture
ISA 1: Infrastructure Provision
ISA 4: Safeguarding Existing Open Space
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

Planning Policy Wales (Edition 11)

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

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

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

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

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

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
Gwasanaeth Tân ac Achub Gogledd Cymru North Wales Fire and Rescue Service	Comments in relation to requirements of width of access, turning facilities, water supplies and access for fire appliance.
Cynghorydd Jeff M. Evans	Requested the application is called in to the planning committee for consideration due to the proposal not being in keeping with the character and appearance of the area in terms of siting, appearance, height and scale. There is also Japanese Knotweed on the site. Parking, traffic and road safety concerns.
Cyngor Tref Caergybi / Holyhead Town Council	Objection: Overshadowing and privacy, Increased traffic, and out of character with the area.
Cynghorydd Glyn Haynes	Call in received due to local concern.
Rheolwr Polisi a Strategaeth / Policy & Strategy Manager	No comments due to no requirement to provide Welsh Language Statement.
Bwrdd Iechyd Betsi Cadwaladr Health Board	No response at the time of writing the report.
Cynghorydd Pip O'Neill	The proposal is unacceptable, not in keeping with the surrounding area, impact on the living standards of the community. Pressure on existing services in the area and Highway concerns.
Dwr Cymru/Welsh Water	Confirmed that they have no objection to the proposal with appropriately worded condition.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditional Approval.

Iechyd yr Amgylchedd / Environmental Health	Standard comments in relation to working hours, vibration and contaminated land.
Draenio Gwynedd / Gwynedd Drainage	Confirmation has been received that an application will need to be submitted to the SAB .
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Standard policy comments and confirmation no open space provision will be required due to a £10k contribution already being paid under the previous fallback planning application.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with the proposal with appropriately worded conditions.
GCAG / GAPS	No recommendation for mitigation.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objections raised to the proposal, satisfied with the Construction Traffic Management Plan submitted and recommendation of approval subject to relevant highway conditions.
Gwasanaeth Addysg / Education Service	There will be a requirement to provide a financial contribution of £110,313 towards facilities at Ysgol Llanfawr.
Strategol Tai / Housing Strategy	Confirmation received on the need for affordable housing in Holyhead and confirmation that there is appropriate housing mix within the site.
Cyfoeth Naturiol Cymru / Natural Resources Wales	NRW has confirmed that the information submitted is acceptable and recommends approval subject to a condition which relates to the ecological information.

The application was advertised by means of individual letters to neighbouring properties and a notice was placed in the local newspaper. The expiry date to receive representations ended on the 8th September, 2022. To date a total of 32 objection letters had been received, the main comments as follows:-

- Overdevelopment, overbearing and overlooking issues
- Adequacy of sewers, electric and water
- Trees cut down already on the site
- Access too narrow on a bend, inadequate for passing vehicles especially during construction works and is this safe for children
- Cae Braenar estate road already in poor condition and narrow and cannot accommodate additional traffic.
- Construction Traffic
- Is there sufficient space in local schools and impact on Health Board
- Impact on the Welsh Language and the need for a Welsh Language Statement
- Proposal will have impact on amenity/overlooking of adjacent residential properties which are privately owned
- De-value existing properties
- Land is designated Open Space in JLDP
- Residents not given opportunity to comment on previous historical planning application
- The land is currently used by the community
- Need for this site as other sites offer affordable housing in Holyhead
- Detailed ecology report not carried out
- Fence should be erected around the boundary of the site
- Site designated AONB

- Impact on Ecology
- Insufficient ecological reports
- Urbanising effect
- Noise, pollution
- Public Inquiry in 97
- Design out of keeping
- Japanese Knotweed on site
- Development not to benefit of community
- Dwellings will not be affordable
- The area needs affordable housing not open market housing

In response to the comments made:-

- The site is not overdeveloped. When considering density consideration has been given to Criterion 3 of Policy PCYFF2 which confirms that the density of the site is acceptable, this is given more consideration in the main body of the report.
- All statutory consultees such as Welsh Water has confirmed that they are satisfied with the capacity in the area.
- The site has been cleared; however, planning permission is not required for clearing the site. However if the applicant knowingly spread Japanese Knotweed out of the site, this would have been a criminal offence and the Police should have been informed. The Planning Department would not be able to enforce this. If works was carried out in bird nesting season and there was evidence of impact on ecology the Police should have been informed.
- The Highways Department has confirmed that the access and parking arrangements are acceptable and they have confirmed that the road is capable of accommodating the proposal without having an impact on highway safety.
- A construction traffic management plan has been received with the planning application. The Highways Authority is satisfied with the traffic management plan submitted.
- Consideration has been given to the impact of the development on the amenity of adjacent residential properties. It is not considered that the proposal would have a negative impact on adjacent residential properties. This is further discussed in the main body of the report.
- The Education Department has requested a £110,313 financial contribution towards Ysgol Llanfawr which will be dealt with via a S106 agreement
- There is no need for the developer to provide a Welsh Language Statement with the planning application which is explained further in the main body of the report.
- De-valuation of properties is not a planning consideration.
- Open Space - It is somewhat unclear why this area of open space (the whole open space area extends beyond this site) was carried over from that shown in the Ynys Môn UDP (2005) when considering the previous planning approval on the site. Regards has been given to the fall-back position (safeguarded consent) and the lack of public access to the site. It is therefore considered that the above justifies the loss of this part of the open space provision.
- Residents were given opportunity to comment on the historic planning applications
- The land is privately owned
- The affordability element has been explained in the main body of the report.
- An ecological report has been provided with the planning application. Natural Resources Wales and the Ecological Advisor of the Council has confirmed that the proposal is acceptable with suitably worded conditions.
- Natural Resources Wales has confirmed that there is no need for further ecological reports.
- A 1.8m high security fence is erected on the North East and South East of the site and a 2m hedgerow with post and wire fence erected on the South West boundary.
- The site is not in an AONB
- It is not considered that the proposal will have an urbanising impact greater than what has been previously approved on the site which has since been safeguarded.
- There will be some noise during construction stage, but this is only temporary and can only be expected with new construction.

- This planning application is determined in accordance with current policies of the JLDP and relevant current Supplementary Planning Guidance.
- It is not considered that the proposal will be out of keeping in the area, the design has been addressed in the main body of the report.
- Japanese Knotweed is present on site, a report has been received identifying the areas where the JK is located on site together with an eradication plan. NRW has confirmed that they are satisfied with the document and their previous concerns have been addressed.
- The 1 affordable dwelling will be subject to a Legal S106 to ensure that it will remain as an affordable dwelling.

Relevant Planning History

19C171B - Full application for 14 dwellings together with alterations

19C171F - Amended drainage scheme approved under consent 19C171B – Approved 18/3/08

19C171H – Certificate of Lawfulness for material start on consent 19C171B – Lawful 18/2/13

Main Planning Considerations

Principle of Residential Development

In the JLDP Holyhead is identified as an Urban Service Centre under Policy TAI 1. 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. This site lies within the Holyhead development boundary.

In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals within development boundaries are approved if they comply with other policies and proposals in the Plan, National policies and other relevant planning considerations.

The application site benefits from an extant planning permission (19C171B) for residential development of 14 dwellings. This included six four-bed dwellings and eight three-bed dwellings, all two storey high. Permission 19C171B has been implemented and a Certificate of Lawful Existing Use (19C171H) has been issued.

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 provision of 23 dwellings would provide a density of development at 29.5 dwelling per hectare which is only slightly short of the requirements of Policy PCYFF 2; however, it is necessary to consider the proposed development includes SUDS requirements, parking, footpath and internal access road 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 19no two-bed units and 4no three-bed units which would contribute towards meeting the identified need in Holyhead. 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 Holyhead this equates to 10% of the overall number of units which equates to 2.3units. 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. However the developer as part of the previous planning application 19C171B has provided 4 affordable units on a nearby site at Turkeyshore Road. Since the

proposal would increase the number of units on the site by 9 in line with Policy TAI15 one of these units should be affordable.

Design

The proposal involves the erection of 23 no two storey dwellings, the dwellings will be constructed of red brick, upvc windows and doors and a tiled roof. The dwellings on the Cae Braenar estate are single storey bungalows; however, within close proximity of the site are also two storey dwellings.

Consideration must also be given to the safeguarded planning consent 19C171B which included 14 no two storey dwellings.

It is considered that the design and materials of the proposed dwellings are high quality and meet the criteria of Policy PCYFF3. Even though the dwellings on Cae Braenar are single storey bungalows it is not considered that the proposal will look out of place on the site or have an impact upon the landscape.

Open Space

The site is currently identified as protected open space under Policy ISA 4 of the JLDP. It is somewhat unclear why this area of open space (the whole open space area extends beyond this site) was carried over from that shown in the Ynys Môn UDP (2005) when considering the previous planning approval on the site.

Regards has been given to the fall-back position (safeguarded consent) and the lack of public access to the site. It is therefore considered that the above justifies the loss of this part of the open space provision.

Highway Considerations and Sustainability:

Access to the site would be via the existing vehicular access off Cae Braenar which would include vehicular and pedestrian access. The proposed access has a visibility splay of 43m in each direction.

The internal access road will be constructed to adoptable standards and would provide a footway on either side of the main road into the site.

A Transport statement has been received with the planning application to consider the level of traffic demand anticipated to be generated by the development proposals. The Transport statement provides information on the maximum total trip demand during peak periods during the week. Consideration has also been given to the safeguarded planning consent for 14 residential dwellings which represents the baseline position. The report states that the development would represent appropriate and sustainable development in highway and transport terms. There is no evidence to suggest that the development would give rise to severe detrimental impact on local highway network operation, with development traffic increases would be of a strictly limited scale and would not require the provision of network capacity improvements.

A Traffic Management Plan has also been provided with the Construction Environmental Management Plan which covers Traffic Management, Loading, unloading and storage of plant and materials

The Highways Authority has confirmed that they are satisfied with the proposal with appropriately worded conditions.

The proposed development in a highly accessible and sustainable location within walking distance to Holyhead town centre which provides all the necessary needs of future occupiers of the dwellings and close to key transport routes. It is considered that the proposal complies with policies PS4 and PS5 of the Joint Local Development Plan.

Drainage

In accordance with Policy PCYFF 6 (Water Conservation), as the proposal exceeds the threshold of 10 units, a Drainage Strategy has been submitted with the application. The document provides details of how the development will satisfactorily address how suitable discharge of surface water and foul effluent generated by the proposed development will be dealt with.

There will be an easement towards the eastern part of the site for a surface water outfall to the sea, which constrains this part of the site. A SUDS attenuation feature is proposed close to the site's eastern boundary.

Private driveways and hard-standings will be finished with permeable paving with roof water from each property being transferred into a water butt and into a soakaway or tree pit and then into a demarcation manhole. The manholes will rain into a pipe system beneath the road. The pipes system will then discharge into the flood storage/wetland area which will provide additional attenuation prior to overflow (during extreme events) into the surface water outfall drain and to the sea.

As of January 7th 2019, all new developments of more than 1 property or where the construction area with drainage implications is 100m² or more, will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

These systems must be approved by Isle of Anglesey County Council acting in its role as a SuDS Approving Body (SAB), before construction work begins. The SAB will have a duty to adopt compliant systems which serve more than one property so long as it is built and functions in accordance with the approved proposals, including any SAB conditions of approval.

Welsh Water has confirmed that they have no objection.

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.

A Bat Roost Assessment has been submitted with the planning application and the results showed that existing trees across the site are scrub and as such have not attained sufficient size for the development of preliminary roost features in trees. As a result no preliminary roost features were observed in the trees that could give rise to roosting bats. As part of the ecological survey a basic standard badger survey was undertaken and there was no signs of badgers or hedgehogs on the site. A condition will be placed on the permission to ensure that the applicant complies with all recommendations of the report.

A 4m screen belt would be retained along the site's eastern and southern boundaries. A 2m hedgerow would be provided along the site's northern, western and southern boundaries with a post and wire fence to the front with all development located at least 3m away from the hedgerow planting. A Grass Meadow is proposed on the South East of the site.

In built Ibstock Bat Boxes will be installed to the gable end of plots 2,6,8,10,12 and 13. Hedgehog access gaps will be left in fencing at ground level and peripheral landscaping is also proposed.

Japanese Knotweed

The removal or treatment of Japanese Knotweed in itself does not require planning permission, the matter for consideration for the Local Planning Authority is the requirements of policy PCYFF 2, criteria 6 of the Joint Local Development Plan to ensure provision for the appropriate management and eradication of invasive species so that the site may be prepared for further development.

After a site visit it was confirmed that Japanese Knotweed is present on the site. The applicant has provided an Invasive Weed Management Plan which identifies the areas affected by the Japanese Knotweed together with method of treatment

Natural Resources Wales has confirmed that the Invasive Weed Management information addresses their previous concerns and no further surveys are required to be submitted.

A condition has been placed on the permission requesting that the applicant provides a certificate by an independent consultant to confirm that the knotweed treatment programme has been successful and that all of the invasive plant material has been removed and all treated areas shall be subject to aftercare and monitoring in accordance with the submitted scheme.

Landscape

The site lies within the development boundary with protected trees on the southern boundary and western boundary. It lies inland of the Wales Coat path to the west and is largely enclosed by the protected trees which define the site boundary.

An arboricultural report (Amenity Tree Care) and soft landscaping design (Stiwidlo Owens) has been submitted.

The proposal involves soft landscaping, a woodland buffer, hedges, shrubs, grassland and a condition has been placed on the permission to ensure that a landscape management plan, noting maintenance schedules for 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.

A green mesh fence is shown on the south and eastern boundaries and a condition has been placed on the permission to ensure that details of installation of the fence to ensure no harm to the protected trees. The proposed development complies with the requirements of PCYFF4 with appropriately worded conditions.

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

Consideration has been given to the distance of the proposed new dwellings to existing residential properties and it can be confirmed that all properties apart from Plot 13 and Plot 16 comply with the distances set out in the SPG.

Plot 13 is located 9.9m from the boundary and Plot 16 is located 8.9m from the boundary, the SPG states that a distance of 10.5m should be achieved from a ground floor main window to the boundary. The SPG is only guidance and not policy, the existing property to the rear of Plot 13 and 16 is located approximately 12 metres from the boundary; therefore it is not considered that the small shortfall in distance would impact the amenity of 5 Lewascote.

To conclude, by virtue of the separation distanced between the dwellings, and existing boundary treatments, it is not considered that the proposed development will have a detrimental impact upon adjacent residential properties or future occupants of the proposed units.

It is considered that 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. A financial contribution of £10,000 has previously been paid to the Holyhead Town Council as part of the implemented consent. There is therefore no requirement for the applicant to provide a further contribution towards open space provision.

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development consideration is given to the capacity within local schools to accommodate the anticipated number of children on the site. It is also important to consider the effect of the proposed development on the capacity of local schools. The cumulative impact of other developments in the schools' catchment areas is also taken into account when assessing whether an education contribution should be made. The Lifelong Learning Department of Anglesey Council have confirmed that a financial contribution of £110,313 is required towards facilities at Ysgol Llanfawr and this will be secured by a Section 106 agreement

Welsh Language and Culture: As the extant consent would have made it clear that the site as a windfall site was available for residential development during the preparation of the JLDP, the site cannot be considered as an 'unexpected windfall site'. As there is capacity within the settlement for the proposed number of units, the Local Planning Authority agreed during pre-application discussions, that a Welsh Language Statement would not be required. The Welsh Language Officer did not have any comments to make but made comment on the need to ensure that street names should be in Welsh.

Conclusion

In summary the proposal for 23 residential units on this site aligns with material policies and is acceptable having weighted the material considerations described in the report.

Recommendation

Permit subject to Section 106 for 1 affordable dwelling and £110,313 financial contribution towards Ysgol Llanfawr.

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

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

(02) No development shall take place, until the Tree Protection Screen shown in the Amenity Tree Care Plan TR-01 V3 is installed. The approved fencing shall be retained throughout the course of the development.

Reason: To avoid harm to protected trees off-site.

(03) No development shall take place, until there has been submitted to and approved in writing by the local planning authority details for the installation of green mesh boundary fencing.

Reason: To avoid harm to protected trees off-site.

(04) The site shall be landscaped strictly in accordance with Stiwdio Owens Soft Landscape Design 651-STO-00-00-DR-L-0001 Rev P03 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 accordance with JLDP Policy PCYFF 4.

(05) The landscape management plan, noting maintenance schedules for 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 accordance with PCYFF 4.

(06) A Meadow Grass Management Plan for ground preparation, sowing and maintenance for the first 5 years relating to the establishment of the meadow grass as shown on drawing number 651-STO-00-DR-L-001 Revision P03 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 Meadow Management Plan shall be carried out as approved.

Reason: In the interest of ecology

(07) 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 include a detailed design outlining the measures proposed to accommodate the public sewer. Thereafter the scheme shall be 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.

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

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

(09) The Development shall be carried out in accordance with the Construction and Environmental Management Plan dated November 2021.

Reason: To safeguard the amenities of future occupants.

(10) The application site shall be developed strictly and entirely in accordance with the recommendations, mitigation, enhancement measures of the Extended Phase One Habitat Survey (Preliminary Ecological Appraisal) Version Three dated 21.09.2022 and Bat Roost Assessment – Preliminary Tree Inspections – Version 1 dated 28.03.2022 – Amenity Tree Care.

Reason: In the interests of ecology.

(11) 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.

(12) The access shall be constructed with 40 metre by 40 metre splays on either side with the existing wall/fence/hedge

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.

(13) The estate road and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey'

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

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

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

(15) The estate road shall be completed to a base course finish with the surface water drainage system complete and fully operational before any work is commenced on the dwellings which it serves.

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

(16) 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.

(17) 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.

(18) 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.

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

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

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

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

(21) The details to be submitted for approval in writing by the Local Planning Authority shall include:

- 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 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.

(22) 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

(23) 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

(24) 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

(25) 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 unit as shown on the Site Layout Plan - WJ/PH/SL/01 Rev P

Reason: To ensure the dwellings are retained as affordable dwellings

(26) The treatment of Japanese Knotweed shall be carried out in accordance with the Invasive Weed Management Plan by Knotweed Eradication 'report number IWMP1869V4' dated 26th September 2022 and in accordance with the following requirements;

- **No development shall commence until, a validation report certified by an independent consultant shall be submitted to the Local Planning Authority for approval confirming that the knotweed treatment programme has been successful and that all of the invasive plant material has been removed and that all treated areas shall be subject to aftercare and monitoring in accordance with the submitted scheme.**
- **The use of tracked machinery on-site should be limited as much as possible until the Japanese knotweed-infested areas have been cleared or cordoned off. If tracked machinery must be used in infested zones, a geotextile overlain with hardcore must be used as a base for vehicles to travel on.**

Reason - In the interests of environmental protection and to prevent the spread of Japanese Knotweed

(27) 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.

- **Soft Landscape Details – 651-STO-00-00-DR-L-002 Revision P00**
- **Street Scenes – WJ/PH/SS/01 Rev A**
- **Arboricultural Impact Assessment (AIA) Version 4 – Amenity Tree Care**
- **Bat Roost Assessment – Preliminary Tree Inspections – Version 1 – Amenity Tree Care**
- **Location Plan – WJ/PH/LP/01 Rev B**
- **Adoptable Highways Plan – WJ/PH/AHP/01 Rev F**
- **Boundary Treatment Plan – WJ/PH/BTP/01 Rev G**
- **Colour Site Layout – WJ/PH/CSL/01 Rev F**
- **Hardstanding Plan – WJ/PH/HSP/01 Rev G**
- **Materials Plan – WJ/PH/MP/01 Rev G**
- **Storey Height Plan – WJ/PH/SHP/01 Rev F**
- **Soft Landscape Design – 651-SGO-00-00-DR-L-0001 Rev P03**
- **House Type Pack – 2B3P_801_DQR_01 Rev B**
- **House Type Pack – 3B5P_1009_DQR_01 Rev A**
- **Site Layout Plan – WJ/PH/SL/01 Rev P**
- **Extended Phase One Habitat Survey (Preliminary Ecological Appraisal) Version Three dated 21.09.2022**
- **House Type Pack – 2B4P_901_DQR_01 Rev B**
- **Design and Access Statement – Revision C – November 2021**
- **Tree Survey and Constraints Report – Amenity Tree Care**
- **Water Conservation Statement Revision 1a – November 2021**
- **Waste Management Plan – WJ/PH/WMP/01 Rev F**
- **Construction and Environmental Management Plan – November 2021**
- **CEMP + Traffic Management Plan – November 2021**
- **Proposed Drainage Strategy Statement Revision 1 – November 2021**
- **Transport Statement – Focus Transport Planning – J000322 – TS01b – February 2022**
- **Planning Statement – 2021.100_02 V2.0 – February 2022**
- **Invasive Weed Management Plan by Knotweed Eradication 'report number IWMP1869V4' dated 26th September 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, ISA4, ISA5, PS4, TRA2, TRA4, PS5, PS6, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF5, PCYFF6, PS16, PS17, TAI1, TAI8, PS18, TAI15, AMG3, AMG5, PS19

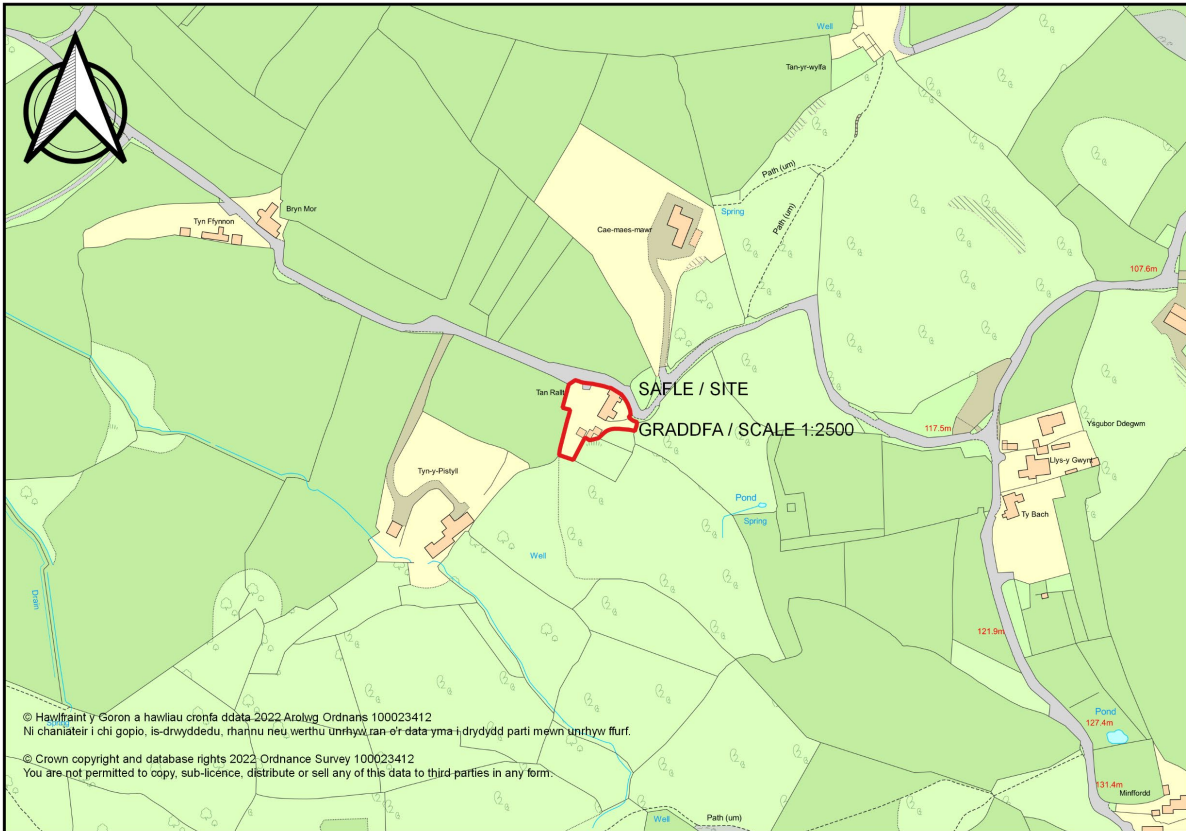
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: HHP/2022/46

Applicant: Mr Phil Smith

Description: Full application for demolition, alterations and extensions at

Site Address: Tan Yr Allt Bach, Llanddona



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the three Local Members – Councillor Alun Roberts, Councillor Gary Pritchard and Councillor Carwyn Jones

At the meeting held on the 5th October 2022, members resolved to visit the site. The virtual site visit took place on the 19th October 2022 and members will now be familiar with the site. An in person site visit with committee members was conducted at 30/11/2022

Proposal and Site

The application received is for the demolition of existing uPVC extension to the building together with the erection of a glass-linked single-storey gabled extension and a new patio with lower ground floor storage area/ Plant Room underneath at the rural property of Tan Yr Allt Bach, Llanddona. The existing main

dwelling is to have an erection of a pitched roof two-storey rear extension along with two new feature bay dormer windows to the 1st floor of the front elevation of the property.

Key Issues

The key issues are if the proposal complies with current policies, if the proposal is an overdevelopment of the site 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 AMG 1 – Area Of Outstanding Natural Beauty Management Plans

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
Cynghorydd Gary Pritchard	Application to be referred to Committee
Ymgynghorydd Tirwedd / Landscape Advisor	Advice given, Strategy requested and provided.
Cynghorydd Carwyn Jones	Application to be referred to Committee
Cynghorydd Alun Roberts	Application to be referred to Committee
Cyngor Cymuned Llanddona Community Council	Objection
Cyfoeth Naturiol Cymru / Natural Resources Wales	Advice and recommendations given
Priffyrdd a Trafnidiaeth / Highways and Transportation	Construction Traffic Management Plan requested, conditioned.
Dwr Cymru/Welsh Water	Advice Given
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Advice Given
Swyddog awyr dywyll / Dark skies officer	Concerns raised, additional information provided
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No Response

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 14/09/2022. At the time of writing this report, no letter of representation had been received at the department.

Relevant Planning History

None

Main Planning Considerations

The 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.

Siting and Design:

Tan Yr Allt Bach is a detached farmhouse style property located at a rural elevated hill side sloping location adjacent to a main access road down towards Llanddona beach. The property is a detached two storey property with a substantially large sized curtilage/garden area surrounding the property. The existing greenery surrounding the curtilage of the property provides additional screening to the proposal site.

Having visited the site it is noted the front elevation of the proposed new extension is at a high vantage point with views towards the sea and towards Red Wharf Bay at a distance. It is considered the structure will be at a considerable distance from public vantage points of the beach of Llanddona and coastal area of Red Wharf Bay. The proposal site is only viewable from the nearest public beach of Llanddona when the tide is low only.

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 neighbouring buildings and existing uses, it is not considered that the proposal would give rise to an unacceptable visual effect in the local landscape. The modern design and material choices of the proposal are aspirational in style but is considered acceptable as to be in keeping with the character of other new modern high quality developments within the immediate locality and on Anglesey as a whole. Information on proposed materials have been received and are considered acceptable as to match the existing style of the property, slated pitched roof and render to match existing property. The addition of a glass link is a modern unique choice of design modernising and enhancing the existing property whilst being placed set back within the site area to not be obtrusive within the rural landscape. It is considered due to many other new modern design aspirational style developments within the area that the design is in-keeping with the character of the area.

Concerns have been raised regarding the impact of the proposal to the local community and types of property that are being created within the Llanddona area. Considering the current property was recently sold for an above average property price, it is, unfortunately, not attainable for local people with average work wages to purchase this type of property within the local area or indeed Anglesey as a whole. It is considered the proposal is in keeping with the existing substantially sized property and within the character of Llanddona as there are numerous different styles and sizes of property within the Llanddona area.

The proposed design compliments and enhances the character of the existing property in line with Policy PCYFF3 and AMG 1 of the Anglesey and Gwynedd Joint Local Development Plan.

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).

Ecological Impact / Dark Skies impact / AONB:

Dark skies have been consulted regarding the new glazing included as part of the proposal. After receiving comments from the officer further information and clarification have been provided to mitigate any detrimental impact on the designated dark skies area. Drawing Number A.005 – Proposed Dark Skies Strategy has been received by the agent of the application listing the following mitigation measures: Low-Intensity Lighting, Considered Accent Lighting, Vertical Light Spillage Mitigation, Horizontal Light Spillage Mitigation, General Light Spillage Mitigation which have also been labelled on proposed plans on the drawing received. With these measures in place it is considered the impact on the dark skies and AONB area of the new development will be minimized to an extent to not produce a detrimental impact to the immediate area.

A proposed landscape strategy, drawing number A.004 Proposed Landscape Strategy, has also been received as part of this application after agent receiving consultee response from our Landscape Officer. To minimise visual impact of the new proposal it is proposed the Western Boundary of the site is to be planted extensively with local landscaping species of plants. It is also noted that throughout the site that layers of planting is to be planted throughout the site to obscure any additional light included with the new proposal. This planting also provides additional screening to the site of the proposal minimising the visual impact of the proposal.

An ecological survey has been submitted as part of this application and a Bat Activity Survey has been submitted and conducted within the emergence time period of May – September. The survey notes reasonable avoidance and mitigation measures during the construction process and lists bat and bird boxes to be placed on site. An Ecological Mitigation Overlay has also been provided as part of the application clearly labelling the required ecological boxes and their locations within the application site.

Adjacent Residential Properties:

No immediate neighbours are located nearby the property with the nearest immediate adjacent approx. 92m distance away (Cae Maes Mawr, Llanddona). This distance 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.

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.

- **2117 Design & Access Statement April 2021 – Revision A**
- **A.006 – Ecological Mitigation Overlay**
- **A.003 Rev A – Preliminary Drainage Strategy**
- **A.500 Rev A – Proposed 3D Visuals**
- **A.005 – Proposed Dark Skies Strategy**
- **A.302 Rev A – Proposed Extension Elevations**
- **A.400 Rev A – Proposed Extension Sections**
- **A.201 Rev A – Proposed First Floor Plan**
- **A.200 Rev A – Proposed Ground Floor Plan**
- **A.300 Rev A – Proposed House North and West Elevation**
- **A.301 Rev A – Proposed House South and East Elevation**
- **A.004 – Proposed Landscape Strategy**
- **A.303 – Proposed Material Mood Board**
- **A.400 Rev A – Proposed Extension Sections**
- **A.002 Rev A – Proposed Site Plan**
- **A.401 Rev A – Proposed Section Renovation Works**
- **A.004 – Proposed Landscape Strategy**
- **Clwydian Ecology – Protected Species Survey – 12th of May 2022**
- **Clwydian Ecology – Bat Activity Survey – 9th August 2022**

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

(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;**
- (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.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 2, PCYFF 3, AMG 1

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

Application Reference: VAR/2022/41

Applicant: Mr David Cramant

Description: Application under Section 73 for the variation of conditions (09) (surface water drainage), (13) (approval of vehicle and car parking accommodation), and (14) (in accordance with plans to be approved) of planning permission reference 46C188G (the redevelopment of the site for up to 6 residential units) so as to allow the submission of the surface water drainage scheme, vehicle turning and car parking area together with the re-siting and amended design of the proposed dwellings at

Site Address: 1 Blue Water Close, Treaddur Bay.



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the Local Member.

At the Planning Committee on the 2nd November, 2022 the Members requested a Site Visit. The virtual site visit was carried out on the 16th November and members are now familiar with the site and its settings.

Proposal and Site

The site lies within the development boundary of Trearddur Bay at the end of a residential estate and on the edge of the designated Area of Outstanding Natural Beauty. With some individual exceptions, the area is characterised by small bungalows as part of an estate type development of private residential properties.

The current proposal is to vary condition (09) (surface water), (13) (approval of vehicle and car parking accommodation) and (14) (the development will be carried out in accordance with the approved plans) in order that the surface water drainage and vehicle car parking accommodation are considered as part of the current application and to allow a change to the design of the proposed dwellings and the re-siting of two of the properties.

Key Issues

The applications main issues are:

- i. Impact on amenities of neighbouring properties
- ii. Highway Safety
- iii. Can the site be adequately drained

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Policy TAI 5: Local Market Housing
Policy TAI 13: Replacement Dwellings
Policy TAI 15: Affordable Housing Threshold & Distribution
Policy TRA 2: Parking Standards

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)

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	Observations
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No response to date
Iechyd yr Amgylchedd / Environmental Health	No observations
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Support the inclusion of bird and bat boxes
Cynghorydd Dafydd Rhys Thomas	Call-in due to traffic, parking and flooding issues in area
Cynghorydd Keith Robert Roberts	No response to date
Cynghorydd Trefor Lloyd Hughes	No response to date

Cyngor Cymuned Trearddur Community Council	Concerns due to overdevelopment of site, flooding concern, insufficient parking
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Adain Dechnegol (Draenio) / Technical Section (Drainage)	Following receipt of additional information confirmed that the drainage scheme was acceptable
Dwr Cymru Welsh Water	No objection

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. At the time of writing this report a number of representation had been received at the department. The main issues raised can be summarised as follows;

- i. Loss of privacy
- ii. Increase in traffic
- iii. Surface water / drainage
- iv. No affordable housing
- v. The properties should be given a bi-lingual name
- vi. A communal refuse are will result in rodents
- vii. Works commenced prior to the scheme being approved
- viii. Overdevelopment of the site

In response to these issues I would state;

- i. This matter is addressed in the impact on amenities and locality section below
- ii. The site has an extant permission for the re-development of the site for the erection of 6 dwellings. The current scheme is to vary the extant permission and will not increase in a greater increase in traffic movements than the previously approved scheme.
- iii. This matter is addressed in the main body of the report
- iv. This matter is addressed in the 'Policy Context' section below
- v. A condition will be imposed on the permission requesting that a bilingual name is given to the properties
- vi. The refuse area is a communal area whilst waiting for the refuse to be collected however all bins will be stored within each property boundary
- vii. The site benefits from an extant permission.
- viii. The scale of the properties currently under consideration respects the scale of the previously approved scheme

One letter was also submitted in support of the application stating that the scheme was well designed and unobtrusive

Relevant Planning History

46C188E – Outline application for the redevelopment of the site for up to 6 residential units at 68 and 68a Trearddur Road, Trearddur Bay – Approved 31/01/05

46C188G – Application for the renewal of the outline permission under reference 46C188E for the redevelopment of the site for up to 6 residential units at 68 and 68a Trearddur Road, Trearddur Bay – Approved 28/01/08

46C188J/DA – Reserved matters application for the erection of 6 dwellings on land at 68 Trearddur Road, Trearddur Bay – Approved 17/03/11

LUP/2021/2 - Application for a certificate of proposed use or development in relation to a material start having been made on outline planning permission under reference 46C188G and the reserved matters approval under reference 46C188J/DA thus safeguarding the consent at - 68A Trearddur Road, Trearddur Bay – Lawful 02/09/21

Main Planning Considerations

The principle of the residential development of the site has been established under planning application reference 46C188G and 46C188J/da. An application for a lawful use certificate to prove that works had commenced on the site was considered lawful under planning application reference LUP/2021/2.

Policy Context

Since the adoption of the Anglesey and Gwynedd Joint Local Development Plan, Trearddur Bay is identified as a Coastal and Rural Village under the provision of Policy TAI 5. The policy does not support the provision of open market housing. Policy TAI 15 states that proposal for 2 or more dwellings in Coastal and Rural Villages should include 30% Affordable Housing. As the site has an extant planning permission the following must be considered:-

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

A lawful use Certificate has been granted confirming that the permission has been safeguarded and that the scheme approved under planning application reference 46C188J/DA is extant and therefore the existing permission could be implemented.

Whilst the application does not comply with the requirements of Policy TAI 5 and TAI 15 however there is a fallback position as the application site has an extant planning permission for open market housing.

The current application is to vary condition(s) (09) (surface water drainage and (13) (vehicle turning and parking facilities) in order that the details can be submitted as part of the current application as the details were not submitted prior to the commencement of the works on the site.

Condition (14) is also to be amended as part of the current application so as to allow the change in the design of the proposed dwellings and the re-siting of plots 2 and 3.

i Drainage of the site – Condition (09) of planning permission 46C188G stated that no development should take place until a scheme of surface water drainage had been submitted to and approved in writing by the local planning authority. Whilst it is acknowledged that works has previously been commenced on the site without complying with this condition it was determined at the time of determining planning application reference LUP/2021/2 that the condition was not condition precedent and a Lawful Use Certificate was issued and that the variation of the condition so as to allow the submission of drainage details as part of the current application is acceptable.

The Local Member and Community Council have raised concerns regarding flooding/surface water drainage.

Both Welsh Water and the Drainage Section have confirmed that the drainage details submitted as part of the application are acceptable.

ii. Highway Safety – Condition (13) of planning permission 46C188G state that before any development commenced details of the vehicle turning area and extent and position of parking facilities has been submitted to and approved in writing by the local planning authority. As stated above the condition was not a condition precedent and a Lawful Use Certificate was issued under planning application reference

LUP/2021/2 and that the approval of the details following the commencement of works on the site is acceptable.

Both the Local Member and Community Council have raised concerns regarding traffic/parking provision within the site. The application has been forwarded to the Highway Authority for consideration and they have confirmed that they have no objection to the scheme,

iii. Impact on amenities of neighbouring properties and locality - The amendments proposed as part of the current scheme include;

- i. Re-siting of properties on plots 2-6. The orientation of plot 2 and 3 have been amended with the front of the properties looking onto the rear of plots 1 and 4.
- ii. Use of stone cladding on some sections of the properties
- iii. Amendments to the openings
- iv. Removal of balconies and introduction of Juliette balconies

The amended design and materials to be used in the construction of the dwellings are considered acceptable in this location. Plot 2 will be located closer to the boundary of the adjoining property known as Bryn Celyn by 2m however due to the amendment in the orientation of plot 2 it is not considered that the development will have a greater impact on the amenities currently enjoyed by the occupants of the dwelling than the previously approved scheme. Plot 5 is to be located 700mm closer to the site boundary with the adjoining road. It is not considered that the re-location of the dwellings within the site will have a greater impact on the amenities currently enjoyed by the occupants of the neighbouring dwellings over and above that which has been previously been approved as part of the extant permission.

The Community council have raised concerns that the proposal results in over-development. However, as stated above the scale of the proposal reflects that which was approved under planning application reference 46C188J/DA.

Conclusion

The application is contrary to Policy TAI 5 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for open market housing. In effect the developer has a lawful right in expectation to continue with that which has previously been approved and established as safeguarded by the local planning authority.

The details submitted as part of the site are considered acceptable and illustrate that the site can be adequately drained and will not have a detrimental impact on highway safety or upon the amenities currently enjoyed by the occupants of the neighbouring properties or on the locality.

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.

Map 1 - Location plan

22-DES-021-PL03D - Proposed site and drainage plan

22-DES-021-PL01 - Rev A - Proposed elevations and floor plans - Plot 1 - 5

22-DES-021-PL02 - Rev A - Proposed elevations and floor plans - Plot 6

22-DES-021-PL04 - Proposed Landscaping Scheme

Drainage details - GeoEnviro Solutions - 29/9/22

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

(02) 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.

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

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

(04) 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.

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/2022/230

Applicant: Mike Halliwell

Description: Full application for alterations and extensions at

Site Address: Dinas Bach, 5 Ystad y Fron, Aberffraw



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application has been called into the Planning and Orders Committee at the request of Councillor Arfon Wyn due to local concern surrounding the application.

At the meeting held on the 2nd November 2022, members resolved to visit the site. The virtual site visit took place on the 16th November 2022 and members will now be familiar with the site.

Proposal and Site

The application presented is for alterations and extensions to the dwelling including the demolition of the existing garage and the erection of two single storey extensions.

The application site is a single storey detached property, located in Y Fron estate within the development boundary of Aberffraw, as defined by the Joint Local Development Plan.

Key Issues

The 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

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Policy AMG 5: Local Biodiversity Conservation

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy TRA 2: Parking Standards

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

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

Response to Consultation and Publicity

Consultee	Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objections to the proposed development. The site is in the AONB, and is unlikely to affect the AONB due to the scale and location of the proposal. The site is in close proximity to a SAC, a SPA and a SSSI, so the developer should adhere to pollution prevention guidelines.
Ymgynghorydd Tirwedd / Landscape Advisor	The site is within the AONB and is visible from both sides of the estuary in Aberffraw. There is no distinct character or quality to the estate that should be conserved or enhanced, with a mix of single and two storey houses. The glazing proposed on the ground floor is not excessive, and the design of the dwelling will not affect its overall visual impact. The development will not affect natural beauty or any AONB features and qualities related to landscape as considered by policy AMG 1.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objections to the development and requested a CTMP to ensure reasonable and proper control is exercised over construction and demolition traffic and construction activities in the interests of highway safety. No objections to the CTMP provided.

Draenio Gwynedd / Gwynedd Drainage	No observations in terms of land drainage or local flood risk.
Dwr Cymru Welsh Water	The proposed development is outside the protection zone of the public rising main crossing the site. Suggested a condition regarding surface water and informatives for the applicant.
Cyngor Cymuned Aberffraw Community Council	No response at the time of writing the report.
Cynghorydd Arfon Wyn	Called the application into the planning committee due to local concern.
Cynghorydd John Ifan Jones	No response at the time of writing the report.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Acknowledges the objectors' concerns about the extensions impacting the sand dunes and sand lizards. The building work appears to be carried out on existing developed land. Outdoor lighting should be downward facing and on a timer to prevent light pollution. Pollution prevention and mitigation strategies should be conditioned to prevent any waste/run-off/sediment from filtering to the sand dunes and water below the property.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. During the initial consultation period, which came to an end on the 01/09/22, 19 letters of objection were received. After receiving amended plans to include a privacy fence on the boundary a second letter was sent to neighbouring properties. The second consultation period came to an end on the 07/10/22, with 14 letters of objection being received at the department.

Objections were raised that the application had received inadequate publicity. According to Part 8 of Development Management manual, this application does not fall into the criteria for a site notice or press advert, therefore there is no statutory requirement to do so. Nine neighbouring properties were notified of the application twice, with 19 and 14 letters of representation received, highlighting that the application has been well publicised in the area.

The main comments raised during the consultation period were:

Parking/Traffic/Highways:

- inadequate parking on the site
- increased traffic as a result of the development creating health & safety concerns
- parking issues on the estate with people parking to visit the beach

Design/Setting:

- side elevation does not comply with SPG distances
- overlooking neighbouring property
- the extensions are dominant, inappropriate in scale and not subservient to the main dwelling
- height of the extensions higher than the existing roof line
- extension projects forward beyond the principal elevation
- out of character in the area and finishing materials not in keeping with the adjacent buildings
- proposed single panel fence is unnecessary as a privacy measure

AONB/Ecology:

- detrimental impact on the AONB
- no protected species survey presented with the application
- building work could have adverse impact on sand lizards

- increased light pollution from sensory lights
- increased noise pollution from holiday let

Construction:

- working hours of 7:30am – 6pm are unrealistic in residential setting
- diesel could create contamination issues during construction
- estate is built on radon rock which would be released during construction

General:

- property will be converted into a holiday let and should be assessed under policy TWR 2
- street utilities will not support the increase in bathrooms
- concern of future application to further extend the property
- increase in bedrooms not necessary
- more akin to a replacement dwelling
- no dimensions included on the proposed plans

In response to the reasons for objection:

Parking/Traffic/Highways:

- the site meets parking standards required by Highways Authority and policy TRA 2
- highways department have no objections to the development or the CTMP
- parking issues on the estate not relevant to this application and is being dealt with separately

Design/Setting:

- existing garage does not comply with SPG distances and is only becoming 0.8m wider
- one window will be obscured and a fence will prevent overlooking from the other
- both extensions are lower than the main pitched roof
- various designs and appearances apparent in the locality
- fence is permitted development and will prevent overlooking

AONB/Ecology:

- landscape advisor of the opinion the development will not affect AONB
- ecological survey not requested by ecologist, and not always required for small scale development
- ecologist has requested further information regarding pollution prevention
- sensory lights are on a timer and downward facing, as requested by ecologist

Construction:

- site working hours amended from 7:30am – 6pm to 8am - 6pm to protect neighbouring amenities
- pollution prevention strategy will cover contamination issues
- most construction issues will be covered by building regulations

General:

- will still be classed as a C3 dwellinghouse therefore use as a holiday let can't be enforced
- 1 additional bathroom considered acceptable, no objection from Welsh Water or YGC
- any new application will be dealt with on its own merits
- 1 additional bedroom not considered unacceptable
- majority of the existing dwelling is to remain as part of development
- planning department have a software to measure dimensions on all plans

Relevant Planning History

HHP/2022/92 - Full application for alterations and extensions at Dinas Bach, 5 Ystad y Fron, Aberffraw. Withdrawn.

HHP/2022/174 - Full application for alterations and extensions at Dinas Bach, 5 Ystad y Fron, Aberffraw. Withdrawn.

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

The site is a single storey detached property, located in Y Fron estate within the development boundary of Aberffraw as defined by the Joint Local Development Plan. The site also lies within the Isle of Anglesey Area of Outstanding Natural Beauty (AONB).

The proposed scheme is for alterations and extensions, including the demolition of the existing garage and the erection of two single storey extensions.

The site has been subject to two previous applications in the last 12 months. Planning applications reference HHP/2022/92 and HHP/2022/174 have both been withdrawn as the Local Planning Authority would not support the two storey extension previously proposed.

The applications' main issues are:

- i. Siting and Design
- ii. Impact on Adjacent Residential Properties
- iii. Highways and Parking
- iv. AONB and Ecology

i. Siting and Design

The proposal involves the demolition of the existing flat roof garage that is attached to the main dwelling. It currently extends approximately 5.4m beyond the north east side elevation, is 5.4m in length, and has a flat roof at 2.7m in height.

The garage will be replaced by a single storey side extension on the same side, which will accommodate a living room, utility, storage as well as an additional bedroom and bathroom. This extension will extend approximately 6.2m beyond the side elevation of the main dwelling and will be 14.4m in length, level with the rear elevation of the property, and extending 3.8m beyond the front elevation onto the existing tarmacked driveway. It will have a flat roof at 3.2m in height, which is higher than the eaves of the main dwelling but is 0.8m lower than the main pitched roof, highlighting its subservience.

This extension will be approximately 0.8m wider than the existing garage, and will therefore become 0.8m closer to the boundary with neighbouring property 4 Y Fron. It will be located approximately 5.7m away from their side elevation at its closest. Whilst this does not comply with the indicative minimum distances noted in the SPG, the existing garage structure does not comply either, and the 0.8m increase is not considered excessive. Within a built-up area there will inevitably always be a degree of built development being in close proximity, however in this instance any effects are not considered to be significant. The extension will have a garage door and a pedestrian door on the front elevation facing the estate, and a set of double doors on the rear facing the estuary. The side elevation facing 4 Y Fron will include a bedroom window, a bathroom window and a door opening into the utility.

The second extension proposed is on the other side of the property, to be built on part of the existing external courtyard. It will accommodate an open plan kitchen/dining area and a sunroom, measuring approximately 6.8m wide and 6.35m in length, integrating with the L-shape of the existing dwelling. The extension will be level with the rear elevation and set off the south west side elevation by 4.6m, with a section of the existing external courtyard to remain. It will have a flat roof at 2.9m in height with a roof light above. Whilst this is slightly higher than the existing eaves, it will remain 1m lower than the main pitched roof, will integrate into the site and will be hidden from neighbouring properties. The extension will include full length glazing and double doors, looking towards the estuary and into agricultural land.

Many properties on the estate have a higher ridge height than the application site, and also have living space at first floor level. The proposed development will remain single storey and lower than the existing dwelling, highlighting its subservient and non-dominant form, and respecting the context of its place within the local landscape in compliance with policy PCYFF 3. Both of these extensions are set lower than the ridge height of the main roof, which assists in making them more subservient to the overall design thereby reducing their overall visual impact and resulting in unobtrusive structures that would not appear out of place in the locality.

This proposed development will use Cedral timber cladding in grey, as suggested by the landscape advisor, together with coloured render and UPVC windows and doors. This is considered a high quality design that will comply with policy PCYFF 3. There are a mix of property types in the locality that vary in design and appearance, from older traditionally design properties to more modern designs. Given this, it is not considered that the proposed scheme would be out of character in its surrounding built environment.

Concerns have been raised during the consultation period regarding the future use of this property as a holiday let. The property is currently classified as a C3 dwellinghouse, and following completion of development the property will remain classified by the C3 dwellinghouse use class. Pending any specific legislative changes in Wales, planning permission is not required for the use of a C3 dwellinghouse as a holiday let, which is evident with numerous properties on Anglesey being used in the same manner.

ii. Adjacent Residential Properties

Given the siting of the proposed extensions, they are considered an ample distance away from the majority of the properties on the estate so as to have no negative impacts upon their privacy and amenities.

However, the proposed side extension is within approximately 2.1m of the boundary with 4 Y Fron, and is 5.7m away from the closest point on their side elevation. This is lower than the indicative minimum distances noted in the SPG, however it must be taken into consideration that the existing garage is also lower than those distances. It is not considered that becoming 0.8m closer will have a detrimental impact in terms of scale and massing, especially as the flat roof of the extension will be lower than the main pitch of the dwelling.

Whilst a degree of overlooking between neighbouring properties exists at present, and is a natural feature of living in a built up area such as this part of Aberffraw, adequate measures have been taken to protect the privacy and amenities of the neighbours at 4 Y Fron. The utility is an uninhabitable space which raises no concern regarding the door, and the bathroom window will be fitted with obscured glazing which is to be conditioned. To prevent overlooking from the bedroom window, a 1.95m high timber fence will be erected on part of the boundary. This fence is considered permitted development under Part 2 Class A of the General Permitted Development Order, and does not require planning permission. It is considered that these measures will prevent overlooking between both properties, protecting the privacy and amenities of the neighbours in line with policy PCYFF 2.

All other windows and doors on the proposed extensions will be have a similar outlook to existing windows, towards the estuary or the estate itself. None of these will be looking towards any neighbouring properties and as such it is not considered that their privacy and amenities will be affected.

iii. Highways and Parking

As this is a four bedroom property, three parking spaces must be provided to comply with requirements of the Highways Authority. The proposed site plan shows three parking spaces as required, along with additional space for more vehicles if needed. This complies with the Highway Authority parking standards and policy TRA 2.

Concerns were raised during the consultation period regarding parking issues on Y Fron estate, with people parking on the estate road whilst visiting the beach. This is a separate matter which the Highways Authority are aware of, and will be dealt with separately to this application. This application is for alterations and extensions to 5 Y Fron, to which the Highways Department have no objections.

A Construction Traffic Management Plan (CTMP) has been provided to support the application as requested by the Highways Department and due to concerns of increased traffic during construction. This document has been approved, and will be included in the list of approved plans to be adhered to during the construction period.

iv. AONB and Ecology

The development site is located within the Isle of Anglesey Area of Outstanding Natural Beauty (AONB). The proposal involves larger glazing than the existing, however this is not an uncommon feature in coastal locations within the AONB, and as such will integrate into its setting. Both specialist consultees, our Landscape Advisor and NRW, are of the opinion that the development will have negligible impacts on AONB special qualities and features due to its small scale nature and appropriate design materials.

Due to its AONB and coastal setting the Ecological Advisor requested further information regarding outdoor lighting. All proposed lights are now noted on the plans, and will be downward facing, of low illumination and on a timer to reduce the amount of light pollution and disturbance. In order to comply with the Environment Wales Act (2016), all planning applications must show overall biodiversity enhancement. In regards to this application, a bat box has been added to the side elevation. This is considered to provide overall biodiversity enhancement, and complies with the requirements of the Environment Wales Act and policy PCYFF 4.

The development site is located in close proximity to a Special Protection Area (SPA), a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI), which are all located at the bottom of the site on the estuary. The Ecological Advisor noted that pollution prevention and mitigation strategies will be required to prevent any waste/run-off/sediment from filtering to the sand dunes and water below the property, and a condition will be placed requiring the submission of a Construction Pollution Avoidance Plan to protect the surroundings sensitive areas from contamination during construction.

Conclusion

The proposal is considered a small-scale development that will provide additional living space within the property. It is considered a subservient extension that will integrate into the site and its surrounding built environment. Giving its siting in relation to neighbouring properties, and the measures taken to prevent overlooking, it is considered to give rise to little or no greater harm upon the privacy and amenities of any neighbouring 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:

- **2957:21:1A - Location plan**
- **2957:21:3c - Proposed site plan**

- 2957:21:6c - Proposed floor plan
- 2957:21:7d - Proposed elevations
- Construction Traffic Management Plan - Rev A - 15/09/22

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

(03) No development shall commence until a Construction Pollution Avoidance Plan has been submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in full in accordance with such approved details.

Reason: To safeguard the designated Site of Special Scientific Interest, the Morwenoliaid Ynys Môn Special Protection Area and the Anglesey Coast: Saltmarsh Special Area of Conservation.

(04) No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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

(05) Prior to the occupation of the extensions hereby approved the 1.95m high timber fence on the boundary, as labelled on drawing 2957:21:6c, shall be installed 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

(06) Prior to the occupation of the extensions hereby approved the bathroom window on the side elevation, as labelled on drawing 2957:21:6c, 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.

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: AMG 1, AMG 5, PCYFF 2, PCYFF 3, PCYFF 4, TRA 2

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/2022/189

Applicant: Mr Ricky Danis

Description: Retrospective application to retain the use of a flat at

Site Address: Bilash, Dew Street, Menai Bridge



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application has been called in by Councillor Robin Williams

At the Planning Committee on the 2nd November, 2022 the Members requested a Site Visit. The virtual site visit was carried out on the 16th November and members are now familiar with the site and its settings.

Proposal and Site

The application site lies within the main nucleus of Menai Bridge and is accessed along a narrow metalled road known as Dew Street. The site also lies within the Menai Bridge Conservation Area.

This planning application is a retrospective application for the retention of a flat at a former bakery building.

Key Issues

The key issues is are;

- whether the proposed development complies with the relevant policies of the Anglesey and Gwynedd Joint Local Development Plan
- whether the proposed development impacts adversely upon surrounding amenities and;
- whether the proposed development has an adverse impact on the Menai Bridge Conservation Area

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries

Policy TAI 2: Housing in Local Service Centres

Strategic Policy PS 1: Welsh Language and Culture

Policy TAI 8: Appropriate Housing Mix

Policy TAI 15: Affordable Housing Threshold & Distribution

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

Policy TRA 4: Managing Transport Impacts

Policy TRA 2: Parking Standards

Strategic Policy PS 5: Sustainable Development

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy PCYFF 5: Carbon Management

Policy PCYFF 6: Water Conservation

Technical Advice Note 12: Design (2016)

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

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Alun Wyn Mummery	No response received
Cynghorydd Dyfed Wyn Jones	No response received
Cynghorydd Robin Wyn Williams	Call in into the planning committee
Cyngor Tref Porthaethwy / Menai Bridge Town Council	Observations from members of the town council is that the property area and surrounding area is untidy also consideration should be given to a better design. It was formerly used as a store for Co-Op located on the high street.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection to the planning application

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comment relating to planning policies within the Anglesey and Gwynedd Joint Local Development Plan.
Dwr Cymru Welsh Water	Comments. Request to place planning conditions if the local planning authority is minded to grant planning application.
Adain Dechnegol (Draenio) / Technical Section (Drainage)	No response received
Ymgynghorydd Treftadaeth / Heritage Advisor	No comments from a built heritage perspective

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 17/08/2022. At the time of writing this report, six letters of representation had been received at the department. Their concerns were:

- I feel this unit is so small and is unsuitable for a flat
- I note that this retrospective planning application refers to a garage structure which has been used as a residential dwelling for a period of time. This property is nothing more than a garage structure in terms of planning regulations. This application ought to be declined as the area surrounding is a commercial premises and is therefore wholly unsuitable as a dwelling.
- This garage was utilised as storage for a bakery for many years. It is too small and unsuitable for use as residential.
- it is only a little larger than a single garage.
- I object to the application made by Mr Ricky Danis for retrospective planning permission for the flat on Dew Street. The building is made of sub-standard materials and has been built to fill the area behind an existing business warehouse. The dwelling has filled the whole area with no access to the back or sides. There are no parking rights and the building is unsightly and I fear that by approving Mr Danis's application this could set a precedent where any of the garages or empty spaces could be filled with similar 'shanty town' dwellings.

The majority of the representations submitted relate to the size of the unit. These will be addressed within the main body of the report.

The matter of building material quality lies beyond the remit of Planning Control and is covered within separate legislation. Nevertheless, the local planning authority have referred these concerns onto the agents for information.

Highway concerns will also be addressed within the main body of the report.

Relevant Planning History

No planning history at this location.

Main Planning Considerations

This application is made under retrospective planning application for the use of the building as a residential flat at Dew Street, Menai Bridge.

The proposal entails the conversion and retention of unauthorised works carried out to create a residential unit. No new extensions are proposed as part of the current proposal.

The use of the building as a flat first commenced in 2005. Whilst mechanisms exists by way of S.191 of the Act to regularise matters through the submission of a Certificate of Lawful Use, such provision cannot

be relied upon in this instance given the fact that the residential use has not been continuous and uninterrupted for a period of at least 4 years from date of submission. As such, a planning application has been presented in an effort to regularise the issue as a result of the Enforcement Sections intervention of matters.

The internal floor area of the building measures 32.3 square metres. The flat consist of a living room with a kitchen area and a separate bedroom which includes an en-suite. Following public representations received in relation to the scale of the flat/building, consultations were carried out with officers from the Public Protection department to ensure that the scale of the building is sufficient to be used as a living accommodation. By way of a response to the consultation the following was received:

The property is comprised of a living room/kitchen, bathroom and bedroom. The bedroom measured 11.76 square meters. As per Section 326 of the Housing Act 1985, this property would be suitable for up to 2 persons (provided the 2 persons are living together as a married couple or civil partners).

Policy Considerations

In the JLDP Menai Bridge is identified as a Local Service Centre under Policy TAI 2 (Housing in Local Service Centres). It is noted that the proposed site is located within the Menai Bridge development boundary as noted in the Anglesey and Gwynedd Joint Local Development Plan. In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals will be approved within development boundaries in accordance with the other policies and proposals in the Plan, national planning policies and other material planning considerations.

The indicative provision for Menai Bridge over the Plan period is 115 units (74 units on allocated sites and 41 units on windfall sites) (which includes a 10% 'slippage allowance', which means that the calculation has taken account of potential unforeseen circumstances that could influence delivery of housing due to, e.g. land ownership issues, infrastructure constraints, etc.). During the period of 2011 to 2021, a total of 69 units have been completed in Menai Bridge (15 on allocated sites and 54 on windfall sites). The total landbank (windfall and allocated sites), i.e. sites with existing planning consent, and likely to be developed at April 2021 stood at 53 units). When considering all this information together, there is insufficient capacity within Menai Bridge for this additional windfall unit.

The Plan's Monitoring Framework will consider the number of units that are completed annually in order to determine if the Plan is achieving the housing requirement. Annual monitoring will also allow the Councils to determine what type of sites will supply housing i.e designation or windfall sites. The focus will be on the units completed rather than permissions. As well as this, the Monitoring Framework will try to assess if the Plan's Settlement Strategy is being achieved. This indicator looks at housing consents. Policy PS 17 in the Plan states that 22% of the Plan's housing growth will be located within the Local Service Centres. The indicative growth level (including 10% slippage) for Local Service Centres is 1754 units. 859 units were completed between 2011 and 2021 in all Local Service Centres and that 493 units were in the land bank. This means that there is a current shortfall of 402 units. Currently, therefore, the approval of this site can be supported by the expected provision within the Local Service Centres category.

However, as the settlement can achieve its expected level of growth on sites through units completed, implementation of the current land bank and development of the allocated site, this application will need to be justified outlining how the proposed development is addressing the needs of the local community.

In accordance with the above requirements, details have been submitted to demonstrate the need for the development in the area and the policy section has confirmed that the information is acceptable to meet the needs of the Local Service Centre.

In light of the position in relation to the indicative provision outlined above, in line with criterion (1b) of Policy PS 1 the application was required to be supported with a Welsh language statement. A Welsh Language Statement was submitted and is considered to meet the tests of Policy PS1.

In line with Policy TAI 8 consideration will need to be given over whether the development addresses evidence of need and demand for housing recorded in a Housing Market Assessment and other relevant local sources of evidence. The Housing Section has confirmed that there is a need for this type of development in the area.

Policy TAI 15 seeks an appropriate provision of affordable housing. It has a threshold figure of 2 or more units within Local Service Centres such as Menai Bridge. Since only one dwelling is being proposed in this development Policy TAI 15 is not relevant in this case and it is not necessary to provide an affordable element.

Conservation Area

The site is located within the Menai Bridge Conservation Area. Therefore, the proposal has been considered against Policy AT1 ('Conservation Areas, World Heritage Sites and Landscapes, Parks and Registered Historic Gardens') of the JLDP. The Heritage officer has confirmed the following:

Developments within the area should seek to 'preserve or enhance' the character of the designated area.

The proposals appear to be in relation to internal alterations and change of use with no external alterations that would impact upon the character of the conservation area. Consequently, I have no comments from a built heritage perspective.

In effect its visual impact is not significant, obtrusive, nor dominating bearing in mind the existing built form, local topography, and its overall design and appearance; it would not result in visual harm to either the site or the wider area.

Design

No new extension or external alterations are proposed for this flat – only the existing footprint of the building will be used as a one bedroom dwelling. It is considered that utilising it as a residential unit rather than allowing it to fall into disrepair will result in a long term improvement to the surrounding area.

The scale and nature of change proposed coupled with its containment within the existing tightly knit built form creates a form of development where there would be no significant impacts on the character or appearance of the immediate area or the wider street scene. It is considered that the proposal therefore complies with the requirements of Policy PCYFF3

Highways

Whilst mindful of the comments received from members of the public the Highway Authority raises no objection to the proposed development. The site lies in a sustainable location within walking distance of all local amenities and public transport routes. In addition, given the very low number of vehicles expected to visit the site I am satisfied that there would be adequate parking provision. The proposal would not, therefore, cause unacceptable harm to the safe and efficient operation of the highway and would comply with LDP Policy TRA 4.

Adjacent Residential Properties

It is not considered that the proposed development will impact any residential properties. Only two windows serve the proposal which look out towards an alley and a yard at the rear. It is not considered that the proposal will result in any increase in terms of overlooking over and above that which already exists on the site.

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of

Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

Conclusion

On balance, for the reasons I have given and having regard to all matters raised, it is considered that the proposed development complies with the relevant planning policies and the recommendation is one of approval subject to planning conditions.

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: 3014-22-1**
- **Site Plan - 3014-22-2**
- **Elevation and Floor Plan - 3014-22-4**
- **Welsh Language Assessment**
- **Justification for the development**
-

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

(02) No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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

(03) Within 6 months of the date of this planning permission, a sparrow box shall be placed on the building. Thereafter the sparrow box shall be retained in perpetuity.

Reason: In the interest of ecological biodiversity

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 1, TAI 2, Policy PS 1, TAI 8, TAI 15, AT 1, TRA 4, TRA 2, PS 5, PCYFF 2, PCYFF 3, PCYFF 4, PCYFF 5, PCYFF 6

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

Application Reference: FPL/2022/172

Applicant: Messrs HL, BL and HM Williams

Description: Full application for conversion, alteration and extension of an existing outbuilding into a rural enterprise workers dwelling together with the installation of a sewage treatment plant at

Site Address: Eirianallt Goch Farm, Carmel, Llanerchymedd



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 Llinos Medi.

At the meeting held on the 2nd November 2022, members resolved to visit the site. The virtual site visit took place on the 16th November 2022 and members will now be familiar with the site.

Proposal and Site

The application is made for the conversion, alteration and extension of an existing outbuilding into a rural enterprise workers dwelling together with the installation of a sewage treatment plant at Eirianallt Goch, Carmel.

The application site is located in the open countryside, off the B5112 between Llanerchymedd and Trefor on the outskirts of the Cluster of Carmel. The site comprises a stone agricultural outbuilding located within the farm yard complex adjacent to other agricultural buildings.

Key Issues

The key issues are whether the proposal is justified and complies with relevant local and national planning policies.

Policies

Joint Local Development Plan

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 17: Settlement Strategy
Strategic Policy PS 5: Sustainable Development
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 TAI 7: Conversion of Traditional Buildings in the Open Countryside to Residential Use
Policy AMG 5: Local Biodiversity Conservation
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment

Planning Policy Wales (Edition 11, February 2021)

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

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

Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	Comments in relation to relevant environmental considerations.
Reading Agricultural Consultants	Assessment of the application in relation to TAN 6 requirements.
Ymgynghoriadau Cynllunio YGC	No response at the time of writing the report.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection subject to conditions
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Swyddog Llwybrau Troed / Footpaths Officer	No response at the time of writing the report.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments/advice in relation to the relevant policy framework.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments/advice.
Cynghorydd Jackie Lewis	No response at the time of writing the report.
Cynghorydd Llio Angharad Owen	No response at the time of writing the report.
Cynghorydd Llinos Medi Huws	Request that the application be referred to the Planning and Orders Committee for determination.
Cyngor Cymuned Tref Alaw Community Council	Comments/concerns in relation to means of access, drainage and the structural integrity of the building.

The application was afforded statutory publicity. This was by the posting of personal notification letter to the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 03/08/2022.

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

Relevant Planning History

T/2272 – Codi annedd amaethyddol ar ran o O.S 8589 yn / Erection of an agricultural dwelling house on part of O.S 8589 at Eirianallt Goch, Carmel – Caniatau/Granted 3.3.76 (Eirianallt Goch) (cais amlinellol/outline application)

T/2272A – Codi annedd a modurdy preifat ar ran o O.S 132 ger / Erection of a house and private garage on part of O.S 132 near Eirianallt Goch, Carmel to be used in connection with agriculture – Caniatau/Granted 15.4.76 (Eirianallt Goch) (Cais cynlluniau manwl/Detailed plans application)

25C184 – Cais amlinellol ar gyfer codi annedd amaethyddol yn / Outline application for the erection of an agricultural dwelling at Eirianallt Goch, Carmel - Caniatau/Granted 15.8.06 (Erw Las)

25C184A/DA – Cynlluniau manwl ar gyfer codi annedd amaethyddol yn / Detailed plans for the erection of an agricultural dwelling at Eirianallt Goch, Carmel – Caniatau/Granted 4.1.07 (Erw Las)

25C177 – Newid defnydd adeilad allanol i fod yn weithdy yn / Change of use of farm building into a workshop at Eirianallt Goch, Carmel – Caniatau/Granted 2.2.06

25C177A – Codi ystafell haul ar y estyniad presennol yn / Erection of a conservatory on the existing extension at Eirianallt Goch, Carmel – Caniatau/Granted 15.4.08

25C266/LUC – Cais am Dystysgrif Datblygiad Cyfreithlon ar gyfer y defnydd cyfredol o'r annedd fel y cafodd ei lleoli a'i hadeiladu yn / Application for a Lawful Development Certificate for the existing use of the dwelling as located and built at Eirianallt Goch, Carmel – Cyfreithlon/Lawful – 13.2.18

FPL/2021/321 - Cais llawn ar gyfer newid defnydd, addasu ac ehangu adeilad allanol presennol i fod yn annedd meter gwledig ynghyd â gosod sistem trin carthffosiaeth newydd yn / Full application for conversion, alteration and extension of an existing outbuilding into a rural enterprise workers dwelling together with installation of sewage treatment plant at - Eirianallt Goch Farm, Carmel, Llanerchymedd - Gwrthod / Refused - 28.04.22

Main Planning Considerations

The application is made for the conversion, alteration and extension of an existing outbuilding into a rural enterprise workers dwelling together with installation of sewage treatment plant at at Eirianallt Goch Farm, Carmel, Llanerchymedd.

This is a re-submission of an earlier application which was refused on the 28th April 2022 under planning application reference FPL/2021/321.

The grounds for refusal were that it had not been demonstrated that the enterprise is currently financially sound and has a clear prospect of remaining so, that insufficient information had been provided to demonstrate that there were secure and legally binding arrangements in place in relation to the transfer of management of the farm enterprise to the next generation and that the planning history relating to the holding demonstrates a lack of need, with the holding having already been granted permission for two rural enterprise dwellings and the recent disposal of one of them.

The application site is located in the open countryside outside of any defined development boundary consequently it is therefore necessary to consider whether the proposal conforms with other specific local or national planning policies, namely the provisions of policy TAI 7 and Technical Advice Note 6: Planning for Sustainable Rural Communities.

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

Policy PCYFF2 of the JLDP relates to development criteria and requires that proposals demonstrate compliance with relevant plan policies or national planning policy and guidance.

Policy PCYFF 3 relates to design and place shaping and requires that all proposals will be expected to demonstrate high quality design which fully take 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 policy criteria, where relevant.

Policy TAI 7 of the JLDP relates to the conversion of traditional buildings in the open countryside to residential use and states that proposals will be permitted where all the following criteria are met:

1. There is evidence that employment use of the building is not viable
2. The development provides an affordable unit for local need or the residential use is a subordinate element associated with a wider scheme for employment re-use
3. The structure is structurally sound
4. No extensive alterations are required to enable the development
5. Any architectural characteristics of merit and traditional materials are retained and that the proposal does not lead to the loss of the original structure's character.

Since this application would provide a rural enterprise dwelling directly linked to the farm holding it would not have to satisfy the employment test within Policy TAI 7. In fact the fourth bullet point in paragraph 4.7.1 of TAN 6 states in relation to the other dwelling tests consideration should be given to whether there is a building suitable for conversion on the enterprise.

The proposal is acceptable in terms of design and is accompanied by a Structural Survey which confirms that the existing building is structurally sound and capable of conversion without extensive rebuilding or extension. Where rebuilding works are required, these do not appear to exceed 20% as noted within the Replacement Dwellings and Conversions in the Countryside SPG. The proposal therefore accords with the provisions of policies PCYFF3 and TAI 7 (where relevant).

The application is also accompanied by a Protected Species Survey report which found that the building was being used by bats and was a probable maternity roost. The proposal includes mitigation through the provision of a bat roost within the roof space and the planting of trees and hedgerows and the provision of swallow mitigation in the form of log stores.

These measures also serve to provide biodiversity enhancement in accordance with policy AMG5 and the Section 6 duty of the Environment Wales Act 2016.

The highways department have confirmed that they have no objection to the proposal.

The application is for a rural enterprise dwelling and which represents one of the few circumstances in which isolated new residential development in the open countryside may be justified.

The purpose of a 'rural enterprise dwelling' is to enable rural enterprise workers to live at or close to their place of work, including encouraging younger people to manage farm businesses and supporting the diversification of established farms.

All applications for new rural enterprise dwellings should be carefully examined to ensure that there is a genuine need. It will be important to establish whether the rural enterprise is operating as a business and will continue to operate for a reasonable length of time. Planning authorities should follow the guidance in TAN 6 and the related practice guidance with regard to the requirements for rural enterprise dwelling appraisals.

Applications for rural enterprise dwellings must only be permitted where the rural enterprise dwelling appraisal provides conclusive evidence of the need for the dwelling. In order to ensure that rural enterprise dwellings are retained for their intended purpose a condition restricting the occupancy of the property must be applied. Rural enterprise dwellings should also be classified as affordable housing as defined in TAN 2: Planning and Affordable Housing, to ensure that the dwelling remains available to meet local affordable housing need should the original justification cease to exist.

A Rural Enterprise Dwelling Appraisal has been submitted in support of the application and has been assessed by the Authority's agricultural consultants (RAC).

The proposed development is for an additional dwelling on an established family farming enterprise. An existing dwelling (Erw Las) provides accommodation for Mr and Mrs Williams Senior. They are in their 70s and inputs to the practical management of the business are increasingly reliant on their son, Mr Williams Junior, who is a partner in the business.

Mr Williams Junior currently resides off-farm in Bangor, and it is considered essential to the future of the farm business that he be more readily available. It is contended that no affordable alternative housing is available in the locality comparable with the cost of the proposed on-farm development.

There is a history of permissions for agricultural workers' dwellings on the farm with an initial consent in 1976 for Eirianallt Goch which was occupied by Mr and Mrs Williams Senior until 2008. A further dwelling (Erw Las) was permitted in 2007 on the basis of its need for an additional worker, but into which Mr and Mrs Williams Senior moved, occupation of the first dwelling, Eirianallt Goch, was then taken up by their son, apparently in breach of the agricultural occupancy restriction since, in December 2017 an application for a Lawful Development Certificate of Existing Use or Development was submitted claiming that the dwelling, as built and occupied, did not comply with the planning permission and its conditions. A Lawful Development Certificate was issued in March 2018 (application ref 25C266/LUC). This, and the subsequent sale of the property to another noncompliant and unrelated party in November 2019, effectively severed it from the farm enterprise in practical terms.

It is evident from the history, that despite the fact that permission for Erw Las was granted on the basis that it was needed for an additional worker, it has never been used in this manner since Mr & Mrs Williams Senior immediately took up occupation of the dwelling upon its completion. The LPA might

therefore reasonably question whether there had in fact been a genuine need for the 2nd dwelling for an additional worker, and if so, how that additional labour requirement has been met over the past 14 years.

The farm holding extends to 121.5 hectares (77 ha owner-occupied and 44.5 ha rented on a Farm Business Tenancy) which support a livestock enterprise based on a flock of 1,100 sheep. A standard labour calculation indicates a requirement for 2.4 workers which is met by Mr Williams Senior and his son, Mr Williams Junior. There is a proposal that previous cattle rearing activity be reinstated with a herd of 25 suckler cows and with an increased labour requirement of 2.7 workers.

The framework for the appraisal of the case for the proposed dwelling is set out in Planning Policy Wales (2021) and Technical Advice Note 6 'Planning for Sustainable Rural Communities' (2010). Also relevant is the Practice Guidance issued on Rural Enterprise Dwellings (2011) in support of TAN 6.

While Welsh Government wishes to support the needs and aspirations of rural communities and recognises that addressing the housing difficulties which often face those communities is central to that support, it remains part of longstanding planning policy that the countryside should be safeguarded from uncontrolled and sporadic development (PPW paras 4.2.24 and 4.2.36). As such, proposals for isolated dwellings require special justification. One example of such justification is where there is an essential need for a rural worker to live close to their place of work in the absence of nearby accommodation. In these circumstances, Welsh Government requires that all planning applications (PPW para 4.2.37) should be carefully examined to ensure there is a genuine need for the dwelling and the related business is sustainable. Furthermore, Welsh Government requires that any permitted rural enterprise dwellings be regarded as, and retained as, local affordable housing (PPW para 4.2.37).

Technical Advice Note (TAN) 6 provides the criteria whereby this scrutiny should be undertaken in relation to a number of agricultural circumstances:

- (i) a new dwelling on an established enterprise;
- (ii) a second dwelling on an established farm to enable the handover of management to a younger farmer;
- (iii) a second dwelling on an established farm where there is a functional need for at least 50% of an additional worker; and
- (iv) a new dwelling on a new enterprise.

The proposed development would again increase the number of dwellings serving the Eirianallt Goch unit to two. The existing dwelling meets a functional need in so far as it is occupied by a full-time worker on the unit, namely Mr Williams Senior. The need for the additional dwelling is being promoted as essential housing for a member of the next generation in the family farming enterprise, and to the provisions of the first bullet point in section 4.5.1 of TAN 6.

The relevant tests to be met are those for new dwellings on established enterprises as set out in paragraph 4.4.1 of TAN 6, namely:

- (a) there is a clearly established existing functional need;
- (b) the need relates to a full-time worker;
- (c) the enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job is currently financially sound and has a clear prospect of remaining so;
- (d) the functional need could not be met any other means on the holding or in the locality.
- (e) other normal planning requirements (e.g., siting and access) are satisfied

However the policy exceptions relating to farm succession in paragraph 4.5 require only that:

- (i) it is demonstrated that the relevant individual has taken majority control over the farm business and is the decision maker;
- (ii) criteria (c) to (e) in paragraph 4.4.1 are met; and

(iii) it is demonstrated that the management successor is critical to the continued success of the farm business, and the need for the proposed dwelling cannot be met in any other reasonable way.

The following appraisal considers the three key policy elements arising from the above policy framework namely:

- (i) the circumstances of the transfer of management control;
- (ii) the financial sustainability of the farming enterprise; and
- (iii) the absence of reasonable alternatives to an additional dwelling.

In a case of a transfer of management, TAN 6 does not require criteria (a) and (b) of paragraph 4.4.1 to be formally addressed. However, it is accepted that the scale and nature of the farming enterprise requires the ready availability of a key worker for its effective management. The husbandry of the sheep flock has an assessed labour requirement of two workers. This management is currently provided primarily by an on-farm worker (Mr Williams Senior), and partially by his son, who also has non-agricultural employment, located in Bangor. It is also accepted that there will be occasions, both foreseeable and unforeseen, when the presence of both workers will be required.

The application for the proposed additional dwelling is expressly *“to satisfy the imperative succession needs of the agricultural enterprise”* (Planning Statement Part 4). However, this is qualified by the consideration that Mr Williams Junior has yet to succeed his father and there is no timeline for succession. The Planning Statement indicates that Mr Williams Junior works alongside his father and increasingly so and that Mr Williams Senior *“plans to progressively retire when his son will succeed him, full time”*. Furthermore, on site residence is said to be an aspiration to meet *“current farming responsibilities and the farm succession plan”*. It is stated that Mr Williams Junior is already *“the majority shareholder”* in the farm business, but will only *“succeed his Father completely, at a time yet unknown”*.

No criticism is levelled at the intention that succession will take place, however, an expression of intent does not meet the specific policy requirement of TAN 6 underpinning the allowance for second dwellings in succession cases. The requirement is set out at paragraph 4.5.1 of TAN 6 which requires some demonstration of certainty in respect of the succession process. This is achieved by the submission as part of the planning application of *“secure and legally binding arrangements”* which provide certainty that either:

“-----demonstrate that management of the farm business has been transferred to a person younger than the person currently responsible for management, or that transfer of management is only conditional upon grant of planning permission for the dwelling. The younger person should demonstrate majority control over the farm business and be the decision maker for the farm business.” (para 4.5.1)

The objective of Welsh Government in providing for second dwellings on established farms in exceptional circumstances is *“to encourage younger people to manage farm businesses and promote the diversification of established farms”* (TAN 6 para 4.5.1). The clear and binding arrangements are necessary in order to ensure that there is no abuse of this diversion from the normal policy position on additional dwellings on farms, and in circumstances in which it is being argued that the additional dwelling would assist in succession planning.

The Practice Guidance supporting TAN 6 provides some advice on how the above requirement could be addressed:

“A transfer of management control could be achieved by a number of means. One route could be through the form of the farm business; for example, the reappportioning of administrative and operational responsibilities and financial rewards and liabilities in a partnership or limited company. Alternatively, the management role could be secured through the granting of control of the productive assets of a farm by means of a tenancy or contract agreement, or indeed their complete transfer of ownership to the younger person concerned.”

The chosen route of a Partnership Agreement in the current application in order to meet the TAN 6 requirement is, in principle, clearly appropriate and consistent with the advice in the Practice Guidance. The fundamental question is whether the submitted Partnership Agreement demonstrably reapportions administrative and operational responsibilities and financial rewards and liabilities in favour of Mr Williams Junior or will do so on the grant of planning permission for an essential dwelling.

The Agreement clearly relates to the involvement of the next generation in the farm business and as such accords with the policy objective. The question is whether it demonstrably puts Mr Williams Junior in the managerial driving seat.

The profits and liabilities of the farm business are apportioned such that Mr Williams Junior has a marginal proportional financial benefit and responsibility (51%) over his parents; the other Partners in the Agreement (49%). There is, however, no reference to any distinction between the Partners in respect of administrative and operational responsibilities. Indeed each Partner is required to devote their unqualified "*whole time and attention*" to the business (8a), and the unanimous agreement of the Partners is required for specified aspects of the business. The scope for the younger Partner to take principal decisions of day-to-day management and policy is unclear.

The submitted Deed of Partnership does not therefore demonstrably put Mr Williams Junior in functional management control. There remains some uncertainty regarding the delivery of the succession process relating to an otherwise stated progressive transfer of control by Mr Williams Senior over an unknown timescale, and the current scope for the younger Partner to take principal decisions on day-to-day management and policy is unclear.

Given the history of dwellings associated with the farm and the particular enterprise, it is not unreasonable for the certainty expected by TAN 6 to be provided, consequently the LPA have not therefore been satisfied that "*secure and legally binding arrangements*" are in place in relation to the transfer of management responsibilities as required by TAN 6.

While it is national policy to encourage younger people to take on the management of farm businesses, this is subject to the proviso that the relevant businesses are established and financially sustainable. The so-called Financial Test (para 4.4.1 c) requires that:

- (i) The enterprise concerned has been established for at least three years;
- (ii) The enterprise has been profitable in at least one of the years;
- (iii) The enterprise and functional needs are currently financially sound and have a clear prospect of remaining so.

The longevity of the enterprise at Eirianallt Goch is not stated in the supporting Dwelling Appraisal. However, since planning permission was granted for a farm dwelling in 1976 in favour of Mr and Mrs Williams, it is clear that the enterprise is well established, and that the minimum three-year establishment period is met. The first criterion of the Financial Test is, therefore, met.

The submitted Dwelling Appraisal states that the farm accounts for 2018 and 2019 show the enterprise at Eirianallt Goch to have achieved profits of £19,412 and £17,396 before depreciation. The second test criterion is, therefore, met.

In terms of the third test criterion of section 4.10 of TAN 6, it is indicated that:

- (i) Evidence of actual and potential economic performance is necessary;
- (ii) The enterprise must be capable of rewarding labour inputs on the basis of a realistic income; and
- (iii) The enterprise must be capable of affording the build cost of the proposed dwelling and its maintenance.

The TAN 6 provision for succession dwellings is only available to farm enterprises which are established and financially sustainable. This requires applications to meet the so-called Financial Test set out in

paragraph 4.4.1 (c) in TAN 6. RAC has considered the current enterprise's recent financial performance with reference to farm accounts covering the period 2018 – 2022.

The accounts data confirm that the enterprise has been established for at least three years and has been profitable throughout that period. The data also indicate that profit, before depreciation, has been at a modest level and not providing any remuneration for labour inputs made by Mr Williams Junior.

The TAN 6 Financial Test requires that enterprises be currently financially sound and have a clear prospect of remaining so. The expectation (paragraph 4.10.2) is that enterprises provide a sustainable market return for the labour deployed in them and are capable of maintaining the build cost of a proposed dwelling. It is in this aspect that RAC had some concern.

The current remuneration for a standard worker (Agricultural Wages Order) is some £19,000. The farm accounts show that the level of profit and the drawings made have fallen short of this scale of remuneration in all recent years, not considering the absence of remuneration for any labour provided by Mr Williams Junior. While the current position might continue, it does not meet the TAN 6 requirement, particularly as it is the applicant's case that even in its current circumstances the farm enterprise has a requirement for two workers. The base profit level needed to remunerate two workers and provide a return on the investment of £150,000 in the build cost of the proposed dwelling would be some £43,000 compared with actual profits before depreciation of less than £20,000, and average net profits of less than £10,000. Set against this the farm business has a stable asset base, and substantive positive balance between current assets and liabilities.

It is accepted that many family farming enterprises persist on levels of profitability below the expectation stated in TAN 6. This reflects a lifestyle commitment to farming and the absence of the true accounting of the time and cost of family labour involved. The case for the additional dwelling in the current case turns, therefore, more on its future prospects than on its ability to fully meet the TAN 6 requirements of current financial soundness.

It is proposed that a combination of the secure presence of Mr Williams Junior on the farm and the introduction of a small suckler cow herd will enable the enterprise to substantially improve its financial performance. Two Agricultural Appraisals (October 2021 and June 2022) have been produced by Mr W Williams and forming part of the application documents seeks to demonstrate this by means of a financial assessment. The only change in the sources of income from those shown in the farm accounts is the introduction of 25 suckler cows, which is shown to make only a modest (8-10%) contribution to the projected total gross margin for the enterprise. However, an Addendum Note from Mr W Williams (24.01.22) suggests that the introduction of the suckler cows "*will ---- boost profits to secure the level of income required*". Despite this, the assessment anticipates an increase in the total gross margin of over £70,000 compared with the recent actual performance of the enterprise with the majority of growth coming from existing sources. Given the general variability in prices and costs and the forthcoming changes to the public support system for farming, the assessments may be optimistic. It is noticeable that the latest assessment of net profit is over £22,000 lower than that made a little over 6 months previously.

As indicated earlier the base profit level needed to satisfy the emphasis of the Financial Test is the appropriate remuneration of the labour of two workers (currently some £39,000 and provide a return on the investment of £150,000 in the build cost of the proposed dwelling (£3750 @ 2.5%). This would require a minimum profit of some £43,000 compared with the recent actual profits of less than £20,000 and the projected profit of c£64,000. While there must be some uncertainty that the farm enterprise can make the dramatic improvement in performance projected in a short period, it is accepted that the introduction of the Mr Williams Junior to the enterprise on a secure, full-time basis would be likely to stimulate an improvement, over and above the introduction of a new suckler cow component, such that the lesser target profit would be more likely to be achieved.

It should also be noted that the most recent farm accounts show the maintenance of the average profitability of the farm business only being achieved by the introduction of what appears to be a one-off non-agricultural payment of £5000.

The substantive actual financial data relevant to the farm enterprise which has been provided shows current circumstances to be less than the expectations of the TAN 6 Financial Test. Projected improvement in financial performance seems optimistic, but whilst it might be reasonable to expect improvement which could potentially meet the key requirements of the TAN 6 Financial test, on balance it is not considered that the TAN 6 financial test is met.

The holding at Eirianallt Goch has a dwelling (Erw Las) occupied by Mr and Mrs Williams Senior, who are of retirement age. Case Law dictates that it is inappropriate to expect the current occupants to vacate the dwelling in order to meet a functional need for a new worker. This is recognised at paragraph 6.11 of the TAN 6 Practice Guidance in the circumstances of farm management succession:

“In this particular case, it is accepted that the existing dwelling could be occupied by a person who would, following the transfer of management responsibilities, no longer play a major functional role in the enterprise, and indeed may progress towards retirement.”

The Dwelling Appraisal (para 4.7) intimates that there are a number of traditional buildings on the farm suitable for conversion to dwellings.

In terms of existing available property, an Internet search revealed only 2 suitable properties currently available within 5 kms of Eirianallt Goch, namely a 3-bedroomed terraced property valued at £135,000 and a 4-bedroomed terrace property valued at £150,000, both located in Llanerchymedd. This settlement has ready access to the Eirianallt Goch locality by means of the B5117 and is closer to the farm than Mr M. Williams' current location some 25 kms distant. Current circumstances would suggest however that available and affordable alternative housing reasonably close to the farm is limited.

Given the age of Mr Williams Senior, any benefit of an off-farm dwelling in the close locality would be time limited in relation to the functional need for a worker with an active on-farm management role. This would tip decision making in favour of the use of existing on-farm resources.

There is a history of permissions for agricultural workers' dwellings on the farm with an initial consent in 1976 for Eirianallt Goch which was occupied by Mr and Mrs Williams Senior until 2008. A further dwelling (Erw Las) was permitted in 2007 on the basis of its need for an additional worker, but into which Mr and Mrs Williams Senior moved, occupation of the first dwelling, Eirianallt Goch, was then taken up by their son, apparently in breach of the agricultural occupancy restriction since, in December 2017 an application for a Lawful Development Certificate of Existing Use or Development was submitted claiming that the dwelling, as built and occupied, did not comply with the planning permission and its conditions. A Lawful Development Certificate was issued in March 2018 (application ref 25C266/LUC). This, and the subsequent sale of the property to another noncompliant and unrelated party in 2019, effectively severed it from the farm enterprise in practical terms.

It is evident from the history, that despite the fact that permission for Erw Las was granted on the basis that it was needed for an additional worker, it has never been used in this manner since Mr & Mrs Williams Senior immediately took up occupation of the dwelling upon its completion. Therefore the LPA might reasonably question whether there had in fact been a genuine need for the 2nd dwelling for an additional worker, and if so, how that additional labour requirement has been met over the past 14 years.

As noted above, the farm enterprise has benefitted from planning permissions for two worker's dwellings in 1976 and 2007. In circumstances of enabling the transfer of farm management to the next generation, TAN 6 regards this as a special policy exception to normal restraint which can only be used once. Currently this would have related to an additional dwelling pursuant to the provision of that provided by the 1976 permission (Eirianallt Goch) namely Erw Las, and not to subsequent dwellings. However, this provision only affects proposals after TAN 6 coming into force in 2010 (para 4.5.2). Nevertheless, TAN 6 (para 4.11.2) goes on to indicate that the history of the availability of dwellings is a material consideration, particularly where there is concern about potential abuse of the planning process. Where dwellings have been severed from farms enterprises, it is considered that this could constitute evidence of a lack of need.

Permission for Erw Las was granted in 2007 on the premise that an additional worker was required on the farm. However, on its completion, it was immediately occupied, albeit in compliance with the occupancy terms, by Mr and Mrs Williams Senior who relocated from Eirianallt Goch. The latter was then occupied by their son and his wife who subsequently demonstrated that dwelling, as built and occupied, did not comply with the planning permission and its conditions and a Lawful Development Certificate was granted in 2018. It is also understood that the freehold of the property resided with its non-agricultural occupants and had, therefore, been severed from the farm holding. It would appear, therefore, that the farm enterprise existed for a decade without the need for the ready availability of the additional worker initially intended to occupy Erw Las. However, only 2–2½ years prior to the current and earlier application (FPL/2021/321) which seeks to re-assert that essential need, steps were actively taken to render Eirianallt Goch unavailable. Mr Williams Junior was resident in the property and as such he was available to the farm. The Council has been advised that the practical severance of the dwelling from the farm was occasioned by the break-up of Mr Williams Juniors' marriage and subsequent financial aspects of the divorce settlement.

It is unlikely, however, that the impending need for the transfer of management of the farm involving Mr Williams Junior were not apparent or being considered at the time. Nevertheless, the severance of the property from the farm clearly diminished its utility and the future prospects of Mr Williams Junior.

The Planning Statement provides material relating to the agricultural dwelling at Eirianallt Goch previously occupied by Mr Williams Junior. The circumstances of the loss of the agricultural status of that property and its subsequent severance from the farm are noted. That dwelling persisted in a situation in which it had been claimed that the farm enterprise required two resident workers. However, the applicant was able to demonstrate that this had not been the case, hence the success of the application for a Lawful Use Certificate and its subsequent sale on the open market in 2019. It is argued that this background is not material to the consideration of the current application which should be judged solely on the fact that there is currently only one dwelling on the farm.

The circumstances of Eirianallt Goch and its severance from the farm suggest that it was treated as a private asset of the occupants rather than of the farm. The granting of permission for the dwelling was not however justified on the basis of the personal requirements of the particular occupiers but on the functional requirements of the farm business. Any private capital introduced to assist in the funding of the dwelling should have been viewed as an investment in the farm business. Indeed it is for this reason that a return on capital investment in the build cost is included in the financial assessments in the Dwelling Appraisal. It is not sufficient to simply dismiss the dwelling on the basis of the financial circumstances of a particular individual. The farm business secured permission for an essential asset and, within its knowledge, allowed it to be used for alternative purposes.

Notwithstanding the personal difficulties of Mr Williams or the future prospects of the farm business, the LPA's position is that it has granted planning permission for two essential dwellings on the farm, has had to concede the loss of one to the open market, and is now faced with a second request for a further dwelling, following the refusal of the earlier application. This within a space of only two and a half years. Irrespective of any personal circumstances of the individuals concerned, these are matters of fact and are material in the context of Welsh Government's continuing desire to contain residential development in the countryside, avoid abuse of the exemptions it allows for rural enterprise workers, but stimulate the succession of the younger generation to farm management.

Therefore contrary that claimed by the agent, the planning history is a material consideration as noted at paragraph 4.11.2 of TAN 6 and which states that *in cases where the planning authority is particularly concerned about possible abuse, it may be helpful to investigate the history of the enterprise to establish the recent pattern of use of land and buildings and whether, for example, any dwellings or buildings suitable for conversion to dwellings have recently been sold. Such a sale could constitute evidence of a lack of need.*

The grant of planning permission pursuant to the current application would effectively be for a third worker's dwelling on a holding occupied by the Williams family. No third parties have been involved in the decisions relating to the three applications or in the decisions on the disposition of farm assets. Any need for the dwelling now proposed arises directly from those decisions to which some weight should attach.

It is a matter of fact that Eirianallt Goch was in the ownership of and occupied by Mr Williams Junior until November 2019 and retention of that property would have met the applicants current needs for a dwelling on the holding, its severance from the holding in 2019 must therefore be reasonably regarded as evidence of a lack of need as per the advice contained in TAN 6.

Conclusion

In the absence of the "*secure and legally binding arrangements*" required by TAN, 6 there remains uncertainty regarding the delivery of the succession process relating to the transfer of the management of the farm enterprise to the next generation and extent of the control exercised or to be exercised by Mr Williams Junior. Consequently the LPA have not therefore been satisfied that "*secure and legally binding arrangements*" are in place in relation to the transfer of management responsibilities as required by TAN 6.

The substantive actual financial data relevant to the farm enterprise which has been provided shows current circumstances to be less than the expectations of the TAN 6 Financial Test. Projected improvement in financial performance seems optimistic, but whilst it might be reasonable to expect improvement which could potentially meet the key requirements of the TAN 6 Financial test, on balance it is not considered that the TAN 6 financial test is met.

The planning history and the severance of Eirianallt Goch from the holding in 2019 are material considerations which constitute evidence of a lack of need as per the advice contained in TAN 6.

Recommendation

That the application is refused for the following reasons:

(01) The Local Planning Authority do not consider that it has been demonstrated that the enterprise is currently financially sound and has a clear prospect of remaining so contrary to the requirements of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010) and the advice contained in Planning Policy Wales (Edition 11, February 2021)

(02) Insufficient information has been provided to demonstrate that there are secure and legally binding arrangements in place in relation to the transfer of the management of the farm enterprise to the next generation contrary to the requirements of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010) and the advice contained in Planning Policy Wales (Edition 11, February 2021)

(03) The Local Planning Authority consider that the planning history relating to the holding and the recent sale of Eirianallt Goch demonstrates a lack of need contrary to the requirements of Technical Advice Note 6: Planning for Sustainable Rural Communities (July 2010) and the advice contained in Planning Policy Wales (Edition 11, February 2021)

This page is intentionally left blank

Planning Committee: 07/12/2022

11.1

Application Reference: HHP/2022/239

Applicant: Tudur Jones & Alaw Thomas

Description: Retrospective application for alterations and extensions at

Site Address: 10 Lon y Wylan, Llanfairpwll



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

Recommendation: Permit

Reason for Reporting to Committee

The applicant is a relative of a 'relevant officer' as defined within paragraph 4.6.10 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 presented is a retrospective application for alterations and extensions to the dwelling.

The application site is a semi-detached bungalow located along Lon y Wylan, within the development boundary of Llanfairpwll as defined by the Joint Local Development Plan.

Key Issues

The 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 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

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

Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Llanfairpwll Community Council	No response at the time of writing the report.
Cynghorydd Dyfed Wyn Jones	No response at the time of writing the report.
Cynghorydd Alun Wyn Mummery	No response at the time of writing the report.
Cynghorydd Robin Wyn Williams	No response at the time of writing the report.
Dwr Cymru/Welsh Water	Condition regarding surface water and advisory notes for the applicant.

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 02/11/2022. At the time of writing this report, no letters of representations had been received at the department.

Relevant Planning History

No relevant site history

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

The site is a semi-detached bungalow located along Lon y Wylan, within the development boundary of Llanfairpwll as defined by the Joint Local Development Plan. The proposed scheme is a retrospective application for the erection of a single storey side extension.

This is a retrospective application as work has already commenced on the extension. The work completed thus far is the concrete footings to the foundation, and the substructure block work. It was confirmed by the applicant that no further work will take place, and this was evident from a site visit conducted on the 9th of November.

The applications' main issues are:

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

i. Siting and Design

The proposal is for a single storey side extension to accommodate an open-plan kitchen/dining area, a utility and a bathroom. It will extend approximately 3.3m beyond the side elevation of the property, and will measure 8.3m in length, equally set off both the front and rear elevations by around 0.7m. It will have a flat roof at 3m in height, which is lower than the main pitch of the dwelling, ensuring that this is a subservient extension.

The flat roof will have a roof light lantern above to increase natural daylight. The front elevation facing the highway will have two windows, the side elevation facing 9 Lon y Wylan will have one door and one window, with a set of double doors on the rear elevation opening into the applicants' garden. The whole bungalow, including the extension, will have painted render external walls together with white UPVC windows and doors. This ensures a high quality design to comply with policy PCYFF 3, and integration into the surrounding built environment.

In order to comply with the Environment Wales Act (2016), all planning applications must show overall biodiversity enhancement. In regards to this application, a swift nest box has been added to the main dwelling. This is considered to provide overall biodiversity enhancement, and complies with the requirements of the Environment Wales Act and policy PCYFF 4.

ii. Impact on Adjacent Residential Properties

This is considered a small scale development that will have no negative impacts upon the privacy and amenities of neighbouring properties. It will not be visible from neighbouring property 11 Lon y Wylan due to the existing dwelling, or from 9 Lon y Wylan due to the high hedge along the whole of the boundary. The front elevation facing the estate road is far enough from all properties on Ffordd Teifion, and the rear elevation of the extension will not be visible, and is an ample distance from the properties behind in Cae Cnyciog. The new windows and door will not give rise to any concern of overlooking, and as such the privacy and amenities of the neighbours will be maintained.

Conclusion

The proposal is considered a small-scale development that will provide additional living space within the property. It is considered a subservient extension that will integrate into the site with matching finish materials. Giving its siting in relation to neighbouring properties, and the existing boundary treatments, it is not considered to give rise to any greater harm upon the privacy and amenities of any neighbouring 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:

- **Wylan/01 - Location plan**
- **Wylan/02 - Proposed block plan**
- **Wylan/04 - Proposed floor plan**
- **Wylan/08a - Proposed elevations**

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

(03) No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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

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

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

Planning Committee: 07/12/2022

12.1

Application Reference: FPL/2022/60

Applicant: Head of Housing

Description: Full application for the erection of 14 dwellings together with the creation of an internal access road and associated works on the former site of

Site Address: Newborough School, Pen Dref Street, Newbrough



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

Recommendation: Permit

Reason for Reporting to Committee

The application is on council owned land.

Proposal and Site

The proposal is a full application for the erection of 14 dwellings together with the creation of an internal access road and associated works on the former Primary School Site at Pendref Street, Newborough. The former primary school has been demolished but the electrical sub-station building still remains on site at present. There are residential properties located to the North, South and West, with an area of undeveloped land to the East.

The land is located within the development boundary of Newborough as identified within the Joint Local Development Plan (JLDP).

There will be a mixture of single and two storey dwellinghouses across the site with various number of bedrooms. The proposal entails semi-detached, terrace of 4 properties and flats. All units are provided with designated parking and private amenity spaces. No public open space will be provided within the site; however there will be a need to provide a financial contribution of £2947.19 towards informal and equipped play space.

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

Policy TAI 3: Housing in Service Villages

Policy TAI 8: Housing Mix

Policy TAI 15: Affordable Housing Threshold & Distribution

Policy PCYFF 2: Development Criteria

Policy PCYFF 4: Design and Landscaping

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 1: Development Boundaries

Policy PCYFF 6: Water Conservation

Policy PCYFF 5: Carbon Management

Policy ISA 2: Community Facilities

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

Strategic Policy PS 2: Infrastructure and Developer Contributions

Policy ISA 1: Infrastructure Provision

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Strategic Policy PS1: Welsh Language and Culture

Strategic Policy PS 5: Sustainable Development

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

Strategic Policy PS16: Housing Provision

Strategic Policy PS19: Conserving and where appropriate enhancing the natural environment

Policy AMG5: Local Biodiversity Conservation

Policy AT4 – Protection of Non-Designated Archaeological Sites and their Setting

Supplementary Planning Guidance

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 Housing Mix (October 2018)
 Supplementary Planning Guidance Maintaining and Creating Distinctive and Sustainable Communities.
 Supplementary Planning Guidance Open Space in New Residential Development (2019)

National Policy:

Technical Advice Note 2: Planning and Affordable Housing
 Technical Advice Note 5: Nature Conservation and Planning
 Technical Advice Note 12: Design (2016)
 Technical Advice Note 18: Transport (2007)
 Technical Advice Note 20: Welsh Language

Response to Consultation and Publicity

Consultee	Response
Draenio Gwynedd / Gwynedd Drainage	Confirmation has been received that an application to the SAB is required to prior to any work commencing on site to ensure that the proposal manages on-site surface water adequately.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditional Approval in relation to future management of private gardens and to ensure the landscaping scheme is implemented in accordance with the submitted information.
Rheolwr Polisi a Strategaeth / Policy & Strategy Manager	No response.
Cynghorydd John Ifan Jones	No response.
Cynghorydd Arfon Wyn	No response
Dwr Cymru Welsh Water	Confirmation has been received that Welsh Water is satisfied with the proposal.
Cyngor Cymuned Rhosyr Community Council	No response.
Cadw Scheduled Monuments	No response.
Ymgynghorydd Treftadaeth / Heritage Advisor	No heritage implications.
Cyfoeth Naturiol Cymru / Natural Resources Wales	NRW is satisfied with the proposal with appropriately worded conditions in relation to contamination, piling, and biosecurity.
Strategol Tai / Housing Strategy	No response
Gwasanaeth Addysg / Education Service	Confirmation has been received that there is sufficient capacity in the Primary School to cater for any additional school spaces which development.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with the proposal with appropriately worded conditions
GCAG / GAPS	GAPS confirmed that a programme of archaeological evaluation was conducted at the site owing to the moderate potential for

	<p>archaeological remains in the locale. Niwbwrch is notable for its medieval origins, especially at the central crossroads and the surrounding areas.</p> <p>Despite this, the Trial Trenching confirmed that the creation of the old school has significantly altered the sub-surface deposits of the site. Whilst there is still potential for archaeological remains to the east in the area of the old playing fields – the red lined boundary defined by this application falls within the footprint of the old school, where the archaeological potential is deemed to be low. As such there is no recommendation for mitigation in this instance.</p>
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with the ecological surveys and reptile surveys. The developer should ensure the mitigation and recommendations of the ecological surveys are adhered to.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Standard Policy Comments received
Iechyd yr Amgylchedd / Environmental Health	Standard comments in relation to vibration, contamination of land and hours of working.

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 3rd November, 2022. At the time of writing the report 3 letters had been received at the Department and a further 9 web comments. The main comments as follows:-

- No objection but concerns on site traffic on Pendref Street and traffic should not be permitted to use Pendref Street.
- No pavement on Pendref Street close to playground, cul-de-sac and senior citizens
- Children Safety with back gardens directly onto Pendref Street
- Community Infrastructure Levy
- Additional traffic and Highway Safety and Visibility
- Additional traffic signs, speed limits should be looked at
- Pre-Application Process not undertaken correctly
- Concerns when the former school was demolished
- Overlooking and Loss of light
- Loss of amenity
- Impact on Ecology
- Slate roof should be used
- New plans submitted and everyone should have re-consultation
- Development should be in keeping with the surrounding area, flats not acceptable
- Solar panels should be solar tiles

In response to the comments raised by neighbouring properties:-

- The Highways Authority has confirmed that they are satisfied with the proposal, the access, visibility and parking arrangements. Appropriate conditions will be placed on the permission to ensure that further information is submitted to the Local Planning Authority to deal with Construction Traffic prior to commencement of work on site.
- Community Infrastructure Levy is not a planning consideration

- It is considered that the PAC process was undertaken and completed prior to the submission of the planning application.
 - Concerns over demolishing the former primary school is not a consideration for this planning application.
 - Consideration has been given to the impact of the development upon the amenities of adjacent residential properties, this will be further elaborated in the main body of the report.
 - An ecology and reptile survey has been submitted with the planning application and NRW and the Ecologist is satisfied with the information provided. Appropriate conditions will be placed on the permission to ensure the work complies with the recommendations of the surveys.
 - The roofing materials of the proposed dwellings will be slate
 - Adequate consultations have taken place and neighbours have had the opportunity to make comments on all amended/additional information
- It is considered that the development is in keeping with the surrounding area and the design of the dwellings have been taken into consideration.

Relevant Planning History

DEM/2020/4 - Application to determine whether prior approval is required for the demolition of the former school at - Newborough Primary School, Newborough - Permission Required 7/10/20

Main Planning Considerations

In the JLDP Newborough is identified as a Service Village under policy TAI 3 (Housing in Service Villages). This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary and provided that the size, scale type and design of the development corresponds with the settlements character. This site lies within the Newborough development boundary as identified in the JLDP and represents the site of the old primary school the proposal can therefore be considered against Policy TAI 3.

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 density of this proposal (14 units) is approximately 35 units per hectare which complies with the requirements of the Policy.

Affordable Housing

Policy TAI 15 seeks an appropriate provision of affordable housing. It has a threshold figure of 30% affordable housing for 2 or more units within Service Villages such as Newborough. This would equate to 4.2 dwellings having to be affordable.

It is also worth noting that this application is made by the Isle of Anglesey County Council's Housing Department, the development will therefore be for 100% affordable housing which will comply with the requirement of the Policy.

Housing Considerations

The indicative supply level for Newborough over the Plan period is 40 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc. During the period of 2011 to 2021, a total of 21 (6 on allocated sites and 15 on windfall sites) units have been completed in Newborough. The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2021 stood at 9 units). This means that at present there is insufficient capacity within the indicative supply for the settlement of Newborough for this development,.

The Plan's Monitoring Framework will consider the number of units that are completed annually in order to determine if the Plan is achieving the housing requirement. Annual monitoring will also allow the Councils to determine what type of sites will supply housing i.e designation or windfall sites. The focus will be on the units completed rather than permissions. As well as this, the Monitoring Framework will try to assess if the Plan's Settlement Strategy is being achieved. This indicator looks at housing consents. Policy PS 17 in the Plan states that 25% of the Plan's housing growth will be located within Villages, Clusters and open countryside. The indicative growth level (including 10% slippage) for Villages, Clusters and open countryside is 1953 units. 1,422 units were completed between 2011 and 2021 in the Villages, Clusters and open countryside category and that 708 were in the land bank (and likely to be developed).

However, as the settlement has seen its expected level of growth on windfall sites through units completed in the period 2011 to 2021 and completion of the existing landbank the application needed to justify the need of the proposal within the local community. Further information was submitted by the applicant to prove the need for this development in the area. A Housing Need Survey was undertaken and the proposed mix does address the identified need as identified in the Housing Need Survey.

Since this proposal would result in an unexpected windfall site for a large scale housing development in line with criterion (2) of Policy PS 1 a Welsh language impact assessment had been submitted to the Local Planning Authority.

Policy TAI 8 'Appropriate Housing Mix' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Regard should be given to the LHMA, Council Housing Register, Tai Teg Register, 2014 - based household projections etc. to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market. The planning application was accompanied by a Housing Need Survey and confirmation that the Housing Department will be offering the 14 units as 'tenure neutral' i.e upon completion, the properties can be let at either social or intermediate rent as well as offered for sale under the shared equity scheme. The aim is to provide a mixed tenure development dependent on the need at the time of developing the site.

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

The mixture include 8no 2 bedroom dwellings (2 storeys), 1 no 3 bedroom semi-detached dwellings (2 storeys), 1no 4 bedroom semi-detached dwellings (2 storeys), 4 no 1 bed flats (2 storeys).

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

The proposal would increase the provision of semi-detached and terraced houses in Newborough. and would this increase in provision would contribute towards actions set out within the LHMA. The proposed housing mix would complement the housing mix provided within the area and in light of the above, it is considered that the proposal can be supported on the grounds of need in the locality.

Welsh Language and Culture

In accordance with the Planning (Wales) Act 2015 Local Planning Authorities have a duty when making a decision on a planning application to have regard to the Welsh language, where it is relevant to that application. This is further supported by para 3.28 of Planning Policy Wales (Edition 11, 2021) together with Technical Advice Note 20.

The 'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance (SPG) (adopted July 2019) provides further guidance on how Welsh language considerations are expected to be incorporated into all relevant developments.

In line with criterion (1b) of Policy PS 1 'Welsh Language and Culture' since this development would cumulatively provide more than the overall indicative housing provision for the settlement, a Welsh Language statement should be submitted in support of the application. It is noted that a Welsh Language Statement has been submitted with the application.

The Policy and Welsh Language Manager had not responded to the consultation response, however, it is considered that the impact upon the Welsh Language will be comparatively low and the fact that the dwelling houses will be 100% affordable will mean that the occupiers will remain local.

Provision of Open Spaces in New Housing Developments

As this is a development of 14 dwelling houses it triggers Policy ISA 5, which states that: "New housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, will be expected to provide suitable provision of open spaces in accordance with the Fields in Trust (FiT) benchmark standards of 2.4 hectares per 1000 population."

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

Following an assessment of the proposed development and the surrounding area and that no open space is provided within the site, the developer should provide a financial contribution of £2,947.19 towards informal and equipped children's play area off site.

Infrastructure Policy

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

Character of the area:

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

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

The design and appearance (a mixture of stone/off white render, grey and slate roof) of the proposed units are considered acceptable in terms of their impact on the townscape which will acceptably integrate into the surrounding area. The proposed development includes a mixture of semi-detached dwellinghouses, a row of terrace housing and flats. It is considered that the proposed development will

not harm the character of the area and reflect the relatively dense residential pattern of development within the immediate locality.

Effect upon the amenities of neighbouring properties:

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

Regard has been given in terms of overlooking / loss of privacy and the effect on the outlook of adjacent residential properties.

Plot 1 – 4, Plot 12 and Plot13 complies with the guidance set out in the Supplementary Planning Guidance (SPG) Urban and Rural Environment in relation to proximity.

Plot 5 – 8 – These are flats 2 at the ground floor and 2 on the first floor, the distances in the SPG needs to be increased by 3m due to main living accommodation being at first floor level. The flats fail to comply with the distances to the rear boundary; however, consideration has been given to the fact that these flats will overlook the B4421 and Newborough Industrial Units, it is not considered that the flats will have any impact upon the amenities of the adjacent residential property known as 'Bryn Sinc' which is located approximately 25m in a North Easterly direction from the nearest flat.

Plot 9, 10 and 11 fails short of the distances to the boundary; however, as there is a distance of approximately 34m to the property to the rear and that there are existing trees and hedges which will be retained on this boundary, it is considered that there is sufficient distance between the existing property to the rear for these plots not to impact upon the amenities of the adjacent property known as 'Erw Goch'.

Plot 14 falls short of 0.5m to the boundary of the site and side elevation of 1 Stad Hen Ysgol; however, it is not considered that 0.5m short of the distance in a built up area will have a negative impact upon the amenity of this property.

To conclude, by virtue of the separation distanced between the dwellings, the orientation of the proposed units and existing boundary treatments and intervening uses, it is not considered that the proposed development will have a detrimental impact upon the nearby dwelling houses or future occupants of the proposed affordable units. Conditions will be attached to any permission to including measures to mitigate against the impact during the construction phase.

Local Highways Authority:

The Highway Authority has confirmed that they are satisfied with the proposed development with appropriately worded conditions and the need for the applicant to provide a Construction Traffic Management Plan prior to commencement of work on site to ensure that the construction traffic will not impact the highway network and adjacent residential properties.

Sustainability:

Policy PS 5 (Sustainable Development) supports development which is consistent with sustainable development principle, where appropriate, development should "Reduce the need to travel by private transport and encourage opportunities for all user travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with Strategic policy PS 4;" (Bullet point 12, Policy PS 5)"

It is considered that the policies contained within the JLDP are consistent with national planning policy in terms of its approach to sustainable development principles. Paragraph 3.39 of PPW (Edition 11, 2021) states;

“In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable placemaking outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.”

This is further supported by paragraph 3.11 of Technical Advice Note 18: Transport, which states “Development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.”

As previously noted, the application site is located within the development boundary and therefore will naturally be located near sustainable means of travel and facilities. The site is located within a short walking distance to the nearest bus stop, which links Newborough to Menai Bridge, Llangefni and other key destinations.

The application site is also within walking distance to facilities within the village including the local primary school, pub, café, shop and a take away establishment and is within walking distance of the public right of way which links to the Coastal Path and Llanddwyn Beach.

It can therefore be concluded that the proposed development would be in accordance with PPW, TAN 18 and the JLDP, in terms of being in a sustainable location.

Drainage:

In accordance with Policy PCYFF 6 (Water Conservation), as the proposal exceeds the threshold of 10 units, a Drainage Strategy has been submitted with the application. The document provides details of how the development will satisfactorily address how suitable discharge of surface water and foul effluent generated by the proposed development will be dealt with.

The application site is not located within a Flood Zone. Nevertheless, the proposed development will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers. The proposal entails the inclusion of soakaways. Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work.

The foul water from the site will discharge into public water sewer. Welsh Water have been consulted regarding the application and not raised any objection to this method of disposing of foul water.

Ecology:

Policy AMG5 of the JLDP ensured that proposal must protect and where appropriate enhance biodiversity that has been identified as being important.

A Preliminary Ecological Appraisal and Herpetofauna Survey Report has been submitted with the planning application which confirmed that the electrical sub-station on the site had nesting swallows within the building. The demolition of the building shall only take place outside of the bird breeding season. The reptile survey found no presence of reptiles. The proposal includes the provision of nest boxes on some of the dwelling-houses as recommended by the ecological survey and two Schwegler bat boxes will be erected in existing trees on the East boundary.

The existing trees and hedges on the East boundary are being retained and new trees, shrubs and community orchard is proposed which will enhance biodiversity.

The Authority's ecologist together with Natural Resources for Wales have assessed the application and are satisfied that the appraisal and mitigation / enhancement measures being proposed. Conditions will be imposed accordingly to secure that the measures outlined within the Preliminary Ecological Assessment are carried out accordingly.

Landscape:

The application is accompanied by detailed landscaping plan which seeks to retain existing trees on the East boundary as well as incorporating new tree planting, shrubs and community orchard.

The Landscape Specialist has assessed the application and is satisfied with the proposed development. Conditions will be attached to any permission to ensure that the proposed landscaping scheme will be carried out within the first planting season after completion or first use of the development, whichever is the sooner. The condition will also insist that 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.

A separate condition will also be attached to ensure that landscaping scheme will be managed accordingly. This will include management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens.

Conclusion

In summary the proposal for 14 residential units on this site within the development boundary of Newborough 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 site shall be landscaped strictly in accordance with Soft Landscape Proposals – 21/19/LP/001 Issue V3 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 accordance with Joint Local Plan Policy PCYFF 4.

(03) A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas including the orchard, other than privately owned domestic gardens. The landscape management plan shall also include post establish management of the trees, hedges, grass and ornamental features. Full details 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 accordance with Joint Local Plan Policy PCYFF 4.

(04) 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.

(05) 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.

(06) The dwellings shall not be occupied until the access road shown on plan NHD-LMA-XX-XX-DR-A-7006 Rev P6 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.

(07) The estate road shall be completed to a base course finish with the surface water drainage system complete and fully operational before any work is commenced on the dwellings which it serves.

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

(08) No surface water from within the development shall discharge onto the highway.

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

and of the access.

(09) 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.

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

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

(11) 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;**

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

(12) 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.

(13) 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.

(14) 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 use hereby permitted is commenced.

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

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

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

(16) The details to be submitted for approval in writing by the Local Planning Authority shall include:

- 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.

(17) 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

(18) The application site shall be developed strictly and entirely in accordance with the recommendations and mitigation measures outlined in the Preliminary Ecological Appraisal by Enfys Ecology dated 15/10/21 Version 1 the Updated Protected Species Survey Report by Alison Johnston Ecological Consultant dated 11th October 2022 and the Herpetofauna Survey Report by Cambrian Ecology Ltd – dated 5th August 2022.

Reason: In the interests of ecology.

(19) Notwithstanding the roofing material as shown on the plans submitted with planning application FPL/2022/60. Natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.

Reason: In the interests of amenity.

(20) No development or phase of development, including site clearance, with the potential to impact on invasive species, shall commence until a site wide 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 on the site.

(21) No development in a specific parcel of land (Electrical Substation at the centre of the site) suspected of contamination, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

(22) No development shall commence until details of piling or any other foundation designs using penetrative methods (sufficient to demonstrate that there is no unacceptable risk to groundwater) have been submitted to and approved in writing by the Local Planning Authority. The foundation designs shall be implemented in accordance with the approved details.

Reason: Foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

(23) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

(24) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Technical Advice Note 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it. The scheme shall include:

- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved);
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure that the development provides an element of affordable housing in accord with development plan policy.

(25) 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.

Reason: To ensure the dwellings are retained as affordable dwellings

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

- Proposed Drainage Layout – ECL.8561.D05.001 Rev A
- Access Road General Arrangement and Horizontal Alignment - ECL.8561.D07.001 Rev A
- Proposed Foul Water Drainage Layout and Manhole Schedule – ECL.8561.D05.002 Rev B
- Access Road Vertical Alignment Long Sections - ECL.8561.D07.002
- Proposed Surface Water Drainage Layout and Manhole Schedule - ECL.8561.D05.003 Rev A
- Surfacing and Construction Details - ECL.8561.D07.003 Rev A
- Section 104 Layout - ECL.8561.D007 Rev B
- Kerbing and White Lining Layout and Details - ECL.8561.D07.004 Revision A
- Section 38/278 Layout - ECL.8561.D07.005 Rev A
- Planning_5P3B_House_GA_Plans_Elevations – NHD-LMA-XX-XX-DR-A-7003 Rev P4
- Planning_4P2B_Mid-House_GA_Plans_Elevations - NHD-LMA-XX-XX-DR-A-7002 Rev P4
- Planning_4P2B_House_GA_Plans_Elevations - NHD-LMA-XX-XX-DR-A-7001 Rev P4
- Planning_2P1B_Apartments_GA_Plans_Elevations - NHD-LMA-XX-XX-DR-A-7000 Rev P4
- Planning_6P4B_House_GA_Plans_Elevations - NHD-LMA-XX-XX-DR-A-7004 Rev P4
- Site Plan As Proposed - NHD-LMA-XX-XX-DR-A-7006 Rev P8
- Soft Landscape Proposals – 21/19/LP/001 Issue V3

- Proposed Surface Water Swale Layout – ECL.8561.D05.008
- Site Sections As Proposed - NHD-LMA-XX-XX-DR-A-7007 Rev P3
- Drainage Construction Details Sheet 1 of 2 – ECL.8561.D05.005
- Drainage Construction Details Sheet 2 of 2 – ECL.8561.D05.006
- Proposed Drainage Long sections – ECL.8561.D05.004
- Location Plan and Site Plan - NHD-LMA-XX-XX-DR-A-7005 Rev P4
- Preliminary Ecological Appraisal – Enfys Ecology dated 15/10/21 Version 1
- Geotechnical Ground Permeability and Contamination Investigation Report – Egniol Consulting Ltd dated April 2021 – E1351.GGCI.R1
- Geotechnical Surface Water Flooding
- Soakaway Details - Egniol Consulting Ltd dated 28/9/21
- Archaeological Evaluation (Trial Trenching) Gwynedd Archaeological Trust May 2022
- Housing Need Survey – Rural Housing Enabler
- Herpetofauna Survey Report – Cambrian Ecology Ltd – dated 5th August 2022
- Welsh Language Statement – Cadnant Planning Dated July 2022
- Updated Protected Species Survey Report – Alison Johnston Ecological Consultant – dated 11th October 2022

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

(27) No dwelling can be occupied until the developer has contributed towards the provision of Open Spaces in accordance with the policy requirements of ISA 5 of the Joint Local Development Plan Anglesey and Gwynedd (2017).

Reason: To hijack the requirements of ISA Policy 5 of the Joint Local Development Plan

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: TAI3, TAI8, TAI15, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF5, PCYFF6, ISA2, ISA5, PS2, ISA1, PS4, TRA2, TRA4, PS1, PS5, PS6, PS16, PS19, AMG5, AT4

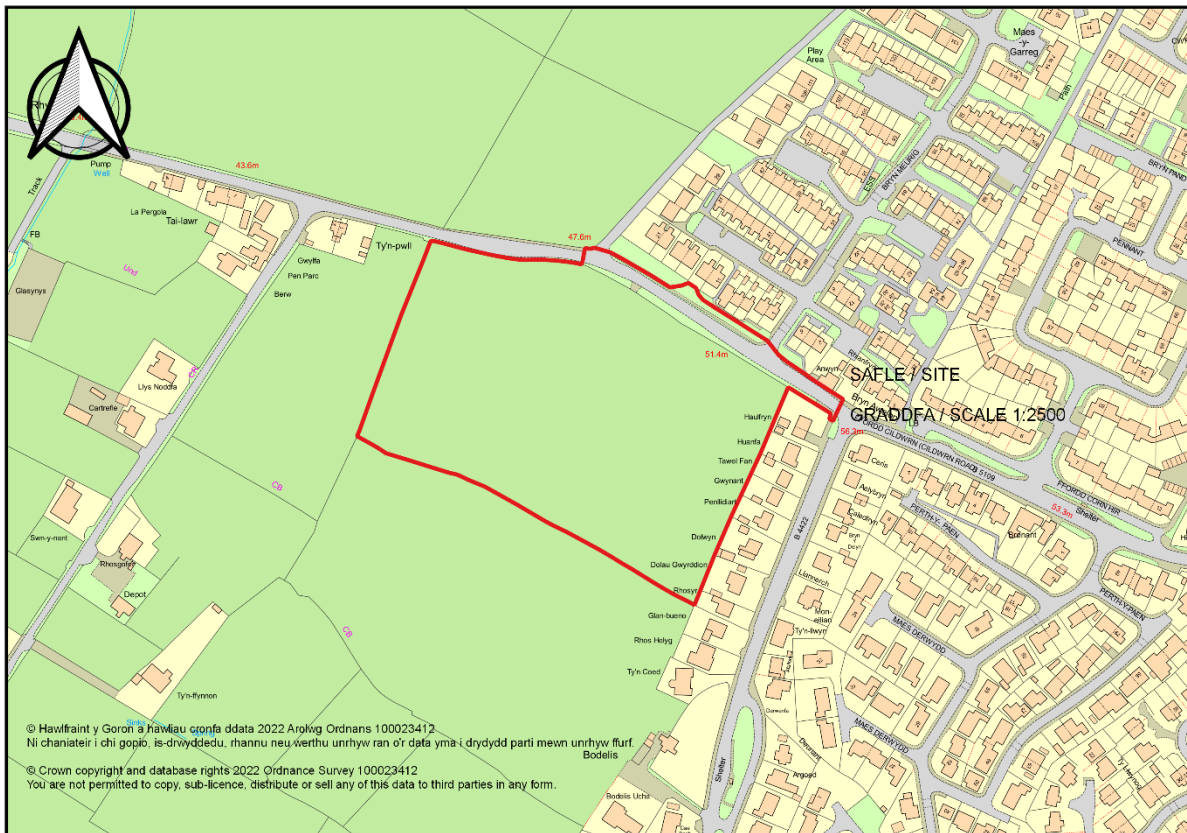
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2022/69

Applicant: The Head of Lifelong Learning

Description: Application under Section 73 for the variation of condition (02) (Approved Plans) and (08) (Surface water drainage) of planning permission reference FPL/2019/7 (Erection of a new primary school) so as to allow surface water to drain into one connection point of the public sewer at

Site Address: Bryn Meurig, Llangefni



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

Recommendation: Permit

Reason for Reporting to Committee

The application is on council owned land.

Proposal and Site

This is a Section 73 planning application for the variation of condition (02) (Approved Plans) and (08) Surface Water Drainage of planning application FPL/2019/7 which was for the erection of a new primary school so as to allow surface water to drain into one connection point of the public sewer instead of two connection points as approved previously.

Key Issues

The key issue is whether Welsh Water is satisfied with amending the proposal to have one connection point for surface water.

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 6: Water Conservation
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy ISA 1: Infrastructure Provision
Policy ISA 2: Community Facilities
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11)

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

Technical Advice Note 12: Design (2016)

Technical Advice Note 18: Transport (2007)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Geraint ap Ifan Bebb	No response
Cynghorydd Paul Charles Ellis	No response
Cynghorydd Dylan Rees	No response
Cynghorydd Non Lewis Dafydd	No response
Adain Dechnegol (Draenio) / Technical Section (Drainage)	No response
Dwr Cymru Welsh Water	Confirmation that one connection point for surface water is acceptable.
Cynghorydd Nicola Roberts	No response
Cyngor Tref Llangefni Town Council	Concerns of surface water from the site entering one connection point especially in heavy or continuous rain fall.

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 16th

November, 2022. At the time of writing the report no letters of representation had been received at the department.

Relevant Planning History

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

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

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

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

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

DIS/2020/90 - Application to discharge condition (06), (Construction method statement) (15), (Construction traffic management plan) of planning permission FPL/2019/7 on land adjacent - Bryn Meurig, Llangefni - Condition Discharged

DIS/2020/91 - Application to discharge condition (03) (Tree protection plan) of planning permission FPL/2019/7 on land adjacent - Bryn Meurig, Llangefni - Condition Partially Discharged

MAO/2020/31 - Minor amendments to scheme previously approved under planning permission FPL/2019/7 (Erection of primary school) so as to amend cladding and remove 2 classrooms on land adjacent - Bryn Meurig, Llangefni - Permit

Main Planning Considerations

This is a Section 73 planning application for the variation of condition (02) (Approved Plans) and (08) Surface Water Drainage of planning application FPL/2019/7 which was for the erection of a new primary school so as to allow surface water to drain into one connection point of the public sewer instead of two connection points as approved previously.

The applicant wishes to connect to one connection manhole chamber SH44767101 at a discharge rate not exceeding 5 l/s. Welsh Water has confirmed that they are satisfied with one connection point for the surface water drainage.

No other changes are proposed as part of this planning application.

Conclusion

Welsh Water has confirmed that they are satisfied with one connection point for surface water drainage. It is therefore considered that the proposal is acceptable and condition (08) will be amended to reflect the one connection point.

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.

(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 MAO/2020/31	YNL-RYD-00-XX-DR-L-0003 Rev 4 submitted with
Landscape Design Development	YNL-RYD-00-XX-DR-L-0001 submitted with FPL/2019/7
Landscape Maintenance Strategy FPL/2019/7	YNL-RYD-00-XX-DR-L-0002 submitted with
Landscape General Arrangement with MAO/2020/31	YNL-RYD-00-XX-DR-L-2000 Rev 15 submitted
Planting Plan with MAO/2020/31	YNL-RYD-00-XX-DR-L-5100 Rev 7 submitted
Boundary Treatment Plan	YNL-RYD-00-XX-DR-L-6000 submitted with FPL/2019/7
External Compound Bin Store and Sprinkler Tank	YNL-RYD-00-XX-DR-L-7000 Rev 8
Mitigation Pond Design MAO/2020/31	YNL-RYD-00-XX-DR-L-7102 Rev 3 submitted with
Landscape General Arrangement (Welsh) FPL/2019/7	YNL-RYD-XX-XX-DR-L-2001 submitted with
Proposed External Lighting Layout FPL/2019/7	LLA_ESD_XX_XX_DR_E_5003 submitted with
Drainage General Arrangement VAR/2022/69	YNL-HAL-XX-XX-DR-C-5006 Rev C5 submitted with
Drainage Long Section MAO/2020/31	YNL-HAL-XX-XX-DR-C-5007 Rev P6 submitted with
Highways Section General Arrangement MAO/2020/31	YNL-HAL-XX-XX-DR-C-5010 Rev P7 submitted with
GA Plan 00 Ground	YNL-LMA-01-00-DR-A-2000 Rev P15
GA Plan 01 Roof MAO/2020/31	YNL-LMA-01-RF-DR-A-2001 Rev P7 submitted with
GA Elevations with MAO/2020/31	YNL-LMA-01-XX-DR-A-2010 Rev P13 submitted
GA Sections	YNL-LMA-01-00-DR-A-2020 submitted with FPL/2019/7
GA Visualisations	YNL-LMA-01-00-VS-A-2100 submitted with FPL/2019/7
Planning Statement MAO/2020/31	YNL-LMA-XX-XX-RP-A-0002 submitted with
General Arrangement Plan 1 of 3 with MAO/2020/31	YNL-RYD-00-XX-DR-L-2100 Rev 5 submitted
General Arrangement Plan 2 of 3 with MAO/2020/31	YNL-RYD-00-XX-DR-L-2101 Rev 8 submitted
General Arrangement Plan 3 of 3 with MAO/2020/31	341-RYD-00-XX-DR-L-2102 Rev 3 submitted
Boundary and Gate Strategy with MAO/2020/31	YNL-RYD-XX-XX-DR-L-6000 Rev 10 submitted
Surfacing and Edging Strategy with MAO/2020/31	YNL-RYD-XX-XX-DR-L-6101 Rev 7 submitted

External Details
MAO/2020/31

YNL-LST-00-XX-DR-L-7100 Rev 4 submitted with

Retained and Removal Planting 341-LST-00-XX-DR-L-5101 Rev 4 submitted with MAO/2020/31

Proposed External Lighting Layout – YNL-ESD-XX_XX-DR-E-5003 Rev P3

Retaining Wall Sections – YNL-LST-00-XX-DR-L-7101 Rev 3 – submitted with MAO/2020/31

Wildlife Garden 341-LST-00-XX-DR-L-2103 Rev 3 submitted with FPL/2019/7

Water Conservation Statement submitted with FPL/2019/7

Bat Activity/Transect Surveys submitted with FPL/2019/7

Construction Phase Plan submitted with FPL/2019/7

Site Noise Assessment submitted with FPL/2019/7

Tree Survey & Constraints Report submitted with FPL/2019/7

Transport Assessment Report submitted with FPL/2019/7

Preliminary Ecological Appraisal submitted with FPL/2019/7

Sustainability Strategy – LZC Assessment Report submitted with FPL/2019/7

Ecological Compliance Audit submitted with FPL/2019/7

Biosecurity Risk Assessment for works associated with Great Crested Newt, other amphibians, landscaping and pond creation. submitted with FPL/2019/7

Great Crested Newt Site Ecology Management Plan 2021 to 2046 submitted with FPL/2019/7

Phase I & II Geoenvironmental Report submitted with FPL/2019/7

Great Crested Newt Mitigation and Compensation Method Statement submitted with FPL/2019/7

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

(03) Tree ‘T2’ shown on TMN Arboriculture Tree Survey and Constraints Report shall be retained and shall be protected by strong fencing, the location and type to be previously approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

Reason: To protect the existing tree identified to be retained.

Condition partially discharged under planning application DIS/2020/91.

(04) The site shall be landscaped strictly in accordance with YNL-RYD-00-XX-DR-L-0001 (Landscape Design Development) and YNL-RYD-00-XX-DR-L-2000 (Landscape General Arrangement), YNL-RYD-00-XX-DR-L-5000 (Planting Plan) and the YNL-RYD-00-XX-DR-L-6000 (Boundary Treatment Plan) within 12 months following completion, or first use of the development, whichever is the sooner. Trees and hedges that form of part of the landscaping scheme shall be retained for lifetime of the development hereby approved. Any trees or hedge plants 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 by plants of the same specification within 12 months.

Reason: To ensure that the development is implemented in accordance with the approved landscape and planting scheme. In the interests of the visual amenities of the locality.

(05) The development should cause no nuisance by dust, fumes, noise, odour or artificial light (Any construction works should be carried out between the following times - 0800 - 1800 hrs - Monday to Friday; 0800 - 1300 hrs, Saturday's and no working on Sunday's or Bank Holidays). In addition, it is recommended that the construction works be carried out in accordance with CIRIA Document - C650 C741, 2015 – Environmental Good Practice On Site (Fourth Edition).

Reason: In the interests of the amenities of neighbouring properties.

(06) Where it is necessary to prepare the site using pneumatic rock machinery the developer will be required to take all reasonable steps to prevent nuisance being caused to current occupiers of surround residences from noise vibration and dust.

Rock breaking should be confined to the hours of 0800 hrs to 1800 hrs Monday to Friday and 0800 hrs to 1300 hrs on Saturday. No works should be undertaken on Sunday's or Bank Holidays. Surrounding residents should be pre-notified of any noisy work and the likely duration of the works. Suitable and sufficient controls should be in place to control wind blown dust arising from rock stock piles.

Reason: In the interests of the amenities of neighbouring properties.

Condition discharged under planning application DIS/2020/90.

(07) If during redevelopment, materials is found or suspected of being contaminated, then the developer should undertake soil testing and analysis. If the land is found to be contaminated, then a suitable remediation strategy should be prepared for the site to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution of the water environment.

(08) Surface water flows from the development shall only communicate with the public surface water network manhole chamber ref: SH44767101 as indicated on the extract of the Sewerage Network Plan attached to this decision notice) through an attenuation device that discharges at a rate not exceeding 5 l/s.

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.

(09) The development of the site as shown on the Sewerage Network Plan will involve certain conditions which must be strictly adhered to. These are:-

- **No structure is to be sited within a minimum distance of 10 metres from the centre line of these pipes. The pipeline must therefore be located and marked up accurately at an early stage so that the Developer or others understand clearly the limits to which they are confined with respect to the Welsh Water apparatus. Arrangements can be made for Welsh Water staff to trace and peg out such water mains on request of the Developer.**
 - **Adequate precautions are to be taken to ensure the protection of the water main during the course of site development.**
 - **If heavy earthmoving machinery is to be employed, then the routes to be used in moving plant around the site should be clearly indicated. Suitable ramps or other protection will need to be provided to protect the water main from heavy plant.**
 - **The water main is to be kept free from all temporary buildings, building material and spoil heaps etc.**
 - **The existing ground cover on the water main should not be increased or decreased.**
 - **All chambers, covers, marker posts etc. are to be preserved in their present position.**
 - **Access to Welsh Water's apparatus must be maintained at all times for inspection and maintenance purposes and must not be restricted in any way as a result of the development.**
- No work is to be carried out before Welsh Water has approved the final plans and sections.**

Reason: To protect the integrity of the public sewerage system and ensure prevention of pollution to the environment.

(10) The development will be carried out strictly in accordance with the mitigation measures described in the Bat Activity/Transect Surveys Report. If the plans are changed in ways that may

harm or disturb the bats or their resting places at this site works should cease immediately and the Local Planning Authority should be contacted.

Reason: To promote the biodiversity interests as part of the development and to assist in mitigation for the impacts of development on existing biodiversity on the site.

Condition partially discharged under planning application DIS/2019/83.

(11) The great crested newt mitigation and compensation measures will be carried out in strict accordance with the Great Crested Newt Mitigation and Compensation Method Statement and to the Local Planning Authority's and NRW's satisfaction.

Reason: To promote the biodiversity interests as part of the development and to assist in mitigation for the impacts of development on existing biodiversity on the site.

Condition partially discharged under planning application DIS/2019/83.

(12) The Great Crested Newt Site Ecology Management Plan 2021 to 2046 will be implemented to the Local Planning Authority's and NRW's satisfaction.

Reason: To promote the biodiversity interests as part of the development and to assist in mitigation for the impacts of development on existing biodiversity on the site.

Condition partially discharged under planning application DIS/2019/83.

(13) The post construction amphibian surveillance will be implemented to the satisfaction of the Local Planning Authority's and NRW's satisfaction.

Reason: To promote the biodiversity interests as part of the development and to assist in mitigation for the impacts of development on existing biodiversity on the site.

(14) The existing redundant gateway opening on the northern boundary of the site shall be removed and the boundary made good to match the existing/proposed boundary, before the school is brought into use.

Reason: In the interest of highway safety to prevent potential conflicting traffic movements.

(15) The development hereby approved shall not be brought into use until a Traffic Management/Travel Plan has been submitted to and approved in writing by the local planning authority to detail the management of traffic when the school is operational. The development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of highway safety.

Condition discharged under planning application DIS/2019/55.

(16) No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of the management of construction traffic including deliveries, staff and visitor access and parking and the proposed design of the temporary site construction access and the programme / timetable for the implementation of the permanent roundabout site access.

Reason: In the interests of highway safety.

Condition discharged under planning application DIS/2020/90.

(17) No operation/use will take place until an assessment of the noise emissions of fixed plant and machinery has been undertaken to demonstrate compliance with the plant noise limits specified in the Site Noise Assessment submitted with the application.

Reason: To prevent any adverse impact from noise on neighbouring residential receptors.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF6, TRA4, PS4, PS5, PS6, PS19, ISA1, ISA2, AMG3, AMG5

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/2022/52

Applicant: Mr Matthew Bullas

Description: Application under Section 73 for the variation of condition (02) (Approved plans), (03)(Operational hours), (04)(Delivery Hours) and (05)(Guest Check In Hours) of planning permission reference FPL/2021/317 (Full application for the demolition of an existing three-storey building comprising two residential flats and ground floor ancillary residential storage and the construction of a replacement three-storey building comprising two residential flats and a 10-room hotel with associated ground floor restaurant and water sports facility for guests and associated car parking) so as to allow amended operational/opening times to be conditioned at

Site Address: Cumbria & High Wind, High Street, Rhosneigr



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

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

The application site is located adjoining the high street within the centre of Rhosneigr. The property lies between the Village Hall and residential dwelling.

The application is to vary conditions (03), hours of operation, (04) delivery hours, (06) guest check in hours together with the variation of condition (02) approved plans so as to allow amendments to the external seating area.

Key Issues

The applications main issues are whether extending the operational hours of the restaurant, delivery hours and check in times for guests and amending the external seating area will have a detrimental impact on the amenities of neighbouring properties.

Policies

Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Policy PCYFF 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Strategic Policy PS 14: The Visitor Economy
Policy TWR 2: Holiday Accommodation
Strategic Policy PS 15: Town Centres and Retail
Policy MAN 1: Proposed Town Centre Developments
Policy MAN 3: Retailing Outside Defined Town Centres but Within Development Boundaries
Policy TAI 5: Local Market Housing
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy AMG 5: Local Biodiversity Conservation

Supplementary Planning Guidance - Tourism Facilities and Accommodation - March 2021
Supplementary Planning Guidance - Local Market Housing (March 2019)
Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities (July 2019)

Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Llanfaelog Community Council	No response to date
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection / informative regarding the ownership and use of footway
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	No comments
Tourism Partnership North Wales	No response to date

Iechyd yr Amgylchedd / Environmental Health	Standard comments regarding Health and Safety and Food preparation
Cynghorydd Neville Evans	Requested that the application be referred to the Planning and Orders Committee for determination
Cynghorydd Douglas Massie Fowlie	No response to date

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 21/09/2022 and two letters of 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 was 21/11/2022 and one additional letter was received at the department. The main issues raised can be summarised as follows;

- i. Deliveries should be restricted to daily working hours to stop confusion with guests parking at the rear.
- ii. The applicants justification for varying the hours of operation, delivery hours and guest check in is not a planning issue.
- iii. The development approved with the existing hours of operation will have a detrimental impact on the amenities of neighbouring properties.

In response to the issues raised;

- i. The application is to increase the allowed delivery hours from 09:00 -17:00 (Monday to Friday) and 09:00 - 13:00 (Saturdays) and no deliveries on Sundays and Bank Holidays. The current application is to vary the delivery hours to 08:00 - 18:00 (Monday - Friday) and 08:00 - 14:00 (Saturdays) and no deliveries on Sundays and Bank Holidays. It is not considered that extending the delivery hours one hour earlier and one hour later each day will have a detrimental impact on the amenities currently enjoyed by the occupants of neighbouring properties as the site is located along the High Street in Rhosneigr and in close proximity to similar establishments.
- ii. Whilst it is acknowledged that the applicants reason for submitting the application is that they considered that the proposal will not be viable with the current operational and opening hours however the application site is located next to the village hall which is located on the junction with a similar establishment known as Starvation. To the rear of Starvation is the public library and public car park. Due to its location off the High Street and in close proximity to similar establishment and other commercial premises the variation of hours of operation and delivery hours is considered acceptable.
- iii. It is not considered that the variation of the operational and delivery hours will have a detrimental impact on the amenities of surrounding properties that the existing hours.

Other matters were raised in regards to the practicalities of allowing guest check ins when previous night guests have not vacated the premises and provided details of a similar establishment in Four mile Bridge which is for sale at present.

Relevant Planning History

28C83 - Change of Use of ground floor property into a motor car sales showroom at Tea Caddy, High Street, Rhosneigr- Approved 21/10/1987

28C83A - Formation of a new shopfront at Tea Caddy, High Street, Rhosneigr- Approved 06/02/1989

LUE/2021/22 - Application for a Lawful Development Certificate for the existing use of two residential flats (Class Use C3) as approved under planning permission reference V/1689a together with the use of the existing ground floor of the building as ancillary residential purposes for the two flats at Cumbria & High Wind, High Street, Rhosneigr - Lawful 25/11/2021

FPL/2021/317 - Full application for the demolition of an existing three-storey building comprising two residential flats and ground floor ancillary residential storage and the construction of a replacement three-

storey building comprising two residential flats and a 10-room hotel with associated ground floor restaurant and water sports facility for guests and associated car parking at Cumbria and High Wind, High Street, Rhosneigr - Approved 13/07/2022

Main Planning Considerations

The applications main issues are whether the change in the operational and delivery hours and amending the external seating area will have a detrimental impact on the amenities of neighbouring properties.

Policy Context – Policy PCYFF2 of the Joint Local Development Plan states that a proposal should demonstrate its compliance with;

1. Relevant policies in the plan;
2. National planning policy and guidance...

Additionally, planning permission will be refused where the proposed development would have an unacceptable adverse impact on:

7. 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 nuisances;...

Impact on surrounding properties and surrounding area - As stated above the site fronts the High Street in Rhosneigr and is situated between the Village Hall and residential dwelling. The Village Hall is located on the junction which runs from the High Street to the public car park and private dwellings. On the opposite side of the junction is the establishment known as Starvation. Approximately 38 metres to the north of the application site, on the opposite side of the road, is the establishment known as Sandy Mount which is a similar establishment to the current proposal. On the opposite side of the road, to the north west west of the application site and at a distance of approximately 14 metres is a terrace of commercial properties such as hairdressers, ice cream parlour and chemist.

There is a residential property immediately opposite the application site and two semi-detached properties located next to the application site.

Variation of condition (02) (approved plans) - Whilst planning permission FPL/2021/317 did not restrict the hours that guests could make use of the external seating area it was considered that the current proposal to amend the hours of operation of the restaurant would be unacceptable if guests were allowed to use the external seating area at the same time. The applicant was advised that we could not support the scheme unless a separate condition could be placed on the hours of use of the external seating area and that the external seating area was amended to remove the table that was located along the boundary of the site with the adjoining property. Following discussions with the applicants agent the scheme has been amended and is considered acceptable and will be a improvement to the previously approved scheme. A condition will be imposed on the permission restricting the hours of use of the external seating area to 07:00 - 20:00 (Sunday - Thursday and Bank Holidays) and 07:00 - 21:00 (Fridays and Saturdays).

Variation of condition (03) (operational hours of restaurant) of planning permission FPL/2021/317 - The existing operational hours of the restaurant from 07:00-20:00 (Monday to Friday) and 07:00 - 21:00 (Saturdays, Sundays and Bank Holidays). Originally the current application sought to amend the hours to 07:00 - 23:00 (Monday to Saturdays) and 07:00 - 22:30 (Sundays and Bank Holidays). Following negotiations with the applicants agent the amend hours proposed are 07:00 - 22:00 (Sundays - Thursday and Bank Holidays) and 07:00 - 23:00 (Fridays and Saturdays). Bearing in mind the location of the site on the busy High Street and in close proximity to similar establishments and commercial properties it is not considered that increasing the hours will have a detrimental impact on the amenities of neighbouring properties.

Variation of condition (04) (deliveries) - The proposal seeks to amend the hours of delivery by 1 hour earlier and 1 hour later per day. As stated above the site is located fronting the busy High Street in close

proximity to other commercial properties and allowing deliveries from 08:00 - 18:00 (Monday to Friday) and 08:00 - 14:00 (Saturdays) will not have a detrimental impact on the amenities of neighbouring properties.

Variation of condition (05) (guest check-ins) - Condition (05) of planning permission FPL/2019/317 restricted the hours that guests could check into the hotel to hours of 08:00 - 21:00. It is considered that allowing guests to check into the establishment during the operational hours of the restaurant is acceptable and will not adversely affect the amenities of the surrounding properties.

Conclusion

The variation of hours of operation and delivery hours will not have a detrimental impact on the amenities of the neighbouring properties and the proposal therefore complies with Policy PCYFF 2 of the Anglesey and Gwynedd Joint Local Development Plan.

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.

- Location Plan – EX-001 Rev A
 - Proposed Elevations – P-201 Rev E
 - Proposed Elevations P-202 Rev D
 - Proposed Site Plan – P-002 Rev H
 - Site Section – P-301 Rev B
 - Basement Floor Plan – P-100
 - Ground Floor Plan – P-101 Rev H
 - First Floor Plan – P-102 Rev H
 - Second Floor Plan – P-103 Rev F
 - Roof Plan – P-104 Rev F
- * Planning Statement - Emery Planning dated 29/7/2022

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

(03) The restaurant shall not be operational outside the hours of 07:00 to 22:00 on Sunday - Thursday and on Bank Holidays, 07:00 – 23:00 on Fridays and Saturdays and no sale of food or drink shall take place outside of these hours.

Reason: To protect the amenities of nearby residential occupiers.

(04) Deliveries to the site shall not be carried out outside the hours of 08:00 – 18:00 Monday to Friday, 08:00 – 14:00 on Saturdays. No deliveries shall be undertaken on the Sundays or Bank Holidays.

Reason: To protect the amenities of nearby residential occupiers.

(05) Guests of the Hotel hereby approved shall not check into the Hotel outside the hours of 07:00 to 22:00 Sunday - Thursday and on Bank Holidays, 07:00 - 23:00 on Fridays and Saturdays.

Reason: To protect the amenities of nearby residential occupiers.

(06) The shop and rental space shall be used incidental to the enjoyment of the guests of the Hotel and shall not be used for commercial purpose to members of the public.

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

(07) The enhancement and mitigation measures outlined within the Bat Scoping Survey Report shall be carried out in accordance with the approved detail and implemented prior to use hereby approved is commenced.

Reason: In the interest of protected species.

(08) Other than the two flats on the second floor of the building hereby permitted, all remaining parts of the building shall be used only as a hotel within class C1 in the schedule to the Town and Country Planning (Use Classes) Order 1987 and restaurant and no part of the hotel or restaurant shall be used as the main or sole residence for any person.

Reason: To define the scope of this approval.

(09) The owners/operators shall maintain an up to date register of the names of all occupiers of the hotel including their main home addresses and shall make this information available to the Local Planning Authority within 14 days of being requested by the Local Planning Authority.

Reason: To ensure the approved Hotel is not used for unauthorised permanent.

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

Reason: In the interest of amenity

(11) No development shall commence until a scheme detailing all external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to ensure that there is no light spillage onto any surrounding land or properties and shall include full details of all light including luminaire, lamp, beam widths and any anti – glare hoods to be used. The development shall be carried out in accordance with the approved scheme.

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

(12) 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.

(13) The access shall be retained for as long as the development remains in existence. With a 36 metre splays to the left and 25 metres to the right. 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 intersibility between the access and the existing public highway for safety and convenience of users.

(14) The units hereby approved shall be occupied until the car parking and turning area are laid out and completed in accordance with Drawing no. P-002 Rev G. The turning area shall thereafter be kept available for the parking of vehicles / manoeuvrability in perpetuity and for the lifetime of the development.

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.

(15) No access pedestrian or vehicular other than that indicated on the submitted plan shall be used in connection with the proposed development.

Reason – To limit the number of access points from the development for the safety and convenience of highway users.

(16) 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.

(17) No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;**
- ii. loading and unloading of plant and materials;**
- iii. storage of plant and materials used in constructing the development;**
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- v. wheel washing facilities;**
- vi. measures to control the emission of dust and dirt during demolition / construction;**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;**
- viii. details of all machinery being used including measures to control noise, vibration and pollution control impacts and mitigation**

The approved Demolition Method Statement shall be adhered to throughout the demolitions and construction period for the development.

Reason: To protect the amenity of nearby occupants

(18) The use hereby approved shall not commence until full details of the ventilation and extractor apparatus including a noise report detailing the level of noise being emitted is submitted to and approved in writing by Local Planning Authority. The ventilation and extractor apparatus shall be fitted and be fully operational in accordance with the submitted details including any mitigation measures prior to the use being commenced. If the apparatus needs to be replaced/changed for whatever reason the replacement shall be of the same detail.

Reason: To protect the amenities of nearby residential occupiers.

(19) Prior to the use hereby being commenced, obscure glazed panels of 1.8 metres in height shall be provided on the balconies / roof terraces as identified on drawing numbers P-201 Rev E, P-202 Rev C, p-301 Rev B, P-102 Rev H, P-104 Rev F. The screens shall be permanently retained in that

position thereafter. If the screens needs to be replaced/changed for whatever reason the replacement shall be of the same detail.

Reason: In the interest of amenity.

(20) No customers shall be permitted to make use of the external seating area, as hatched in green on the attached plan, (drawing number P-002 - Rev H) outside the hours of 07:00 to 20:00 on Sunday - Thursday and on Bank Holidays and 07:00 – 21:00 on Fridays and Saturdays.

Reason: To protect the amenities of nearby residential occupiers.

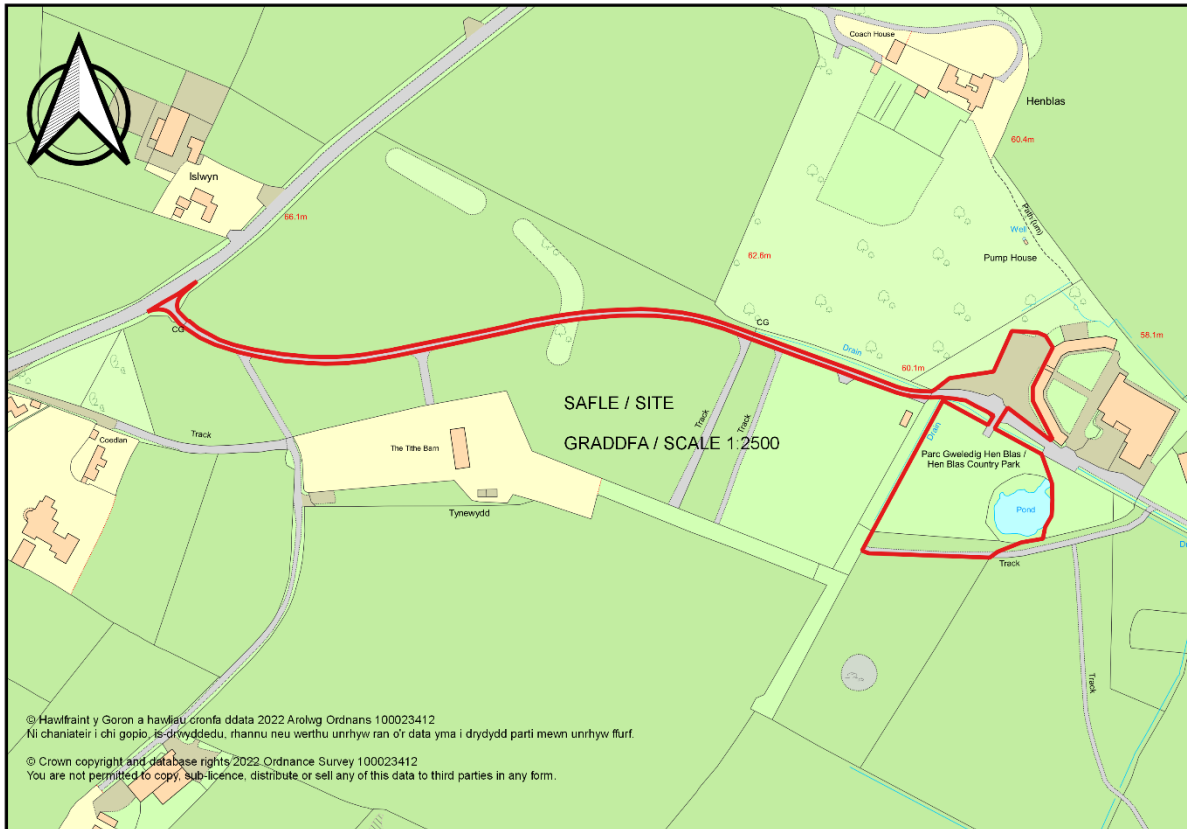
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/247

Applicant: Mrs. Heather Barrett

Description: Full application for the construction of 10 accommodation units for wedding guests along with associated works at

Site Address: Henblas Country Park, Bethel , Bodorgan



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 local members Nicola Roberts and Geraint Bebb.

Proposal and Site

The site is located in the open countryside of the Llangristiolus area which is also part of the Malltraeth Marsh and surrounds Special Landscape Area as defined under the provisions of the Joint Local Development Plan. The site is roughly 1.6km to the south west of Llangristiolus, with access afforded to the site via a private track leading from the B4422 which leads to Newborough from the A5 in

Rhostrehwfa. The application site itself is currently part of an agricultural enclosure and closely adjoins the Henblas wedding venue. Site boundaries to the North and West are well defined by mature hedges and trees, with the northern and eastern aspects of the site being more open in nature. A substantial pond is also present to the east of the site. Local topography intervenes views of the site from the B4422 highway to the North west and also from the nearby un-named single width country lane to the South East of the site. A public footpath runs directly above and outside of the application site, which begins at the site access and then runs to the general eastern direction, providing access to the open countryside beyond the site.

The application is made for the siting of 10 accommodation units together with associated amenity building which will be used incidentally to the wedding venue already in existence on the site. The accommodation units will measure 5.5L x 5.0W x 3.2H (Metres) and will be finished in predominantly box profile sheeting, with the exception of the front elevation which will be black weatherboarding. The amenity unit will also be finished in the same materials, but will be a slightly larger unit at 10L x 6W x 3.2H. The units will sit on a wooden frame which is attached to the ground via ground screws. Access to each individual unit will be provided via a 1.2 metre wide gravel footpath.

Key Issues

The key issues are the schemes conformity with the relevant policy of the Joint Local Development Plan together with the acceptability of other material considerations such as ecological matters and highways issues etc.

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
 Policy PCYFF 2: Development Criteria
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 4: Design and Landscaping
 Policy AMG 2: Special Landscape Areas
 Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets
 Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy
 Policy CYF 6: Reuse and Conversion of Rural Buildings, Use of Residential Properties or New Build Units for Business/Industrial Use

Response to Consultation and Publicity

Consultee	Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Confirmation PS 13 and CYF 6 are the relevant policies.
Ymgynghorydd Treftadaeth / Heritage Advisor	Proposal is well screened from nearby Listed Building and would not effect its setting.
Iechyd yr Amgylchedd / Environmental Health	General comments regarding pollution prevention measures.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with enhancement measures.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection

Cyngor Cymuned Llangristiolus Community Council	No response
Cynghorydd Nicola Roberts	Called in to committee
Cynhorydd Geraint Ap Ifan Bebb	Called in to committee

Publicity was afforded to the scheme by the posting of personal letters to occupiers of nearby properties together with the placing of an advert in the local press. The latest date for representations to be made was the 02/11/2022. At the time of writing this report, no letters of representation had been received in response to this publicity.

Relevant Planning History

36C50U/ECON - Full application for the conversion of outbuildings into a wedding venue together with 10 accommodation units at Parc Henblas, Llangristiolus Permit 05/11/2018

Main Planning Considerations

Principle of Development

As mentioned earlier in this report, the accommodation units will be used incidentally to the wedding business which already exists on the site and as such it is not considered that the units are for holiday use. Due to the above, the scheme is considered under policy PS 13 and CYF 6 of the Joint Local Development Plan as opposed to TWR 3. Point 4 of Policy PS13 aims to support the economic prosperity and sustainability of rural communities by facilitating appropriately scaled growth of rural enterprises, extension of existing businesses and diversification by supporting the re-use of existing buildings, the development 'live work' units, working from home, and by encouraging the provision of sites and premises in appropriate accessible locations consistent with the Plan's Spatial Strategy and in line with Strategic Policies PS5 and PS6. The units are small scale and are not disproportionate to the scale of the existing site/business and therefore the department consider the proposal to be of appropriate scale and siting. The planning support statement states that the most common feedback received from guests was the wish for more accommodation on site. This scheme will therefore allow the expansion of the business in line with clientele demand.

Policy CYF 6 of the JLDP supports proposals for the establishment of new businesses provided:

1. The scale and nature of the development is acceptable given its location and size of the building in question;
2. That the development would not lead to an use that conflicts with nearby uses or has an impact on the viability of similar uses nearby.

As mentioned, the scheme will be part of an existing enterprise and will support the prosperity of the business by allowing it to meet the demands of the existing customer base. The scheme is not for holiday purposes and therefore would not conflict with nearby such uses. The units are small scale in nature, with each unit made to cater for 2 people only, which equates to 20 guests overall.

The site is located in the defined SLA and therefore permanent holiday accommodation units such as what is proposed would not be considered acceptable under the provisions of policy TWR 3. In light of this and to ensure that no inappropriate uses do not take place in this location, a condition will be included on the consent which restrict the use to being incidental the the wedding venue only and not for independent holiday use at any time.

Highways

Part 3 of policy TRA1: Transport Network Developments, states that proposals for large-scale development or developments in sensitive areas that substantially increase the number of journeys made by private vehicles will be refused unless they include measures as part of a Transport Assessment and/or a Travel Plan. Where the Transport Assessment reveals the need for a Transport Implementation Strategy this will need to be secured through a planning obligation.

National planning guidance stipulates, where appropriate, new developments should be accessed by various modes of transport. Para 3.39 of PPW (Edition 11) states as follows:-

“For most rural areas the opportunities for reducing car use and increasing walking, cycling and use of public transport are more limited than in urban areas. In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable placemaking outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.”

Paragraph 3.15 of Technical Advice Note (TAN) 18: Transport, states that tourism proposals, particularly in rural areas, should demonstrate access by a choice of modes to avoid locking in the requirement for travel by car, and, in rural areas a lack of public transport access needs to be balanced against the contribution tourism makes to the rural economy in the specific area.

Paragraph 3.11 states that development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. The JLDP has sustainable development at its core, therefore consideration needs to be given as to whether this development embodies the principles of sustainable development given its location, scale and the lack of public transport links.

The scheme will reduce the number of journeys to/from the site as individuals staying in the accommodation would be attending events on site at time of using the accommodation in any event. As such, it is considered that a transport assessment is not required as part of this scheme.

Visual Impacts/Design

The application site is within the designated Malltraeth Marsh and Surrounds SLA and therefore it is required that the scheme conforms with policy AMG 2. AMG 2 states that there will be a need to give appropriate consideration to the scale and nature of the development ensuring that there is no significant adverse detrimental impact on the landscape and that development should aim to maintain, enhance or restore the recognised character and qualities of the SLA. As mentioned above, the site is not visible from the public highway due to local topography and mature vegetation, with the mature vegetation also providing an effect screen to reduce the prominence of the development when viewed from the public footpath directly outside of the site. The units themselves have been designed to imitate agricultural type buildings which will ensure they are sympathetic in their appearance to the land use surrounding the site. The proposal would not effect the important views from the footpath which are to the south/south-east towards the mountainous mainland. Due to well screened and secluded nature of the site, it is considered that the scheme would have minimal impact upon the SLA and at minimum maintain the present character and qualities of the SLA.

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 biodiversity. Having carried out an appropriate ecology survey as part of the application documentation, the following suggestions were made in terms of mitigation/enhancement measures:

- 2 bird boxes

- Buffer area around existing trees
- Vegetation buffer around pond
- Reptile refugia
- Basking area for reptiles
- New native hedgerow
- New tree plantings
- Wildflower meadow

The proposed measures were considered appropriate by the local authority ecology officer and as such the department are satisfied that the scheme will result in a net gain to site biodiversity.

Conclusion

The scheme conforms with the relevant policy of the Joint Local Development Plan and would not be to the detriment of the visual amenities of the area which is a part of the designated Special Landscape Area. No valid reasons for refusal were encountered and therefore the scheme is recommended for approval.

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.

- Location Plan / OBS-2022-006 GA001 Rev B
- Proposed Block Plan / OBS-2022-006 GA002 Rev B - 05/09/2022
- Proposed Accommodation Unit / OBS-2022-006 GA003 Rev A
- Proposed Accommodation Unit Handed / OBS-2022-006 GA004 Rev A
- Proposed Amenity Building / OBS-2022-006 GA005
- Existing and Proposed Site Sections / OBS-2022-006 GA006
- Topographical Survey / OBS-2022-006 TS001 Rev B

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

(03) The development hereby permitted shall be used only as incidental accommodation for guests attending a wedding in the adjoining wedding venue annotated on the location plan (Ref: OBS-2022-006 GA 001 Rev B) and not for holiday purposes at any time.

Reason: To define the scope of this permission.

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 1, PCYFF 2, PCYFF 3, PCYFF 4, CYF 6, AMG 2, AMG 5, PS 13, PS 20.

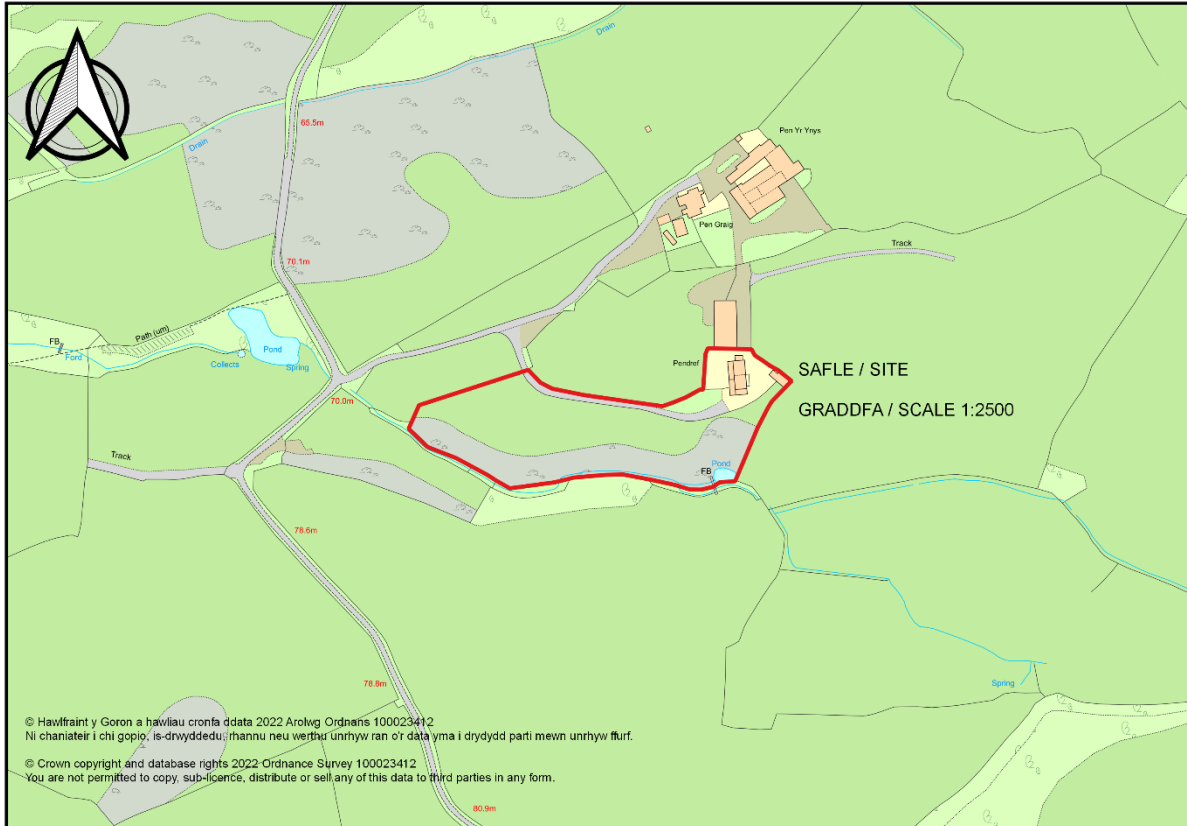
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/195

Applicant: Mr John Edward Holland Roberts

Description: Full application for the erection of an 13.5m high, 5kW wind turbine at

Site Address: Pendref, Llanfairynghornwy



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 Local Member Jackie Lewis.

Proposal and Site

The site is located in the coastal open countryside of the Llanfairynghornwy area which is also part of the defined Area of Outstanding Natural Beauty. Access is afforded to the site via a private single width track which is also means of access for 2 other properties. The application site is currently part of an agricultural enclosure which is in close proximity to the applicants dwelling and adjoins the access track to the property. Highly undulating topography is typically characteristic of the area, with the application site being at a higher elevation that the public highway but is currently screened from view by the hilly

topography. Both the access road and agricultural enclosure include public footpaths which will pass in close proximity to the application site. The application is made from the erection of a domestic wind turbine which is 14.75 metres overall in height and 12 metres to the top of the hub.

Key Issues

The key issues of the scheme are it's compliance with relevant policies together with the visual impact of the scheme upon the Area of Outstanding Natural Beauty.

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
 Policy PCYFF 2: Development Criteria
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 4: Design and Landscaping
 Policy ADN 1: On-shore Wind Energy
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Policy AMG 5: Local Biodiversity Conservation
 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 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
 Policy AMG 5: Local Biodiversity Conservation
 Policy ADN 1: On-shore Wind Energy

Response to Consultation and Publicity

Consultee	Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection
Iechyd yr Amgylchedd / Environmental Health	Standard informatives
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No response.
Cynghorydd Jackie Lewis	Called to committee
Cynghorydd Llinos Medi Huws	No response
Cynghorydd Llio Angharad Owen	No response
Cyngor Cymuned Cylch y Garn Community Council	No response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	General comments regarding ecology
Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	Condition
Ymgynghorydd Tirwedd / Landscape Advisor	Scheme will have localised visual impacts.

Publicity was afforded to the scheme via the posting of personal letters to occupiers of neighbouring properties. The latest date for representations to be made in response to the publicity was the 21st September 2022. At the time of writing this report, 2 letters of objection had been received, the contents of which will be addressed later in this report.

Relevant Planning History

None.

Main Planning Considerations

Principle of Development

The principle of such development is considered under policy ADN 1 (Onshore Wind Energy) of the Joint Local Development Plan. ADN 1 support the erection of wind turbines within the AONB providing that they are of a domestic scale only. Domestic is defined under table 9 of of the JLDP in accordance with the following criteria:

- Single turbine applications
- Turbine up to 15m to blade tip
- Turbine may be roof-mounted or pole mounted

The application is made for a single 14.75m high turbine which will be pole mounted and used to supply a residential property and as such the department are satisfied the turbine is classed as domestic scale. Additionally to this, ADN 1 states that all proposals should conform to the following criteria:

- All impacts on landscape character, heritage assets and natural resources have been adequately mitigated, ensuring that the special qualities of all locally, nationally and internationally important landscape, biodiversity and heritage designations, including, where appropriate, their settings are conserved or enhanced;
- The proposal will not result in significant harm to the safety or amenity of sensitive receptors including effect from noise, shadow flicker and impact on public health, and will not have an unacceptable impact on roads, rail or aviation safety;
- The proposal will not result in significant harm to the residential visual amenities of nearby residents;
- The proposal will not result in unacceptable electromagnetic interference to communications installations, radar or air traffic control systems, emergency services communications or other telecommunication systems;
- The proposal will not have unacceptable cumulative impacts in relation to existing wind turbines, and those which have permission, and other prominent landscape features;
- Turbines and associated infrastructure will, at the end of the operational life of the facility, be removed in accordance with a restoration and aftercare scheme submitted to and agreed by the Local Planning Authority.

As mentioned above, the application site is located in the designated Anglesey Coastal Area of Outstanding Natural Beauty and is described as being a hilly area rising from sea with unspoilt, clear landmarks and attractive views which are considered of high value by LANDMAP. LANDMAP describes the characteristics of the area as follows:

'This area of upland is on the north-west tip of Anglesey, rising from the coast to 170m. It is distinctly more craggy than the adjacent lowland and has scattered outcrops of rocks, with gorse and stone walls, plus an area of forestry. Small winding roads give access to scattered farms and the small linear village of Llanfairynghornwy the eastern edge. From the high points there are 360 degree views, including to the Skerries off Carmel Head. Its coastal location adds to its interest'. The application documentation included the submission of a photomontage with an annotation included which was indicative of the scale/position of the turbine from each view. The photomontage included views from various points within the locality of the site including footpaths and public highways. Whilst the scale of the turbine shown in the photos was

not entirely accurate, the close proximity of the turbine to the dwelling was sufficient to allow the department to make an accurate assessment of the height in relation to the dwelling. From the photos, it is evident that the turbine will be most visible from the public footpath which runs in close proximity and up the site access. In close proximity, the turbine will be viewed against the skyline and would appear as some of the only vertical development in the area which is otherwise unspoilt. As such, the department are of the opinion that the scheme would have some localised effects and would poorly integrate due to the open and undeveloped nature of the landscape. This opinion was also shared by the local authority landscape officer. From further afield however, the turbine would be seen against the backdrop of the hilly topography and other local farms/dwelling, which have their associated infrastructure such as telegraph poles. When viewed from Mynydd y Garn, the turbine would also be seen against the backdrop of the forestry at Carmel Head. The pole of the turbine is similar in diameter to telegraph poles and as the blades are smaller and faster moving when compared to industrial scale turbines, it is not considered that the turbine would be a prominent feature within the landscape when viewed from a wider context. As such, the department consider that the AONB special qualities are not negatively impacted to an extent that would warrant refusal or that would run contrary to the thrust of ADN 1. Further to this, NRW had no objections to the scheme and from a landscape point of view only stated that due to the scale and location of the development they do not consider that the scheme would have a significant impact on the AONB.

The turbine is located some 120m from the nearest neighbouring property and there are no lights which would backlight the turbine and cause flickering or impact any other sensitive receptors. The residential properties to the north of the site include both coastal views and views of Mynydd y Garn and are considered the high value views. The turbine would not interfere with these views and would appear against the background of local hills only. The application states that the annual average windspeed for the site is 27kph and at which the turbine would generate 45dB of noise at a distance of 40m. Welsh Government Practice Guidance, Planning Implications of Renewable and Low Carbon Energy 2011 paragraph 3.4.6 Noise and vibration, indicate that the aerodynamic noise, of a domestic turbine at 45dB is generally unobtrusive in nature, having been described as similar to the noise of wind in trees. Having consulted with previous applications considered under policy ADN 1, a condition is usually placed upon the consent which limits the noise emissions of the turbine, however in this circumstance it is not considered that this condition would serve a useful planning purpose as the nearest neighbouring property is some 120m away.

A response was received from the Ministry of Defence in relation to the scheme and it was expressed that they have no objection in principle to the scheme provided that a condition was included on the consent which required the applicant to notify the MOD of when the turbine is to be erected. There are no other wind turbines in the immediate context of the site, with the nearest other domestic turbine being out of view on the opposite side of Mynydd y Garn and therefore there would be no cumulative impacts. A condition would be included on the consent which requires the removal of the turbine at the end of its operational lifespan.

further to the above, Technical Advice Note 8 (Planning for Renewable Energy) states that onshore wind power offers the greatest potential for an increase in the generation of electricity from renewable energy in the short to medium term and therefore plays an important role in meeting the governments renewable energy targets.

Visual Impact and Area of Outstanding Natural Beauty Effects

The location of the site within the AONB necessitates the schemes compliance with policy AMG 1 of the JLDP which states '*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 AONB management notes the following (relevant) points:

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.

As mentioned above in the report, it is not considered that the scheme would have any significant effects on the wider landscape or damage its special qualities to an extent that would contravene policies ADN 1 or AMG 1. Any visual effects will be limited to the immediate locality of the site, which in itself is an inherent trait of all such proposals due to the site criterion required for such apparatus to be effective. Higher average windspeeds are required for turbines to work effectively, with this corner of the island being of particularly higher windspeeds due to its open, elevated and coastal nature. The turbine is considered to be sufficiently close to the existing dwelling to ensure it relates well and does not appear as a standalone/separate entity, i.e it is considered it is evident the turbine is to serve the domestic needs of Pendref. Due to the above, it is considered the scheme aligns with the thrust of AMG 1.

Issued Raised in Letters of Objection

At the time of writing this report, 4 letters of representation had been received which all raised objections to the scheme. The points of concern can be summarised as below:

- Impact upon appearance of AONB.
- Loss of private and peace to nearby holiday accommodation users.
- Loss of views.
- Turbine does not relate well as it's in the middle of a small field.

In response to these points:

- Having considered the scheme against the relevant policy (AMG 1), it is not considered that the proposal runs contrary to the aims and objectives of the AONB management plan. The turbine is a small scale domestic turbine which is sat upon a relatively thin diameter mast and will include small fast moving blades and as such it is not considered that the scheme would be visually harmful to an extent that would justify refusal. It is acknowledged that there will be localised visual impact, however it is not considered this would go above and beyond to an extent that would impact the characteristics of the AONB or run contrary to the principle of policies ADN 1 and AMG 1. Due to the requirements for a turbine to be effective, these localised visual impacts are inherent but the department would emphasise that it is not considered that there are any wider landscape visual impacts and this was also agreed by Natural Resources Wales.
- The turbine is located a significant distance from nearby dwellings/holiday accommodations and as such is it not considered that it would impact their amenities to an extent that would contravene policy PCYFF 2, which states proposals will be refused where they would have an unacceptable negative impact upon residential amenity. It must be noted that the turbine is for domestic use only and therefore would not generate the same level of journeys to/from the site as national grid infrastructure.
- Views are not a material planning consideration.
- The turbine is 44 metres away from the dwelling and 17 metres from the residential curtilage of Pendref, which is considered a reasonable distance where it is not damaging to the amenities currently enjoyed by the applicant. The local authority cannot reasonably expect such structures to be accommodated within limited curtilages and as such the department are satisfied the turbine has been placed in the closest position to the dwelling as practical.

Conclusion

The department are satisfied that the relevant policies have been conformed with and that the scheme will not give rise to any unacceptable visual impacts in a wider landscape context.

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.

- **Location Plan / Landscape and Visual Impact Maps and Photos**
- **Proposed Site Plan / TQRQM22210143308191**
- **Proposed Plans / 0140-AD-00626 01**

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

(03) The consent hereby given shall be for a period of 25 years from the date of the first generation of electricity from the development. Written confirmation of the date of the first generation of electricity from the development shall be submitted to the Local Planning Authority in writing no later than one calendar month after the event.

Reason: To comply with the Town and Country Planning Acts.

(04) No later than 12 months before the expiry of the 25 year operational period of this permission, a scheme for the restoration of the site, that includes the removal of the turbine and all associated equipment from the land shall be submitted in writing to the Local Planning Authority for their approval. The approved scheme and removal of the turbine and all associated equipment from the land shall be carried out not later than six months following the expiry of this permission.

Reason: To comply with the Town and Country Planning Acts.

(05) The turbine hereby permitted shall be removed from the site and the land restored to its former condition in the event that it is non-operational for a continuous period of six months.

Reason: In the interest of visual amenity.

(06) The electricity generated by the turbine to the farm and/or grid shall be by connected by means of underground cable only.

Reason: In the interest of visual amenity.

(07) The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a) **the date of the commencement of the erection of wind turbine generators;**
- b) **the maximum height of any construction equipment to be used in the erection of the wind turbines;**
- c) **the date any wind turbine generators are brought into use;**
- d) **the latitude and longitude and maximum heights of each wind turbine generator, and any anemometer mast(s).**

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason: To maintain aviation safety.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, AMG 1, PS 19, ADN 1.

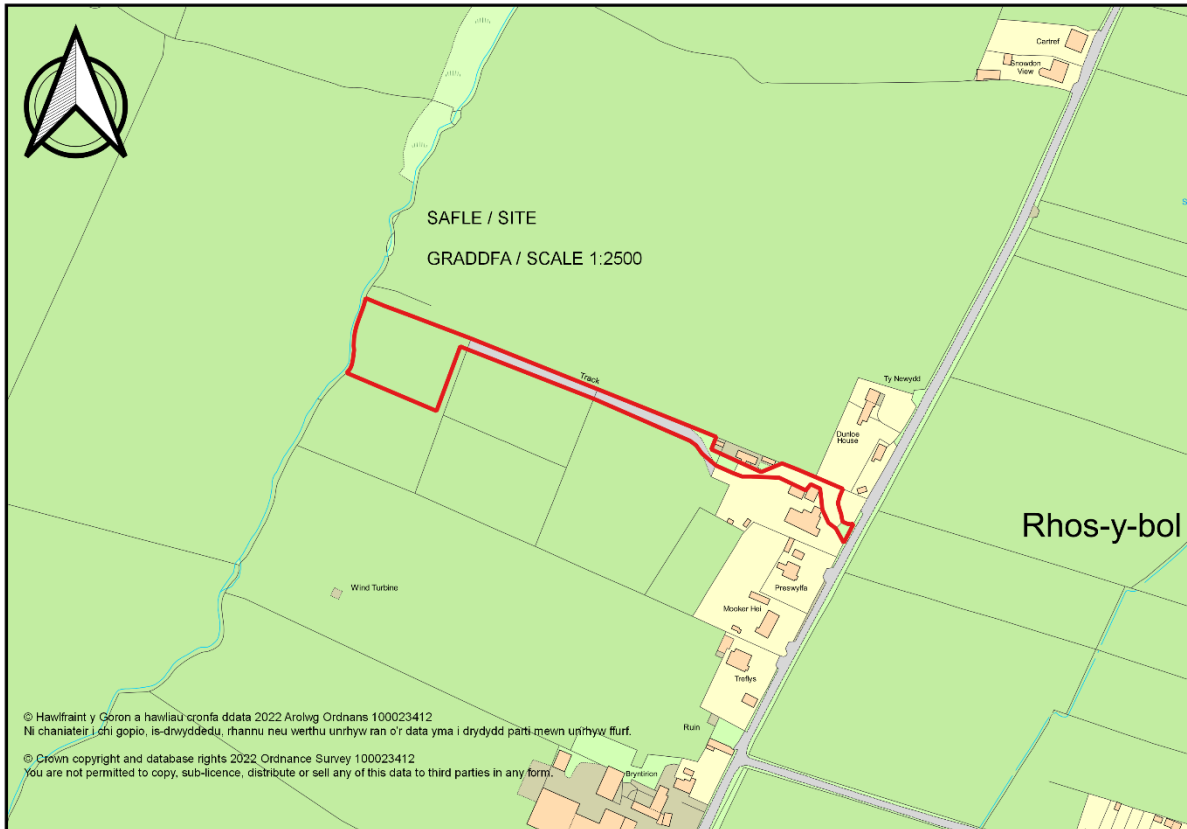
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/215

Applicant: Glyn Jones

Description: Full application for the erection of an agricultural shed for the storage of machinery together with retention of resurfacing works at

Site Address: Capel Bach, Rhosybol



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

Recommendation: Refuse

Reason for Reporting to Committee

The application has been called in by Councillor Aled Morris Jones.

Proposal and Site

The application is for the erection of an agricultural shed for the storage of machinery together with retention of resurfacing works to the rear of the main property/site at Capel Bach. The proposed agricultural shed lies approx. 217m from the main dwelling of Capel Bach and is in an open countryside location with no built structure surrounding the site.

The application site lies on the outskirts of Rhosybol village in an open countryside.

Key Issues

The key issues are whether the proposed development complies with the relevant planning policies and whether the proposed development impact the surrounding amenities

Policies

Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 4: Design and Landscaping
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy AMG5: Local Biodiversity Conservation
Planning Policy Wales (Edition 11)
Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)
Technical Advice Note 12: Design (2016)

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	No Response
Iechyd yr Amgylchedd / Environmental Health	Observations
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Advice Given
Cynghorydd Derek Owen	No Response
Cynghorydd Aled Morris Jones	Call In for Approval of Application
Cynghorydd Liz Wood	No Response
Cyngor Cymuned Rhosybol Community Council	No Response
GCAG / GAPS	No Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objections

The application was publicised by serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was the 13/10/2022. At the time of writing this report, no representations were received at this department.

Relevant Planning History

FPL/2022/157 - Cais llawn a'r gyfer codi sied amaethyddol i storio peiriannau yn / Full application for the erection of a agricultural shed for the storage of machinery at - Capel Bach, Rhosybol - Tynnwyd yn ôl / Withdrawn 02/08/2022

Main Planning Considerations

6. Main Planning Considerations

The main planning considerations for this application are:

1. Location;
2. Design and Visual Amenity,
3. Justification

Location

The application site is located in the open countryside, outside any defined development boundary or identified cluster.

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

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

The application site lies approximately 217m from the dwelling of Capel Bach and no justification has been provided for this location, which encroaches significantly into the open countryside and away from the existing built form.

Design and Visual Amenity

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

Policy PCYFF 3 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.
- 2 It respects the context of the site and its place within the local landscape, including its impact on important principal gateways into Gwynedd or into Anglesey, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;
- 3 it utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate in line with policy PCYFF4.

The proposed building measures 23m in length x 16m in width with a maximum height of approx. 6.8m. These measurements are a slight reduction to the original proposal of a shed with a proposed length of 25m. It is considered the proposed shed is large in scale and is usually located within substantially sized farmyards / agricultural sites. It has been confirmed that the materials to be used are Mona block and the sheeting will be the anti-condensation sheets and wood to be tantalised.

Given its prominent open countryside location, its size, scale and lack of any landscaping whatsoever, it is considered that the proposed development does not comply with policy PCYFF 3 or PCYFF 4 of the Joint Local Development Plan

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

A14. The siting of a new agricultural or forestry building, road, excavation or waste deposit, or fish tank can have a considerable impact on the surrounding landscape. Developments should be assimilated into the landscape without compromising the functions they are intended to serve. New buildings should normally form part of a group rather than stand in isolation, and relate to existing buildings in size and colour. However, new buildings of modern design may sometimes best be separated from a group of traditional buildings to avoid visual conflict. Sites on skylines should be avoided. To reduce visual impact, buildings should be blended into the landscape or, on sloping sites, set into the slope if that can be achieved without disproportionate cost.

It is considered the shed does not enhance the character of the proposal site and would have a detrimental visual impact to the undeveloped open fields open countryside topography and the proposal does not respect the context of the local landscape.

Having visited the site, it is noted that hardstanding work has already commenced on site with the dumping of tonnes of rubble and building material in this open countryside location without the benefit of planning permission. It is also noted that there are building materials such as slate tiles, concrete breezeblocks and other various building materials located on the site which are not connected to any agricultural use. The agent for this application has clarified that the materials are to be moved from the site and are surplus from previous developments at the main property (approx. 214m distance away from the proposal site) and ongoing patio works.

Justification

A statement has been provided for the application by the planning agent listing the proposed machinery to be stored within the new proposed shed. The machinery listed is a Tractor, a roller, a Harrow, PTO Wessex Mower, J Deere Tractor Mower and Trailers and Hedgecutters. The proposed shed has been described as an agricultural shed on the application form for proper management of the land. The land owned by the applicant is the adjacent fields between the proposal site and Capel Bach property (as shown with a blue line on the location plan received).

Having measured the plans the land owned is approx. 7.5 acres and not 10 acres as stated within the submission. This is considered a small amount of land for the significantly sized shed and the claimed agricultural use of the site. Having visited the site it is noted that there is more of a Tourism/ Business use at the site compared to agricultural use, with no Livestock, or growing of crops etc.

An adjacent field is part of a Caravan Tourer Club which can site 5 Tourer Caravans at any given time. A Hairdressing business is also adjacent to the site and the site is listed on an online page listing various holiday lets located at the site.

One of the fields displayed within the blue line of the location plan is also labelled as a "Dog Walking" space for tourists to walk their dogs. Within the same field there is various equipment placed, swings, slide, seesaw, picnic bench etc. and labelled as a kids play area on the web page of the Caravan Tourer Club. It is considered that the land owned here is not agricultural and more of a leisure/residential use.

Noting all the above it is considered the shed is not for agricultural use and the justification for the Machinery listed and size of agricultural shed within its setting has not been proven and the proposal is considered an overdevelopment of the site.

The form and proportion of the development also does not 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 highways department have confirmed that they have no objection to the proposal.

Conclusion

Due to the lack of justification for an agricultural shed of this size and scale in this open countryside location away from the built form, it is considered that the proposed development does not comply with the relevant planning policies and the recommendation is one of refusal.

Recommendation

That the application is refused for the following reason:

(01) The Local Planning Authority considers that the proposal would result in an unacceptable and Unjustified development in the open countryside contrary to the provisions of policies PCYFF1, PCYFF 3, PCYFF 4 of the Anglesey and Gwynedd Joint Local Development Plan.