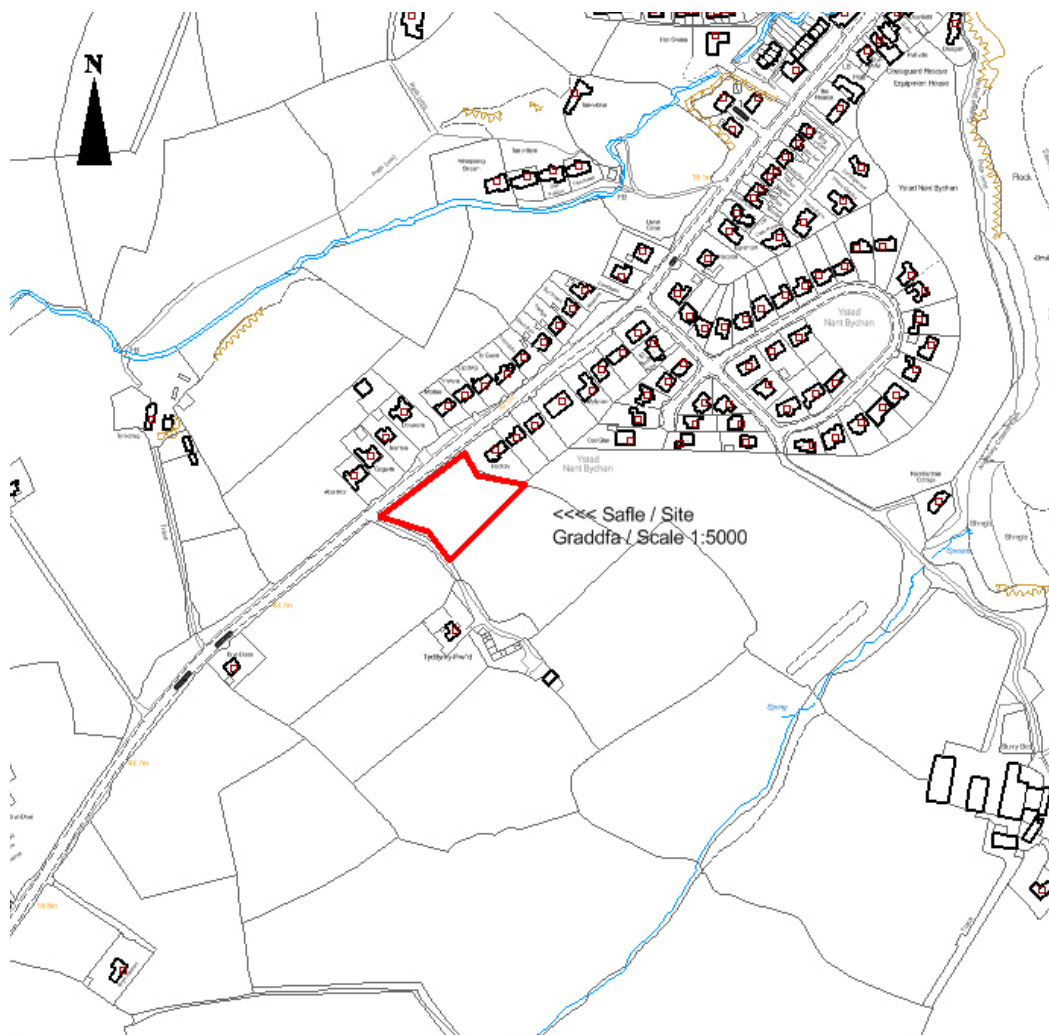


Rhif y Cais: **40C154A** Application Number

Ymgeisydd Applicant

**Mr Dewi Evans**

**Cais amlinellol ar gyfer codi 5 annedd a creu mynedfa newydd i geir yn cynnwys manylion llawn am y fynedfa a'r gosodiad ar dir ger / Outline application for the erection of 5 dwellings and the creation of a new vehicular access together with full details of the access and layout on land adjoining**

**Stad Nant Bychan, Moelfre**

**Planning Committee: 06/01/2016**

**Report of Head of Planning Service (GJ)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application is presented to the Planning Committee for consideration as the development is contrary to the adopted Ynys Mon Local Plan but can be supported under the Stopped Unitary Development Plan.

### **1. Proposal and Site**

This is an outline application for the erection of 5 dwellings and includes details of the access and layout with scale, appearance, materials and landscaping all reserved matters to be determined at detailed design stage on land near Nant Bychan Estate, Moelfre.

The application site consists of agricultural land situated to the south-western edge of the village of Moelfre.

### **2. Key Issue(s)**

The key issue is whether the proposal complies with current policies and whether the proposal will affect the amenities of the surrounding properties and the designated area of outstanding natural beauty.

### **3. Main Policies**

#### **Ynys Mon Local Plan**

Policy 1 – General Policy  
Policy 30 - Landscape  
Policy 48 – Housing Development Criteria  
Policy 49 – Listed Settlement  
Policy 51 – Large Sites

#### **Gwynedd Structure Plan**

Policy A2 – Housing  
Policy A3 – Housing  
Policy A4 – Affordable Housing  
Policy D1 - Environment  
Policy D4 – Location, Siting and Design  
Policy FF12 - Transport

#### **Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance  
Policy GP2 – Design  
Policy HP2 – Housing Density  
Policy HP4 – Village

Policy HP7 – Affordable Housing – Housing Need  
Policy EN2 – Area of Outstanding Natural Beauty  
Policy SG4 – Foul Sewage Disposal  
Policy SG6 – Surface Water Runoff

#### **4. Response to Consultation and Publicity**

**Local Member (Cllr Derlwyn Hughes)** – Call In requested if the application is refused. Supports the application as the land is included in the Stopped UDP.

**Local Member (Cllr Ieuan Williams)** – No response at the time of writing the report.

**Local Member (Cllr Vaughan Hughes)** - No response at the time of writing the report.

**Community Council** – Supports the application. The land is included in the Stopped UDP and welcomes the provision of 1 affordable dwelling.

**Highways Department** – Conditional Approval

**Drainage Department** – Conditional Approval

**Welsh Water** – Conditional Approval

**Natural Resources Wales** – Standard Advice

The proposal was advertised through the posting of a notice on site together, distribution of personal letters of notification to the occupiers of neighbouring properties together with an advert in the local newspaper. The latest date for the receipt of representations was the 9<sup>th</sup> December, 2015. At the time of writing the report 14 letters had been received objecting to the proposal.

The main reasons for objecting as follows:-

- Existing Drainage problems in the area
- Flooding occurred in the gardens of existing properties
- The land should be used to build a new road to the working farm
- Increase of traffic on a busy road
- Safety of pedestrians using bus stops in close proximity of the site
- Affordable housing will be acquired by builders/speculators who will sell on at a profit
- Dwellings will be sold beyond the reach of local people and will become holiday homes, adding little to the village economy
- Housing of this kind is not needed in Moelfre
- De-valuation of properties in the area
- Loss of view
- Impact on Area of outstanding natural beauty
- The land described as T67 in the Stopped UDP is flawed in that there should have been provision for public consultation
- Privacy/overlooking

In response to the above objections:-

- The applicant has provided drainage information and the drainage department have confirmed that the drainage systems appear to be satisfactory.
- The land is identified as a housing proposal in the Stopped UDP

- The Highways department have recommended conditional approval and are satisfied with the access and additional traffic.
- The affordable dwelling will be subject to a Section 106 agreement in order to ensure that the dwelling is remained as an affordable dwelling
- Loss of view is not a planning consideration
- It is not considered that the proposal will have a negative impact on the Area of Outstanding Natural Beauty which would warrant refusing the application
- The appearance of the dwellinghouses will be dealt with as part of the reserved matters application.

## 5. Relevant Planning History

40C154 – Residential development comprising 4 houses on land at Tyddyn y Ffrwd, Moelfre – Refused 6-6-94

40C154B/SCR – Screening Opinion for the erection of 4 dwellings on land at Nant Bychan, Moelfre – EIA not required 13/8/15

## 6. Main Planning Considerations

The site is located on agricultural land situated to the south-western edge of the village of Moelfre.

The main considerations have been identified as the following:

- Is the principle of the proposal acceptable in policy terms
- The impact on the AONB and amenities of adjacent residential properties

**Policy** - Moelfre is identified as a Defined Settlement under Policy 49 of the Ynys Mon Local Plan and as a Village under Policy HP4 of the Stopped Unitary Development Plan. Whilst the Unitary Development Plan has not been fully adopted, due to the stage reached in its preparation it is a material consideration that can be given significant weight in dealing with current applications.

The site is outside but immediately adjoining the development boundary of the Ynys Mon Local Plan and is within the development boundary of the Stopped Unitary Development Plan. The principle of the development is therefore acceptable under the provisions of Policy HP4 of the Stopped Unitary Development Plan and this is a material consideration of significant weight.

**Stopped Unitary Development Plan Site Allocation** – The site subject to this application is designated in the Stopped UDP as a housing allocation (T67 – Land adjoining Ty Ni). The application is for the development of five dwellings and conforms to the expected density for houses on the site.

### Affordable Housing

Policy HP7 – Affordable Housing in the Stopped UDP states:-

Where there is a demonstrable lack of affordable housing to meet housing needs, the Council will:

- (a) Negotiate to include an element of affordable housing in new schemes of 10 or more dwellings in main and secondary centres on sites of 5 or more dwellings in villages; and
- (b) Consider, as an exception to the plan, the release of land additional to that available for general housing provision, for affordable housing within or immediately adjoining existing settlements.

In the case of (a) and (b) above the Council may use planning obligations or conditions to ensure that such housing is, either initially or in perpetuity, reserved for those who need it.

In such cases where an application triggers the requirement for affordable housing, the provision of 30% of the units will be sought. As the application is for 5 units, in this case 1 affordable unit is required.

**Effect on surrounding properties** – Due to the distances between the proposed dwellings and neighbouring properties it is not anticipated that the proposal will have an adverse impact on neighbouring properties.

**Landscape impacts** – the application is made in outline form but a layout is submitted in accordance with statutory requirements. It is not considered that the development proposed are out of character with the area. The scheme provides adequate separation from existing properties. It is not considered that in its that the scheme will detrimentally impact the landscape value of the AONB.

**Other matters** – drainage details are considered acceptable. No concerns are raised in relation to ecological impacts. It is not considered that the proposal will detrimentally affect the Welsh language. Affordable housing is proposed in accordance with current policy requirements.

## **7. Conclusion**

Whilst the proposal is contrary to Policy 49 of the adopted Ynys Mon Local Plan, the proposal is acceptable under the provisions of Policy HP4 of the Stopped Unitary Development Plan. With the layout and position of the development acceptable along with its impact on amenity both residential and visual it is considered that the proposals are acceptable subject to conditions and the signing of a S106 agreement requiring one dwelling to be on an affordable type. The recommendation is one of approval subject to the expiration of the publicity period and providing no adverse representations has been received which have not been previously been taken into account.

## **8. Recommendation**

To **permit** the application subject to conditions and the signing of a S106 agreement requiring one dwelling to be on an affordable type. The recommendation is one of approval subject to the expiration of the publicity period and providing no adverse representations has been received which have not been previously been taken into account.

**(01) The approval of the Council shall be obtained before any development is commenced to the following reserved matters viz. the scale, appearance of the buildings, and the landscaping of the site.**

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

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

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

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

**to be approved.**

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

**(04) No development shall take place until trade descriptions of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development.**

Reason: To ensure the satisfactory appearance of the development

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

Reason: To ensure the satisfactory appearance of the development and in the interests of amenity.

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

Reason: In the interests of amenity.

**(07) Foul water and surface water discharges must be drained separately from the site.**

Reason: To protect the integrity of the public sewerage system.

**(08) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the local planning authority.**

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

**(09) Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system.**

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

**(10) No development of the site shall take place in the bird breeding season from 1<sup>st</sup> March to 30<sup>th</sup> September inclusive unless the site has been checked for the presence of nesting birds and the results of the survey are submitted to and approved in writing by the local planning authority prior to works commencing.**

Reason: To safeguard any protected species which may be present on the site

**(11) No development shall commence until a management plan to secure the future maintenance of the access and estate road hereby approved, which shall include the arrangements for adoption by any public authority or statutory undertaker or other arrangements shall be submitted to and approved in writing by the local planning authority. The development shall proceed thereafter in accordance with the approved details.**

Reason: In the interests of amenity.

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

Reason: In the interests of amenity and highway safety.

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

Reason: In the interests of amenity.

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

Reason: In the interests of amenity and highway safety.

**(15) The access shall be constructed with 6 metre radius wall/fence/hedge not exceeding a height of one metre above the level of the adjoining carriageway from the gate pillars to the highway boundary.**

Reason: In the interests of amenity and highway safety.

**(16) The access shall be constructed with its gateway not exceeding 1 in 20 metres in width and set back a distance of 5 metres from the road improvement line indicated on the attached plan with the gates opening inwards.**

Reason: In the interests of amenity and highway safety.

**(17) The vehicle driveways shall be constructed with its gradient not exceeding 1 in 20 for the first 5 metres back from the nearside edge of the adjoining footway.**

Reason: In the interests of amenity and highway safety.

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

Reason: In the interests of amenity and highway safety.

**(19) Before any development commences, plans shall be submitted and approved by the Planning Authority in consultation with the Highway Authority showing details of the following reserved matters:**

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

**(b) longitudinal and cross-sections through the estate roads showing the proposed road**

levels relative to the existing ground levels and proposed garage floor levels.

**(c) the surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.**

**(d) the location and the type of street lighting furniture.**

Reason: In the interests of amenity and highway safety.

**(20) The estate road shall be kerbed and the carriageway and footways finally surfaces and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the site or such any other period as may be agreed in writing with the Local Planning Authority whichever is the sooner.**

Reason: In the interests of amenity and highway safety.

**(21) The turning area shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.**

Reason: In the interests of amenity and highway safety.

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

Reason: In the interests of amenity and highway safety.

**(23) No development shall commence until the written approval of the local planning authority has been obtained in relation to a full comprehensive traffic management scheme including:**

- i. The parking of vehicles for site operatives and visitors**
- ii. Loading and unloading of plant and materials**
- iii. Storage of plant and materials used in constructing the development**
- iv. Wheel washing facilities (if appropriate)**
- v. Hours and days of operation and the management and operation of construction and delivery vehicles.**

**The works shall be carried out strictly in accordance with the approved details.**

Reason:- To comply with the requirements of the Highway Authority in the interests of road safety.

**(24) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. The building(s) shall be constructed with slabs at levels that have been approved in writing by the Local Planning Authority.**

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



**(25) Detailed designs for the proposed surface water drainage scheme should be included with any full planning application.**

Reason: To ensure that an effective drainage scheme is implemented

**(26) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 02/07/2015 + 12/11/15, 17/11/15, + 7/12/15 under planning application reference 40C154A.**

Reason: For the avoidance of doubt.

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

## **9. Other Relevant Policies**

### **Planning Policy Wales (Edition 7)**

**TAN 2 – Planning and Affordable Housing**

**TAN12 – Desig**

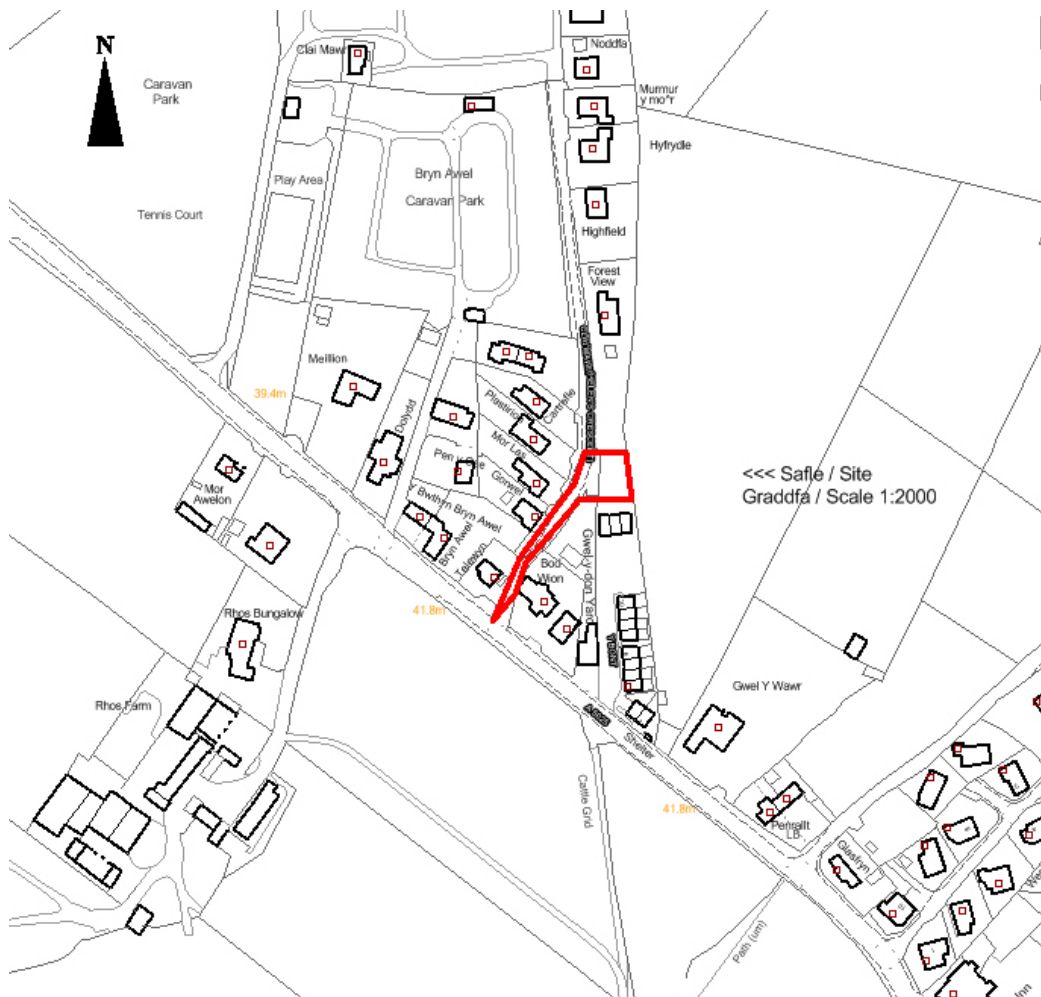
Rhif y Cais: **42C237D/VAR** Application Number

Ymgeisydd Applicant

**Mr Alan Foster**

**Cais dan Adran 73 i amrywio amod (07) (yn unol a'r cynlluniau a gymeradwywyd ) o ganiatâd cynllunio 42C237 i alluogi newid i osodiad y safle ar dir gyferbyn a / Application under Section 73 to vary condition (07) (in accordance with approved plans) from planning permission 42C237 so as to amend the layout scheme at**

**Plas Tirion, Helens Crescent, Pentraeth**



**Planning Committee: 6th January, 2016**

**Report of Head of Planning Service (GJ)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

This is a departure application for which the recommendation is to permit

### **1. Proposal and Site**

The application is a Section 73 application to vary condition (07) (in accordance with approved plans) from planning application 42C237 so as to amend the layout scheme.

The site is located adjacent to the recently constructed "Sidings" development in Pentraeth. Access is onto Helens Crescent.

### **2. Key Issue(s)**

The key issue is whether the proposal complies with current policies and whether the proposal will affect the amenities of surrounding properties.

### **3. Main Policies**

#### **Gwynedd Structure Plan**

Policy A2 Location of Housing Land

Policy A3 Scale and Phasing of housing

Policy D4 Siting and Design

#### **Ynys Mon Local Plan**

Policy 1 General Policy

Policy 31 Landscape

Policy 42 Design

Policy 48 Housing Development Criteria

#### **Ynys Mon Unitary Development Plan (Stopped)**

GP1 Development Control Guidance

GP2 Design

EN1 Landscape Character

HP4 Villages

SPG Design Guide for the Urban and Rural Environment

### **4. Response to Consultation and Publicity**

**Local Member (Cllr Vaughan Hughes)** – No response at the time of writing the report

**Local Member (Ieuan Williams)** – No response at the time of writing the report

**Local Member (Derlwyn Hughes)** – No response at the time of writing the report

**Community Council** - No response at the time of writing the report

**Highways** - No response at the time of writing the report

**Drainage** - No response at the time of writing the report

**Dwr Cymru** - No response at the time of writing the report

**Natural Resources Wales** - No response at the time of writing the report

### **Response to Publicity**

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The application was also advertised in the local newspaper as the development is contrary to the Ynys Mon Local Plan Policy. The latest date for the receipt of representations is the 8/1/15. At the time of writing the report no letters were received.

### **5. Relevant Planning History**

The adjacent site "The Sidings" was granted permission for 13 dwellings on 29/10/13 under ref 42C231

42C237 - Full application for the erection of a dwelling on land opposite – Granted – 5/11/15

42C237A/SCR - Screening Opinion for the erection of a dwelling on land opposite – EIA not required 16/10/15

42C237B/LUC Certificate of Lawful Use for the use as a storage/builders yard – Lawful Use Approved – 28/09/15

42C237C/DIS - Application to discharge condition (03) (surface water) from planning permission 42C237 on land opposite – Undetermined

### **6. Main Planning Considerations**

The site is located outside the settlement boundary in the Ynys Mon Local Plan but within it in the Unitary Development Plan. Given the weight that can be attributed to the UDP it is considered that the proposals are acceptable in land use terms.

Application reference 42C327 has already been granted permission for the erection of a dwellinghouse. This is an amended application to the design and layout. The amendments are as follows:-

- Raising the overall height of the dwelling from 4.8 metres to 5.7 metres to incorporate roof space to cater an additional bedroom
- Amended design of the dwelling
- Amended internal layout

- The insertion of a chimney

The application has been submitted to improve the design from the scheme already approved. The footprint of the building remains unchanged.

The site is located adjacent to a new development and there are dwellings on the opposite side of the access road. However, given the distances from the surrounding dwellings it is considered that the new dwelling will not impose any harm on the amenities of the occupiers thereof.

Furthermore, a bungalow in this location is not considered to harm the visual appearance/character of the locality and the amended design fits into the area without causing any harm on the amenities of the occupiers nearby.

In terms of access and traffic generation, a certificate of lawfulness has been granted establishing that there is a lawful use of the site for a storage/builders yard. Given this it is accepted that the proposed use would not generate any additional vehicular movements over the use that the land could be used for.

## **7. Conclusion**

The proposals are acceptable in terms of land use policy, amenity and traffic generation/access.

Subject to the expiration of the publicity period and providing no adverse representations has been received which have not been taken into account.

## **8. Recommendation Permit**

### **Permit**

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

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

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

**(02) The access shall be laid out and constructed strictly in accordance with the submitted plan (2) enclosed 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: To comply with the requirements of the Highway Authority in the interests of road safety.

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

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(04) The car parking accommodation shall be completed to the satisfaction of the Local Planning Authority before the use hereby permitted is commenced.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(05) 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 amenity.

**(06) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).**

Reason: In the interests of amenity.

**(07) The development permitted by this consent shall be carried out strictly in accordance with the plans, sections and elevations required to be approved by the local planning authority under the conditions imposed.**

Reason: For the avoidance of doubt.