

12.1

Gweddill y Ceisiadau

Remainder Applications

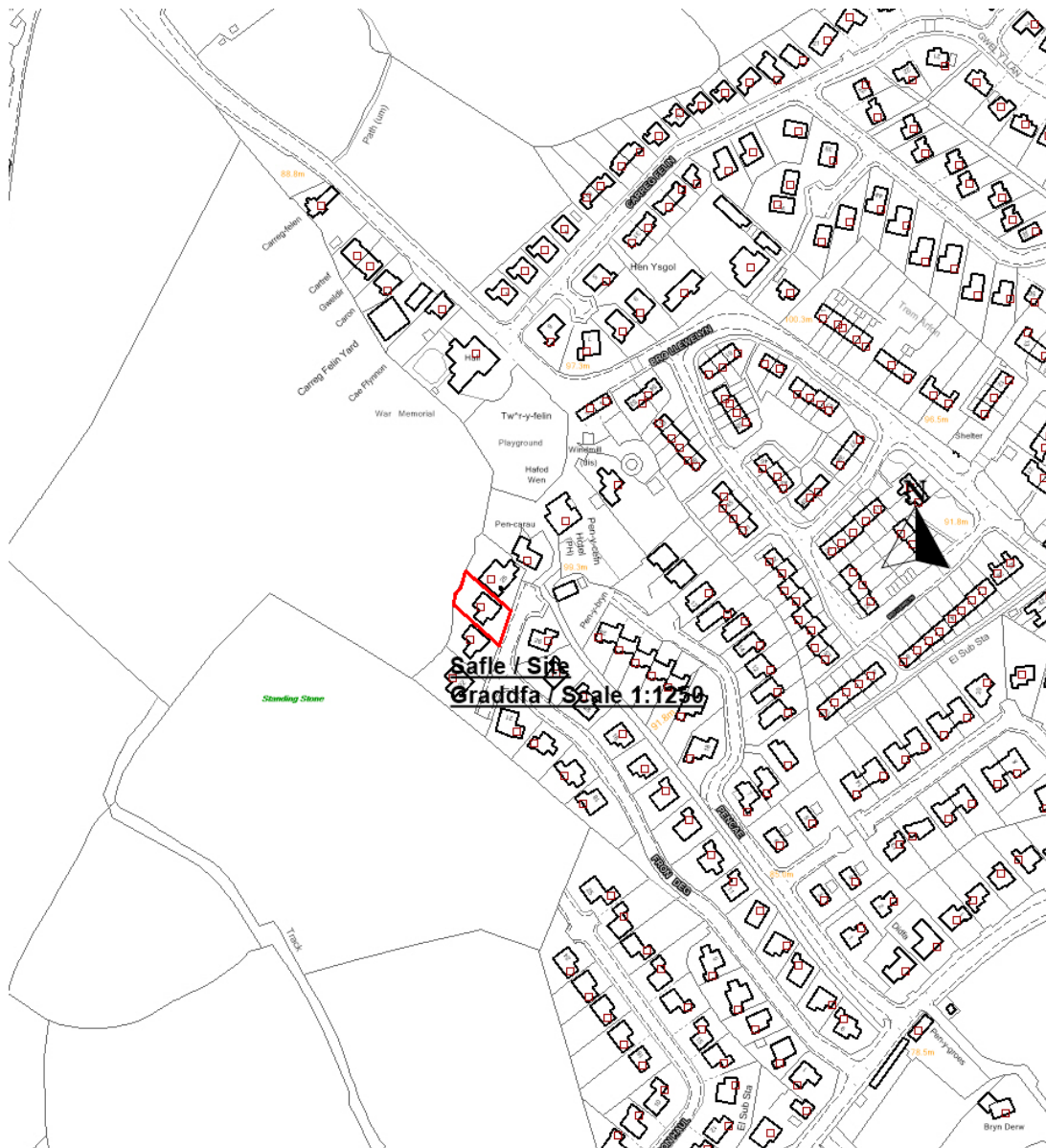
Rhif y Cais: **17C518** Application Number

Ymgeisydd Applicant

**Mr David Herring**

**Cais llawn ar gyfer addasu ac ehangu sydd yn cynnwys balconi yn / Full application for alterations and extensions which includes a balcony at**

**Penterfyn, 24 Fron Deg, Llandegfan**



**Planning Committee: 26/07/2017**

**Report of Head of Regulation and Economic Development Service (DO)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The applicant has been called into committee by both Cllr Lewis Davies and Cllr Carwyn Jones

### **1. Proposal and Site**

The site is a detached single dwelling within a residential estate.

The proposal entails alterations and extension to the dwelling known as 24 Fron Deg, Llandegfan.

### **2. Key Issue(s)**

The key issue is whether the proposed scheme is acceptable.

### **3. Main Policies**

#### **Ynys Mon Local Plan**

Policy 1 – General Policy

Policy 5 – Design

Policy 42 – Design

Policy 58 - Extension

#### **Gwynedd Structure Plan**

Policy D4 – Location, Siting and Design

Policy D29 - Design

#### **Stopped Unitary Development Plan**

Policy GP1 – General Control Guidance

Policy GP2 – Design

Policy HP 7a – Extension

#### **Anglesey and Gwynedd Joint Local Development Plan**

Policy PCYFF 2 – Design and Place Shaping

### **Planning Policy Wales (9th Edition), November 2016**

#### **Technical Advice Note 12 – Design**

### **4. Response to Consultation and Publicity**

**Councillor Lewis Davies** – Call the application into committee.

**Councillor Carwyn Jones** - Call the application into committee.

**Councillor Alun Roberts** – No response.

**Community Council** – No response.

**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 12/06/2017. At the time of writing this report, the department have received one letter of objection and one letter of support.

The main points within the objection letter and the councillors concerns are:

- That the applicant did not inform the objector personally of the full extent of the development.
- The proposed balcony overlooks the objectors dwelling.
- Proposal not in keeping with neighbouring properties.

Response to the points:

- It is the responsibility of the Local Planning Authority to carry out the necessary publicity on all full planning applications and not the applicant. A notice was given to 26 Fron Deg on the 19/05/2017 and the owner/occupier of the property given the statutory 21 days to view the application and submit any representations.
- The proposed balcony is modest in size (measuring 1.5m x 5m). It will not protrude further than the existing building line of the existing garage. The garage is stepped-in from the main dwelling almost 1.5m. The only access to the balcony is via French doors from the proposed bedroom. Due to the orientation of 24 Fron Deg and the difference in ground levels, it is not considered that the proposed balcony will have a further effect on neighbouring properties than the existing arrangement. The Supplementary Planning Guidance: Proximity of Development suggests that 11.5m should be sufficient form a first floor main to the boundary, approximately 17m exists between the proposed balcony and the residential curtilage of 26 Fron Deg, furthermore the development site and the objectors' property are separated by the estate road.
- As mentioned in the objectors letter a number of properties on the estate are currently undergoing or have undergone building work. Therefore the proposed alterations and extensions are considered acceptable and in keeping with the neighbouring properties and indeed the Councils' Supplementary Planning Guidance. With respect the balcony; other neighbouring property has a balcony above their garage, which is considerably larger than the balcony proposed here.

## **5. Relevant Planning History**

None.

## **6. Main Planning Considerations**

The proposal is for alterations and extension to the existing dwelling which entails an extension to the existing garage which includes a bedroom and modest balcony above, the erection of a porch and tutility room to the side of the dwelling and a rear extension.

The proposed rear extension will form a new sunroom – measuring 3.6 metres by 4 metres with a height of 3.7 metre. No additional fenestration is proposed to the North elevation. The bi-fold doors to the rear elevation will only overlook the applicants garden and open countryside. The proposed fenestration to the South elevation is some 10 meters to the residential boundary which is just shy of the 10.5 meters suggested in the Supplementary Planning Guidance: Proximity of Development. The proposed materials are considered acceptable.

The proposed side extension comprising of a porch and utility room will not have any additional windows the North or rear elevations, a proposed door is proposed at the front elevation which is not considered to have a negative impact on surrounding properties. The proposed materials are considered acceptable.

It is proposed to demolish the existing garage, and erect a larger garage in its place. The proposed garage will not protrude beyond the building line of the existing garage. It is proposed to erect a first floor extension comprising of a bedroom and modest balcony. The proposed extension will be pitched roof and will not be higher than the highest point of the original dwelling. No additional windows are proposed to the South elevation. An up and over door is proposed to the rear

elevation together with 4 velux windows. A condition is proposed to ensure that a screen is erected to the side of the balcony to prevent overlooking to the adjoining property. The consideration given to the proposed balcony and front fenestration have been covered in section 4 of this report. The proposed materials are considered acceptable.

It is not considered that the proposed extension would form an adverse impact on the surrounding amenities or any neighbouring properties to such a degree to warrant a refusal.

## 7. Conclusion

The proposed development is considered acceptable to the Local Planning Authority. Consequently, it is my opinion that the proposal should be permitted subject to conditions.

## 8. Recommendation

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

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

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

**(02) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below, as amended by condition (03):**

Drawing number	Date Received	Plan Description
	05/05/2017	Location Plan
	05/05/2017	Existing and proposed front and South elevation
	05/05/2017	Existing and proposed rear and North elevation
	05/05/2017	Existing and proposed floor plans
	05/05/2017	Proposed site plan

**under planning application reference 21C76G.**

Reason: For the avoidance of doubt.

**(03) No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of a screen for the balcony noted A-B on the attached plan. The said scheme shall include details of the timing of the work. The screen shall thereafter be erected in accordance with the details as agreed and any replacement shall be of the same design as that approved, and shall be retained in perpetuity. If the privacy screen requires to be changed for whatever reasons, the replacement shall be of the same height and design in the same position unless otherwise approved in writing by the Local Planning Authority.**

Reason: In the interest of occupiers of neighbouring properties.

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

12.2

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **19C1204** Application Number

Ymgeisydd Applicant

**Olwen Parry**

Cais llawn ar gyfer addasu ac ehangu yn / Full application for alterations and extensions at

**3 Ffordd Jasper, Caergybi/Holyhead**



**Planning Committee: 26/07/2017**

**Report of Head of Planning Service (OWH)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

Part of the site extends onto Council owned land.

### **1. Proposal and Site**

The application lies at Ffordd Jasper in Holyhead Town. The dwelling is a mid-terrace property.

The proposal is for a two storey extension at the rear of the dwelling. On the ground floor extension, a new dining room is proposed which will incorporate the footprint of an existing single storey utility room which is to be demolished. On the 1<sup>st</sup> floor the existing bedroom will be extended in addition to the bathroom. The proposed extension will measure 2.1 metres by 5 metres with a height of 6.5 metres to the ridge.

### **2. Key Issue(s)**

The key issue is whether the proposed scheme is acceptable in terms of its impact on the locality and on adjoining occupiers.

### **3. Main Policies**

#### **Ynys Mon Local Plan**

Policy 1 – General Policy

Policy 5 – Design

Policy 42 – Design

Policy 58 - Extension

#### **Gwynedd Structure Plan**

Policy D4 – Location, Siting and Design

Policy D29 - Design

#### **Stopped Unitary Development Plan**

Policy GP1 – General Control Guidance

Policy GP2 – Design

Policy HP 7a – Extension

#### **Anglesey and Gwynedd Joint Local Development Plan**

Policy PCYFF 2 – Design and Place Shaping

#### **Planning Policy Wales (9th Edition), November 2016**

#### **Technical Advice Note 12 – Design**

### **4. Response to Consultation and Publicity**

**Councillor Shaun Redmond** – No response received at the time of writing this report.

**Councillor Robert Llewelyn Jones** - No response received at the time of writing this report

**Councillor Glyn Haynes** – No response received at the time of writing this report

**Town Council** – No response received at the time of writing this report

**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 19/06/2017. At the time of writing this report, the department have not received any representations.

## 5. Relevant Planning History

No site history

## 6. Main Planning Considerations

Given the scale of the extension, it is not considered that the proposal would impact the character of the current dwelling to such a degree to warrant a refusal. The proposal would adjoin a neighbouring property where Certificate B notice has been served.

There is little privacy at the rear courtyards of the dwellings as the rear of the dwellings face each other. It is not considered that the proposed scheme would form an adverse impact on the adjoining neighbouring properties to such a degree to warrant a refusal. At the time of writing this report, no letters of representations have been received at this department. It is considered that the proposed scheme is acceptable in terms of planning policies.

The proposed materials are acceptable and match the existing property.

It is not considered that the proposed extension would form an adverse impact on the surrounding amenities to such a degree to warrant a refusal.

## 7. Conclusion

The proposed development is considered acceptable to the Local Planning Authority.

## 8. Recommendation

### Permit

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

Drawing number	Date Received	Plan Description
1408-A3-02	16/05/2017	Location Plan and Proposed Site Plan
1408-A3-03	16/05/2017	Existing and Proposed Elevation Plan
1408-A3-05	16/05/2017	Proposed Ground Floor Plan
1408-A3-06	16/05/2017	Proposed First Floor Plan
1408-A3-06	16/05/2017	3D Plan

under planning application reference 19C1204.

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.

12.3

Gweddill y Ceisiadau

Remainder Applications

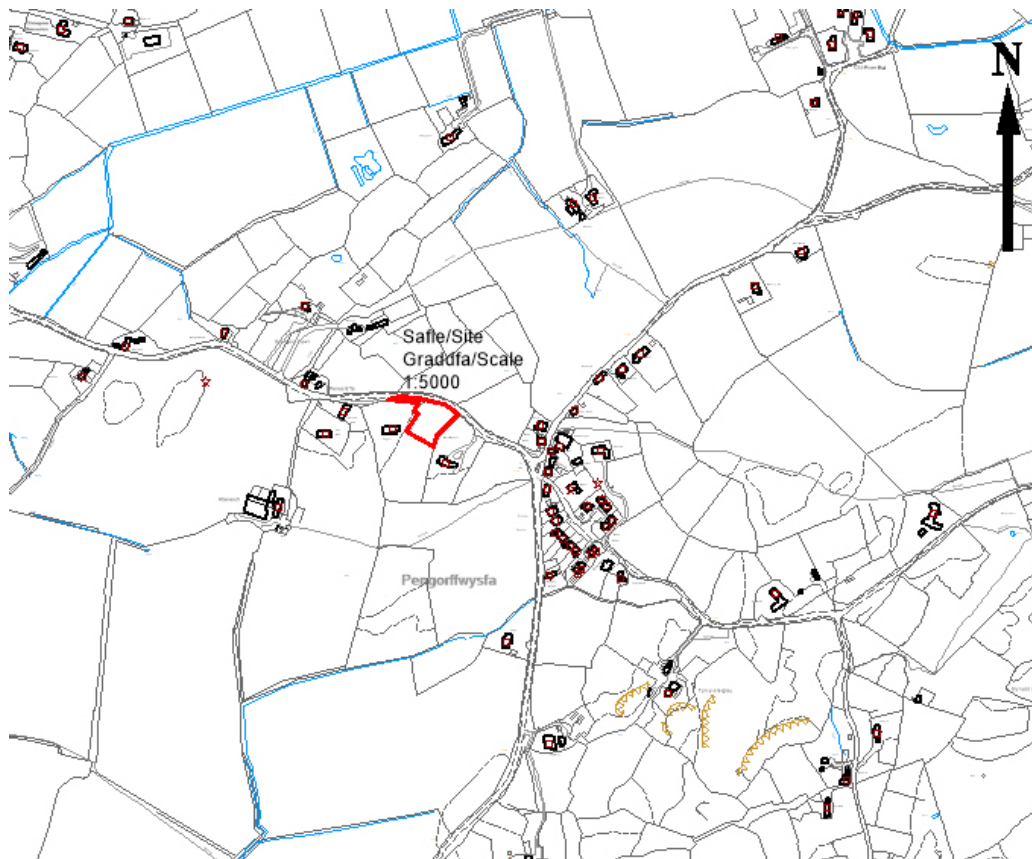
Rhif y Cais: **24C345** Application Number

Ymgeisydd Applicant

**Mrs Beverly Jolleys**

**Cais amlinellol ar gyfer codi annedd gyda'r holl faterion wedi'u cadw'n ôl ar dir ger / Outline application for the erection of a dwelling with all matters reserved on land adjacent to**

**Tregarth, Llanelian, Amlwch**



**Planning Committee: 26/07/2017**

**Report of Head of Regulation and Economic Development Service (IWJ)**

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

At the request of Local Member Councillor Aled Morris Jones

**1. Proposal and Site**

The proposal is an outline application for the erection of a dwelling with all matters reserved on land adjacent to Tregarth, Pengorffwysfa.

The application site is positioned south of an adopted highway running west from Pengorffwysfa. The site is positioned on a parcel of land between the properties known as Tregarth to the west and Mor a Mynydd to the east.

The application site is in an elevated position to the adjoining highway which is predominately a rocky outcrop with dense overgrown vegetation.

The site is located within the Special Landscape Area as designated within the Joint Local Development Plan (JLDP). The designated Area of Outstanding Natural Beauty is located on the opposite of the highway, north of the application site.

**2. Key Issue(s)**

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, amenity of the area and highway safety.

**3. Main Policies**

**Ynys Môn Local Plan**

Policy 1 – General Policy  
Policy 30 – Area of Outstanding Natural Beauty  
Policy 31 – Landscape  
Policy 42 – Design  
Policy 48 – Housing Development Criteria  
Policy 50 – Listed Settlement

**Gwynedd Structure Plan**

Policy A1 – Housing  
Policy A2 – Housing  
Policy A3 – Housing  
Policy A7 – Housing  
Policy D4 – Environment

**Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance  
Policy GP2 – Design  
Policy HP5 – Countryside Hamlet and Clusters  
Policy EN1 – Landscape Character

**Joint Local Development Plan**

Policy CYFF1 – Development Criteria  
Policy CYFF2 – Design and Place Shaping

Policy PCYFF 3 – Design and Landscaping  
Policy AMG2 – Special Landscape Areas

## **Supplementary Planning Guidance “Design Guide for the Urban & Rural Environment”**

### **National Policy**

Planning Policy Wales (9<sup>th</sup> Edition)

Technical Advice Note 6 (Planning for Sustainable Rural Communities) (TAN6)

### **4. Response to Consultation and Publicity**

**Councillor Aled Morris Jones** – Refer to the Planning and Orders Committee for determination

**Councillor Richard Griffiths** – No Response

**Councillor Richard Owain Jones** – No Response

**Local Highway Authority** – Insufficient details with respect to the visibility splay at the access submitted as part of the application.

**Community Council** – No Observations

**Joint Planning Policy Unit** – Comments regarding the relevant policies within the Ynys Mon Local Plan and Stopped Unitary Development Plan and Joint Local Development Plan.

**Welsh Water** – Conditions Recommended

**Ecology and Environmental Adviser** – Concerns that the vegetation located at the application site supports protected Species. Ecological Report request.

**Drainage** - Insufficient details with respect to the drainage submitted as part of the application.

**Built Environment and Landscape** – Proposal is likely to harm the designated Special Landscape Area

The proposal was advertised with the posting of notifications to adjacent properties. A site notice was also displayed near the application site.

Five letters of representations were received as a result of the publicity afforded to the application. The most recent notification period expired on the 29th June, 2017.

The main points raised in response to the publicity period are summarised below:

- Concerns regarding the validity of the application. - The application is contrary to planning policy.
- Proposal would result in an increase traffic and have a detrimental impact upon highway safety.
- Concerns regarding social housing and future use made at the site. - Application site is not used for grazing and never previously developed.
- Concerns regarding the construction of the proposed development.
- The proposed development will be visually intrusive within an environmental sensitive area.
- Community Council have not been consulted regarding the application.
- Applicant has not consulted the Local Planning Authority or the local resident's prior submitting the application.
- Concerns regarding the applicant / landowner and Certificate B submitted within the application form.
- Misleading information submitted as part of the application
- Insufficient publicity has been afforded to the application.
- The application site supports protected and priority habitats and species.
- Comments regarding the relationship between the applicant and the landowner.

- Concerns regarding the lack of highways and drainage details submitted as part of the application.
- Concerns regarding surface water run-off.
- Application site is located within close proximity to the AONB. The development would have and harm upon the designated area.
- Concerns regarding geological rocks.
- Proposed plan illustrates a second structure.
- Concerns whether or not all matters have been reserved as part of the application.
- No footpaths located within the area.
- Concerns regarding the information provided within the application form.
- Proposed dwelling will appear out of scale in comparison to the nearby dwelling houses.
- The nearby dwelling known as Tregarth is illustrated on the submitted drawing is inaccurate.
- Concerns regarding the planning history of the dwelling house known as Tregarth.
- Approving such an application would set a precedent.
- Concerns that the development would have a detrimental impact upon the amenities of adjoining properties in terms of loss of privacy and noise.
- Application site is subject to a legal dispute.
- It would cost a significant amount to develop the application site.
- Concerns raised with respect to security of the area.
- Concerns that the proposal will result in a commercial venture.
- The proposal would reduce the value of adjoining properties.

A letter supporting the application has been received from the applicant outlining her work with disabled children locally and her need to live in close proximity to continue carrying out this work.

## **5. Relevant Planning History**

No Planning History

## **6. Main Planning Considerations**

The application is made in outline form with all matters reserved. The application is accompanied by a plan illustrating a section through the site and proposed new access.

The proposal is for the erection of a dwelling of between 8-10 meters x 10-12 meters on plan. Eaves height of between 3.6 meters and 3.8 meters and a ridge height between 7.2 meters and 7.5 meters.

### **Ecology and Environmental Considerations**

The Ecology and Environmental Adviser was consulted regarding the application. Concerns were raised by the adviser that the vegetation located at the site may support Protected Species. As a result, an ecological report has been requested by the Local Planning Authority. No such report has been received at the time of writing this report.

### **Welsh Water and Drainage**

Both Welsh Water and the drainage department were consulted as part of the determination process. Welsh Water confirmed they were satisfied subject to conditions. However, the drainage department concluded that the application held insufficient details in order to determine the proposal. The required details have not been received at the time of writing this report.

### **Local Highways Authority**

The highways department concluded that the application held insufficient details in order to determine the proposal. The required details have not been received at the time of writing this report.

### **Built Environment and Landscape**

The application site is located within the Special Landscape Area within the Joint Local Development Plan and is adjacent to the Area of Outstanding Natural Beauty.

The Built Environment and Landscape section were consulted regarding the application and concluded that the proposal is likely to harm the Special Landscape Area and not be compatible

with Policy AMG 2; Special Landscape Areas of the JLDP. The aim of the policy is to maintain, enhance or restore the recognised character and qualities of the SLA’.

### **Policy Considerations**

Pengorffwysfa is identified as a Listed Settlement under policy 50 of the adopted Ynys Môn Local Plan. This policy allows for single dwelling applications on infill sites or on sites deemed to be a suitable extension to the settlement subject to the detailed criteria within the Policy being satisfied.

Whilst the Stopped Ynys Môn Unitary Development Plan is not adopted this is a material planning consideration in dealing with current applications. Pengorffwysfa is identified as a Countryside Hamlet and Cluster under policy HP5. This policy is similar to policy 50 of the Local plan in that it can support single dwelling applications on infill or other acceptable sites immediately adjacent to the developed part of the hamlet/cluster. Again this is subject to detailed criteria within the policy.

On the 30 June 2017 the Council received the Inspector’s Report. This is a significant stage in the plan preparation and closes the examination stage of the Plan process. The recommendations contained within the Report are binding on the Local Planning Authority and the Councils should move to adopt the Plan within 8 weeks of receiving the Inspector’s Report. Significant weight as a material planning consideration can be attached to the binding Inspectors Report.

Full Council meetings to adopt the Joint Local Development Plan have been organised for the 28<sup>th</sup> July in Gwynedd and the 31<sup>st</sup> July on Anglesey. Following the adoption of the Plan it will supersede the existing development plans within both authorities (this is for the Gwynedd Planning Area in Gwynedd).

Policy TAI 6 ‘Housing in Clusters’ (formerly policy TAI 18 in the Composite plan January 2017) does not identify Pengorffwysfa as a Cluster. This area would therefore be identified as falling into the open countryside within the JLDP. It was included in the Deposit plan as a Cluster, however following the hearing session in September the Council were required to review the number of Clusters contained within the JLDP. As set out in paragraph 4.16 of the Inspectors Report (as shown below) the removal of certain Clusters was supported by the Inspector and resulted in the retention of the Clusters policy within the Plan.

Paragraph 4.15 within the Inspectors Report in relation to Clusters within the Plan states .... *To reflect the generally dispersed pattern of development through the Plan area, and to seek to sustain rural communities, the Plan introduces the concepts of clusters (Policy TAI 18). Clusters are small groups of buildings which will have facilities or services that qualify them for that status<sup>35</sup>. As drafted in the submitted Plan, the policy imposes a limit of 2 new houses per cluster over the lifespan of the Plan. In many of the clusters, especially on Anglesey, the level of growth has already been exceeded. Rather than impose a potentially inflexible approach of limiting the number of new dwellings per cluster, a proposed change identifies an overall indicative number of dwellings arising from clusters within 4 sub-areas which include existing commitments. As the policy permits only affordable housing, it offers opportunities similar to the exception sites in policy TAI 10. Although experience of similar policies in the existing development plan and Interim Planning Policies suggests that take-up rates in the Plan area will not be particularly high, it has the potential to make a locally valuable contribution to that supply.*”

Paragraph 4.16 states .... *Following discussion at a hearing session the Councils have re-considered the qualifying criteria that justify designating a cluster. The Councils have subsequently applied a higher qualifying standard in respect of the frequency of local bus services within clusters to a level where it is sufficient to provide a realistic alternative to the car for day to day journeys. Such an approach is consistent with the principles of sustainable transport and better reflects the Councils’ justification for designating clusters in terms of the identified important linkages between clusters and higher tier settlements. The consequence of this change in approach is to remove 24 of the original clusters outside that designation. It is noted that this change has the effect of removing from the cluster category some of the larger collection of houses, such as Pencaenewydd. However, the availability of sufficiently frequent bus service is an important component in justifying the cluster approach. Mindful of national policy we consider that this change is sufficiently significant to tip the balance in favour of retaining policy TAI 18.*

Policy PCYFF 1 'Development Boundaries' (formerly New Policy 'Development Boundaries' in the Composite Plan January 2017) states that development outside development boundaries will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

For residential development in the open countryside the JLDP refers to relevant national planning policy and TAN 6 in relation to new rural enterprise dwelling or one planet development.

## **7. Conclusion**

It is considered that the proposal would result in a ribbon development which would result in an intrusive incongruous feature to the substantial detriment of the character and amenities of the area. It is therefore considered that the development would be contrary to provisions of Policy 50 of the Ynys Mon Local Plan and Policy HP5 of the Stopped Ynys Mon Unitary Development Plan

Furthermore, due to the significant weight that can be attached to the JLDP, in light of the inspectors Report, regard should be given to the fact that the site lies in the open countryside where development would have to satisfy national planning policy and TAN 6.

TAN6 states that one of the few circumstances in which isolated residential development in the countryside may be justified is when accommodation is required to enable a rural enterprise worker to live at or close to their workplace. No evidence has been submitted to the Local Planning Authority demonstrating a demonstrable need to meet any of the expectations stated in local or national policy.

It is also considered that the proposal would not conform with the requirement of Policy PCYFF 1 'Development Boundaries' (formerly New Policy 'Development Boundaries' in the Composite Plan January 2017) for development outside development boundaries.

The primary aim of the Special Landscape Areas is to maintain, enhance or restore the recognized character and qualities of the Special Landscape Area. It is considered that the proposal will have a will have a detrimental harm upon this designated area.

In addition, insufficient details relating to highway, drainage and ecology have been received in order to provide a recommendation relating to these matters.

## **8. Recommendation**

### **Refuse**

(01) The proposed development is considered contrary to policy 50 of the Ynys Mon Local plan, policy HP5 of the Stopped Ynys Mon Unitary Development plan, policy PCYFF 1 of the Joint Local Development Plan, Technical Advice Note 6 (Planning for Sustainable Rural Communities) and Planning Policy Wales (9<sup>th</sup> Edition)

(02) The proposal would have a detrimental effect upon the Special Landscape Area and considered contrary to Policy AMG 2 of the Joint Local Development Plan.

(03) The Local Planning Authority considers that there is insufficient evidence submitted as part of the application to demonstrate whether the development will have a detrimental impact on upon the drainage system, highway and ecological matters.

12.4

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **28C541/ENF** Application Number

Ymgeisydd Applicant

**Ms Camilla Alice Howe**

**Cais ôl-weithredol ar gyfer cadw balconi yn / Application for the retention of a balcony at**

**Glyn Garth, 10 Beach Road, Rhosneigr**





**Planning Committee: 26/07/2017**

**Report of Head of Regulation and Economic Development Service (JBR)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

At the request of the Local Member, Councillor Richard Dew.

### **1. Proposal and Site**

The application site is an end terrace property located in the village of Rhosneigr.

The proposal is for retrospective planning permission for the retention of a balcony which has been created on an existing flat roof at the rear of the property.

### **2. Key Issue(s)**

The key issues are whether the proposal complies with local and national planning policies, whether the balcony is acceptable in terms of design and assessment of any impact upon the privacy and amenities of neighbouring properties.

### **3. Main Policies**

#### **Ynys Mon Local Plan**

1 – General Policy  
42 – Design  
58 - Extensions

#### **Gwynedd Structure Plan**

D4 – Location, Siting and Design  
D29 - Design

#### **Stopped Unitary Development Plan**

GP1 – Development Control Guidance  
GP2 – Design

#### **Joint Local Development Plan (Anglesey & Gwynedd)**

PS 5 – Sustainable Development  
PCYFF 1 – Development Criteria  
PCYFF 2 – Design and Place Shaping

SPG: Design Guide for the Urban and Rural Environment.

### **4. Response to Consultation and Publicity**

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

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

**Community Council** – That screening should be installed around the balcony to protect the privacy of adjoining properties.

### **Response to Publicity**

None received at the time of writing report.

## **5. Relevant Planning History**

None.

## **6. Main Planning Considerations**

The application is submitted following an enforcement investigation, for retrospective planning permission for the retention of a balcony.

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:

- Pollution or nuisance
- The extent to which siting, scale, density, layout and appearance, including external materials, fit in with the character of the area.
- The effect on residential amenities

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 42 of the Ynys Mon Local Plan states that the Council will favour proposals for development which promote a high quality of design. In considering proposals, the Council will take into account the listed criteria which include:

- How well the development fits in with its surroundings.
- The quality of its layout, design and external finishes
- The extent to which the proposal, by nature of its siting and design, promotes energy conservation and reduces the opportunity for crime.

Policy 58 of the Ynys Mon Local Plan states that alterations and extensions to houses will normally be approved provided that the appearance of the house and surrounding area is not adversely affected.

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 D29 of the Gwynedd Structure Plan states that the Local Planning Authority will seek to ensure that new developments or alterations to existing buildings exhibit a high standard of design and are suitably sited in the townscape or landscape.

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

- 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.

Policy GP2 of the Stopped Unitary Development Plan states that new development should promote a high quality of design and take into account the listed criteria which include:

- How well the development fits in with the character of its surroundings and respects the site and its setting
- The quality of its layout, design; use of local distinctive materials or materials of equivalent characteristics, roofing and other external finishes;
- That the form, proportion, density and scale of the development is in harmony with its surroundings;
- The need to reduce crime.

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.

As noted above, the application is for retrospective planning permission for the erection of a balcony.

The balcony has been constructed on an existing flat roof at the rear of the property and has been constructed by raising the height of the existing walls and has been finished to match the existing dwelling.

The principle of the development and its design is considered to be acceptable and in accordance with the above mentioned policies.

The application site is located to the rear of an end terrace property in a built up, predominantly residential area in the popular tourist village of Rhosneigr.

It was observed during a visit to the site that various forms of balconies have been constructed at other properties in the immediate vicinity of the application site. The nature of the built form in this locality and the relationship between the dwellings is such that there is a pre-existing degree of inter-visibility between buildings and it is therefore accepted and indeed inevitable that some overlooking will arise from the use of the balcony, however it is a question of whether any overlooking or loss of privacy over and above that which already exists is to such a significant extent that refusal of the application on these grounds could be justified.

The fact that this application is retrospective has in fact served to assist the local planning authority fully assess the impact of the balcony upon the privacy and amenities of neighbouring properties, as it was possible to access the balcony during a visit to the site. The Local Member for the area had, at an early stage, expressed concerns regarding the impact of the balcony and drew the Local Planning Authority's attention to a recently erected balcony at nearby Beach Terrace, which had been required to erect a 1.8m high screen around its perimeter due to concerns of overlooking and loss of privacy therefrom. This balcony was noted and observed during the visit to the site.

It was noted during the site visit, that the balcony subject of this application afforded views into and over the neighbouring garden at 9 Beach Road and following negotiation with the agent, amended plans were submitted to provide a 1.8m high obscure glass and stainless steel screen in the South Eastern corner of the balcony.

Consideration has also been given as to whether further screening was necessary along the Western wall of the balcony, facing the rear of Beach Terrace, which includes the other balcony referred to above and regard has been had to Guidance Note 8: Proximity of Development contained in the Council's Supplementary Planning Guidance: Design Guide for the Urban and Rural Environment, however the existing screen around the nearby balcony effectively mitigates any views between the two balconies and there is sufficient separation distances between the balcony and the rear of the properties along Beach Terrace such that further screening along this wall was not considered necessary.

## 7. Conclusion

Having regard to the above and all material considerations it is considered that the balcony is acceptable, and will not have a significant detrimental impact upon the area or the privacy and amenities of nearby properties subject to conditions relating to the provision of a privacy screen.

## 8. Recommendation

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

**(01) Within 3 calendar months of the date of this permission, the 1.8m high privacy screen detailed on drawing number 1393-A3-02 received on 09/06/2017 shall be erected in accordance with the submitted details and thereafter retained in perpetuity, unless the written consent of the Local Planning Authority is given to any variation.**

Reason: To protect the amenities of nearby residential occupiers

**(02) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 28C541/ENF and listed below:**

Drawing/ Document Number	Date Received	Plan Description
1393-A3-01	13.03.2017	Location & Block Plan
1393-A3-02	09.06.2017	Proposed Elevations and Floor 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

### Ynys Mon Local Plan

31 – Landscape

### Gwynedd Structure Plan

D3 – Landscape

### Stopped Unitary Development Plan

EN1 – Landscape Character

Technical Advice Note 9: Enforcement of Planning Control.

Technical Advice Note 12: Design.

Planning Policy Wales (Edition 9)



12.5

Gweddill y Ceisiadau

Remainder Applications

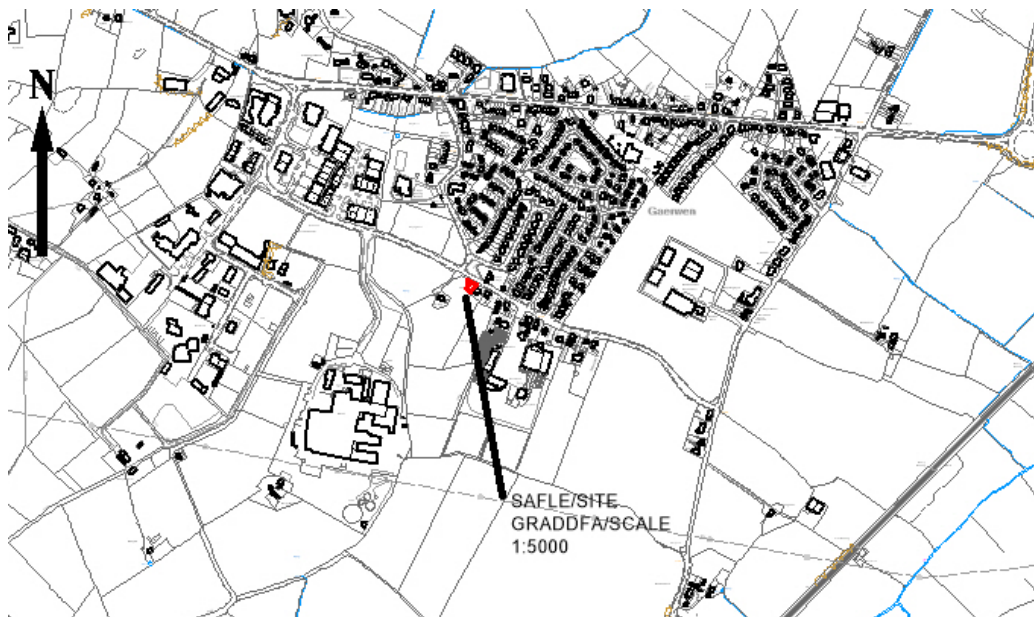
Rhif y Cais: **33C315** Application Number

Ymgeisydd Applicant

**Dwr Cymru Welsh Water**

**Cais llawn ar gyfer creu mynedfa newydd i gerbydau ynghyd a chreu trac mynediad ar dir ger / Full application for the creation of a new vehicular access and access track on land adjacent to**

**Tros y Marian, Lôn Groes, Gaerwen**



**Planning Committee: 26/07/2017**

**Report of Head of Planning Service (OWH)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

Part of the proposed development is within land which is owned by the Council.

### **1. Proposal and Site**

The application lies along Lôn Groes in Gaerwen village adjacent to the dwelling known as Tros Y Marian.

The proposal is for the creation of a new vehicular access and access track.

### **2. Key Issue(s)**

The key issue is whether the proposed scheme is acceptable in terms of highway safety and ecological impacts.

### **3. Main Policies**

#### **Ynys Mon Local Plan**

Policy 1 – General Policy

#### **Gwynedd Structure Plan**

Policy D4 – Location, Siting and Design

#### **Stopped Unitary Development Plan**

Policy GP1 – General Control Guidance

Policy GP2 – Design

#### **Anglesey and Gwynedd Joint Local Development Plan**

Policy PCYFF 2 – Design and Place Shaping

Policy PS 5 – Sustainable Development

**Planning Policy Wales (9th Edition), November 2016**

**Technical Advice Note 12 – Design**

### **4. Response to Consultation and Publicity**

**Councillor Dafydd Roberts** – No response received at the time of writing this report.

**Councillor Eric Wyn Jones** - No response received at the time of writing this report

**Community Council** – No response received at the time of writing this report

**Highways** – In its initial response, the Highway Authority noted that the proposed access is substandard. The applicant must demonstrate that a minimum 2.4m x 90m vision splay is achieved at the proposed access with nothing above 1.0m within the splay. Since this consultation, the proposal has been amended and the Highway Authority is supportive of the proposal.

**Ecological Advisor** – Standard comments - informative

**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 14/07/2017. At the time of writing this report, the department has not received any representations.

## 5. Relevant Planning History

No site history

## 6. Main Planning Considerations

The proposed development is part of a wider programme of works being undertaken by Dwr Cymru / Welsh Water as a statutory undertaker. Works to alleviate flooding in the area are being undertaken – flooding from the public sewer to properties on Lon Groes is being address by works to the public sewer itself and by the placing of an underground storage tank to store excess flows from the system. The tank will gradually empty once the sewer level subsides.

The vehicular access and timber boundary proposed as part of the planning application are required to provide access to the tank for routine maintenance.

The Highway Authority requested clarification that sufficient visibility could be achieved at the access. Amended plans have been received which are satisfactory to the Highway Authority.

Given the scale of the proposed development, it is not considered that the proposal would impact the surrounding amenities to such a degree to warrant a refusal. The proposed plans have been amended since the first consultation response from the Highway Authority. The proposed new access as originally submitted was substandard in terms of visibility. The agent since has amended the proposed scheme and the Highway Authority are now supportive.

## Ecology

The application is supported by a Phase 1 Habitat Survey Report which demonstrate that the site is generally of low ecological value. However, the report proposes general working practices to ensure that the development takes place with minimum impact to wildlife.

It is not considered that the proposed development would form an adverse impact on the surrounding amenities to such a degree to warrant a refusal.

## 7. Conclusion

The proposed development is considered acceptable to the Local Planning Authority.

## 8. Recommendation

### Permit

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

Drawing number	Date Received	Plan Description
-	27/03/2017	Planning Statement
-	27/03/2017	Habitat Survey Report
SDC2011/066	27/03/2017	Proposed Gate Details



SDC2006/004	27/03/2017	Cross Section
SDC2010/001	27/03/2017	Fences, Hedges and Barriers
4391_S_202-ARP-XX-AG-DR-CX-08004	08/06/2017	Access Visibility Splay
4391_S_202-ARP-XX-AG-DR-CX-08002	08/06/2017	Proposed Site Plan
4391_S_202-ARP-XX-AG-DR-CX-08001	08/06/2017	Location Plan
4391_S_202-ARP-XX-AG-DR-CX-08000	08/06/2017	Location Plan

under planning application reference 33C315.

Reason: For the avoidance of doubt.

**(03) 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.

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

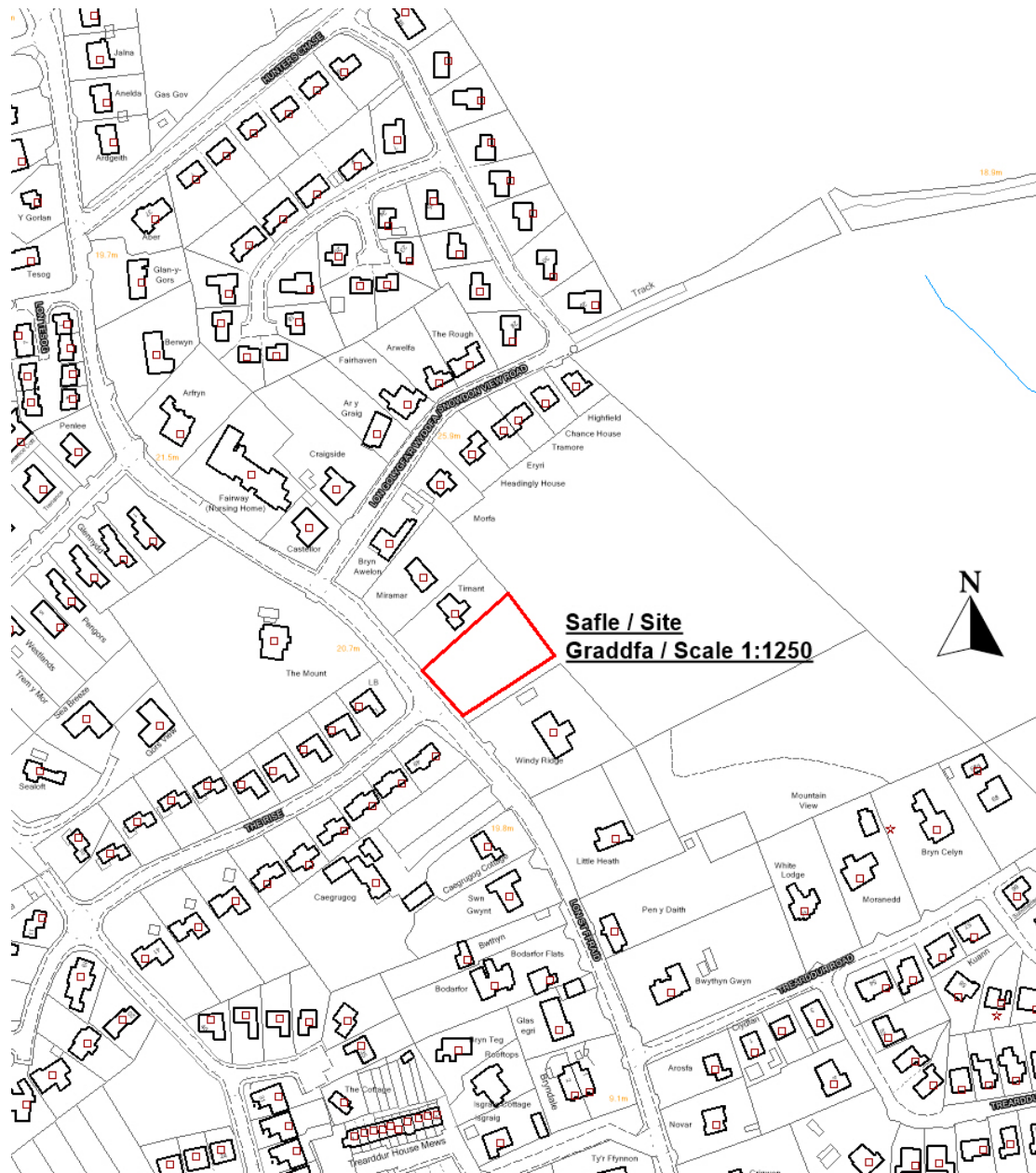
Rhif y Cais: **46C52D** Application Number

Ymgeisydd Applicant

**Mr J H Burnell**

**Cais llawn ar gyfer codi annedd i gynnwys mynedfa newydd i gerbydau ar dir ger / Full application for the erection of a dwelling to include a new vehicular access on land adjacent to**

**Tir Nant, Lôn St. Ffraid, Bae Trearddur Bay**



**Planning Committee: 26/07/2017**

**Report of Head of Regulation and Economic Development Service (DPJ)**

**Recommendation:**

Refuse.

**Reason for Reporting to Committee:**

At the request of two local members due to concerns in relation to the vehicular access.

**1. Proposal and Site**

This is a full planning application for a two storey 5 bedroom dwelling and integral garage. The planning application was originally submitted with two vehicular access options one of which afforded access to a larger development area to the rear. The agent has subsequently confirmed that the latter access does not form part of the submitted planning application.

The application site comprises an undeveloped parcel of land situated between existing dwellings and opposite the entrance to The Rise.

**2. Key Issue(s)**

- Acceptability of the proposal as a rounding off of this part of the settlement.
- Adequacy of the proposed vehicular access arrangements.

**3. Main Policies**

**Gwynedd Structure Plan**

Policy A1: Housing Land Availability  
Policy A2: Housing Location  
Policy A3: Scale and Phasing of Housing  
Policy A6: Dwellings in the Countryside  
Policy A7: 5 Year Supply  
Policy D4: Location, Siting and Design  
Policy D28: Natural Slate  
Policy D29: Standard of Design  
Policy D32: Landscaping  
Policy FF12: Car Parking Standards

**Ynys Mon Local Plan**

Policy 1: General  
Policy 26: Car Parking  
Policy 31: Special Landscape Area  
Policy 32: Landscape  
Policy 42: Design  
Policy 48: Housing Development Criteria  
Policy 49: Defined Settlements

**Stopped Unitary Development Plan**

Policy GP1: Development Control Guidance.  
Policy GP2: Design  
Policy EN1: Landscape Character  
Policy TR3: Highway Design  
Policy TR10: Parking Standards  
Policy HP1: 5 Year Supply  
Policy HP2: Housing Density  
Policy HP3: Main and Secondary Centres

Policy HP7: Affordable Housing – Housing Need  
Policy SG6: Surface Water Run Off

**Emerging Joint Local Development Plan Anglesey and Gwynedd (2011 – 2026)**

TRA2: Parking Standards  
TRA4: Managing Transport Impacts  
PCYFF1: Development Criteria  
PCYFF2: Design and Place Shaping  
PCYFF3: Design and Landscaping  
PCYFF5: Water Conservation  
PYYCFF1 Development boundaries  
TAI 5: Local Market Housing

**Supplementary Planning Guidance “SPG”  
Design in the Urban and Rural Built Environment**

**Planning Policy Wales Edition 9 “PPW”**

**TAN 12: Design**

**4. Response to Consultation and Publicity**

**Councillor John Arwel Roberts** – No objections.

**Councillor Dafydd Rhys Thomas** – Called to the committee due to concerns over the vehicular access to Lon St Ffraid.

**Councillor Trefor Lloyd Hughes** - Called to the planning committee due to concern over the opening to the development.

**Community Council** – Japanese knotweed known to be on site. Concerns about the overdevelopment of green space. Suggest refer to highways department concerning prospective future development access.

**Highway Authority** - Satisfied subject to conditions.

Drainage Section-Details should be provided in relation to the disposal of surface water and in relation to soakaways and to ensure that there is an adequate easement between the development and the public sewer in proximity.

**Welsh Water** – Conditions recommended precluding connection of surface water drainage to the public sewer and to protect the integrity of the public sewer adjacent.

**Ecological and Environmental Advisor** – In view of the fact that Japanese knotweed is present a condition is recommended to eradicate. In addition an informative is recommended in relation to clearance in the bird nesting season.

**Natural Resources Wales** – Condition is recommended in relation to invasive species to control knotweed.

**Conservation Officer:** The site is located opposite Caegrugog which is grade II listed building, and is regarded as being within its setting. Special regard must be paid by the Local Planning Authority to the desirability of preserving the setting of the listed building. Having regard to the design, height, scale, materials and materials bar some detail in relation to a garage door no objections are raised on in terms of the impact on the setting of the listed building.

Public response to notification: 6 letters of objection have been received as a result of the publicity undertaken. Objections are based on:

- Access to the B4545.
- The application is made for two access points.
- What is the second access for?
- Proximity of the proposed dwelling to the writer's property and the consequent loss of light and view.
- Recent planning history indicates permission has been refused/modified for residential development.
- Knotweed present on site.
- Location plan does not accurately show the number of dwellings present in Trearddur.

## **5. Relevant Planning History**

45C52 Erection of a dwelling and the formation of a vehicular access Refused 31.07.86.

46C52A Residential development of OS Enclosure 6071 Approved 05.10.88.

46C52B Residential development on OS 6071 Refused 04.02.98.

46C52C/DA Full detailed application for the erection of 5 dwellings together with the construction of a new vehicular access Withdrawn.

## **6. Main Planning Considerations**

### **Policy Considerations:**

Policy A2 of the Gwynedd Structure states that housing will be located within or on the edge of existing settlements at a scale which reflects the settlements existing population

The site is predominantly within the development boundary of Trearddur under the Ynys Mon Local Plan, though there is a section at the rear, forming part of garden area which extends beyond the settlement boundary.

The Local Plan, along with the Gwynedd Structure Plan currently comprise the development plan in accordance with the Planning Acts.

The settlement boundary of the UDP is the same as that of the local plan and the application site similarly extends beyond the settlement boundary. In the UDP the area beyond the settlement boundary extends into an area defined as a green wedge under the provisions of policy EN2 which is defined to prevent inappropriate developments which detract from the open character of the area and provide an environmental buffer.

Whilst the UDP was not formally adopted, due to the advanced stage reached in its preparation it is given weight as a material planning consideration in dealing with planning applications.

On the 30 June 2017 the Council received the Inspector's Report in relation to the Joint Local Development Plan. This is a significant stage in the plan preparation and closes the examination stage of the Plan process. The recommendations contained within the Report are binding on the Local Planning Authority and the Councils should move to adopt the Plan within 8 weeks of receiving the Inspector's Report. Significant weight as a material planning consideration can be attached to the binding Inspectors Report.

Full Council meetings to adopt the Joint Local Development Plan have been organised for the 28<sup>th</sup> July in Gwynedd and the 31<sup>st</sup> July on Anglesey. Following the adoption of the Plan it will supersede the existing development plans within both authorities (this is for the Gwynedd Planning Area in Gwynedd).

The application site is outside but adjoining the settlement boundary of Trearddur Bay under the provisions of PCYFF 1. The proposal cannot therefore be considered as an acceptable rounding off

of this part of the settlement under the provisions of TAI 5 which require that the site of the proposed development is within the settlement boundary and that the listed criteria are met.

Having regard to the provisions of section 38(6) of the 2004 Act, if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The age of the development plan and the existence of more up to date provisions in the LDP means that the principle of the development is not considered acceptable in this instance.

### **Highways**

Objections have been received in relation to the acceptability of the proposed vehicular access to the proposed development.

The highways section are content with the proposed development subject to conditions recommended.

### **Other Considerations**

It has been noted that there is Japanese knotweed present on the site and a condition could be attached to control this invasive species.

The proposed development affects the setting of a listed building opposite and has been advertised as such with the publicity period expiring on 07.08.17. The council's Conservation Officer does not consider that the proposal has an unacceptable effect on the setting of this listed building.

### **7. Conclusion**

The age of the development plan and the existence of more up to date provisions in the LDP means that the principle of the development is not considered acceptable in this instance.

### **8. Recommendation**

That the planning application is **refused** following the expiry of the publicity period on 02.08.17 for the following reason:

(01) The proposed development is located outside the settlement boundary of Trearddur Bay under the provisions of PCYFF 1 of the Joint Local Development Plan Anglesey and Gwynedd (2011 – 2026) "LDP". The proposed development cannot therefore be considered acceptable under the provisions of policies PCYFF 1 and TAI 5 of the "LDP".



**Planning Committee: 26/07/2017**

**Report of Head of Regulation and Economic Development Service (DPJ)**

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

The application has been called in by Councillor Dafydd Rhys Thomas due to concerns regarding overdevelopment on a very prominent site and adverse effect on neighbouring property.

**1. Proposal and Site**

The application as submitted is for demolition of the existing single storey dwelling and full planning permission for the erection of two dwellings.

The existing dwelling is single storey design, with rendered walls and a slated pitched roof. No existing plans are submitted with the planning application, but measured on an OS base it is estimated that the floor area of the proposed dwelling amounts to around 125 m<sup>2</sup>. The length (frontage) of the existing dwelling is around 11.5 meters and the width is some 17 meters.

The proposed dwellings differ in terms of their detailed design and size, but both can be described as being of a dormer type design, incorporating a first floor level. The floor area of the respective dwellings measured internally are approximately as follows:

Dwelling A – 190 m<sup>2</sup>

Dwelling B – 261 m<sup>2</sup>

The proposed dwellings attain a height of around 6.2 meters and cross sections have been submitted indicating that this is comparable to the ridge height of the existing dwelling to be replaced. The length (frontage) of the proposed dwellings is around 14 meters and width of A is around 11 meters and B slightly over 16.5 meters due to a rear projection towards Craig y Don.

Full details of the access is provided which will be shared for part of its length before splitting into the two separate curtilages as proposed which will contain independent parking and turning space for the dwellings. Foul drainage is to connect into the mains while surface water will discharge to sea through an outlet discharging to the sea via the foreshore.

**2. Key Issue(s)**

Compliance with relevant development plan policies and amenity.

**3. Main Policies**

**Ynys Mon Local Plan**

Policy 1: General

Policy 26: Car Parking

Policy 42: Design

Policy 48: Housing Development Criteria

Policy 49: Defined Settlements

Policy 54: Replacement Dwellings

**Gwynedd Structure Plan**

Policy A1: Housing Land Availability

Policy A2: Housing Location

Policy A3: Scale and Phasing of Housing

Policy A7: 5 Year Supply

Policy D4: Location, Siting and Design



Policy D28: Natural Slate  
Policy D29: Standard of Design  
Policy D32: Landscaping  
Policy FF12: Car Parking Standards

**Stopped Unitary Development Plan**

Policy GP1: Development Control Guidance.  
Policy GP2: Design  
EN1: Landscape Character  
Policy TR3: Highway Design  
Policy TR10: Parking Standards  
Policy HP1: 5 Year Supply  
Policy HP2: Housing Density  
Policy HP3: Main and Secondary Centres

Policy SG6: Surface Water Run Off

**Emerging Joint Local Development Plan Anglesey and Gwynedd (2011 – 2026)**

TRA2: Parking Standards  
TRA4: Managing Transport Impacts  
PCYFF1: Development Boundaries  
PCYFF2: Design and Place Shaping  
PCYFF3: Design and Landscaping  
PCYFF5: Water Conservation  
PYCYFF1 Development boundaries  
TAI 5: Local Market Housing  
TAI 13: Replacement Dwellings

**Supplementary Planning Guidance “SPG”  
Design in the Urban and Rural Built Environment**

**Planning Policy Wales Edition 9 “PPW”**

**TAN 12: Design**

**4. Response to Consultation and Publicity**

**Councillor Dafydd Rhys Thomas** – requests that the application be determined by the Planning and Orders Committee due to concerns regarding overdevelopment on a very prominent sensitive headland, effect on privacy of neighbours and would like to a site visit by the planning committee.

**Councillor Trefor Lloyd Hughes and Councillor John Arwel Roberts** – No response to consultation.

**Community Council** – Not in keeping with the existing area, over development of the Penrhyngarw headland.

**Highway Authority** - Conditional permission.

**Drainage Section** - No objections to the utilisation of a positive surface water drainage outlet discharging to the sea/adjacent foreshore but noted that it extends beyond the land in the applicant's ownership.

**Welsh Water** – No objections on capacity grounds in terms of foul drainage flows from the development.

**Ecological and Environmental Advisor** – No objections subject to the construction being implemented in accord with the submitted protected species survey.

**Natural Resources Wales** – Protected Species - Satisfied that the ecological reports have been carried out to an acceptable standard and that there is no evidence that the structures are being used as bat roosts, and they have low potential as a roost. Recommend that the avoidance mitigation measures detailed in the Emergence Survey are adhered to by the applicant.

Protected Sites – NRW considers that the proposals will not affect North Anglesey Marine (SAC), Anglesey Terns (SPA).

Surface Water Drainage – No objections.

Demolition Waste – Informative recommended.

Public response to notification:

33 letters of objection have been received as a result of the publicity undertaken based on:

Overdevelopment.

Excessive number of developments already approved in Trearddur Bay.

Extends beyond the building line of existing properties.

Tandem development

Garden grabbing

Design inappropriate.

Scale and height has an unacceptable effect on the objectors views.

Effect on the character and appearance of the area including urbanisation by the proposed means of enclosure, impact on the bay and Public Right of Way "PROW".

Proximity to existing dwellings and consequent loss of light, loss of views and overlooking.

Impacts of construction and traffic resulting from the development including safety, numbers and parking impacts.

Lack of turning areas and overspill parking.

Adequacy of services including water supply and foul drainage.

Planning application does not overcome previous reasons for refusal.

Details of surface water drainage should be included with the planning application.

Impact on the Area of Outstanding Natural Beauty "AONB".

Prominence of the application site.

Headland area has historical associations.

Impact on the community if the development is used as a holiday cottage.

Location plan is out of date, and does not include for instance the conservatory of Bryn Eithen.

Submitted plans do not indicate the levels of adjacent dwellings.

Plans allow for the possibility of a third dwelling to be applied for in future.

2 letters of support have been received as a result of the publicity undertaken based on:

- Extension and conservatory at Bryn Eithen are too close to the boundary with the application site. The nearest replacement dwelling which result in more privacy for the adjacent dwelling than the existing bungalow by virtue of having no windows on the nearest facing elevation.
- Proposal would accord with other properties in the locality by having a similarly coloured Welsh blue slated roof.
- Having two smaller dwellings would meet the applicant's family needs.
- New dwellings would be more sustainable have no damp problems.
- Low height and small scale of the proposals maintains neighbours views.
- Other new houses have been approved in the locality at a similar density.

## **5. Relevant Planning History**

46C254 extension to provide a new garage and conservatory, Ael y Bryn, Ravenspoint Road – approved 7/10/94

46C254A Full application for demolition of part of the existing dwelling together with the erection of a new dwelling at Ael y Bryn, Lon Penrhyn Garw, Trearddur – refused 18/10/16

46C254B Outline application for demolition of the existing dwelling together with the erection of two new dwellings Withdrawn 25.04.17.

## **6. Main Planning Considerations**

**Planning History** – Planning permission 46C254B was made in outline form for two dwellings and was withdrawn in April 2017. Prior to being withdrawn the application was included on the agenda for the April 2017 planning committee with a recommendation of refusal for the following reason:

*The development would result in an overdevelopment of this open headland area, and would be out of character with its neighbouring dwellings as well as adversely impacting the privacy and amenity of adjoining occupiers and is therefore contrary to policy 1, 48 and 50 of the Ynys Mon Local Plan and the advice contained within the Council's Supplementary Planning Guidance Design in the Urban and Rural Environment.*

Whilst the layout submitted with the current planning application is broadly similar to that subject to planning application 46C254B there have been changes to the detailed design and siting which are assessed in the report below.

**Principle of the Development** – An existing dwelling occupies the application site and the proposal therefore entails only one additional dwelling as part of the scheme. Cognizance therefore need to be taken of policies 54 of the YMLP and TAI 13 of the JLDP which are relevant in considering proposals for replacement dwellings within settlement boundaries. These policies generally permit replacement dwelling subject to the listed criteria being satisfied. Given the advanced stage reached in preparation of the JLDP and the age of the YMLP it is considered that the provisions of TAI 13 should be given greatest weight in this instance. Of relevance to the proposal subject to this report the policy requires that the existing dwelling has no particular architectural/historic or visual merit and it is confirmed that this is the officer view in relation to the existing single storey dwelling on the application site. The principle of one replacement dwelling could be acceptable under the provisions of the aforementioned policy but this proposal needs to be considered as an overall scheme for two dwellings. Material considerations notably in relation to the visual and residential amenities as considered further in the report below.

The site is located within the existing developed part of the settlement of Ravenspoint Road under Policy 50 of the Local Plan which normally allows the erection of single plots within or on the edge of the settlement subject to criteria. The site is also located within the development boundary of Trearddur under the stopped UDP which allows residential development on suitable sites.

Under the JLDP Policy TAI 5, Trearddur is identified as a village where Local Market Housing (where there is a restriction on the maximum size of the dwelling to a 100 m<sup>2</sup> for a 3 bedroom dwelling and a planning mechanism is used to control the occupancy of a dwelling to household that have a specific local connection but is not used to control the price of the dwelling) will be allowed within development boundaries. The policy provision is intended to maintain Welsh speaking communities and is applicable to settlements in the plan where it has been demonstrated that there are pressures. The site is within the development boundary of the JLDP. Given the advanced stage reached in preparation of the JLDP and the age of the development plan and the Stopped UDP it is considered that the provisions of TAI 5 should be given greatest weight in this instance.

Whilst the principle of one replacement dwelling could be considered acceptable under the provisions of policy TAI 13 the overall scheme proposed for two dwellings needs to be assessed in determining the planning application. Any additional dwelling would be subject to the provisions of TAI 5 and the scale of the dwellings at 190 m<sup>2</sup> and 261 m<sup>2</sup> do not accord in principle with the provisions of TAI 5. Other aspects of the overall scheme for two dwellings are considered in the section below.

### **Character and Appearance of the Locality -**

Dwellings on the headland at Lon Penrhyn Garw nearest the application site and read in context with the proposed development present their eaves and longest elevation to the headland. The

proposal subject to the planning application 46C254B presented its dominant gable elevation to the headland on one of the dwellings which brought it much further forward towards the coast than its neighbours. In order to allow the development of the second dwelling and to allow parking and turning space for both, the plot had to be set further towards the coast and on this basis it was considered that the scheme had an unacceptable impact on the character and appearance of the area.

This revised scheme now amends the proposal such that the frontage of both dwellings face the headland. While the eastern plot does not extend as close to the coastline, it is still beyond the building line of the existing dwellings to the east and is considered to have an unacceptable impact on the character and appearance of the open headland area. It is also still considered that the layout and positioning is such that the resultant development is squeezed into too narrow a plot and would not reflect the existing settlement pattern in the vicinity.

The eastern plot subject to planning application 45C254B was previously deemed too close to the boundary and the conservatory of the property to the east at Bryn Eithen. Though the proposed dwelling is still forward of the building line with Bryn Eithen the distances between the proposed dwelling, the boundary and Bryn Eithen have been increased sufficiently such that a reason for refusal on this basis is not recommended.

The second dwelling is located to the west of the plot and has also been redesigned such that the rear elevation is some 13 meters from the boundary, but the rear garage projects south to within around 6 meters of the boundary. The properties are currently separated by a low stone wall but the spacious arrangement of dwellings to plot ratio ensures a level of separation and privacy. Similar to the preceding paragraph given the amendments to the design a reason for refusal on residential amenity grounds is not now recommended.

**Highways and Drainage:** The proposal uses an existing vehicular access. Separate curtilages will be provided with parking and turning areas for each of the dwellings. It is not considered that unacceptable traffic impacts will occur and the Highway Authority have recommended conditional approval. The Drainage Section has confirmed that the scheme is satisfactory in principle. Dwr Cymru-Welsh Water no objections on capacity grounds in terms of foul drainage flows from the development.

**Ecology:** Although the existing dwelling is to be demolished the risks to protected species is considered to be low and a precautionary approach during the demolition stage is therefore advised.

## 7. Conclusion

An existing dwelling occupies the application site and whilst the proposal entails only one additional dwelling the overall scheme needs to be assessed in determining the planning application. The development is considered unacceptable as it does not accord with the provisions of TAI 5 in relation to Local Market Housing which seeks to maintain Welsh speaking communities and due to its negative impacts on the character of the area.

## 8. Recommendation

To **refuse** the application for the following reason:

(01) The scale of the development would not accord with the provisions of TAI 5 of Anglesey and Gwynedd Joint Local Development Plan (July 2017) which restricts the size of units to comply with the defined maximum for a particular type of unit. The proposal would therefore contravene the aims of the policy TAI 5 in seeking to maintain and strengthen Welsh speaking communities.

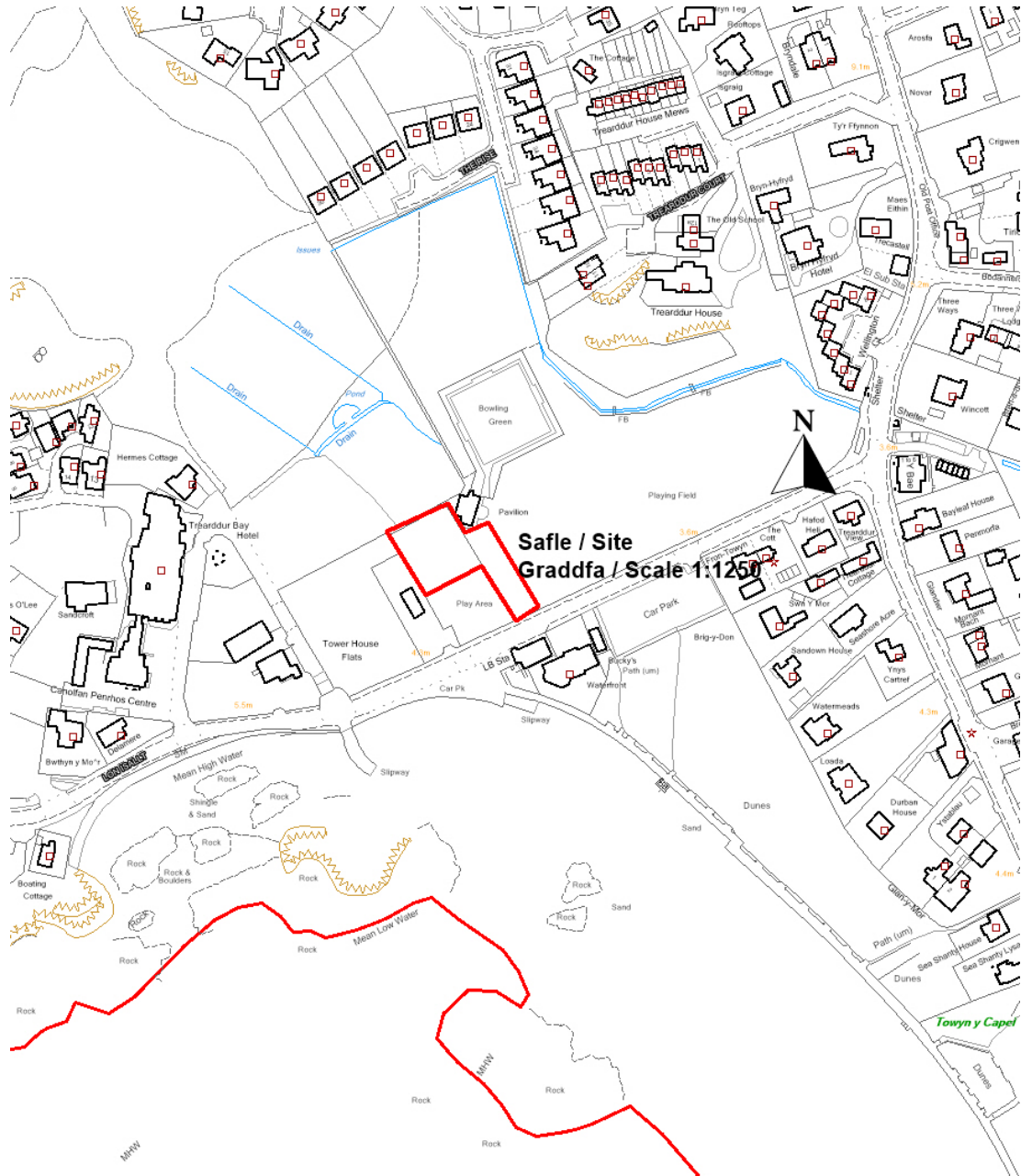
(02) The development would result in an overdevelopment of this open headland area, and would be out of character with its neighbouring dwellings and is therefore contrary to Policy 1, 48 and 50 of the Ynys Mon Local Plan (1996), GP 2 Stopped Anglesey Unitary Development Plan (2006) and PCYFF 3 of the Anglesey, Gwynedd Joint Local Development Plan (July 2017), Planning Policy Wales (2016 Edition 9) and Technical Advice Note 12 (2016) Design.

Rhif y Cais: **46C578** Application Number

Ymgeisydd Applicant

**Trearddur Bay FC**

**Cais llawn i addasu ac ehangu yn / Full application for alterations and extensions to  
The Pavillion, Lôn Isallt, Bae Trearddur Bay**



**Planning Committee: 26/07/2017**

**Report of Head of Regulation and Economic Development Service (AL)**

**Recommendation:**

Refuse.

**Reason for Reporting to Committee:**

The application is made on land in the Council's ownership.

**1. Proposal and Site**

The site is located opposite the car park and promenade in Trearddur Bay, off Lon Isallt, and adjoins the football pitch.

The application is for alterations and extensions to the pavilion building in order to create additional changing facilities. In addition, an access and car park are proposed.

**2. Key Issue(s)**

Acceptability of proposed development in relation to flood risk.

**3. Main Policies**

**Gwynedd Structure Plan**

Policy D4: Location, Siting and Design

Policy D28: Natural Slate

Policy D29: Standard of Design

Policy D32: Landscaping

Policy FF12: Car Parking Standards

**Ynys Mon Local Plan**

Policy 1: General

Policy 14: Recreation and Community Facilities

Policy 16: Recreation and Community Facilities

Policy 26: Car Parking

Policy 28 : Tidal Inundation and River Flooding

**Stopped Unitary Development Plan**

Policy GP1: Development Control Guidance.

Policy GP2: Design

Policy CC1: Community Facilities

Policy EN1: Landscape Character

Policy TR10: Parking Standards

Policy SG2: Development and Flood Risk

Policy SG6: Surface Water Run Off

**Emerging Joint Local Development Plan Anglesey and Gwynedd (2011 – 2026)**

Strategic Policy PS 6: Alleviating and adapting to the effects of climate change

TRA2: Parking Standards

PS5: Sustainable Development

ISA 2: Community Facilities

PCYFF5: Water Conservation

**Supplementary Planning Guidance "SPG"**

**Design in the Urban and Rural Built Environment**

**Planning Policy Wales Edition 9 “PPW”**  
**TAN 12: Design**  
**TAN 15: Development and Flood Risk**  
**TAN18 Transport**

#### **4. Response to Consultation and Publicity**

**Councillor Trefor Lloyd Hughes** – delegated to officers

**Councillor Dafydd Rhys Thomas** – no reply to consultation

**Councillor Jeff Evans** – no reply to consultation, which was completed prior to local elections.

**Trearddur Community Council** – no reply to consultation

**Highways** – Conditional permission.

**Welsh Water** – comments

**Natural Resources Wales “NRW”** – In accordance with A3.10 of TAN15, we object to the proposed development as submitted and consider that the Flood Consequence Assessment (FCA) is insufficient, as it has failed to demonstrate that the consequences of flooding can be acceptably managed in accordance with TAN15. We therefore recommend that the application be refused.

Public Response – No representations were received as a result of the publicity undertaken.

#### **5. Relevant Planning History**

None.

#### **6. Main Planning Considerations**

The Pavilion building subject of the application exists and is used as changing facilities by the local football team. The proposal to extend and alter the building to enhance changing facilities is acceptable in design terms and compliant with policies which seek to provide recreation and community facilities.

However the site is located partially within flood risk Zone C2 and NRW requested that a flood consequences assessment be prepared to demonstrate how the development would deal with the consequences of flooding. Whilst a document was prepared, NRW consider its content insufficient to demonstrate that the pavilion extension adequately deals with the risks.

The creation of a parking area introduces a new vulnerable use to the site and increases flood risks. Whilst the Highway Authority raises no technical objection, again, the flood consequences assessment fails to demonstrate that the risks can be acceptably managed.

The applicant has been given the opportunity to address outstanding concerns but the response received is insufficient to remove NRW's objection.

#### **7. Conclusion**

Whilst the design of the extensions to the pavilion building are acceptable and no objections in highway or amenity terms exist to the creation of a car park and access, the flood consequences assessment has failed to demonstrate that the risks of flooding can be adequately managed and the statutory consultee recommends refusal in line with national planning policy.

#### **8. Recommendation**

That the planning application is **refused** for the following reason:

(01) The site is located within zone C2 but the flood consequences assessment has not demonstrated that the risks of flooding can be adequately managed within the site. The proposal is therefore contrary to Policy 28 of the Ynys Mon Local Plan, Policy SG2 of the Stopped Unitary Development Plan, emerging Strategic Policy PS6 of the Joint Local Development Plan and the advice contained within Technical Advice Note 15: Development and Flood Risk.