

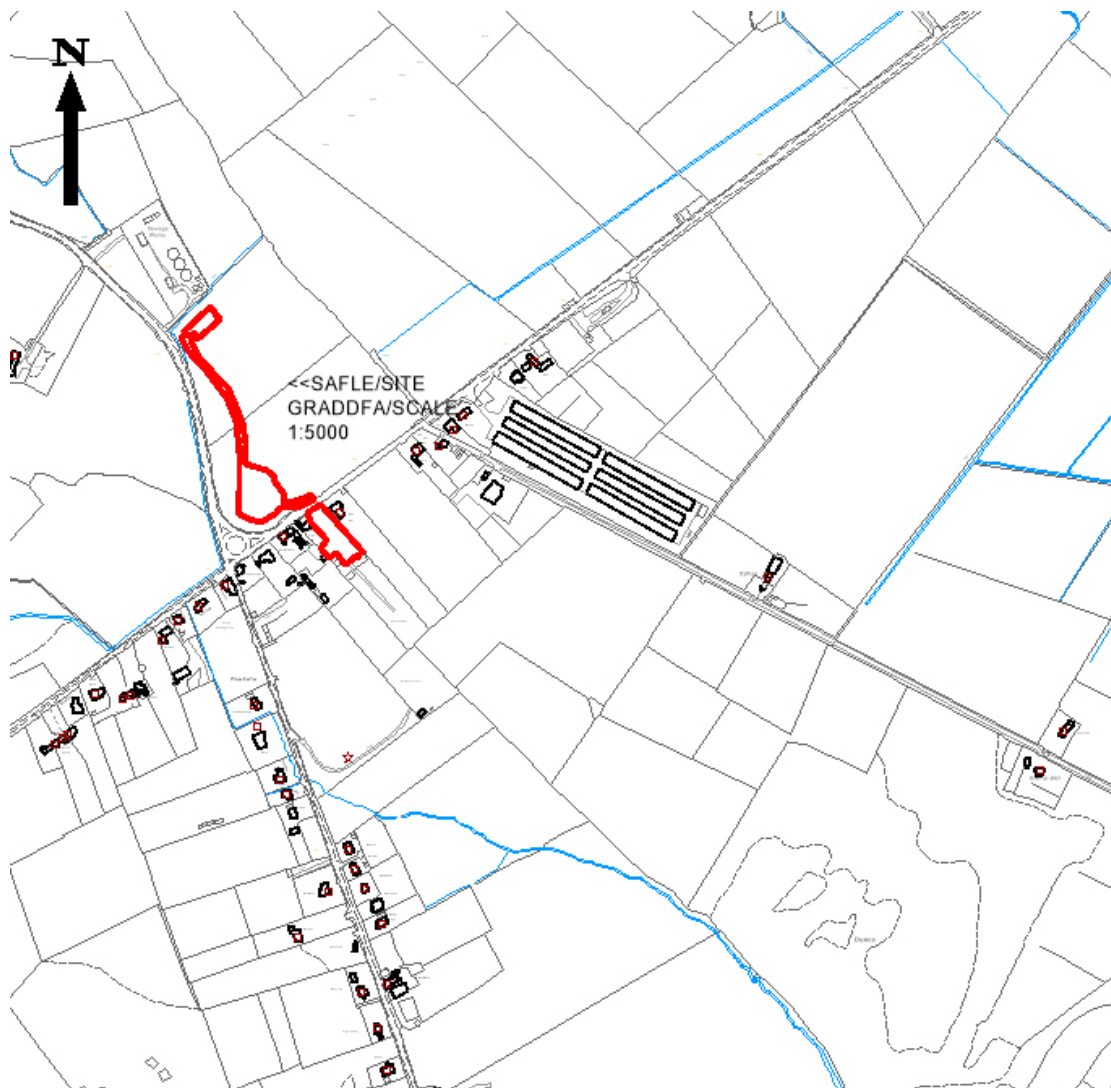
Rhif y Cais: **45C84R/ECON** Application Number

Ymgeisydd Applicant

Mr Liam Barrie

Cais llawn ar gyfer codi adeilad oergell, adeilad achlysur, ac adeilad seminar ynghyd a chreu mynedfa i gerbydau gyda maes parcio i gwsmeriaid, maes parcio cymunedol ac ardal hamdden a dymchwel adeilad allanol ar dir yn a gyferbyn a / Full application for the erection of a fridge building, function building and seminar building together with the construction of a vehicular access with customer parking, community parking, recreational space and demolition of outbuilding on land at and adjacent to

The Marram Grass Cafe, White Lodge, Niwbwrch/Newborough



Planning Committee: 01/03/2017

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

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the Local Member, Cllr A Griffith

1. Proposal and Site

The proposal involves the erection of three new buildings on the site comprising of a detached function building, seminar/demonstration building and external fridge store, re-configuration within the site to improve the parking facilities within the existing site together with the provision of a new car park on land opposite the Marram Grass which will be located close to the roundabout.

The site lies fronting the A4080, along the road known as Lon Filltir, in the settlement of Penlon. The existing café/restaurant building is of a single storey construction and clad in timber. The Marram Grass is located within the designated Area of Outstanding Natural Beauty and lies on land to the front of the White Lodge touring caravan site. The properties that lie immediately next to the application site are single storey residential units.

The land where the proposed new car park is located lies outside the Area of Outstanding Natural Beauty however lies within the Special Landscape Area. The vehicular access which was approved under the planning application reference 45C84M/ENF for the retention of the playing fields will serve the new car park. A new track will be laid to connect the car park in the playing field and the proposed new car park.

The parking that lies within the playing field will be available to the local community and tourists.

2. Key Issue(s)

The applications main issues are whether the proposal complies with current policies, whether the proposal will harm the amenities of the neighbouring properties or have a detrimental impact on the surrounding area which is designated as an Area of Outstanding Natural Beauty and whether the proposal will detrimentally affect highway safety.

3. Main Policies

Gwynedd Structure Plan

Policy B1 - Employment generating developments
Policy B7 - Locational requirements
Policy B9 - Expanding employment opportunities in the rural economy
Policy CH1 - Recreation and tourist development
Policy D1 - Landscape
Policy D4 : Location, siting and design
Policy D7 : Agricultural land
Policy D29 : Standard of design
Policy D32 : Site configuration and landscaping
Policy FF12 : Parking standards

Ynys Mon Local Plan

Policy 1 - General Policy
Policy 2 - New jobs
Policy 5 - Design
Policy 26 - Parking standards

Policy 30 – Landscape
Policy 31 - Landscape

Stopped Unitary Development Plan

Policy EP4 - Other employment opportunities and rural diversification
Policy EN1 – Special Landscape Character
Policy EN2 – Area Of Outstanding Natural Beauty
Policy SG7 Noise

Planning Policy Wales (9th Edition)

Technical Advice Note 6 – Planning for Sustainable Rural Communities

Technical Advice Note 11 – Noise

Technical Advice Note 12 – Design

Joint Local Development Plan

Policy PCYFF1 – Development Criteria
Policy PCYFF2- Design and Shaping
Policy CYFF3 – Design and Landscaping
Strategic Policy PS10 – Providing opportunity for a flourishing economy
Policy ISA2 – Community Facilities
Policy TRA2 – Parking Standards
Policy TRA4 – Management Transport Impacts

4. Response to Consultation and Publicity

Community Council – Object due to possible overdevelopment of the site, increase in traffic problems, site lies within the AONB and privacy problems to neighbours due to increase in activity and noise

Local Member, Cllr A Griffith – Call-in due to impact on the landscape, highways safety, effect on amenities of neighbouring properties, objection from Community Council and scale of concern from the residents of Penlon

Local Member, Cllr P Rogers – No response at the time of writing this report

Highway Authority – No response at the time of writing this report

Drainage Section – Requested further information

Natural Resource Wales – Local planning authority should screen the application to ascertain whether there is a reasonable likelihood of bats being present and the need for a bat survey. Our internal Ecological and Environmental Advisor has stated in his response that the potential for bats is deemed low and therefore an additional assessment is not required.

Environmental Health – Requested a noise assessment – at the time of writing this report the additional details have not been received

Response from members of the public

The proposal was advertised through the posting of a notice on site, publication of a notice in the local press together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of representations is the 3rd March, 2017 and at the time of writing this report 38 letters of objection had been received at the department. The main issues raised can be summarised as follows;

i) Out of character, large development for a small site and visual impact in surrounding area which is designated Area of Outstanding Natural Beauty. Previous application for the car park was

refused due to landscape impact. Proposal proposes parking facilities for 69 vehicles on agricultural land.

ii) Noise and light pollution – will lighting be required within the site

iii) Parking should be provided within the site

iv) Highway Safety - Is track which connects the playing field car park and proposed new car park safe, is it safe for pedestrians to walk between the car parking area and restaurant? . Is the proposed parking facilities adequate for the development

v) Flood risk – has a Flood assessment been carried out and has an Environmental Impact Assessment been submitted as part of the application.

vi) The applicant stated during the course of determining the application for the playing field that the proposal was not linked to the Marram Grass. Playing field has not been used since planning permission was granted.

vii) Planning has not been granted for the change of use of the land from agricultural to horticultural use.

viii) Proposal involves the change of use of the touring site into function/bar/seminar.

ix) Applicants states that the proposal involves the creation of a butchery – this will create another business and generate additional traffic.

Other issues were also raised in regards to the naming of the site as Gardd Rhosyr which gives the impression that another business will be run from the site.

In response to these comments I would comment as follows;

i) There is ample space within the site to accommodate the proposed buildings and due to the site being an existing commercial enterprise with the café/restaurant at the front of the site and touring caravan site at the rear it is considered that the proposal is acceptable in this location and will not have a detrimental impact on the Area of Outstanding Natural Beauty. The comments in regards to the car park has been addressed in the Main Planning Considerations section below.

ii) Further information has been requested in regards to the noise generated by the proposed external fridge building and at the time of writing this report we are still awaiting receipt of the assessment.

During the course of determining the previous application for the function building and demo/seminar building the Environmental Health Section confirmed that the erection of a 3m high acoustic fence along the boundary between the proposed buildings and Glan Aber and the amended design which included the removal of the openings in the proposed buildings their original concerns had been addressed and raised no objection to the erection the buildings on the site.

iii) During the course of determining the previous application the applicant was advised that a scheme for the provision of additional car parking within the existing site was considered to be the best solution. The applicant has confirmed that the land that lies to the rear of the site (touring caravan site) is not within their ownership and there is not enough space within the café/restaurant curtilage to provide the necessary parking spaces thus the need for the proposed parking to be located on land opposite the Marram Grass.

iv) The proposal for additional parking spaces will ensure that no parking take place on the public highway. The Highway Authority have raised no objection to the proposal and have recommended a conditional approval.

v) The site does not lie within a Flood Zone and therefore a flood risk assessment is not necessary as part of the application. As part of the application site lies within the designated Area of

Outstanding Natural Beauty a screening application was registered. Due to the scale of the development it was determined that an Environmental Impact Assessment was not required.

vi) I am unable to comment on what was stated during the course of determining the previous application. The application as submitted involves land within the approved playing field and will provide additional parking for Marram Grass customers and members of the local community and visitors to the area which will reduce the on street parking that currently takes place in Newborough.

vii) The Enforcement Officer has confirmed that complaints have previously been received at the department in regards to the possible change of use of the land and the matter was investigated. The activities that had taken place on the site i.e. keeping of pigs, tree planting and vegetable growing are an agricultural activities/uses and not therefore development requiring planning permission.

viii) The proposal does not involves the change of use of the touring caravan site at the rear of the site. The proposal involves the front of the site only where the Marram Grass is located.

ix) The information submitted in support of the application does not include the creation of a butchery. Clarification has been sought from the agent in regards to this claim and at the time of writing this report I am still awaiting clarification.

The fact that the applicant refers to the site as Gardd Rhosyr does not require planning permission. If another venture is proposed from the site which would require planning permission this will be dealt with at that time.

5. Relevant Planning History

45C84 - Change of use of outbuilding into a tearoom at White Lodge, Penlon, Newborough. – REFUSED 14/06/1988

45C84A/AD - Erection of two non-illuminated signs at White Lodge, Penlon, Newborough. REFUSED 19/09/1988

45C84B - Improvements to the access at White Lodge, Penlon, Newborough. APPROVED 18/04/1989

45C84C/AD - Erection of a non-illuminated sign at White Lodge, Penlon, Newborough. APPROVED 21/04/1989

45C84D - Extension to existing garage for storage purposes at White Lodge Nursery, Penlon, Newborough. - APPROVED 14/11/1995

45C84E - Certificate of lawfulness for the existing use of land as a caravan and camping site and café at White Lodge, Penlon, Newborough. LAWFUL USE APPROVED 29/01/2010

45C84F - Full application to increase the number of touring caravans from 10 up to 30, together with extend the opening system from Easter-September to all year round (12 month) at White Lodge, Penlon - RETURNED TO APPLICANT 24/06/2014

45C84G - Full application for alterations and extensions at White Lodge, Penlon GRANTED 24/02/2015

45C84H - Full application for demolition of the existing outbuildings together with the erection of a new building to accommodate a function space including bar, toilet facilities and office at white Lodge, Pen Lon APPLCIATION WITHDRAWN 07/04/2015

45C84I - Full application for the construction of a vehicular access and car park on land adjacent to White Lodge, Penlon Refused 03/12/2015

This application was refused as it proposed a parking area for 49 vehicles on land immediately opposite the Marram Grass and involved the laying of an approximately 100 metre access track and it was considered that this would have a detrimental impact on the surrounding landscape

45C84J - Full application for demolition of the existing outbuilding together with the erection of a new barn comprising of function room, bar, demonstration/seminar room, toilets and office at The Marram Grass Cafe, White Lodge, Penlon, Newborough Refused 03/12/2015

This application was refused due to the lack of parking on the site to cater for the additional traffic generated by the proposal

45C84K/SCR Screening Opinion for demolition of the existing outbuilding together with the erection of a new barn comprising of function room, bar, demonstration\seminar room, toilets and office at The Marram Grass, White Lodge, Penlon, Newborough EIA Not Required 27/10/2015

45C84M/ENF 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 – Approved 02/11/2015

45C84N – Full application for extending the number of caravans from 10 to 30 with extension of opening season to all year round. White Lodge, Pen Lon, Niwbwrch – Returned to Applicant 24/10/2016

45C84P/ENF – / Application for retention of a pond on land adjacent to White Lodge, Penlon – Approved 17/08/2016

45C84Q/AD/ENF – Retrospective application for two illuminated signs. Granted 25/08/2016

6. Main Planning Considerations

Policy Context – Policy B1 of the Gwynedd Structure Plan states that employment generating developments which increase employment opportunities, which do not create unacceptable changes to the environment, and are acceptable to the local planning authority in terms of location, siting, scale, design, access and landscaping will be permitted. Policy 2 of the Ynys Mon Local Plan states that the Council will support job creating projects on allocated sites and sites within or on the edge of existing settlements. On sites outside existing settlements, the Council will permit employment developments only in exceptional circumstances where the applicant has been able to demonstrate specific locational requirements and economic benefits which would justify allowing the proposal.

Policy 2 of the Ynys Mon Local Plan states thatEmployment creating development on other sites within or on the edge of existing recognised settlements will be permitted where they are of a scale and type compatible with the surrounding area and accord with other policies of this plan.

On sites outside existing settlements, the Council will permit employment developments only in exceptional circumstances whether the applicant has been able to demonstrate specific locations requirements and economic benefits which would justify allowing the proposal.

Policy EP4 of the stopped Unitary Development Plan states that proposal which increase or diversify the range of employment opportunities, including rural diversification, will be permitted where they are of a scale and type compatible with the surrounding area or do not cause significant harm...

The development of the site will increase the current team of 14 employees to 35 and the existing number of full time employees will rise from 4 to 29.

The Joint Local Development Plan has now reached a stage in its preparation where it is now necessary to give it consideration as a relevant planning consideration.

Policy PS10 of the Joint Local Development Plan states that whilst seeking to protect and enhance the natural and built environment, the Council will facilitate economic growth in accordance with the spatial strategy....

Policy CYFF3 of the Joint Local Development Plan states that all proposals should integrate into their surroundings. Proposals that fail to show (in a manner to the nature, scale and location of the proposed development) how landscaping has been considered from the outset as part of the design should be refused....

Policy ISA2 of the Joint Local Development Plan states that the plan will help sustain and enhance community facilities by granting the development of new community facilities, provided that; and lists the criteria which must be met.

The JLDP is now subject to further public consultation and examination before the Plan is adopted. Although material, given the changes proposed and further public consultation, little weight can be placed on Policy TAI18 at this juncture.

As the site lies within an established commercial site the proposal is considered acceptable in principle.

Effect on surrounding properties – During the course of determining the previous application 45C84H for the erection of the function room the scheme was considered unacceptable due to the number of openings in both sections of the building and the proposed use of the intervening section as an open courtyard area for customer use. Noise nuisance to the detriment of the amenities currently enjoyed by the occupants of the neighbouring property was likely to occur. The current scheme has been amended and there are no openable windows or doors located on three of the four facades of the building. The boundary between both sections of the building is shown as being screened by a 3m high acoustic fence. Therefore the concerns raised during the course of determining the previous application have been addressed and it is not considered that the development will have a detrimental impact on the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application.

As part of the current scheme a new external fridge is proposed between the existing building and neighbouring property known as Glan Aber. The Environmental Health Section have requested that a noise assessment be submitted in support of the application to assess whether the development would cause a nuisance to the surrounding properties. At the time of writing this report we are still awaiting receipt of the noise assessment.

The proposed car park will be located opposite the residential properties known as Lantern House and Pen Wal Bach. These properties are single storey properties and Lantern House has an earth bund within their curtilage which separated the dwelling and the highway. Pen Wal Bach is situated on a lower ground level than the highway and proposed car park. There is a distance of 25 metres between the proposed car park and adjoining properties. Screening is proposed as part of the development along the boundary of the proposed car park. Due to the proposed screening, distances between the car park and adjoining properties and due to the properties being located on a busy road network it is not considered that the proposal will have a detrimental impact on the amenities of the surrounding properties to such a degree as to warrant the refusal of the application.

Effect on surrounding landscape - The application site is partly located within an Area of Outstanding Natural Beauty (AONB). It is a statutory designation that recognizes 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 situated within an existing commercial site, set amongst existing built development and given this, and the scale and design of the proposed buildings, the scheme is not considered to have a detrimental impact on the surrounding landscape.

The proposal also includes the provision of a new car park for 39 vehicles on land located opposite the Marram Grass and lies close to the roundabout and next to the playing field. Landscaping has been proposed as part of the development and whilst the proposed landscaping outlined as part of the application will assist in reducing the impact of the development on the surrounding area it is not considered adequate and further landscaping of the site has been requested and agreed. The provision of further landscaping along the boundary of the site will mitigate against the visual impact of the proposed car park.

Highway Safety – The Highway Authority have raised no objection to the proposal and have recommended a conditional approval. The Highway Authority have also confirmed that there would be no objection to additional screening being planted along the boundary of the site.

7. Conclusion

The previous application for the creation of a car park for 49 vehicles on land immediately opposite the Marram Grass with an access track running along the whole of the site for approximately 100 metres was refused due to its impact on the surrounding area and on balance it was considered that the landscape impact outweighed the economic benefits of the proposal.

The car park has now been re-located and is situated on the neighbouring field to the west of the previous application site. Screening has previously been planted along the boundary of the current application site which will screen the site from the public vista. The number of parking spaces has been reduced from 49 to 39 on this parcel of land, however additional parking spaces are also proposed at the rear of the playing field where parking was granted under planning application 49C84M/ENF for the retention of the playing field.

The additional parking within the playing field area will be available to the local community and visitors to the area.

Further landscaping than that shown on the proposed plan will be necessary as part of the proposal and this together with the existing screening should ensure that the development will not have a detrimental impact on the surrounding landscape.

Due to the above it is considered that on balance that the economic benefits carry significant weight and although not being decisive in their own right help tip the balance in favour of the development.

Consequently, having considered the above it is considered that the development complies with current policy, will not detrimentally affect the amenities of the neighbouring properties or surrounding landscape and will not have a detrimental impact on highway safety.

Subject to the receipt of satisfactory landscaping scheme, ecological and noise assessment and drainage detail and provided that no further additional comments have been received from members of the public it is my recommendation that the application be approved.

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) No development shall commence until full details for the pedestrian access and crossing point has been submitted to and agreed in writing by the local planning authority.

The pedestrian access and crossing point must be completed in accordance with the approved plans before the use hereby approved is commenced.

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

(03) 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.

(04) The premises shall only be open for business between the hours of 8.00am and 12.00 midnight Monday to Saturday and 8.00 and 11.00pm Sunday and Bank Holidays.

Reason: To safeguard the amenities of occupants of the surrounding properties.

(05) No customers shall be permitted to make use of the outside dining and seating area as shown on drawing AL.1.2 between the hours of 10.00pm and 8.00am.

Reason: To protect the amenities of nearby residential occupiers.

(06) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below:

Drawing / Document number	Date Received	Plan Description
AL.0.1	13/01/2017	Location plan
AL.1.1	13/01/2017	Existing Site Plan
AL.0.2	13/01/2017	Site Topographical Survey
AL.2.3	13/01/2017	Proposed Plans and Elevations
AL.1.5	13/01/2017	Site Plan and Fridge Building
AL.1.2	13/01/2017	Site Plan
AL.0.5	13/01/2017	Revised Overall Site Layout
AL.0.4	13/01/2017	Access Road Detail
Planning Statement	03/02/2017	Planning Statement

under planning application reference 45C84R/ECON.

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.