

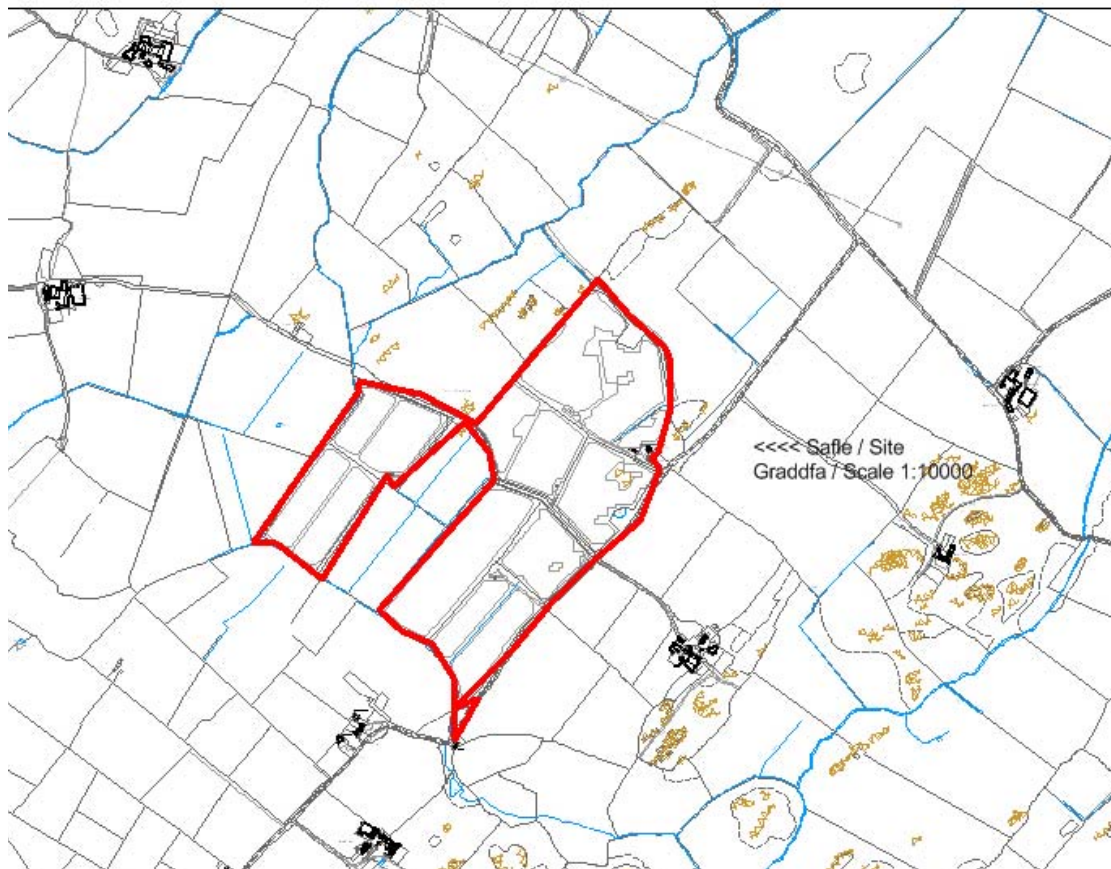
Rhif y Cais: **10C118J/VAR** Application Number

Ymgeisydd Applicant

Lightsource SPV 150 Limited

Cais dan Adran 73 i newid amod roddwyd dan rif cais 10C118HMIN sy'n manylu y cynlluniau a gymeradwywyd i ymgorffori newidiadau i ganiatad cynllunio roddwyd yn flaenorol dan rif cais 10C118A\RE sy'n cynnwys newidiadau i is-orsafoedd, adeilad monitro offer, gwrthdroyddion, trawsyrion, adeilad 'switchgear', mesuriadau diogelwch i gynnwys CCTV a newidiadau i ffensys diogelwch ar dir ger / Application under Section 73 to vary the condition specifying the approved plans under permission 10C118HMIN in order to make amendments to the scheme previously approved under planning permission 10C118A\RE to incorporate changes to substations, equipment monitoring house, inverters, transformers, switchgear building, security measure including CCTV cameras and changes to security fencing on land adjacent to

Bryn yr Odyn, Soar



Planning Committee: 03/02/2016

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called in to Committee by Cllr Ann Griffith as Vice Chair of the Committee.

1. Proposal and Site

The application is made under Section 73 of the Act to vary a condition requiring the development to be implemented in accordance with the approved drawings in order to now retrospectively approve the development as built.

Planning permission was granted in 2013 for a 15MW solar array development on a site extending to some 30 ha in total, at Bryn yr Odyn, that lies in an isolated location 1.5km north west of the village of Soar.

The proposal generates up to 15MW of electricity and connects into pre-existing 33kv overhead lines. It surrounds on three sides the proposed 2.5KW solar development at Tyn Dryfol, approved in January 2016 by the Committee.

The development as built differs from the approved plans in terms of the following:

CCTV cameras mounted on poles (66 in number to monitor the entire site perimeter, each pole measuring some 10cm in diameter and with a height of 2.65m;

Communications building which allows 24 hour remote monitoring for any faults and also relays security camera footage; dimensions being 6x2.45m on plan with a height of 2.75m excluding antennae which project some 80cm above the building and which is located near the site entrance next to other buildings;

Client substation which shuts off the solar farm from the grid (as opposed to the already approved DNO substation which switches the grid off from the solar farm), located near the site entrance in a cluster of buildings and measuring 3.7m x 3.3m on plan and with a height of 3m;

Waterless toilet facility for the welfare of any personnel needing to be on site and for use during tours of the site by schools or community groups for example; the chemical free composting facility measures 2.4 x 1.1m on plan and has a height of 3m and is sited next to the communications building; the arising odour free compost is collected annually for off-site processing;

Two external emergency lights have been installed on the DNO substation building for health and safety reasons should staff need to access the site after dark;

An altered solar panel layout reduces the overall height of panels from 2.4m to 2.23 m and reduces the gap between panels by 1.4cm, within the confines of the approved red line boundary and avoiding the area of archaeological interest to the northeast of the site;

Additional internal access tracks between existing field gates have been laid to facilitate access and maintenance, surfaced in crushed stone;

Inverters, switchgear and transformers have been installed as separate cabinets rather than combined in single larger buildings with a communication box installed by each group to transmit information to the

communications building;

In addition, the security fencing detail follows a slightly different alignment to that approved and is 2m high deer fencing as opposed to the 1.9m deer fencing approved; constructed to allow mammal access to and from the site as required under the planning conditions; 2m high wire mesh fencing has been installed around each transformer for health and safety reasons and which ensures that stock can continue to graze safely in between panels.

2. Key Issue(s)

The principle of the development is established in the previous grant of planning permission and the site is operational.

The application made is to regularise the development as built by varying a condition of the planning permission requiring the development to be implemented in accordance with the approved plans. The request is in effect to substitute the approved plans for the as built plans.

An application under S73 of the Act for a variation of a condition results, if approved, in the granting of a wholly new planning permission. Consideration should therefore be given to the whole scheme not just the condition requested to be varied.

3. Main Policies

Gwynedd Structure Plan

C7 Renewable Energy
D1 Area of Outstanding Natural Beauty
D3 Landscape Conservation Area
D4 Environment D9 Environment
D15 Archaeology

Ynys Mon Local Plan

1 General
31 Landscape
32 Landscape
45 Renewable Energy

Stopped Ynys Mon Unitary Development Plan P08b Energy Developments

GP1 Development Control Guidance
GP2 Design
EN4 Biodiversity
EP 18 Renewable Energy
EN1 Landscape Character
EN14 TPOs and Hedgerows
EN16 Landscape Features.

Planning Policy Wales Edition 8

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

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

Technical Advice Note 8: Planning for Renewable Energy (2005)

Technical Advice Note 18: Transport (2007)

Practice Guidance: Planning for Renewable and Low Carbon Energy - A Toolkit for Planners, Welsh Assembly Government (2010)

Practice Guidance Planning Implications of Renewable and Low Energy (February 2011)

Solar Farms in Wales 2015 – Research Note

4. Response to Consultation and Publicity

In response to consultations carried out replies from the following have been received and are summarised as follows:

Cllr Ann Griffith: Requests a Committee determination in her capacity as Vice Chair of this Committee

Cllr Peter Rogers: No reply at the time of writing

Community Council: No reply at the time of writing

Natural Resources Wales: Does not object to the proposal. Comments in relation to biodiversity, species and habitats.

Environmental Health Officer: Comments for construction phase

Councils Ecological Advisor: No ecological comments.

Highway Authority: No recommendation

Built Environment and Landscape Section:

The majority of the changes are not readily visible. There is some scope to reduce views of the CCTV cameras from the highway but the proposed variations are not considered significant.

MOD: No safeguarding objections

The application has also been publicised by the local planning authority in accordance with statutory requirements. The closing date for receipt of representations was 6th January 2016.

No representations have been received as a result of the publicity undertaken.

5. Relevant Planning History

10C118/SCR Screening opinion for the siting of a solar array farm - EIA not required 17/10/13.

10C118A/RE Full application for the siting of a 15mw solar array farm on land adjacent to Bryn yr Odyn, Soar – approved 15/12/13

10C118B/DIS Applications to discharge condition 5 (landscaping) and condition 6 (habitat management) on land at Bryn yr Odyn – discharged 08/09/14 & 17/09/14

10C118C/DIS Application to discharge condition 8 (fencing) and condition 9 (transformer building) on land at Bryn yr Odyn – discharged 23/10/14 & 30/10/14

10C118D/MIN Application for a non-material amendment to 10C118A/RE to amend condition 2 (time limit for lifetime of development to 30 years) – approved 11/11/14

10C118E/DIS Application to discharge condition 4 (programme of archaeological work) on land at Bryn yr Odyn – discharged 07/11/14

10C118H/MIN Non-material amendment to permission 10C118A/RE to include condition detailing the approved plans – approved 25/09/15

On adjoining land, the following site history is relevant:

10C118G/SCR Screening opinion for the construction of a 2.5MW solar array farm on land adjacent to Tyn Dryfol – EIA not required

10C118F/RE Full application for the construction of a 2.5MW solar array farm on land adjacent to Tyn Dryfol – approved 06/01/16

6. Main Planning Considerations

Whether the principle of development is acceptable in planning policy terms: Policy C7 of the Gwynedd Structure Plan states: “There will be a presumption in favour of renewable energy projects provided that the impacts upon the locality are acceptable to the local planning authority. Where applicable, the proposals should be supported by an environmental assessment.”

Policy 45 of the Ynys Mon Local Plan states: “Renewable energy projects will be permitted where it can be clearly demonstrated that there will not be any unacceptable impact on

- i. Landscape character,
- ii. Sites of international, national or local importance for nature conservation,
- iii. species which are of nature conservation importance
- iv. the standard of amenity enjoyed by the resident and tourist population and
- vi. Essential public services and communications.

Policy 8B - Energy Developments of the Stopped Ynys Mon Unitary Development Plan states: “Applications for the development of renewable and non-renewable energy resources will be permitted where it can be demonstrated that there will be no unacceptable adverse impact upon the environment. Preference will be given to the development of clean and renewable energy sources, but proposals for non-renewable energy projects will be permitted if they encourage the maximum use of energy efficiency within their design”.

The updated version of Planning Policy Wales clarifies and strengthens the presumption in favour of sustainable development. Section 12.8.1 (Renewable and Low Carbon Energy) of Planning Policy Wales (8th Edition) sets out targets and gives strong support for renewable energy projects in line with the Welsh Assembly Government's Energy Policy Statement (2010). Planning Policy Wales at paragraph 12.8.15 states the impacts from renewable energy developments will also vary depending on their location and scale and require different policy and development management considerations.

Paragraph 12.9.2 of Planning Policy Wales states that ‘local planning authorities should guide appropriate renewable and low carbon energy development by undertaking an assessment of the potential of all renewable energy resources and renewable and low carbon energy opportunities within their area and include appropriate policies in development plans’. Although there is no statutory requirement to do so, a Renewable Energy Capacity Study was commissioned to inform the Joint Local Development Plan. The Study adopted methodology developed by the Welsh Government but as commercial solar PV arrays are an emerging technology, current guidance (Welsh Government or DECC) does not contain information on how to assess their potential. Nonetheless, development plan policies exist against which such schemes can be examined.

At 15MW the solar farm subject to this report is categorised as “Local Authority-wide” in Planning Policy Wales which includes developments of between 5MW & 50 MW according to figure 12.3. As a “Local Authority-wide” installation the scale of the solar farm is acceptable in principle in policy terms in this location but there are also detailed considerations within the policy considerations as detailed below. Section 12.10.1 reproduced below highlights matters that should be taken into account in dealing with renewable and low carbon energy development and associated infrastructure by the local planning authority. This covers the positive aspects such as contribution to meeting national, UK and European targets and wider environmental, social and economic benefits. It also highlights the need to consider impact on the natural heritage, the coast and the historic environment and the need to minimise impacts on local communities. Other matters such as mitigation and infrastructure matters i.e. grid connection and transportation network are also highlighted within this section as follows:

“12.10.1 In determining applications for renewable and low carbon energy development and associated infrastructure local planning authorities should take into account:

- the contribution a proposal will play in meeting identified national, UK and European targets and potential for renewable energy, including the contribution to cutting greenhouse gas emissions;
- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development;
- the impact on the natural heritage (see 5.5), the Coast (see 5.6) and the Historic Environment (see 6.5);
- the need to minimise impacts on local communities to safeguard quality of life for existing and future generations;
- ways to avoid, mitigate or compensate identified adverse impacts;
- the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so consider whether measures to adapt to climate change impacts give rise to additional impacts (see 4.5);
- grid connection issues where renewable (electricity) energy developments are proposed;
- the capacity of and effects on the transportation network relating to the construction and operation of the proposal”

Technical Advice Note 8 Renewables (2005) (paragraph 1.4) states the Assembly Government has a target of 4TWh of electricity per annum to be produced by renewable energy by 2010 and 7TWh by 2020. Paragraph 3.15 of TAN 8 states that “other than in circumstances where visual impact is critically damaging to a listed building, ancient monument or a conservation area vista, proposals for appropriately designed solar thermal and PV systems should be supported”. In its Policy Clarification letter of July 2011 in relation to TAN 8, the Welsh Government Minister for Environment and Sustainable Development stated that “for the avoidance of any future doubt, when determining planning applications under town and country planning legislation on energy related projects within Wales (other than certain energy installations), the key planning policy comprises the local authority’s adopted development plan, and where it is more recent, the Welsh Government’s Planning Policy Wales and TAN 8”.

Section 2 of Technical Advice Note 6: Planning for Sustainable Rural Communities contains the following guidance:

“2.1.1 The planning system has a key role to play in supporting the delivery of sustainable rural communities. It can help to ensure that appropriate development takes place in the right place at the right time by making sufficient land available to provide homes and employment opportunities for local people, helping to sustain rural services. Simultaneously, the planning system must respond to the challenges posed by climate

change, for example by accommodating the need for renewable energy generation. It must also protect and enhance the natural and historic environment and safeguard the countryside and open spaces. The overall goal for the planning system is to support living and working rural communities in order that they are economically, socially and environmentally sustainable. Planning authorities should seek to strengthen rural communities by helping to ensure that existing residents can work and access services locally using low carbon travel and obtain a higher proportion of their energy needs from local renewable sources.”

In relation to farm diversification Technical Advice Note 6: Planning for Sustainable Rural Communities contains the following guidance:

“3.7.2 Many economic activities can be sustainably located on farms. Small on-farm operations such as food and timber processing and food packing, together with services (e.g. offices, workshop facilities, equipment hire and maintenance), sports and recreation services, and the production of non-food crops and renewable energy, are likely to be appropriate uses.”

It is evident that the policies listed above provide a presumption in favour of renewable energy developments in meeting the identified targets for low carbon energy generation.

Having considered all material issues, planning permission was originally granted for the development of the site in 2013. The principle of the development is established in the granting of planning permission and the site has been developed as a solar farm.

There has been some variation however, as detailed above, between the as approved and as built schemes. Consideration is therefore given to whether the changes made are acceptable in terms of the main planning considerations as detailed below:

Landscape and Visual Impact: The nature and location of new structures on the site are such that they are not readily visible or discernible in the wider public view. Colouration and the grouping of buildings are such that impacts are reduced. It is not considered that the changes made are unacceptable in this context. Changes to the solar panel layout and additional internal access tracks are similarly considered acceptable, as is the security fencing. CCTV cameras are acceptable in themselves and overall it is not considered that any additional mitigation is required. It is important however that the approved landscaping proposals for the site are maintained and given that the effect of a permission under Section 73 is that of a wholly new permission, a condition is proposed to link the landscaping works to the retrospective consent.

Ecology: A condition was imposed on the original grant of planning consent that any security fencing should be designed to allow easy access to mammals. Although the height and alignment of the fencing has been altered the scheme continues to allow mammal access resulting in a neutral ecological impact. Emergency lighting is not considered to give rise to unacceptable impacts.

Cultural Heritage: The site has been the subject of archaeological works and it is not considered that the proposals give rise to any new issues.

Transport issues and amenity: There are no transport issues arising. General maintenance and repair as well as periodic monitoring are relatively unaffected by the proposals.

Amenity: The Chief Environmental Health Officer has no specific observations to make and the local planning authority consider that there will be no significantly adverse impact on the amenity of nearby residents through the operational lifetime of the development. Concern by some residents has been raised in dealing with the adjoining site at Tyn Dryfol in relation to glint and glare arising from the existing Bryn yr Odyn development and likely impacts from the adjoining proposal. A Glint and Glare assessment was requested from the applicant for the Tyn Dryfol site and an objector to the scheme also submitted a Glint and Glare assessment, both of which were assessed. The MOD raised no safeguarding concerns and raise none in relation to this development. Albeit that no specific representations have been received on this application, it is considered that a scheme of mitigation should be included as part of any permission to

ensure that should issues occur, they can be appropriately managed and addressed.

7. Conclusion

Both national and local planning policy provides a presumption in favour of renewable energy development as a means of contributing positively to the wider sustainability agenda. The proposal has previously been considered acceptable in landscape and visual terms, does not harm biodiversity or cultural heritage and does not cause unacceptable detriment to amenity.

Mitigation was sought to ensure that over the operational lifetime of the development any longer term impacts will lessen. Planning permission is for a temporary period and reversible; returning the land to full agricultural use will be possible. The variations made to the scheme as built are considered acceptable within the context of the development and the surrounding area. Where necessary conditions are proposed to ensure that the development continues to operate in compliance with agreed mitigation proposals. In addition, a condition is proposed in relation to any potential glint and glare impacts.

8. Recommendation

To **permit** the development subject to conditions.

(01) The development hereby approved shall be removed from the land no later than 30 years from the date of the first generation of electricity from it or when the production of electricity has ceased for a continuous period of 6 months, whichever is the sooner, upon which the site shall be reinstated in accordance with a written scheme of restoration which shall be submitted to and approved in writing by the local planning authority. The restoration of the site shall be completed in accordance with the agreed details within 6 months of the written approval of the local planning authority.

Reason: To define the scope of the permission and to ensure a satisfactory appearance upon cessation of the development.

(02) All cabling within the site required in connection with the development hereby approved shall be installed underground.

Reason: In the interests of visual amenity.

(03) The landscaping of the site detailed on Tirlun Barr Associates drawing 14/05/PP/01 Revision A approved under application reference 10C118B/DIS shall be maintained for a period of five years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation. The landscaping scheme shall be retained for the lifetime of the development.

Reason; To ensure that the development is satisfactorily integrated into the landscape.

(04) The site shall be operated at all times in accordance with the Habitat Management Plan (Etive Ecology Ltd 21 May 2014) approved under application 10C118B/DIS.

Reason; To ensure that the development does not have a detrimental impact on biodiversity.

(05) Except as required to light the DNO substation building in an emergency, the site shall not be illuminated by artificial lighting during hours of darkness.

Reason: To ensure that the development does not have a detrimental impact on the character of the locality.

(06) Should any complaint of glint and glare arising from the development be received by the local planning authority, the developer shall, within 1 month of being notified of the complaint, submit a method statement to assess the incidence of glint and glare at the complainant's property together with proposals for mitigation measures, together with a timetable for the works and onward monitoring, to be agreed in writing by the local planning authority. The mitigation measures as approved shall be implemented in accordance with the agreed timetable.

Reason: In the interests of amenity

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

12.2

Gweddill y Ceisiadau

Remainder Applications

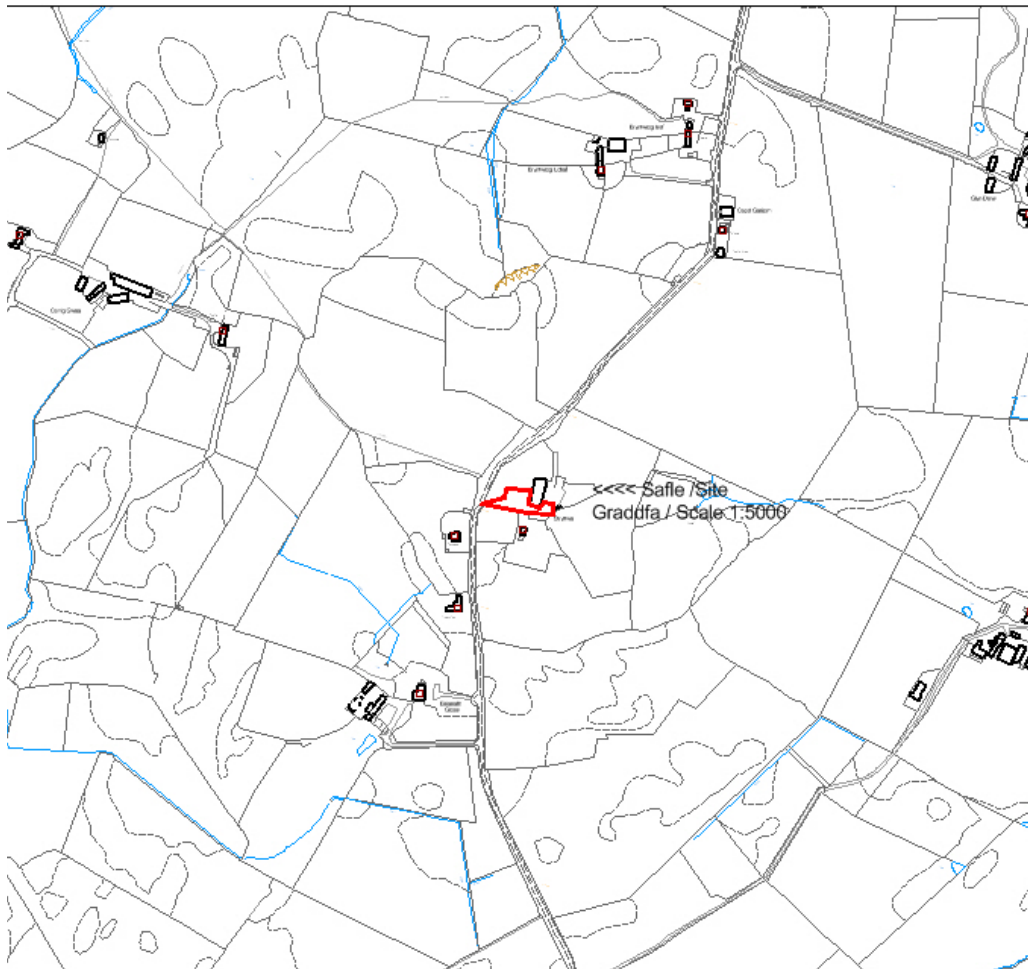
Rhif y Cais: **14C171H/ENF** Application Number

Ymgeisydd Applicant

Mr & Mrs Peter Jones

Cais ôl-weithredol ar gyfer codi llety gwyliau newydd yn / Retrospective application for the erection of a new build holiday accommodation at

Stryttwn Farm, Ty'n Lon



Planning Committee: 03/02/2016

Report of Head of Planning Service (JBR)

Recommendation:

Refuse

Reason for Reporting to Committee:

At the request of the Local Member – Councillor Robert G Parry OBE

1. Proposal and Site

The proposal is for retrospective planning permission for the erection of a new build holiday accommodation at Stryttwn Farm, Tyn Lon.

The application site is located within the farm yard of Stryttwn Farm located in the open countryside some 1.6km from the nearby settlement of Llynfaes.

2. Key Issue(s)

The key issues are whether or not the development complies with local and national policies relating to the development of new holiday accommodation and the proposals effect upon the character and appearance of the area.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy
Policy 8 – Holiday Accommodation
Policy 26 – Car Parking
Policy 31 – Landscape
Policy 42 – Design

Gwynedd Structure Plan

Policy CH2 – High Quality Holiday Accommodation

Policy D3 – Landscape Conservation Areas
Policy D4 – Location, siting and design
Policy D29 – Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance
Policy GP2 – Design
Policy TR10 – Parking Standards
Policy TO2 – Holiday Accommodation
Policy EN1 – Landscape Character

4. Response to Consultation and Publicity

Councillor Dylan Rees – No response at time of writing report.

Councillor Nicola Roberts - No response at time of writing report.

Councillor Robert G Parry OBE – Request that the application be referred to the Planning Committee for determination.

Highways – Recommend conditional approval.

Drainage – Drainage satisfactory

Footpath Officer – Public footpath unaffected.

Welsh Water - No response at time of writing report.

Community Council - No response at time of writing report.

Response to publicity.

None received at time of writing report.

5. Relevant Planning History

14C171F – Full application for the conversion of a stable into a dwelling at Stryttwn Farm, Tyn Lon.
Refused – 14/11/2013

14C171G - Full application for the conversion of a stable into a dwelling at Stryttwn Farm, Tyn Lon –
Granted – 09/04/2014

6. Main Planning Considerations

Planning permission was granted on the 9th April 2014 for the conversion and extension of an existing stable into a dwelling.

In March 2014 it came to the Council's attention that rather than convert and extend the existing building in accordance with that which had been granted planning permission the building had been almost entirely demolished and was in the process of being rebuilt.

A visit to the site on 10/03/2015 revealed that all but part of the eastern gable wall and a small section of the front wall had been demolished and was in the process of being rebuilt in breeze block construction. At the time of the visit the building was constructed to wall plate level and works were being undertaken to clad the front elevation with natural stone.

Whilst the matter is in clear breach of that which was granted planning permission and could be the subject of formal enforcement action, following discussions between officers and the applicant to explore the options available and in accordance with Assembly Government advice the current application has been submitted for the retention and completion of the development as new build holiday accommodation in an effort to regularise matters.

Guidance in Planning Policy Wales (Edition 8) (PPW) affords protection to the open countryside with paragraph 4.7.8 clearly stating that development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access and habitat and landscape conservation....new buildings in the open countryside away from existing

settlements or areas allocated for development in development plans must be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design.

Paragraph 11.1.7 of PPW acknowledges that in rural areas tourist related development is an essential element in providing for a healthy, diverse local and national economy. It can contribute to the provision and maintenance of facilities for local communities. Here too development should be sympathetic in scale and nature to the local environment and the needs of visitors and the local community.

Paragraph 11.1.8 of PPW states that tourism development should be accessible by a variety of sustainable means of travel, particularly, walking, cycling and public transport.

Policy CH2 of the Gwynedd Structure Plan, policy 8 of the Ynys Mon Local Plan and policy TO2 of the Stopped Unitary Development Plan are permissive policies relating to the development of high quality holiday accommodation. They state that applications for high quality holiday accommodation will be permitted provided that they do not conflict with other policies in the plans and where they do not cause unacceptable harm to the environment. In particular the Council will favourably consider proposals which form an integral part of an overall scheme which adds to tourism and recreation facilities in the area.

The Councils Supplementary Planning Guidance (SPG) on Holiday Accommodation states there are challenging judgements to be made in determining what provides a high quality of development. At the time of making a planning application the land use judgement required about the 'quality' of the development does not refer to a recognised accommodation grading scheme by the tourism industry but to the quality of the development in terms of land use considerations.

Criteria which help define high quality development in terms of land use considerations according to the SPG are:

- Sites normally not lying in open countryside or are visually intrusive,
- Sites that do not cause adverse harm to protected landscapes (e.g. the AONB) – which would suggest that they have existing landscape cover and no major visual impact,
- Protecting undeveloped coast,
- Protecting and promoting biodiversity interest,
- Respect for the historic and natural environment,
- Make better use of land by consolidating areas of existing tourism activity (tourist attractions, marina etc.)

- Well located in relation to existing transport network
- Enhancing previously developed (brownfield) land
- Part of a scheme for agricultural diversification and supporting the rural economy
- Projects which enhance biodiversity interest
- Helps reinforce and strengthen an existing tourism centre.

Paragraph 5.7 of the SPG sets out criteria for assessing the location of holiday accommodation. This proposal is categorised as being on a Brownfield site in the Open Countryside and states that the justification required to support a proposal at this location are as follows:

- Whilst being preferable to greenfield locations, such sites should still need justification above alternative locations within or on the edge of settlements in the vicinity.
- Schemes at such locations would be expected to have on-site provision of tourist facilities other than simply the accommodation itself.

The above guidance and policies are designed to encourage the development of high quality visitor accommodation in the right place. In considering proposals for holiday accommodation, the impact on the local economy, landscape, environment and the character of the area will be important considerations. The Council will not support proposals for badly sited development in unsustainable locations.

As previously stated the application is seeking permission for the retention of the unauthorised works already carried out and the completion of the development for use as holiday accommodation.

The siting and design of the proposal is virtually identical the conversion scheme granted planning permission in April 2014, consequently there is no objection to the proposal from siting and design point of view.

However, the nature of the application currently under consideration is fundamentally different than that previously granted permission and different material planning and policy considerations apply.

The application proposes the erection of a new build holiday unit in the open countryside unrelated to and far removed from any settlement or other facilities. In addition there are no existing on site facilities such as a shop or restaurant etc. as required by the relevant policies.

In addition the proposal is located approximately 1.2km from the nearest bus stop (Tyn Lon), 3.5km from the nearest shop/post office (Bodffordd), 5km from the nearest public house (Gwalchmai) and 7km from the nearest town (Llangefni).

It is therefore apparent that the site is not well located in terms of accessibility to public transport and facilities and consequently users would be reliant upon the use of private motor vehicles, this is contrary to the sustainability principles of Planning Policy Wales and guidance contained with the Council's Supplementary Planning Guidance.

7. Conclusion

It is therefore considered that the proposal is unacceptable, being located in the open countryside unrelated to and far removed from any settlement or other facilities and amenities and would lead to users being reliant upon the use of private vehicles contrary to relevant local and national policies and guidance.

8. Recommendation

To **refuse** the application for the reasons below:

(01) The application site is located within a designated Special Landscape Area. The proposal would constitute the erection of a new holiday unit in the open countryside in an isolated rural location unrelated to and far removed from any settlement and/or other facilities and which is not justified as being part of an overall scheme which would add to tourism and recreation facilities in the area. This is contrary to policies 1, 8 and 31 of the Ynys Mon Local Plan, policies CH2 and D4 of the Gwynedd Structure Plan, policies GP1, TO2 and EN1 of the Stopped Unitary Development Plan, advice contained with Supplementary Planning Guidance: Holiday Accommodation and the sustainability principles and advice contained within Planning Policy Wales (Edition 8).

9. Other Relevant Policies

Planning Policy Wales (Edition 8)

Technical Advice Note 13 – Tourism

Technical Advice Note 9 - Enforcement of Planning Control

SPG: Design Guide for the Urban and Rural Environment

SPG: Holiday Accommodation

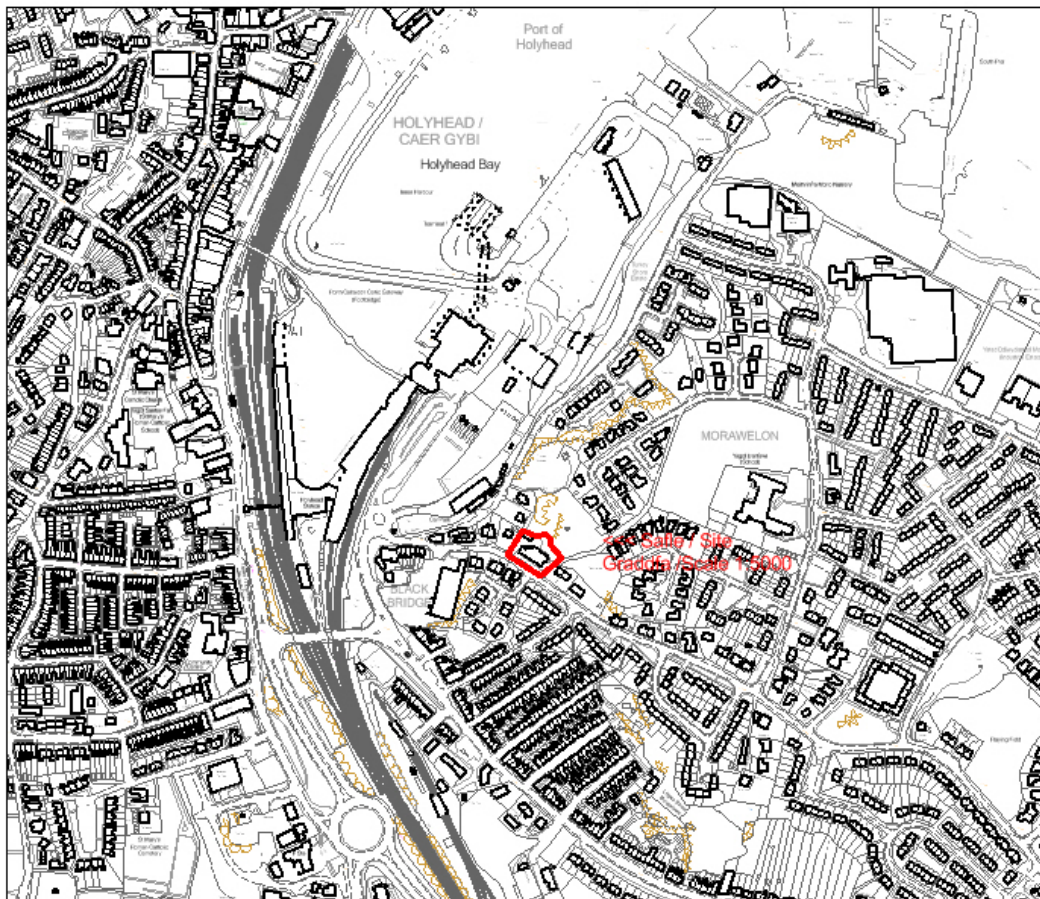
Rhif y Cais: 19C1147A Application Number

Ymgeisydd Applicant

B C Services (Anglesey) Ltd

Cais llawn ar gyfer dymchwel adeilad presennol ynghyd a chodi chwech annedd a chreu mynedfa i gerbydau a maes parcio ar dir yn / Full application for the demolition of the existing building together with the erection of six dwellings with the construction of a vehicular access and car park on land at

St David's Priory, Ffordd Llanfawr / Llanfawr Road, Caergybi / Holyhead



Planning Committee: 03/02/2016

Report of Head of Planning Service (SCR)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is on Council owned land

1. Proposal and Site

The site lies within the development boundary of Holyhead. The property is flanked by residential properties. To the rear of the property and within its grounds lies a grade II listed Pillbox.

The proposal involves the demolition of the former Council Offices together with the erection of 6 dwellings and the construction of a new vehicular access.

2. Key Issue(s)

The applications key issues are whether the proposal complies with current policies and whether the proposal will harm the amenities of surrounding properties, whether the proposal will harm the setting of the grade II, World War II, listed Pillbox or whether the development will be detrimental to Highway Safety.

3. Main Policies

Ynys Mon Local Plan

Policy 1 : General Policy

Policy 40: Conservation of Buildings

Policy 42 : Design

Policy 48 : Housing Development Criteria

Policy 49 : Defined Settlements

Gwynedd Structure Plan

Policy A2 : Housing Land

Policy A3: Scale and Phasing

Policy D4 : Location, Siting & Design

Policy D26 : Development in Proximity to a Conservation Area

Policy D29 : Standard of Design

Policy D32 : Site Configuration and Landscaping

Policy FF12 : Parking Standards

Stopped Unitary Development Plan

Policy GP1: Development Control Guidance

Policy GP2 : Design

Policy EN1 : Landscape Character

Policy EN13 : Conservation of Buildings

Policy HP2 : Housing Density

Policy HP3 : Main and Secondary Centres

Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment

4. Response to Consultation and Publicity

Town Council – No objection - comments

Cllr R Jones – No response to date

Cllr R LI Jones – No response to date

Cllr. A Roberts – No response to date

Highways – Recommended conditional approval

Drainage – Requested further information in regards to the disposal of surface water, however the applicant has come to an agreement with Welsh Water that surface water shall be discharged via the public sewer

Welsh Water – Comments

Natural Resource Wales – Standard comments

The application was afforded three means of publicity these were; the posting of a site notice near the site, the publication of a notice in the local press and the serving of personal notifications on neighbouring properties. The latest date for the receipt of representations was the 9th December, 2015 and at the time of writing this report no letters of representation had been received at the department.

5. Relevant Planning History

19C1147 – Full application for the change of use of the former priory into a dwelling at The St David's Priory, Llanfawr Road, Holyhead – Approved 05/02/2015

6. Main Planning Considerations

Policy – The site lies within the development boundary of Holyhead as defined Policy 49 of the Ynys Mon Local Plan and Policy HP3 of the stopped Unitary Development Plan. The site is considered to be a brownfield site and is suitable for residential development. Planning Policy Wales encourages the development of brownfield sites and underutilised vacant urban sites.

Effect on surrounding properties - There is ample space within the site to provide a private amenity for the occupants of the proposed dwellings without affecting the amenities of the occupants of surrounding properties. There is adequate space within the site to provide car parking and turning facilities within the site.

The neighbouring properties known as Tan Alltran and Soolaimon are set further back in the site than the building line of the proposed dwellings and therefore it is not considered that the development will have a detrimental impact on the amenities currently enjoyed by the occupants of the dwellings to such a degree as to warrant the refusal of the application.

The parking facilities will be provided to the rear of the site. The proposal involves the erection of two three number terraced units and the vehicular access to the rear of the site will be located between both terraces. There are no windows proposed in the gables of the proposed units. Due to the former use of the site and due to the above it is not considered that the development will harm the amenities

Effect on Listed Pillbox – The grade II, World War II listed Pillbox is situated on a higher level than the proposed dwellings and due to the difference in levels it is not considered that the proposal will harm the setting of the grade II structure.

In order to protect the amenities of the neighbouring properties, the surrounding area and to protect the setting of the listed Pillbox a condition will be imposed on the permission to remove the permitted development rights of the dwelling.

Highway Safety – The proposal involves the construction of a vehicular access to the centre of the site. The Highway Authority have been consulted and have raised no objection to the proposal subject to the inclusion of standard highway conditions.

7. Conclusion

The site lies within a residential area and complies with current local and national policies. The proposal will not harm the amenities of the occupants of the neighboring properties, or affect the setting of the grade II listed World War II listed Pillbox and the scheme will not have a detrimental impact on highway safety.

8. Recommendation

To **permit** the development subject to conditions.

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

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

(02) The provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order re-voking or re-enacting that Order) are hereby excluded.

Reason: In the interests of residential and visual amenity and safeguard the setting of the grade II listed pillbox.

(03) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans and contained in the form of application and in any other documents accompanying such application, unless conditions of this permission stipulate otherwise.

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

(04) 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: To comply with the requirements of the Highway Authority.

(05) 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 comply with the requirements of the Highway Authority.

(06) 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 comply with the requirements of the Highway Authority.

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

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

(08) No development shall commence until, plans have been submitted and approved by the Planning Authority in consultation with the Highway Authority showing details of the following:

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

(09) The estate road(s) and its access shall be designed and constructed in accordance with 'Residential Road Adoption Specification Requirements' (copies of this document are available free on request from the Local Planning Authority).

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

(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 comply with the requirements of the Highway Authority.

(11) 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.

(12) 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.

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

(13) The developer must provide a management and maintenance plan for the lifetime of the development which shall include the arrangements to secure the operation of the scheme throughout its lifetime.

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

(14) 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.

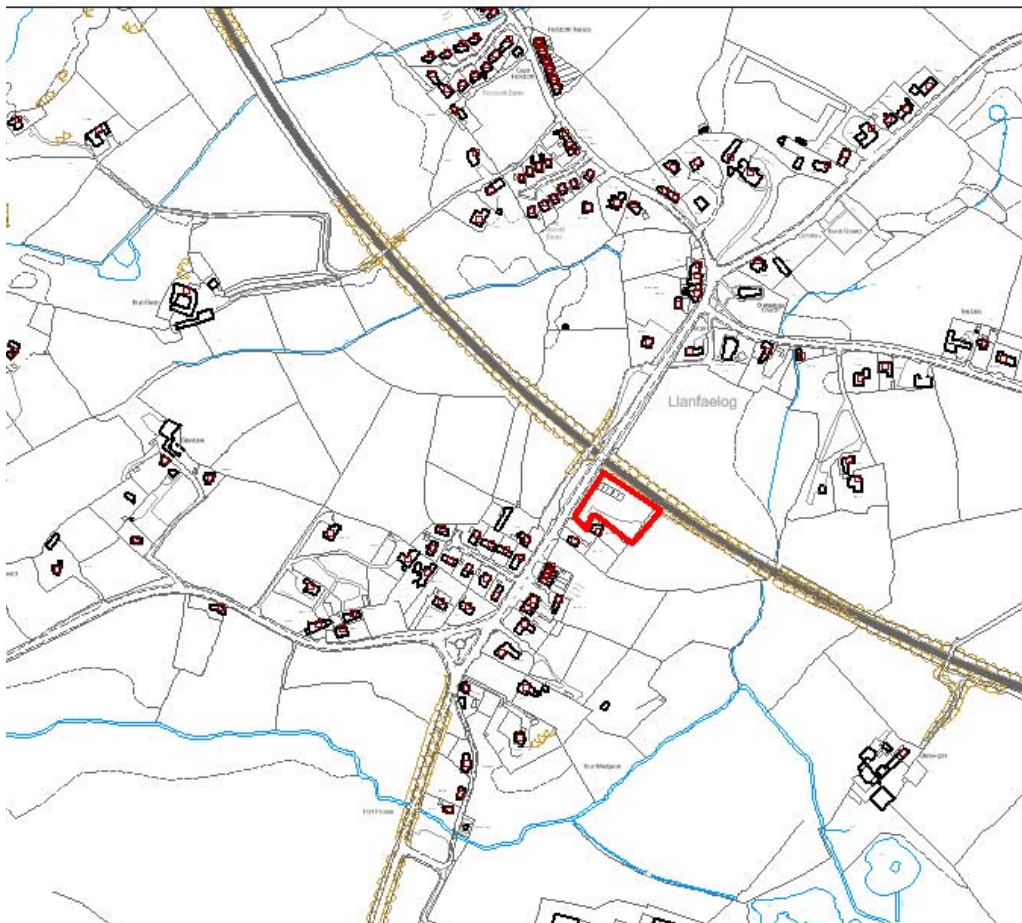
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

Rhif y Cais: **28C116U** Application Number

Ymgeisydd Applicant

Cais dan Adran 73 i ddiwygio cyn-amodau (05), (06), (11), (12), (13), (14), (15) ar penderfyniad apel cyfeirnod rhif APP\6805\A\07\2053627 er mwyn ganiatáu eu rhyddhau wedi i gwaith cychwyn ar y safle ynghyd a dileu amod (16) yn / Application under Section 73 to vary pre-conditions (05), (06), (11), (12), (13), (14), (15) on appeal decision reference no. APP\6805\A\07\2053627 so as to allow for their discharge following commencement of works on site together with the deletion of condition (16) at

Ganolfan Arddio Maelog / Maelog Garden Centre, Llanfaelog



Planning Committee: 03/02/2016

Report of Head of Planning Service (JBR)

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the Local Member – Councillor Richard Dew

1. Proposal and Site

The application is seeking approval for the variation of a number of pre-commencement conditions and the deletion of the affordable housing condition imposed upon appeal decision reference APP/L6805/A/07/2053627 for the development of 9 dwellings at the former Maelog Garden Centre,

The application site is located immediately adjacent to the railway line in the village of Llanfaelog.

2. Key Issue(s)

The key issues are whether or not the proposed variation of conditions would have a material effect upon the development approved and whether or not sufficient justification has been demonstrated for the deletion of the affordable housing condition.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 26 – Car Parking

Policy 31 – Landscape

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 50 – Listed Settlements

Gwynedd Structure Plan

Policy A2 – Housing Land

Policy A3 – New Housing Development

Policy D3 – Landscape Conservation Areas

Policy D4 – Location, Siting and Design

Policy D29 - Design

Policy FF12 – Parking

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy TR10 – Parking Standards

Policy EN1 – Landscape Character

Policy HP4 – Villages

Policy SG4 – Foul Sewage Disposal

Policy SG6 – Surface Water Run-Off

4. Response to Consultation and Publicity

Councillor Richard Dew – Request that the application be referred to the Planning Committee for determination.

Councillor Gwilym O Jones - No response at time of writing report.

Highways – No response at time of writing report.

Drainage – No objection to variation of conditions, provided that the stated requirements of these conditions being included in any subsequent permission.

Welsh Water - No objection to variation of conditions, provided that the stated requirements of these conditions being included in any subsequent permission.

Community Council – that the existing conditions be retained.

Environmental Health – No observations.

Housing – No objection to the deletion of condition 16 – affordable housing.

Response to publicity.

One anonymous letter received, the main points raised are summarised below:

- If a planning application was submitted and restrictions placed upon by the Council, why then, can they then be taken off?

These restrictions were put in place because an inspector of high authority decided conditions needed to be put in place and planning was only granted if these conditions were followed and implemented.

It was important that the parking, access and drainage of water off site, that the development was in keeping with the village of Llanfaelog and that the development was affordable housing. All these conditions are to be varied? This is not what was agreed upon.

- Why is the council now considering overriding this decision, many local people are against this development for many reasons and many came to the meeting with the inspector.

The issues raised above are addressed in section 6 of this report.

5. Relevant Planning History

28C116K – Outline application for residential development at Maelog Garden Centre, Llanfaelog.
Refused – 10.05.07
Appeal Allowed – 21.01.08

28C116P/DA – Detailed application for the erection of 9 dwellings together with alterations to the existing vehicular access and construction of a new pedestrian access on land at former Maelog Garden Centre, Llanfaelog.
Granted – 18.08.09

28C116V - Application under Section 73 for the variation of condition (1) so as to provide the car parking accommodation in phases and variation of condition (2) so as to allow for the completion of the access prior to the occupation of the last dwelling on the site on application 28C116P\DA at former Maelog Garden Centre – Llanfaelog
Granted – 16.11.15

6. Main Planning Considerations

Planning permission was granted on appeal to the Planning Inspectorate on the 21st January 2008 for outline planning permission for residential development of the former Maelog Garden Centre site under planning reference 28C116K and appeal reference APP/L6805/A/07/2053627 subject to a number of pre-commencement conditions.

Approval of the reserved matters was subsequently granted on the 18th August 2009 under reference 28C116P/DA.

The development of the site was commenced in April 2010 in breach of a number of pre-commencement conditions on both the outline and reserved matters permissions.

A separate application for variation of conditions of the reserved matters approval has been dealt with and determined on the 16th November 2015 under reference 28C116V

The extent of the development carried out to date comprises the shell of the terraced dwellings on plots 1 – 3 including the installation of the roof trusses.

It was brought to the Council's attention that the development had commenced in breach of conditions of the appeal decision in January 2011, works were ceased shortly thereafter at the request of the Local Planning Authority.

Since that time there has been ongoing dialogue with the developers in an effort to resolve matters.

The application approved on appeal in 2008 was subject to several conditions, a number of which required the submission of information for the Local Planning Authority's written approval prior to the commencement of works.

Where works are commenced without first having any pre-commencement conditions discharged they represent a breach of conditions and which cannot then be discharged retrospectively.

This application is therefore requesting that the requirements of the relevant conditions be varied so as to enable the required information to be submitted following the commencement of works so as to allow for the development to be re-commenced and subsequently completed.

In addition the application seeks to have the affordable housing condition deleted.

The site has remained in its current partially developed condition for a number of years and the Local Planning Authority are keen to resolve any outstanding issues in an effort to bring about an end to this undesirable situation.

The development is currently in breach of conditions 05, 06, 11,12, 13, 14, 15 and 16 of appeal decision reference APP/L6805/A/07/2053627 which are listed below:

5) No development shall take place until samples of the roofing materials to be used in the development hereby approved have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

6) No development shall take place until trade descriptions of the materials to be used on the external surfaces of the development hereby approved have been submitted to and approved in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

11) The estate road shall be kerbed and the carriageway and footways surfaced and lit before the last dwelling is occupied or within 2 years of the commencement of the development whichever is the sooner.

12) 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 to and approved in writing with the local planning authority.

13) Construction work shall not be begun until a scheme for protecting the dwellings from noise has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied.

14) No development shall commence until a scheme for the drainage of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied. The scheme to be submitted shall show foul drainage being connected to the public sewerage system.

15) Prior to the submission of the details required by Condition 14 above, an assessment shall be carried out into the potential for disposing of surface water by means of sustainable drainage systems (SuDS) in accordance with the principles set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment provided to the local planning authority. If the assessment demonstrates that there is potential for disposing of surface water by means of SuDS, the details submitted pursuant to Condition 14 above shall incorporate such provision. Where a SuDS scheme is to be implemented, the submitted details shall:

- i) Provide information about the design storm period and intensity, the method employed to delay and control surface water discharged from the site and the measures to be taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and
- iii) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or other arrangements to secure the operation of the scheme throughout its lifetime.

16) The development shall not begin until details of the arrangements for the provision of 30% of the dwellings on the site as affordable housing have been submitted to and approved in writing with the local planning authority. The affordable housing shall be provided in accordance with the approved details. Such details shall include:

- iv) The type and location on the site of the affordable housing provision to be made;
- v) the timing of the construction of the affordable housing
- vi) The arrangement to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
- vii) The occupancy criteria to be used in determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy criteria shall be

enforced.

With the exception of the deletion of the affordable housing condition, which will be dealt with separately later in the report, as can be noted from the above, the breached conditions relate to finishing materials, estate road, access, noise, and drainage and an agreement to the variation of these conditions will not remove the need for the information required by the conditions to be submitted for the local planning authorities written approval but will merely enable the information to be submitted following the commencement of the development which will in turn enable the development to thereafter be completed.

The Local Planning Authority therefore considers that the variations of the above conditions are reasonable and acceptable. Furthermore it is considered to be the most sensible and logical way forward since the development may not lawfully or legitimately proceed as things stand and if matters are not resolved may lead to the site remaining in its current state indefinitely.

The developer's agent in the application form has requested that the conditions be varied so as to allow a period of 12 months for the submission of the relevant information.

The Local Planning Authority considers this to be excessive, particularly as the developers have expressed their desire to complete the development sooner rather than later.

Furthermore the variations required to the conditions will vary depending on the requirements of the individual conditions, whilst it may be appropriate and reasonable to require information such as finishing materials to be submitted within a set timescale, information regarding drainage on the other hand should be provided prior to any further works being undertaken on the development in order to ensure that the drainage arrangements are satisfactory.

The application is also seeking the deletion of condition 16 of the appeal decision relating to the provision of 30% affordable housing on the site.

To enable the local planning authority to support the deletion of the condition, it must be demonstrated that the development with the requirement to provide 30% affordable housing is not viable. Since works were halted there have been intermittent discussions between the developers and the Council on the affordable housing position and a Viability Appraisal has been submitted as part of the application.

The Affordable Housing Advisor has been consulted as part of the application and has provided an assessment of the Viability Appraisal.

Condition 16 of the appeal decision required that 30% of the dwellings approved be affordable, equating to 3 of the 9 dwellings.

The Council's position on determining planning appeals on grounds of viability are set out in the document 'Meeting the Need for Affordable Homes' published in 2012. The developer has supplied the information set out and which allows a decision on viability to be made.

Analysis of the figures provided in the Development Viability Appraisal shows a profit margin of 7% whereas acceptable profit return in viability calculations are circa 20%.

This convention has been accepted and supported by colleagues in the Housing Department.

Feedback from Registered Social Landlords (RSLs) who have looked at the site is that the projected

income estimates may be optimistic based upon the location, history and comparative valuations.

The figures provided therefore support the case that the scheme cannot be completed and an acceptable profit made while the requirement to provide affordable housing remains in place.

In addition the background and history of the site provide grounds for supporting variations to the original planning consent which will enable the scheme to be completed. The current state of the site in its partially completed condition has a very negative impact upon the area.

Construction works were halted when the first phase of the development was in progress. The site now consists of a terraced block of 3 houses. The block shell has been constructed to roof level with the roof trusses fitted. The block is closely located to the main Rhosneigr to Aberffraw road and has been left in this partially constructed state for over 4 years. The gable wall collapsed in strong winds and has had to be rebuilt to maintain the structural integrity of the block.

There have been intermittent discussions with the Council on the affordable housing position and to help the developer resolve the issues on the site. Attempts were made to involve local RSL's, however, this proved impossible following a site survey. This concluded that the weather exposure had severely affected the roof trusses and the cavity wall insulation and that correcting these issues would be cost prohibitive.

On the basis of the above it is therefore considered that sufficient justification has been provided to demonstrate that the development is unviable and that it may therefore be highly unlikely that the developer would proceed with the development if the requirement for 30% affordable housing remains in place.

In reaching the above decision, regard has been had to the fact that a significant contribution to the affordable housing needs of the area will be met by the completion in the next few months of 12 social rented homes in nearby Ty Croes. It is considered that this development will mitigate the absence of affordable homes at the Maelog Garden Centre site.

7. Conclusion

Having regard to all material facts and planning considerations it is considered that the variation of conditions 5, 6, 11, 12, 13, 14 and 15 and the deletion of condition 16 of appeal decision reference APP/L6805/A/07/2053627 is reasonable and acceptable.

8. Recommendation

To **permit** the application for the reasons below:

(01) Within 3 months of the date of this permission samples of the roofing materials to be used in the development hereby approved shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development

(02) Within 3 months of the date of this permission samples or trade descriptions of the materials to be used on the external surfaces of the development hereby approved shall be submitted to and approved in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development

(03) 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 their installation.

Reason: In the interests of visual amenity.

(04) The access shall be completed with a bitumen bound surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 metres back from the nearside edge of the A4080 before any dwelling is occupied.

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

(05) The access shall be constructed so that the gradient of the first 5 metres back from the nearside edge of the A4080 does not exceed 1 in 20.

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

(06) The estate road shall be kerbed and the carriageway and footways surfaced and lit before the last dwelling is occupied.

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

(07) Within 6 months of the date of this permission details of the measures to secure the future maintenance of the access and estate roads in accordance with details previously submitted to and approved in writing with the local planning authority.

Reason: For the avoidance of doubt.

(08) Within 3 months of the date of this permission a scheme for protecting the dwellings from noise shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied.

Reason: In the interests of residential amenity

(09) No further development shall take place until a scheme for the drainage of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied. The scheme to be submitted shall show foul drainage being connected to the public sewerage system.

Reason: To ensure that the development is adequately drained.

(10) Prior to the submission of the details required by Condition (09) above, an assessment shall be carried out into the potential for disposing of surface water by means of sustainable drainage systems (SuDS) in accordance with the principles set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment provided to the local planning authority. If the assessment demonstrates that there is potential for disposing of surface water by means of SuDS, the details submitted pursuant to Condition (09) above shall incorporate such provision. Where a SuDS scheme is to be implemented, the submitted details shall:

i) Provide information about the design storm period and intensity, the method employed to delay and control surface water discharged from the site and the measures to be taken to

prevent pollution of the receiving groundwater and/or surface waters;
ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and
iii) Provided a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure that the development is adequately drained.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the decision, 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 8)

TAN 9: Enforcement of Planning Control

SPG: Design Guide for the Urban and Rural Environment