

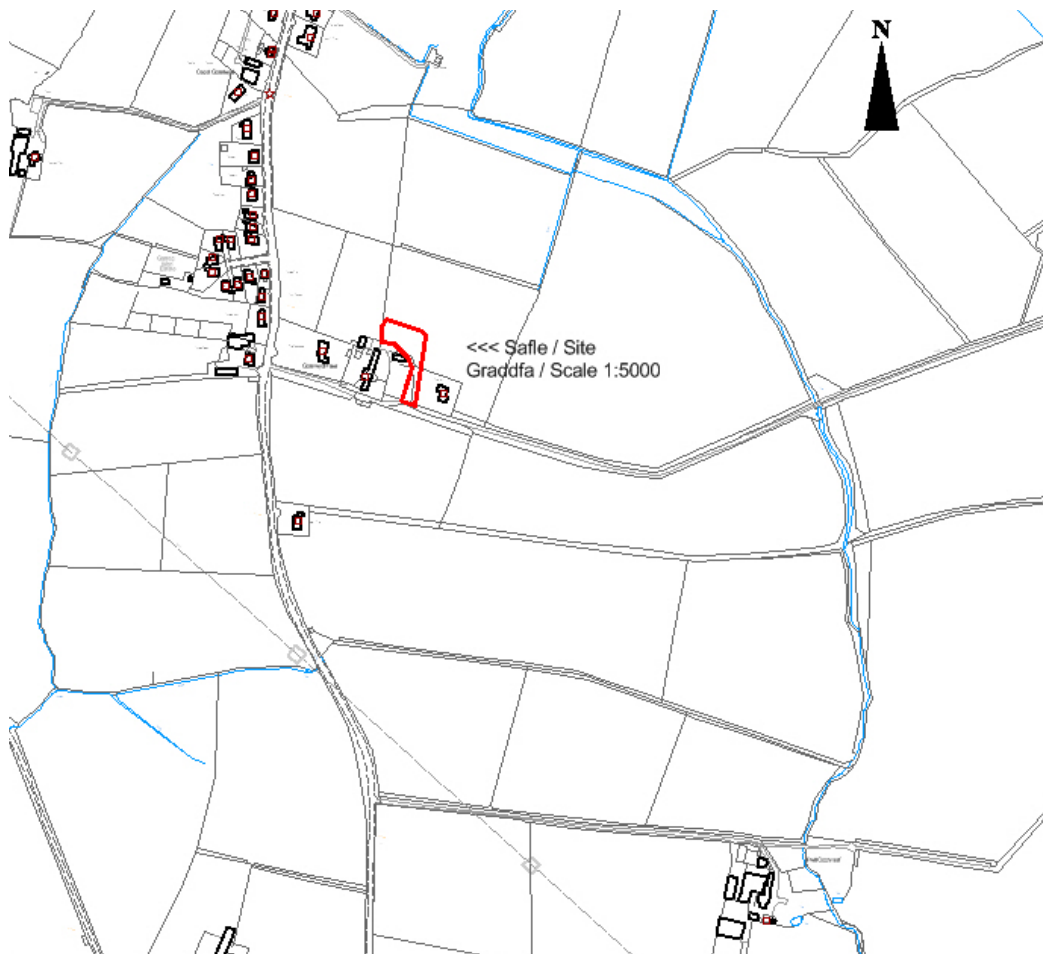
Rhif y Cais: **44C320** Application Number

Ymgeisydd Applicant

Mr & Mrs Rhys Gough

Cais amlinellol ar gyfer codi annedd gyda'r holl materion wedi'u gadw'n ôl ar dir ger / Outline application for the erection of a dwelling with all matters reserved on land near

Gorslwyd Fawr, Rhosybol



Planning Committee: 06/04/2016

Report of Head of Planning Service (GJ)

Recommendation:

Refuse

Reason for Reporting to Committee:

At the request of the local member.

At its meeting held on the 2nd March, 2016 the Committee resolved to defer the application at the request of the applicant, in order to give them further time to address issues raised by committee members. The applicant has now confirmed that the reason for deferring was in order to fully investigate the issues raised by the planning department and members of the committee in regards to connection to existing public sewers, before proceeding.

They have confirmed that the finding of the investigation is that connection to the existing public sewers is not a feasible option. The position of the proposed dwelling is not immediately adjacent to an area served by a public sewer system and access/easement would be required through two separate properties and ownerships to facilitate a connection to the public sewer system. Furthermore the point of connection has been fully reviewed, and due to differences in levels, a gravity connection to the public sewer system is not feasible. The invert level is too high therefore a fall cannot be achieved.

The additional information received by the applicant does not change the recommendation put forward.

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

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

Paragraph 4.6.12.2 requires that;

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

This report will therefore give consideration to these matters;

The proposal does not form a logical extension to the village: Having established that Policy 50 carries significant weight it is relevant to consider further criteria 1 of the policy that states:

“The proposal is clearly within, or forms a reasonable minor extension to the existing developed part of the settlement, and would not constitute an undesirable intrusion into the landscape or harm the character and amenities of the locality”.

Again a judgement is required in reaching this assessment, and it is helpful to break down the factors that need to be taken into account, as follows;

Is it clearly within, or does it form a reasonable minor extension to the existing developed part of the settlement? It is considered that the development would abut beyond a reasonable extension to the village and would have a detrimental impact on the landscape. The development will not fit in comfortably with the existing development pattern of the village.

It is considered therefore that in weighing these factors that the site cannot be described as being an acceptable minor extension to the developed part of the settlement.

Allowing the proposal would set a precedent for further future development: Welsh Government guidance as set out in Planning Policy Wales places a duty on decision makers to consider each case on its planning merits based upon the facts of the particular case.

Whilst it is not possible therefore to presume that the approval of the application will mean that other similar applications in the locality will inevitably have to be approved it would be fair to say that the existence of a dwelling on the site would become a material consideration to be weighed in the overall balance.

Notwithstanding this, should any future application for a dwelling be received in the locality it would be subjected to the tests applied above and ultimately determined in its planning merits and upon the facts of the particular case existing at that time.

1. Conclusion

It is accepted that the reasons put forward are capable of being genuine and material planning reasons. However in considering the facts of this particular case officers have the following concerns;

The proposal forms a logical extension to the village: The analysis carried out above suggests that the site will be identifiable as an isolated feature in the landscape and will not form an integral part of the existing developed part of the village.

2. Recommendation

Refusal

(01) The proposal in this form would prejudice the implementation of Policy 50 of the Ynys Môn Local Plan by creating a set of circumstances which make it difficult to resist further development on this field which could purport to be a logical extension of the settlement

(02) The local planning authority considers that the proposal would be harmful to the character and appearance of the area bringing about the unacceptable erosion of an attractive rural field in this Special Landscape Area and would therefore be contrary to Policy A2, A3 and D4 of the Gwynedd Structure Plan, Policies 1, 31, 42, 48 and 50 of the Ynys Môn Local Plan, Policies GP1, GP2, EN1 and HP5 of the Stopped Unitary Development Plan and the provisions of Planning Policy Wales (Edition 8, January 2016).

Planning Committee: 06/04/2016

Report of Head of Planning Service (NJ)

Recommendation:

Withdrawn

Reason for Reporting to Committee:

The application is made by the Council on Council owned land. Both Councillor Ann Griffith and Councillor Peter Rogers have indicated a wish to call in the application for a Committee determination.

At its meeting held on 2nd September 2015 the Members resolved to undertake a site visit prior to determining the application. The site was visited on 16th September.

At its meeting held on 7th October 2015 the Members resolved to defer the application in order to allow the applicant time to consider alternative proposals for the site which could include retaining the public car park and toilet facilities.

At the December Committee the applicant provided additional information in support of the application providing background information in relation to the Council's decision to dispose of the site (which is not a planning matter) and also explaining that the public conveniences on the site have been closed since April 2011 and are currently attracting anti-social behaviour – a Community Toilet Grant scheme is available to local business which open their facilities for public use; it furthermore explains that the existing public car park has 11 spaces in total whilst the scheme as proposed in the outline application would provide 28 parking spaces available for public use.

At its meeting held on 2nd December 2015 the Members resolved to defer determining the application in order to request the applicant to remove the car park and public toilet areas from the application site as proposed. At the time of writing the applicants were considering their position.

At its meeting held on 3rd February the members requested that the application be removed from the agenda until such time as a response was received from the applicant.

The applicant has now confirmed that the application is withdrawn.