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Gweddill y Ceisiadau

Remainder Applications

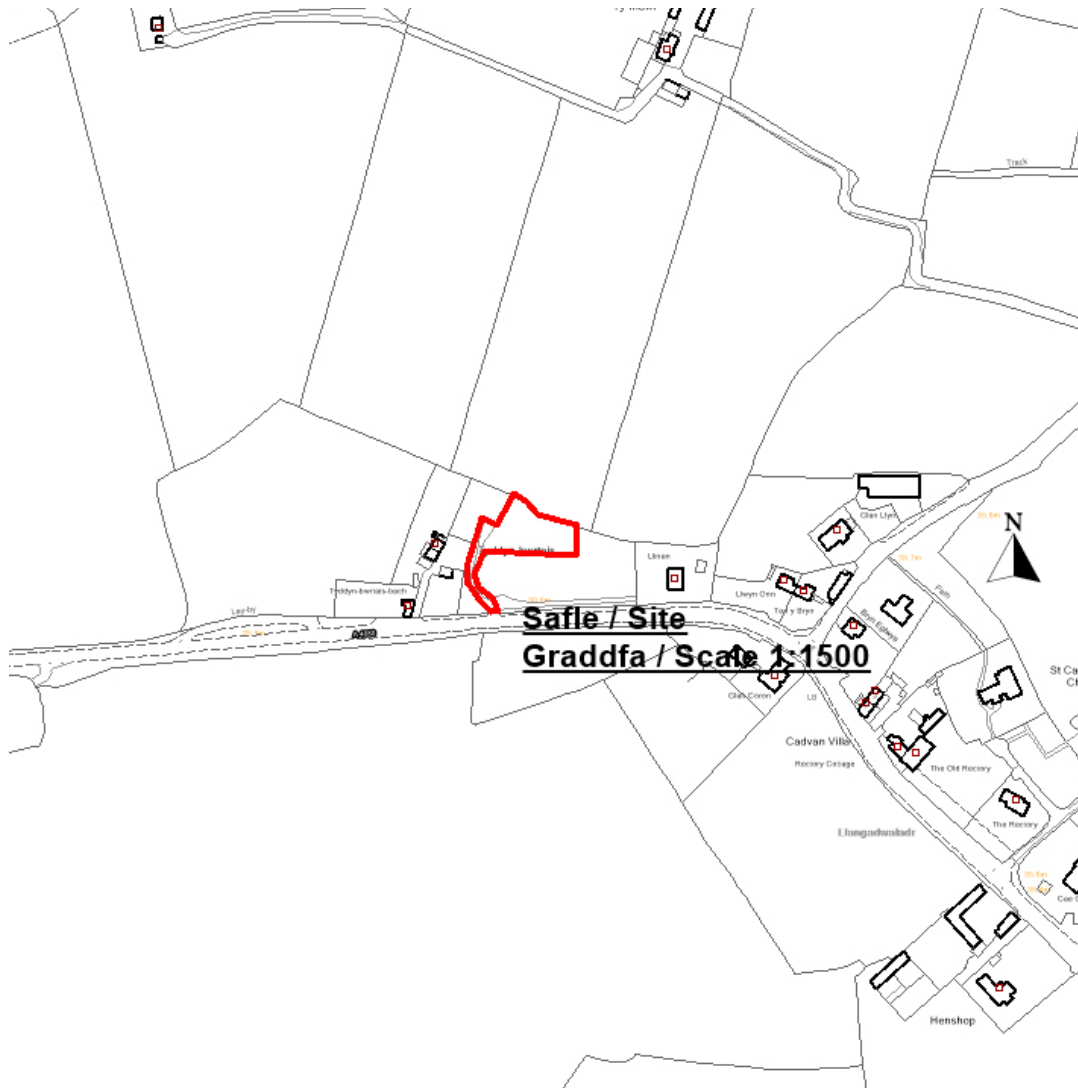
Rhif y Cais: 15C215C Application Number

Ymgeisydd Applicant

Mr Alvan Jones

Cais llawn i godi annedd ynghyd a gosod tanc septic ar dir ger / Full application for the erection of a dwelling together with the installation of a septic tank on land adjacent to

Tyddyn Bwrtais, Llangadwaladr



Planning Committee: 02/11/2016

Report of Head of Regulation and Economic Development Service (SCR)

Recommendation:

Refuse

Reason for Reporting to Committee:

At the request of the Local Member.

At its meeting held on the 5th October, 2016 the Members resolved to undertake a site visit prior to determining the application. The site was visited on the 18th October, 2016 and the Members will now be familiar with the site and its setting.

1. Proposal and Site

The proposal is a full application for the erection of a large detached 4/5 bedroom dwelling together with the installation of a septic tank. The existing access which serves Llinan is to serve the new dwelling.

The site is located on land adjoining the two storey cottage known as Tyddyn Bwrtais. The site is situated in the corner of an open field which lies between the properties known as Llinan and Tyddyn Bwrtais. The dwelling, known as Llinan, lies in the opposite corner of the field and was approved by the Planning and Orders Committee contrary to Officer Recommendation in 2006. Llinan is owned by the current applicants' brother and the applicants mother lives in the dwelling known as Tyddyn Bwrtais.

2. Key Issue(s)

The applications main issues are whether the proposal complies with current local and national policies and whether the proposal will have an adverse effect on the surrounding area which is designated as an Area of Outstanding Natural Beauty.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 30 - AONB

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 50 – Listed Settlement

Policy 53 – Housing in the Countryside

Gwynedd Structure Plan

Policy A6 – New dwellings in the open countryside

Policy D1 - Environment

Policy D4 – Location, Siting and Design

Policy D29 – Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance
Policy GP2 – Design
Policy EN2 - AONB
Policy HP4 – Villages

Planning Policy Wales, 2016, 8th Edition

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

Technical Advice Note 12 – Design

4. Response to Consultation and Publicity

Community Council – No response to date

Local Member, Cllr A Griffith – Call-in

Local Member, Cllr P Rogers – No response to date

Highways Authority – Dim ymateb hyd yma

Drainage Section – Drainage details acceptable

Welsh Water – Standard comments

Response from members of the public

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 latest date for the receipt of representations was the 23rd September; 2016 and at the time of writing this report no letters of representation had been received at the department.

5. Relevant Planning History

15C215 – Full application for the erection of a dwelling together with the installation of a septic tank on land adjacent to Tyddyn Bwrtais, Llangadwaladr – Refused 14/09/2015

15C215A/SCR – Screening opinion for the erection of a dwelling together with the installation of a septic tank on land adjacent to Tyddyn Bwrtais, Llangadwaladr – EIA not required 28/04/2015

15C215B/SCR - Screening opinion for the erection of a dwelling together with the installation of a septic tank on land adjacent to Tyddyn Bwrtais, Llangadwaladr – EIA not required 05/09/2016

Site History of adjoining land

15C144 – Outline application for the erection of a dwelling together with alterations to an existing vehicular access and installation of a new septic tank on land at Tyddyn Bwrtais, Llangadwaladr – Refused 08/09/05

15C144A – Outline application for the erection of a dwelling together with alterations to an existing vehicular access and installation of a new septic tank on Tyddyn Bwrtais, Llangadwaladr – Approved 04/05/06 (Contrary to Officer Recommendation)

15C144B/DA - Detailed application for the erection of a dwelling and garage together with the installation of a new septic tank on land at Tyddyn Bwrtais, Llangadwaladr – Approved 29/08/06

15C35: Erection of a dwelling on part of OS 1328 Llangadwaladr : Withdrawn 03/02/89

15C35A: Outline planning application for the erection of 1 dwelling together with the construction of a new vehicular access at OS 1328 Llangadwaladr : Refused 05/07/04

15C35B: Outline planning application for the erection of 1 dwelling together with the construction of a new vehicular access at OS 1328 Llangadwaladr : Refused 08/09/05

15C35C: Outline application for the erection of a dwelling together with the installation of a new septic tank on part of OS 1328 near Glan Coron, Llangadwaladr: Refused 08/09/06

15C35D: Outline application for the erection of a dwelling together with the installation of a new septic tank on part of OS 1328, Llangadwaladr – Refused 08/03/07

15C35E: Outline application for the erection of a dwelling, construction of a vehicular access together with the installation of a septic tank on land adjacent to Tyddyn Bwrtais, Llangadwaladr – Refused 09/01/12

6. Main Planning Considerations

The site is located on the edge of the hamlet of Llangadwaladr which is included as a Listed Settlement under Policy 50 of the Ynys Mon Local Plan and as a Hamlet and Cluster under Policy HP5 of the stopped Unitary Development Plan.

The proposed dwelling lies more than 50 metres away from the boundary of the adjoining property known as Llinan, (71 metre distance between the corner of the proposed dwelling and the front of Llinan).

Policy 50 of the Ynys Mon Local Plan includes Llangadwaladr as a Listed Settlement and states that single plots will be allowed within or on the edge of such settlements provided that they would not constitute an undesirable intrusion into the landscape or harm the character and amenities of the locality. Policy HP5 of the stopped Unitary Development Plan states that single dwellings will be permitted on 'infill' sites or other acceptable sites which are immediately adjacent to the developed part of the settlement and provided that they would not cause undue harm to the character of the group or any harmful visual intrusion into the surrounding landscape. Due to the distances between the proposed dwelling and the developed part of the hamlet the proposal is not considered as an acceptable 'infill' application. The erection of a dwelling on this site may result in the further residential development of the field which would have a detrimental impact on the locality.

The site is located outside the indicative frame of the hamlet under Policy HP5 of the stopped Unitary Development Plan and must therefore be considered as a countryside location. Policy A6 of the Gwynedd Structure Plan, Policy 53 of the Local Plan and Policy HP6 of the stopped Unitary Development Plan allow residential development in the countryside only when there is a justifiable need for the dwelling to serve the functional requirements of an agricultural or forestry holding. The application is not submitted for an agricultural dwelling and there is no justification for departing from approved policies in this particular case.

The edge of the settlement is considered to be the dwelling known as Llwyn Onn which lies within the

developed part of the settlement. The property known as Llinan lies 71 metres away from the proposed dwelling and Llinan lies 51 metres away from Llwyn Onn. Therefore due to these distance the proposal is not considered as an acceptable infill site or an acceptable extension to the village and the proposal is therefore contrary to current policies.

Affect on surrounding area - The application site is located within an Area of Outstanding Natural Beauty (AONB). It is a statutory designation that recognises its importance in landscape quality and nature conservation terms.

The primary objective for an AONB designation is the conservation and enhancement of their natural beauty. Local authorities have a statutory duty to have regard to AONB purposes and development control decisions affecting AONB's should in the first instance favour conservation of natural beauty.

The site is located on land next to Tyddyn Bwrtais, however Tyddyn Bwrtais does not lie within the developed part of the settlement. The developed part of the settlement lies to the east of the application site. The proposed dwelling is situated more than 130 metres away from the developed part of the settlement (Llwyn Onn). The application site is visually quite distinct from the developed part of the settlement due to the distances which separate the application site and developed part of the settlement.

The physical and visual separation of the plot from the hamlet would not in my opinion, conserve or enhance the natural beauty of the AONB but would constitute an undesirable intrusion into the landscape contrary to housing, landscape and general development control policies.

7. Conclusion

The plot is visually separate from the hamlet and would constitute an undesirable intrusion into the designated landscape, eroding the character and natural beauty of the Area of Outstanding Natural Beauty contrary to national and local planning policy and advice. The residential development of this parcel of land would make it difficult to refuse any further residential developments on the field thus having further detrimental impact on the surrounding area. The site is located outside the indicative frame of the hamlet under Policy HP5 of the stopped Unitary Development Plan and there is no agricultural justification for a dwelling on the site.

The development of the site is unacceptable in visual terms and it is not therefore appropriate for it to be considered as an exception site for affordable housing. The property known as Llinan was approved by the Planning and Orders Committee contrary to officer recommendation in 2006 and the cumulative impact of allowing these developments will have a seriously damaging effect on the character and natural beauty of the Area of Outstanding Natural Beauty and of the hamlet of Llangadwaladr itself.

Having considered the above and all other material considerations my recommendation is one of refusal as the residential development of the site conflicts with current policies.

8. Recommendation

Refuse

(01) The plot is separate from the hamlet of Llangadwaladr and the development of a dwelling in this location would constitute an undesirable intrusion into the landscape, which is designated an Area of Outstanding Natural Beauty, contrary to Policies A3, D1 and D29 of the Gwynedd Structure Plan, Policies 1, 30, 42, 48 and 50 of the Ynys Mon Local Plan and Policies GP1, GP2, EN2 and HP5 of

the Stopped Unitary Development Plan, together with the advice contained within Planning Policy Wales (8th Edition).

(02) The local planning authority consider that the proposal would amount to the erection of a new dwelling in the countryside for which no long term need is known to exist for the purposes of agriculture or forestry; the development would therefore be contrary to the approved Policy A6 of the Gwynedd Structure Plan, Policy 53 of the Ynys Mon Local Plan and advice contained within Planning Policy Wales (8th Edition).

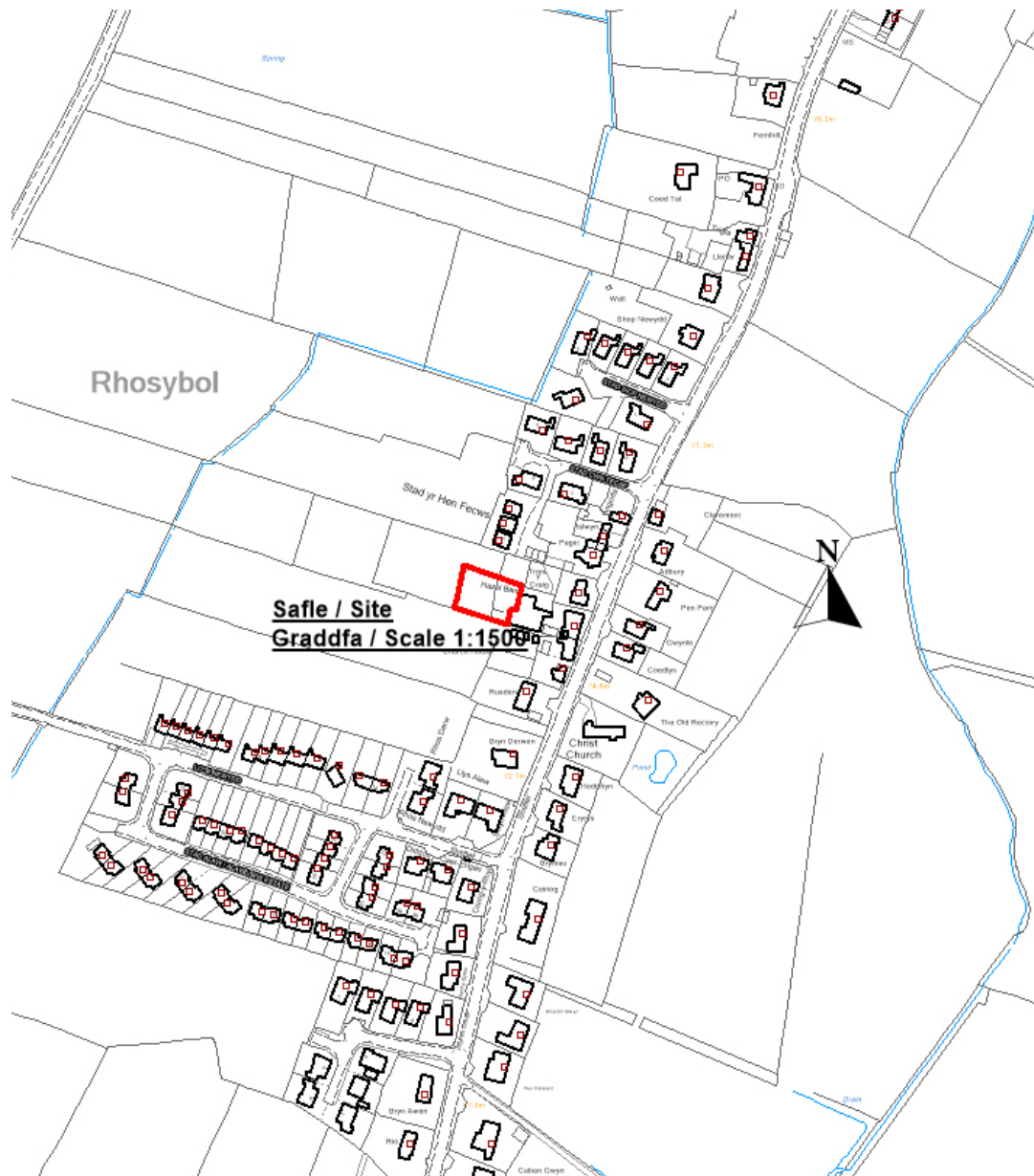
Rhif y Cais: **44C102A** Application Number

Ymgeisydd Applicant

Ms Roma Rerrie

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

Hazelbank, Rhosybol



Planning Committee: 02/11/2016

Report of Head of Regulation and Economic Development Service (GJ)

Recommendation:

Refuse

Reason for Reporting to Committee:

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

At its meeting held on 7th September 2016 committee members recommended that a site visit should take place. The site visit took place on the 21st September and the members are now aware of the site and its settings.

At its meeting held on the 5th October, 2016 the application was deferred in order to give the applicant an opportunity to serve notice on the neighbouring property. The required notice has now been served on the neighbour.

1. Proposal and Site

The application is a full application for the erection of a dwelling with all matters reserved on land to the rear of Hazelbank, Rhosybol.

2. Key Issue(s)

The key issue is whether the proposed scheme is acceptable and complies with policy.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 31 – Landscape

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 50 – Listed Settlement

Gwynedd Structure Plan

Policy A2 - Housing

Policy A3 - Housing

Policy D4 – Location, Siting and Design

Policy D29 - Design

Stopped Unitary Development Plan

Policy GP1 – General Control Guidance

Policy GP2 – Design

Policy EN1 – Landscape

Policy HP4 – Villages

Planning Policy Wales (8th Edition), January 2016

Technical Advice Note 12 – Design

4. Response to Consultation and Publicity

Local Member Councillor Aled Morris Jones – Call in to the Planning and Orders Committee

Local Member Councillor Richard Owain Jones – No response at the time of writing the report

Local Member Councillor William Hughes – No response received at the time of writing the report

Community Council – No objection.

Highways - Conditional Approval.

Drainage –Comments - detailed designs for the respective drainage systems should be submitted with any full planning application.

Welsh Water – Conditional Approval

Public Consultation – The application was afforded two means of publicity. These were by the placing of a notice near the site and serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was the 10/08/2016. At the time of writing the report two letters giving comments were received. The main comments as follows:-

- Minimal disruption should take place to neighbours
- A 2 metre high fence should be built on the boundary wall once the building has been demolished
- The work should not interfere with existing boundaries

5. Relevant Planning History

44C102 - Erection of a building for car repairs together with the formation of a new vehicular access - 27/06/90 – Withdrawn

6. Main Planning Considerations

Policy - Rhosybol is identified as a Listed Settlement under Policy 50 of the Ynys Mon Local Plan and as a Village under Policy HP4 of the Stopped Unitary Development Plan.

Single plot applications within or on the edge of a settlement are considered acceptable under Policy 50 of the Ynys Mon Local Plan. The plot in question is located to the rear of Gorslwyd Fawr and extends into an open field.

Policy HP4 of the Stopped Unitary Development Plan states that residential development within the village development boundary will be permitted providing that the listed criteria are met. The land in question lies within the village boundary of the Stopped UDP.

Policy A2 of the Gwynedd Structure Plan states that new housing should be located within or on the edge of settlements at a scale which reflects the settlements existing population at a proportion of the total population of the relevant district.

Paragraph 9.3.3 of Planning Policy Wales states that insensitive infilling, or cumulative effects of development or redevelopment, should not be allowed to damage an area's character or amenity

Paragraph 9.3.4 of Planning Policy Wales states that in determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity.

The application site lies to the rear of existing residential properties and access to the site is via an existing track. Whilst encouraging carefully designed higher density development in accessible sites Planning Policy Wales does state that tandem development should be avoided. Policy 1 of the Ynys Môn Local Plan and Policy GP1 of the stopped Unitary Development Plan refers to the need to ensure that development does not cause significant harm to people, general amenity, residential amenity and the environment.

Paragraph 9.2.13 of Planning Policy Wales identifies tandem development as 'development, consisting of one house immediately behind another and sharing the same access, may cause difficulties of access to the house at the back and disturbance and lack of privacy to the house in front, and should be avoided.

The site lies to the rear of Hazelbank, Rhosybol. It is considered that the proposal would result in a dwelling being situated to the rear of existing properties constituting tandem development. The proposal would create additional vehicular and pedestrian traffic along the 2.5m wide driveway which borders Hazelbank and within 2.5m of the adjacent residential property known as Trem y Craig. This would have a negative impact upon the amenity of these properties.

7. Conclusion

The proposal would result in tandem form of development.

8. Recommendation

Refuse

(01) The proposal would result in tandem development which would be out of character with the existing pattern of development thus detrimentally affecting the character and appearance of the locality and the amenities of the existing and proposed occupiers. The proposal is, therefore, contrary to Policy A2, A3, D4, D28 and D29 of the Gwynedd Structure Plan, Policies 1, 42, 48 and 50 of the Ynys Môn Local Plan, Policies GP1, GP2 and HP4 of the stopped Unitary Development Plan and the provisions of Planning Policy Wales (8th Edition).

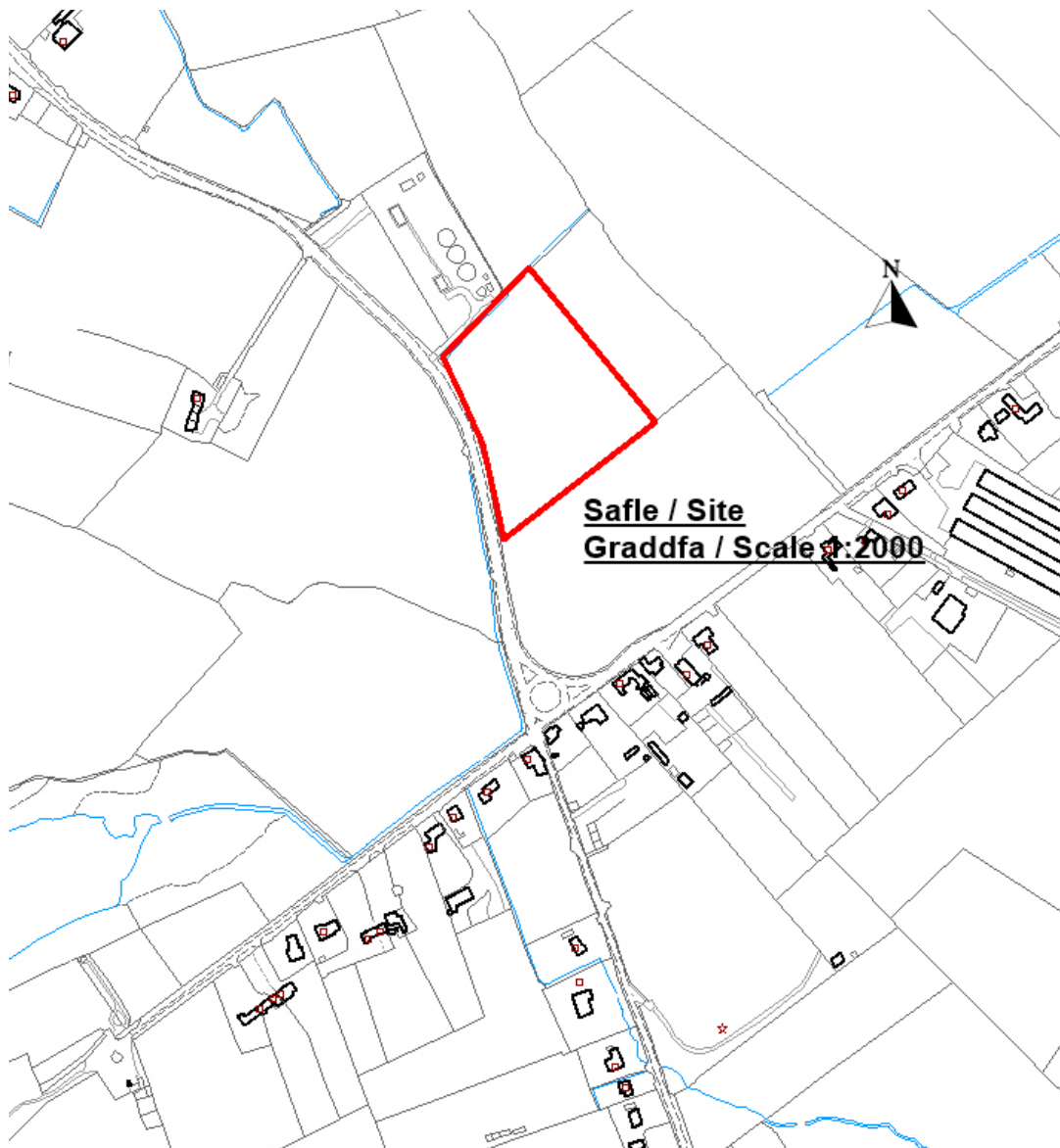
Rhif y Cais: **45C84M/ENF** Application Number

Ymgeisydd Applicant

Kevin and Christine Barrie

Cais ôl-weithredol ar gyfer newid defnydd tir i fod yn gae chwarae ynghyd a creu mynedfa newydd yn / Retrospective application for the change of use of land into a playing field together with the construction of a new access at

Pendref, Penlon, Niwbwrch / Newborough



Planning Committee: 02/11/2016

Report of Head of Planning Service (JBR)

Recommendation:

Permit.

Reason for Reporting to Committee:

The application was first presented to the Planning and Orders Committee on the 5th October 2016 at the request of the Local Member – Councillor Ann Griffith.

At the hearing, members resolved to defer the application in order to afford the applicant an opportunity to address the Committee.

1. Proposal and Site

The application is for retrospective planning permission for the change of use of land into a playing field together with the construction of a new access on land at Pendref, Penlon, Newborough.

The application site comprises part of an agricultural field and is located in the Penlon area of Newborough.

2. Key Issue(s)

The key issues are whether or not the use of land as a playing field together with the construction of a new vehicular access is acceptable in terms of land use, highways and policy considerations.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 14 – Recreation and Community Facilities

Policy 26 – Car Parking

Policy 31 - Landscape

Gwynedd Structure Plan

Policy CH1 – Recreation and Tourist Development

Policy CH10 – Visitor Attractions and Countryside Recreation Facilities

Policy D3 – Landscape Conservation Areas

Policy D4 – Location, Siting and Design

Policy D7 – Agricultural Land

Policy D32 - Landscaping

Policy FF12 – Parking Provision

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy TR10 – Parking Standards

Policy TO11 – Sports and Leisure Facilities

Policy EN1 – Landscape Character

4. Response to Consultation and Publicity

Councillor Peter Rogers – No response at time of writing report.

Councillor Ann Griffith – Request that the application be referred to the Planning and Orders Committee for determination.

Highways – Recommend conditional approval.

Community Council – Objection to the application on the ground that the site is too far from the main housing cluster to be a valuable asset to the community and there are sufficient facilities in the village to meet the needs. There is currently no football team in the village, and the shared use of a local pitch would seem a more logical approach if sufficient need for a league structure can be proven. The provision of 10 car parking spaces does not appear to be sufficient. The location, along the busy A4080 is not conducive to extend pedestrian thoroughfare and is itself grounds for negativity towards the application.

Response to Publicity

A total of 47 letters of objection have been received from 19 individual objectors together with 38 letters of support.

Copies of the objection and support letters are provided in the letters pack.

The main points raised in objection to the application are summarised as follows:

- The change of use of land to a playing field has already taken place without planning permission.
 - The proposed use is inappropriate in this rural location and the application will lead to urbanisation of the hamlet of Penlon.
 - The playing field is not needed or required as there are already sufficient facilities in the village.
 - Concern regarding traffic parking along the busy 60mph road.
 - Inadequate and dangerous access. The proposed new access does not negate the inherent traffic hazard it will create as there a visibility issues and a blind corner on a high speed road.
 - Potential danger to traffic from footballs being kicked onto the highway.
 - The site is located close to the designated Area of Outstanding Natural Beauty, SSSI, NNR and SAC.
 - Concern regarding the potential noise, traffic and general disturbance from its use as a playing field.
-
- The development conflicts with structure plan, development plan and unitary development plan policies.
 - The development will lead to the loss of productive agricultural land.
 - The use of land as a playing field is not in keeping with the surrounding countryside and natural environment and would visually damage the landscape and setting.
 - The land was purchased at auction by the applicants as agricultural land and should remain so.
 - By its nature of being a sports facility, then it will eventually need facilities such as changing rooms, showers etc. to function. This application would therefore appear to be the 'tip of the iceberg'.
 - If allowed it will provide a 'surrogate' car park for the benefit of the Marram Grass Café, thereby obtaining consent 'through the back door'. A planning application for a car park for the Marram Grass Café has already been refused in the neighbouring field.
 - It is understood that there is no local football team in the village and therefore the fully lined,

manicured, goaled and flagged playing field appears to be disproportionate to the latent usage.

- The ground is prone to becoming waterlogged after periods of heavy rain and would be unusable for playing or parking. Any proposed drainage work to remedy could cause flooding elsewhere.
- The site is next to the sewage treatment works with potential implications for water risk, Natural Resources Wales flood planning map is marked with 'issues'.
- The location would join Newborough with the hamlet of Penlon, which is unacceptable as it encroaches on the separation of the two areas.
- How do the applicants and Local Planning Authority plan to discharge their responsibilities under the Safety of Sport Ground Act 1975 and Fire Safety and Safety of Places of Sport Act 1987.

In response to the points raised above:

- It is acknowledged that the change of use of land has already taken place without first having obtained planning permission, however, the fact that the application is made retrospectively is irrelevant in its determination. It is not a criminal offence to carry out development without first obtaining any necessary planning permission. There are provisions within the Planning Act to allow for planning permission to be applied for retrospectively.
- The application is for the change of use of land to a playing field and with the exception of the erection of two goal posts and the formation of a new vehicular access, no other operational development is proposed as part of the application. Further assessment as to the acceptability of the location will be provided in the main body of the report.
- With the exception of the playing field associated with the primary school in the village there is no other such facility in Newborough.
- A plan has been submitted as part of the application showing parking provision within the field; in addition, on the recommendation of the Highways Department, a proposed new access in the Western corner of the field is proposed. The Highways Department have recommended approval of the application subject to conditions.
- The potential for footballs being kicked into the road is acknowledged, however such playing fields are often located adjacent to highways and there are many playing fields in roadside locations across the island, the playing field at the Newborough Primary School being one such example, in addition no concerns have been raised by the Highways Department in respect of this particular issue.
- The application is not located within any environmentally sensitive designated area; it is however acknowledged that there are such areas nearby.
- It is acknowledged that there is likely to be some noise and general disturbance from the site particularly during scheduled football matches, however given that these would likely take place once or twice a week during the football season and be for a relatively short duration each time it is not considered that it is likely to give rise to such a level of noise and disturbance such that refusal of the application on these grounds could be justified.
- Assessment of the application against relevant development plan policies will be provided in the main body of the report.
- The application must be assessed and determined on its own merits and in accordance with relevant development plan policies. To say that the development will lead to the loss of productive agricultural land is not strictly true; the nature of the application is such that it could be easily returned to agricultural use.
- Assessment of the acceptability and visual impacts of the proposed use will be provided in the main body of the report
- No such facilities are proposed as part of the application which would in any event require planning permission. The Local Planning Authority are duty bound to consider the application as submitted and not on the basis of speculation as to what may or may not happen in the future. Notwithstanding this, the Local Planning Authority has expressed concern as regards any further potential development of

the site and planting/landscaping is proposed along the roadside boundary which may mitigate against any further development. This should not however be taken as an acceptance of any such future development, which would need to be assessed on its own merits.

- The application must be assessed and determined on the basis of that submitted and on its own merits in accordance with relevant development plan policies. Development plan policies relating to developments of this kind require there to be adequate on-site parking provision. The Local Planning Authority is aware that an application for a 49 space car park on adjoining land has been refused, this application is however for the change of use of land to a playing field with associated parking, rather than a car park in its own right as was the case in the nearby application. Furthermore, in contrast to the nearby application, there is no proposal to provide any form of hardstanding within the parking area with vehicles simply parking within the field and consequently the reason that the nearby application was refused does not apply to this application.
- The application is for the use of the land as a playing field for the benefit of the whole community and not exclusively for a local football team, that there may not currently be a local football team is not therefore relevant to the determination of the application.
- That the ground is prone to becoming waterlogged during and after periods of heavy rain is not unusual and applies to playing fields across the island and beyond. It is common practice for pitch inspections to take place prior to any scheduled football matches in order to assess whether ground conditions are suitable and safe for play and matches are routinely called off/postponed on health and safety grounds when playing fields are waterlogged. No drainage works are proposed as part of the application.
- The area subject of the application is not in any known or designated flood risk area, in any case it is not considered that its use as a playing field with no proposed hardstandings or other operational development (bar the goal posts proposed new access) would lead to an increase in flood risk in the area. That the site is located adjacent to the sewage works is acknowledged and objectors have made reference to an incident at the sewage works several years ago which lead to flooding and contamination of the field and that the field is marked with 'issues'. Following enquiries with Welsh Water, they have confirmed that they are not aware of any flooding or pollution incidents on their records. The reference to 'issues' relates to areas where water emerges (issues) from the land from underground sources and is not a reference to issues or problems at the location, the meaning of the reference to 'issues' has therefore been misinterpreted.
- With the exception of the two goal posts and the formation of a new access, no other operational development is proposed as part of the application which is fundamentally for the change of use of land. It is not considered that this would join the village of Newborough with the hamlet of Penlon, which would remain as two separate and distinct areas.
- The Safety of Sports Ground Act 1975 relates to large sports stadia with a capacity of 10,000 spectators or more and s.26 of part III of the Fire Safety and Safety of Places of Sport Act 1987 applies to a sports ground which provides covered accommodation in stands where each stand provides covered accommodation for 500 or more spectators, neither of which apply in the context of this application.

The main points raised in support of the application are summarised as follows:

- The playing field has been used by the youth of the local community and it would be great to see this continue.
- The playing field is positive for the health, well-being and lifestyles of the community and such social and cultural activities enhance the community and should be supported.
- Consideration has been given to safe access and it will be suitably screened with trees and greenery which will also bring benefits for wildlife habitats.

5. Relevant Planning History

None.

6. Main Planning Considerations

The application is submitted following an enforcement investigation, for retrospective planning permission for the change of use of land to a playing field together with the construction of a new access.

The fact that the application is made retrospectively is irrelevant in its determination. It is not a criminal offence to carry out development without first obtaining any necessary planning permission. There are provisions within the Planning Act to allow for planning permission to be applied for retrospectively.

Paragraph 6 of Technical Advice Note 9: Enforcement of Planning Control states that in considering enforcement action, the decisive issue for the local planning authority should be whether the breach of planning control would unacceptably affect public amenity or the existing use of land and building meriting protection in the public interest. Enforcement action should be commensurate with the breach of planning control to which it relates; it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to public amenity. The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought but is otherwise acceptable.

Policy 1 of the Ynys Mon Local Plan states that the Council will determine planning applications in accordance with policies and proposals in this Plan. In considering planning applications, the Council will take into account the listed criteria, which include:

- Access for disabled people
- The effect on pedestrian and vehicular travel patterns including the use of public transport, public rights of way and cycling
- Pollution or nuisance
- The extent to which siting, scale, density, layout and appearance, including external materials, fit in with the character of the area.
- Adequate and appropriate landscaping
- The effect on residential amenities
- The need to ensure that vehicular access, the roads leading to the site and parking provisions are safe and adequate.
- Protection of the best and most versatile agricultural land.

Policy 14 of the Ynys Mon Local Plan relates to Recreation and Community Facilities and states that the Council will permit the development of recreational and leisure facilities as shown on the proposals map... Other schemes will be permitted where they:-

- i. Increase the quality and range of facilities for local residents and visitors;
- ii. Relieve pressure on more environmental sensitive areas;
- iii. Increase public access to open areas which have recreational value.

Policy 26 of the Ynys Mon Local Plan states that proposals for development will be expected to incorporate adequate and appropriate amounts of on-site parking.

Policy 31 of the Ynys Mon Local Plan states that with the exception of the AONB, and that land which falls within the settlement boundaries in the Plan, the island is designated as a Special Landscape Area. Proposals for development in the SLA will be expected to have particular regard to the special

character of their surroundings. In considering the landscape impact of any proposal, the Council will need to be satisfied that the development can be fitted into its surroundings, without unacceptable harm to the general landscape character, before planning permission is granted.

Policy CH1 of the Gwynedd Structure Plan states that proposal for recreation and tourist development will be permitted where they accord with the policy framework of this plan which is aimed at the creation of employment, and the safeguarding of the environment and local community.

Policy CH10 of the Gwynedd Structure Plan states that the County Council will support the development of visitor attractions and countryside recreation facilities which are compatible with the culture, history and natural environment of Gwynedd, offer additional all-weather facilities to complement the existing natural attractions of the County and which do not have a detrimental effect on the environment and local community.

Policy D3 of the Gwynedd Structure Plan states that Outside of the Snowdonia National Park and Areas of Outstanding Natural Beauty, planning authorities will seek to identify landscape conservation areas, including those shown on the key diagram, in order to conserve their attributes and they will have particular regard to the special character of each locality when considering proposals for development. In order to minimise its impact, development will only be permitted if it is capable of being satisfactorily integrated into the landscape.

Policy D4 of the Gwynedd Structure Plan states that careful location, siting and design will be a material consideration in the determination of all applications for development in order to minimise any adverse impact on the environment.

Policy D7 of the Gwynedd Structure Plan states that the retention in farming use of agricultural land within classification grades 1, 2, and 3A will be encouraged through the control of development.

Policy D32 of the Gwynedd Structure Plan states that all applications should show due regard to their site configuration and include proposals to provide suitable landscaping schemes where appropriate.

Policy FF12 of the Gwynedd Structure Plan states that the County Council will relate the parking provision to be required in connection with all forms of development, redevelopment or change of use to the appropriate current standards. These standards will be related to the type and density of the proposed development, its location and the ability of the surrounding highway network to cater for increased traffic flow.

Policy GP1 of the Stopped Unitary Development Plan provides development control guidance and requires consideration of the listed criteria which include:

- Adequate provision for people with disabilities and the requirements of the disability legislation.
- Accounts for the effect on pedestrian and vehicular traffic patterns including the use of public transport, public rights of way and cycling.

- Minimises pollution or nuisance, and has regard for sustainable waste management
- does not cause **significant** harm to people, general amenity, residential amenity and the environment.
- Has adequate vehicular access and the roads leading to the site are safe and adequate and the highway network can accommodate the traffic generated.
- protects the best and most versatile agricultural land.
- safeguard and enhance the integrity and/or continuity of the environment, including archaeological sites, landscape features and corridors such as stone walls, cloddiau, hedgerows, trees, ponds and rivers.

Policy TR10 of the Stopped Unitary Development Plan states that proposal for development will be expected to comply with parking standards for both motor vehicles and bicycles.

Policy TO11 of the Stopped Unitary Development Plan states that the Council will permit sports and leisure facilities as indicated by proposals FF2-FF11 and FF22. Other new proposals for sports and leisure facilities, and the improvement and redevelopment of existing leisure centres and sports facilities, will be permitted in order to meet the leisure needs of residents and visitors provided the proposal does not cause **significant** harm to residential and visual amenity.

Policy EN1 of the Stopped Unitary Development Plan states that development will be required to fit into its surroundings without **significant** harm to the Landscape Character Areas.

Chapter 11 of Planning Policy Wales (Edition 8) relates to Tourism, Sport and Recreation and advocates the provision of sport and recreation facilities in appropriate locations, the Welsh Government supports the development of sport and recreation, and the wide range of leisure pursuits which encourage physical activity recognising that these activities are important for the well-being of children and adults and for the social and economic life of Wales.

The advice and guidance contained within Technical Advice Note 16: Sport, Recreation and Open Space aims to further integrate the links between health and well-being, sport and recreational activity and sustainable development in Wales through the development of land use planning guidance in accordance with policies set out in Planning Policy Wales.

As can be noted from the above references to local and national policies and guidance, a great deal of emphasis and support is given to developments which provide facilities for tourism, sport and recreation, subject of course to such developments being acceptable in terms of location, landscape and visual impact, impact upon general and residential amenity, accessibility and highways, transport and traffic considerations.

It can therefore be established that the principle of a playing field development is acceptable and it is therefore a question of whether such a use is acceptable in this location.

The application site is located in the Penlon area, a short distance from the village of Newborough and involves the change of use of land from agricultural use to a playing field.

The development involves very little physical development comprising of the erection of two goal posts and a new vehicular access, it is not therefore considered that the development has a significant or detrimental impact upon the character and appearance of the area, the landscape and visual impact of the development is therefore considered to be minimal, in addition the application incorporates a planting/landscaping scheme along the roadside boundary which will enhance the landscape and biodiversity environment and screen development and its associated activity to some extent from the highway.

Concerns have been raised regarding the impacts of the use on general and residential amenity in terms of noise and disturbance arising from activities undertaken at the site. Development plan policies require regard to be had to the impacts of development upon general and residential amenity, with the test being whether or not it would have **significant** harm. The nearest dwellings to the site are approximately 150m metres away and whilst it is anticipated that there is likely to be some noise and disturbance from the site when in use, particularly during scheduled football matches, given that these are likely to take place once or twice a week during the football season and for a relatively short duration each time it is not considered that it is likely to give rise to significant levels of noise and

disturbance such that refusal of the application on these grounds could be justified.

Development plan policies require regard to be had to the sustainability of the location of the site and its effects on pedestrian and vehicular travel patterns including the use of public transport, public rights of way and cycling.

The site adjacent to the A4080 highway and is within walking distance of the village being located a little over ½km from the village centre and linked thereto by a pedestrian footway. The site is also easily accessible to cyclists and by public transport with two bus stops in close proximity.

The site is therefore considered to be sustainable in terms of location and accessibility, including those with disabilities and the provision of such facility in this location would negate the need for people to travel further afield to access such facilities.

The application as originally submitted proposed use of the existing field access, however due to concerns raised regarding substandard visibility by the Highways Department, amended plans were submitted for a new vehicular access in the Western corner of the field which provides adequate visibility in addition it has been demonstrated that adequate parking provision can be provided within the field, the submitted plan shows 10 car parking spaces, but more can be accommodated should that be necessary. Consequently, access and parking arrangements are satisfactory and the highways department have no objection subject to conditions.

Concerns have been raised regarding the loss of agricultural land and I am mindful that development plan policies advocates the protection of the best and most versatile agricultural land. The application site involves the change of use of part of an agricultural field comprising of approximately 1.7ha. The land is not part of a working agricultural farm having been purchased along with the neighbouring field by the applicants in 2014. The land is classified as being of moderate quality and there is no evidence to suggest that the loss of this relatively small area of agricultural land would be detrimental to the agricultural sector. Furthermore the nature of the use is such that the land could easily be returned to agricultural use.

There is therefore some conflict in development plan policies which seek to support sport and recreation development whilst also protecting the best and most versatile agricultural land. Given that the application involves a relatively small area of moderate quality agricultural land it is considered that, on balance, the development plan policies in relation to leisure and recreation developments and the health and well-being benefits that such a use would bring to the local community outweigh the loss of this small area of agricultural land.

7. Conclusion

The change of use of land to a playing field together with the construction of a new access is considered to be acceptable. It is not considered that the use of land as a playing field would have a significant or detrimental impact upon the character and appearance of the area or upon general and residential amenities.

8. Recommendation

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

(01) Within 6 months of the date of this permission, the access hereby approved shall be laid out and constructed strictly in accordance with the submitted plan, unless otherwise agreed in writing with the local planning authority 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

(02) The access shall be constructed with its gradient not exceeding 1 in 20 for the first 5 meters back from the nearside edge of the adjoining carriageway.

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

(03) The parking accommodation as shown on the submitted plan shall be made available before the use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: To comply with the requirements of the Highway Authority

(04) 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 before the use hereby permitted is commenced.

Reason: To comply with the requirements of the Highway Authority

(05) Within 1 month of the access hereby approved being first brought into use, the existing access serving the site shall be permanently closed through reinstatement of the stone boundary wall unless otherwise agreed in writing with the Local Planning Authority.

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

(06) The site shall be landscaped and trees and shrubs shall be planted in accordance with the plan submitted on the 01.08.2016 – Drawing Number AL.0.9. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season following the grant of this permission. The said trees and shrubs 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.

Reason: To ensure that the development is in the interests of amenity.

(07) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 45C84M/ENF and listed below:

Drawing/ Document Number	Date Received	Plan Description
-	27.11.2015	Location Plan
-	27.11.2015	Design & Access Statement
AL.0.9	01.08.2016	Block Plan

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 8)

Technical Advice Note 9: Enforcement of Planning Control

Technical Advice Note 16: Sport, Recreation and Open Space

One Wales – A Progressive Agenda for the Government of Wales (June 2007)

People, Places, Futures – The Wales Spatial Plan 2008 (update)

Climbing Higher: The Welsh Assembly Government Strategy for Sport and Physical Activity (January 2005)