

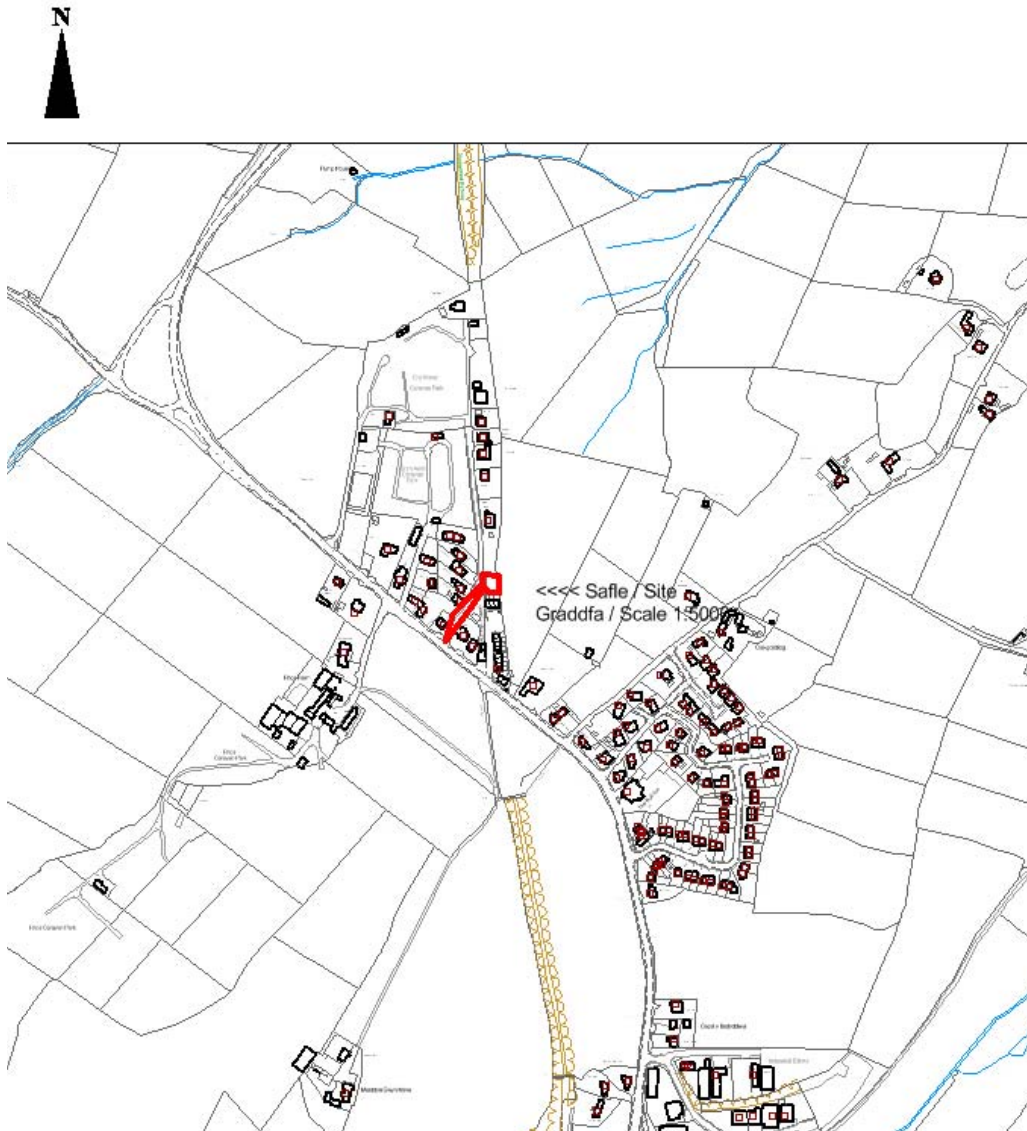
Rhif y Cais: 42C237D/VAR Application Number

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, Clai Mawr / Helens Crescent, Pentraeth



**Planning Committee: 03/02/2016**

**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** - Comments

**Highways** - Comments

**Drainage** – No Objection

**Dwr Cymru** - Comments

**Natural Resources Wales** - Comments

### **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 was the 14/1/16. At the time of writing the report 2 letters of objection had been received.

The main reasons for objecting as follows:-

- The application should not be approved until satisfactory completion of the road and groundworks at Y Bont/The Sidings has been satisfactorily completed.
- Loss of views
- Capability of completing the development in a timely and tidy fashion
- Noise, dust and disruption
- Loss of light

In response to the objections raised:-

- The application at 'Y Bont/The Sidings' is a different application that can't be taken into consideration
- Loss of view is not a planning consideration
- This is not a planning consideration.
- It is acknowledged that noise, dust and some disruption is an integral consequence of any development, however impacts will be shortlived and it is not reasonable to refuse the application on this basis
- It is not considered that this single storey cottage will cause any loss of light to neighbouring properties

### **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.

2 letters of objection has been received after the Planning Committee had taken place in January, therefore the application is presented back to the committee to consider the objection received. The comments have been taken into account but do not alter the recommendation.

## **8. Recommendation Permit**

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 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 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.

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.