

10.1

Ceisiadau'n Tynnu'n Groes

Departure Applications

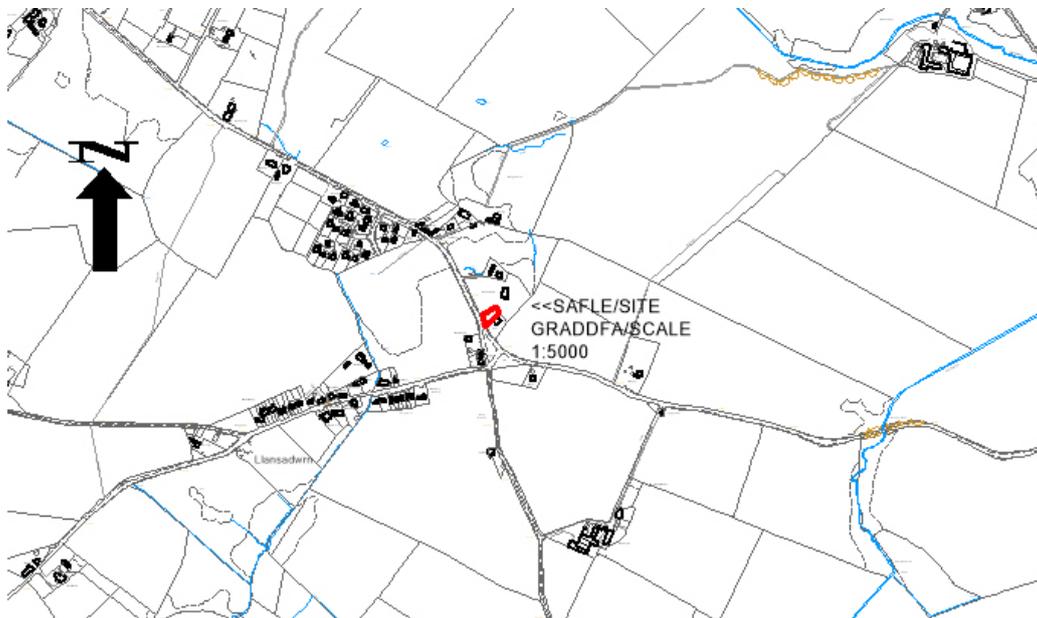
Rhif y Cais: **17C513B** Application Number

Ymgeisydd Applicant

Mr Dylan Edwards

Cais llawn am man newidiadau i gais gynllunio a gafwyd ei ganiatau dan cyfeirnod rhif cais A/289A i godi ty a garej newydd ar dir ger / Full application for amendments to previously approved application reference A/289A for the erection of a dwelling and garage on land at

Bryn, Llansadwrn



Planning Committee: 04/10/2017

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application is being presented to the Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve.

1. Proposal and Site

Full application for amendments to previously approved application reference A/289A for the erection of a dwelling and garage on land at Bryn, Llansadwrn.

2. Key Issue(s)

The key issue is whether the proposal can be supported by national and local policies.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries
PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Lewis Davies) – No response

Local Member (Carwyn Jones) – No response

Local Member (Alun Roberts) - No response

Welsh Water – Conditional Approval

Highways – No response

Drainage - Comments

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 11/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

A/289 – Use of land adjacent Bryn, Llansadwrn for residential purposes – Approved 19/6/62.

A/289A – Erection of a bungalow and garage on land adjacent to Bryn, Llansadwrn – Approved 5/2/64.

A/289B – Erection of a private garage at Bryn, Llansadwrn – Approved 5/4/78.

6. Main Planning Considerations

Previous planning permission

A detailed application was approved under reference A/289A on the 14/2/64 on land at Bryn, Llansadwrn

A Certificate of lawfulness was submitted under application reference 17C513A/LUC which provided evidence that footings for the bungalow were dug. The evidence provided has safeguarded the permission approved under application number A/289.

This application is for amendments to previously approved A/289A in order to amend the design from a single storey cottage to a dormer type bungalow on the same footprint as what was previously approved.

Policy Considerations

Joint Local Development Plan

The application site is located in an open countryside location.

Policy PCYFF1 The Joint Local Development Plan states that proposals outside development boundaries will be resisted unless they are in accordance with specific policies of the plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

The land in question is located in the open countryside therefore is contrary to Policy PCYFF1 of the Joint Local Development Plan. However a certificate of lawfulness for a dwelling has been proved lawful, therefore the principle of amending the design of the dwelling is considered acceptable.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations was 11/9/17. At the time of writing the report no objections were received.

There is 1 immediate neighbour known as 'Bryn' which is located to the North East of the application site and is owned by the applicant's father. It is not considered that the proposal will have a negative impact upon the neighbouring property. A condition will be placed on the permission so that the first floor window in the North East elevation will be glazed with obscure glass.

The Supplementary Planning Guidance on Proximity of Development states that a Secondary window should be no closer than 7.5m to the boundary. In the case of this application the First floor window will be located 2m from the boundary. The applicant has agreed to obscure the glazing on the first floor window of the master bedroom in the North East elevation in order to alleviate any overlooking onto the neighbouring property.

7. Conclusion

Having considered the above and all other material considerations the recommendation is one of approval.

It is considered that the previous application A/289A is likely to be implemented and the amendments are an improvement to that originally approved. A section 106 agreement will be required in order to preclude the implementation of the previous permission.

8. Recommendation

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

(01) The development to which this permission relates shall be begun no later than the expiration of one year beginning with the date of this permission.

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

(02) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

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

(03) No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

(04) The glazing on the first floor side window on the North East elevation which shall be obscure glazed to a minimum Level 3 and a sample of the obscure glazing proposed to be used together with manufacturers specification details shall be submitted to and approved in writing to the Local Planning Authority before any development is commenced and thereafter installed prior to occupation of the dwelling. The window shall not be glazed or re-glazed other than with obscure glass.

Reason: To preserve the amenities of occupants of the adjacent dwellings.

(05) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans, except as amended under condition (04) above, under planning application reference 17C513B.

Drawing Description	Drawing Reference	Date Received
Location Plan		
Proposed Ground Floor Plan	1	8/8/17
Proposed First Floor Plan	2	8/8/17
Proposed Front Elevation	3	8/8/17
Proposed Side Elevation	4	8/8/17
Proposed Rear Elevation	5	8/8/17
Proposed Side Elevation	6	8/8/17
Proposed Garage	7	8/8/17

Reason: To ensure that the development is implemented in accord with the approved details

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.

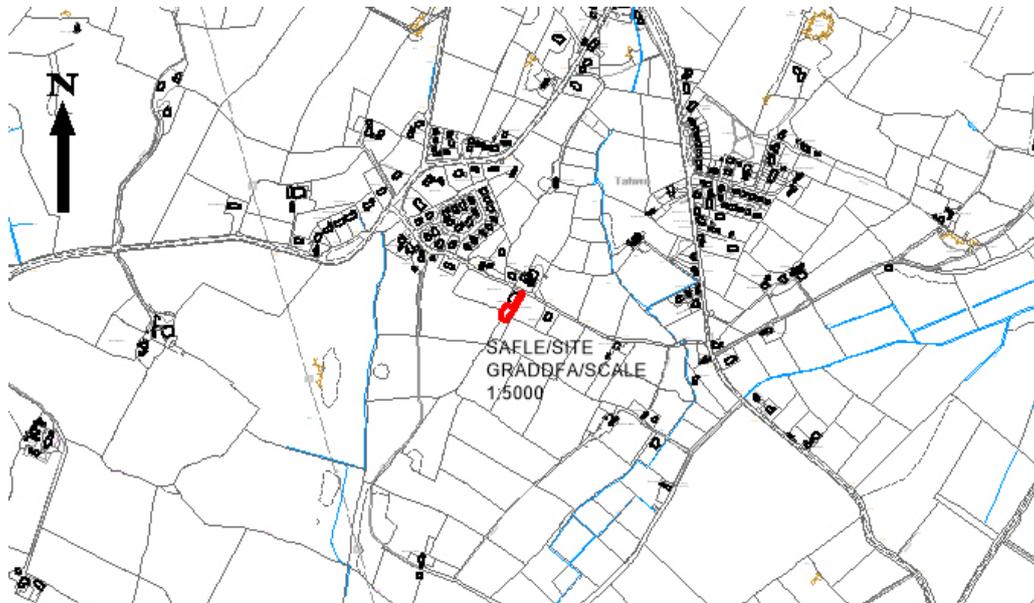
Rhif y Cais: **23C262B/VAR** Application Number

Ymgeisydd Applicant

Mrs Jenny Pye

Cais o dan Adran 73 i ddiwygio amod (11) o ganiatâd cynllunio rhif 23C262A (Rhaid i'r datblygiad gael ei wneud yn llwyr fel y dangosir yn y cynlluniau a gyflwynwyd dan rhif 23C262A) er mwyn i addasu ac ymestyn ysgubor bresennol yn annedd 3 ystafell wely yn / Application under Section 73 for the variation of condition (11) of planning permission reference 23C262A (The development shall be carried out in strict conformity as shown in the submitted plans under reference 23C262A) so as to convert and extend an existing barn into a 3 bedroom dwelling at

Nyth Clyd Capel, Talwrn



Planning Committee: 04/10/2017

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

Recommendation:

Permit.

Reason for Reporting to Committee:

The application is being presented to the Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve

1. Proposal and Site

Application under Section 73 for the variation of condition (11) of planning permission reference 23C262A (The development shall be carried out in strict conformity as shown in the submitted plans under reference 23C262A) so as to convert and extend an existing barn into a 3 bedroom dwelling at Nyth Clyd, Talwrn

2. Key Issue(s)

The key issue is whether the proposal is an improvement to that originally approved under application reference 23C262A.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

TAI7 – Conversion of Traditional Buildings in the Open Countryside to Residential Use

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Nicola Roberts) – No response

Local Member (Dylan Rees) – No response

Local Member (Bob Parry) – No response

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 27/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

23C262 - Conversion of outbuildings into one new residential dwelling together with the construction of a new vehicular access – 31/10/07 – Granted

23C262A - Renewal of planning permission 23C262 for the conversion of outbuilding into one new residential dwelling together with the construction of a new vehicular access – 13/05/13 - Approval

6. Main Planning Considerations

The principle of developing the site has already been established under planning application 23C262A where permission was granted for conversion and extension of a barn into a 3 bedroom dwelling at Nyth Clyd, Talwrn on the 13/05/13.

Joint Local Development Plan

The Joint Local Development Plan states that conversion of traditional buildings for residential use will only be permitted for employment use, if this is not an option, the development could provide an affordable unit. However, as the application site has an extant planning permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented?
- Are the amendments to the permission better than that previously approved?

Application reference 23C262A was approved on the 13/05/13 and it is likely to be implemented.

The amendments are proposed in the current application as follows:-

- The amount of extension to the outbuilding has been reduced.

The previous application approved under application 23C262A included an extension to the side gable and rear elevation which would link the main outbuilding to the detached outbuilding.

The current application includes an extension to the gable elevation, however there will be no physical link between the main outbuilding and the detached outbuilding. The detached outbuilding will now be used as a storeroom instead of a master bedroom as previously approved.

It is considered that the amendments maintain the architectural characteristics of the original outbuilding than the scheme that was previously approved under planning permission 23C262A.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 27/9/17. At the time of writing the report no objections were received. It is not considered that the proposal will have a negative impact upon neighbouring properties.

7. Conclusion

The application is contrary to Policy TAI7 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for the conversion of an outbuilding into a dwelling.

It is considered that the previous application 23C262A is likely to be implemented and the amendments are an improvement to that originally approved. A section 106 agreement will be required to preclude the implementation of the previous permission.

8. Recommendation

A section 106 agreement will be required that will preclude the implementation of the previous permission.

Permit - pending a section 106 agreement which will preclude the implementation of the previous permission

(01) The development to which this permission relates shall be begun no later than the expiration of one year beginning with the date of this permission.

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

(02) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

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

(03) The access shall be laid out and constructed strictly in accordance with the submitted plan before the dwelling is occupied and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

Reason: To minimise danger and inconvenience to highway users.

(04) The access shall be completed with a bitumen surface for the first 5 metres from the nearside edge of the highway.

Reason: To minimise danger and inconvenience to highway users.

(05) 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 enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

(06) No surface water from the development hereby approved shall discharge onto the highway.

Reason: To minimise danger and inconvenience to highway users.

(07) Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

(08) No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

(09) Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the environment.

(10) The windows, doors and any fascia and soffit boards on the development hereby approved shall be of softwood or hardwood material.

Reason: To safeguard the character and appearance of the building

(11) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans submitted under planning application reference 23C262B/VAR.

PL04	Proposed Sections	
PL03	Proposed Elevations	
PL01	Proposed Floorplans	
PL00	Location Plan	
	Protected Species Survey	Dated 19/5/17

RBA.Ltd	Structural Survey	Dated 26/7/17

Reason: To ensure that the development is implemented in accord with the approved details.

In addition the Head of Service be authorised to add to, remove or amend 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: **25C240C/VAR** Application Number

Ymgeisydd Applicant

Mr Dennis Thomas

Cais o dan Adran 73 i ddiwygio amod (04) o ganiatâd cynllunio rhif 25C240B (codi annedd newydd) er mwyn newid y dyluniad yn / Application under Section 73 for the variation of condition (04) of planning permission reference 25C240B (erection of a dwelling) so as to amend the design at

Pen Parc, Carmel



Planning Committee: 04/10/2017

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

Recommendation:

Permit.

Reason for Reporting to Committee:

The application is being presented to the Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve

1. Proposal and Site

The application is a Section 73 for the variation of condition (04) of planning permission reference 25C240B (erection of a dwelling) so as to amend the design at Pen Parc, Carmel.

2. Key Issue(s)

The key issue is whether the proposal is an improvement to that originally approved under application reference 25C240B.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping
TAI6 – Housing in Clusters

4. Response to Consultation and Publicity

Community Council – No objection

Local Member (Llinos Medi Huws) – No response

Local Member (John Griffith) – No response

Local Member (Kenneth Hughes) – No response

Welsh Water – No response

Drainage – No response

Highways Department – No response

Natural Resources Wales – No response

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 27/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

25C240B - Full application for the erection of a dwelling – 20/11/15 – Granted

6. Main Planning Considerations

The principle of a dwelling has already been established under planning application 25C240B. Full permission was approved on the 20/11/15 for the erection of a dwelling.

Joint Local Development Plan

Since the adoption of the Joint Local Development Plan Carmel is now identified as a Cluster where any new dwelling must be for an affordable local need on an infill site. The application is therefore contrary to Policy TA16 of the Joint Local Development Plan; however, as the application site has an extant planning permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented?
- Are the amendments to the permission better than that previously approved?

Application reference 25C240B was approved on the 20/11/15 and the likelihood of it being implemented is very likely as the permission will not expire until 20/11/2020.

The scheme previously approved under 25C240B was for a dormer type dwelling which was 6.6m high, the current application is for a single storey dwelling at a height of 5.2m. The footprint will be the same as that approved under application 25C240B. As the current application reduces the scale of the dwelling to a single storey dwelling, it is considered that it will fit in much better with the existing form of development in the area.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 27/9/17. At the time of writing the report no objections were received. It is not considered that the proposal will have a negative impact upon adjoining residential properties. The amended design will see the dwelling reduced to 5.2m high and will thus have less of an impact upon neighbouring properties.

7. Conclusion

The application is contrary to Policy TA16 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for a dwelling.

It is considered that the previous application 25C240B is likely to be implemented and the amendments are an improvement to that originally approved. A section 106 agreement will be required in order to preclude the implementation of the previous permission.

8. Recommendation

A section 106 agreement will be required that will preclude the implementation of the previous permission.

Approve

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

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

(02) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

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

(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 minimise danger and inconvenience to highway users.

(04) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 25C240C/VAR.

Drawing	Date Received	Description
2319:17:3	1/9/17	Proposed Site Plan
2319:17:5	1/9/17	Proposed Elevations
2319:17:4	1/9/17	Proposed 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.

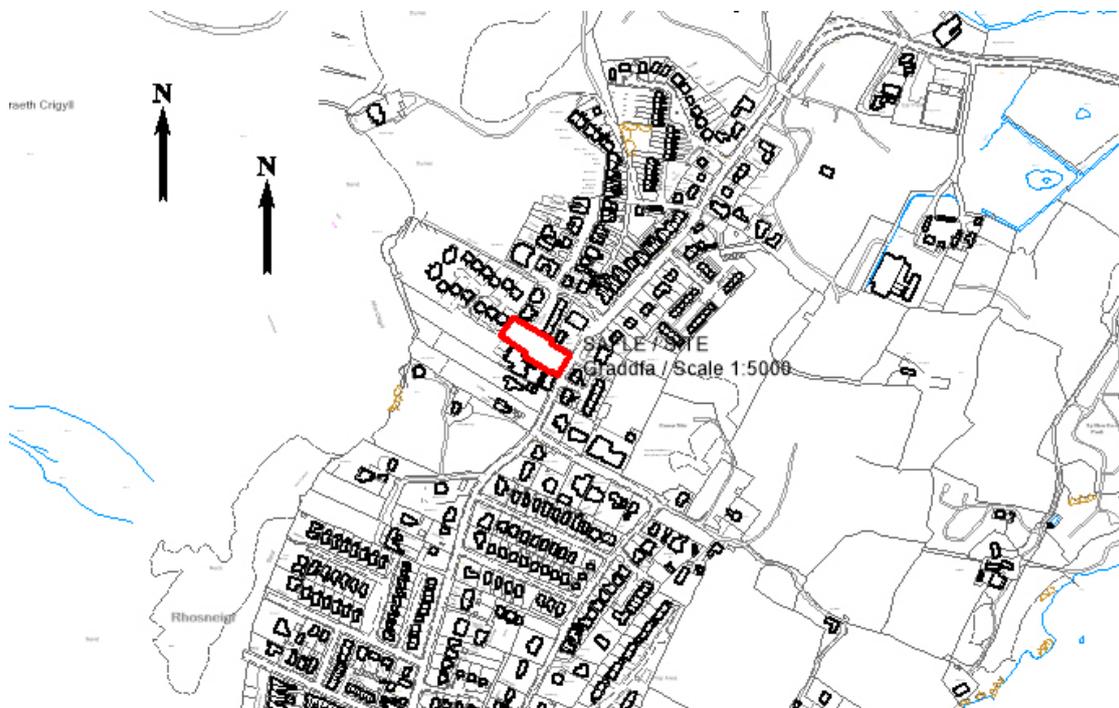
Rhif y Cais: 28C373G Application Number

Ymgeisydd Applicant

Rockview Developments Ltd

Cais llawn ar gyfer codi 3 o dai tref tri llawr sydd yn cynnwys balconi ac 3 anedd sydd yn cynnwys balconi ynghyd a chreu mynedfa newydd ar dir yn / Full application for the erection of 3 three-storey townhouses which include balconies and 3 detached houses which include balconies together with the construction of a new access on land at

Ffordd Station Road, Rhosneigr



Planning Committee: 04/10/2017

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

Recommendation:

Approve

Reason for Reporting to Committee:

The planning application is a departure from the development plan which the local planning authority are minded to approve.

1. Proposal and Site

The site is a rectangular parcel of land, currently occupied by sand dunes, fronting onto Station Road. It extends from its narrow frontage along Station Road some 80m to the west towards the coastline and the site previously occupied by the former Bay Hotel (now the Porth Crigyll housing development).

This is a full planning application for 6 dwellings in total comprising 3 three-storey townhouses, which include balconies, and 3 detached houses, which include balconies together with the construction of a new vehicular access.

2. Key Issue(s)

- Compliance with relevant development plan policies and amenity.
- Amenity of adjacent properties
- Area of Outstanding Natural Beauty "AONB"

3. Main Policies

Anglesey and Gwynedd Joint Local Development Plan (2017)

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PCYFF 5: Carbon Management

PCYFF 6: Water Management

AMG 1: Area of Outstanding Natural Beauty Management Plans

AMG 5: Local Biodiversity Conservation

AMG 6: Protecting Sites of Regional or Local Significance

TAI 5: Local Market Housing

Planning Policy Wales Edition 9 2016 "PPW"

TAN 12: Design

Technical Advice Note 11 Noise

Supplementary Planning Guidance SPG Design in the Urban and Rural Built Environment (2008)
"SPG Design"

4. Response to Consultation and Publicity

Community Council: Town House do not have enough parking, they will end up on the highway as do all the other car owners do from across the road.

Local Members - no responses received.

Highway Authority – Conditional permission.

Drainage Section - In an email dated 16.07.17 it is stated that there are no details of foul and surface water drainage in connection with the proposed development.

Built Environment (Landscape) - In an email dated 04.07.17 the following comments are made in relation to potential impacts on the Area of Outstanding Natural Beauty:

1. The site is within 300 metres of the Ynys Môn/Anglesey Area of Outstanding Natural Beauty (AONB).
2. The massing, scale and height of the proposal is of a similar proportion to its neighbouring and adjacent development.
3. The design and choice of materials reflect the surrounding built form and setting.
4. Although the proposals will be visible from within the AONB they will be seen in the context of the new build development on the edge of the settlement boundary with a design which reflects its coastal location and as such will have little if any impact on the designated landscape.

In an email of 29.08.17 it is confirmed that there are no additional comments in addition to those made on the 4.07.17 regarding effects on the AONB (Glyn Jones)

Landscape drawing P253_211 Rev. B does not provide details of the proposed landscape scheme and these should be required now or conditioned on consent.

Built Environment (Heritage) - In an email dated 25.08.17 considerations listed in relation to access considerations, and it is confirmed that there are no additional observations.

Ecological and Environmental Adviser - In an email dated 12.09.17 it is confirmed that the revised ecological report addresses issues in previous comments dated 04.09.17. Advise that the Reasonable Avoidance Measures "RAM's" including a refuge described in 2.5.3 be conditioned and followed as described.

Ministry of Defence "MOD" - In a letter dated 26.06.17 it is confirmed that there are no aerodrome concerns, whilst the proposed development has the potential to infringe the Precision Approach Radar "PAR" there are no concerns if the height of the buildings does not exceed 11 metres. The application site occupies the outer explosive zone surrounding RAF Valley and contains large areas of glass on tall 3 storey structures. The MOD recommend that the glazing should be of moderately sized panels (typical max pane size 3m²) of 6.8mm thick laminated glass with a PVB interlayer. A suitable double glazed unit would typically have a toughened glass outer pane (thickness to suit normal non-blast requirements) and a 6.8mm thick laminated glass inner pane.

In summary, the MOD has no objection to the application providing that the buildings do not exceed 11m in height and the glazing is installed subject to the recommendations above.

Natural Resources Wales "NRW" - In comments dated 13.09.17 no objections confirmed subject to the following:

Protected Species – Refer to the council's Ecological and Environmental Officer.

Protected Sites - The proposal is located approximately 100 metres from the following protected sites:

- Anglesey Terns / Morwenoliaid Ynys Môn Special Protection Area (SPA)
- Rhosneigr Site of Special Scientific Interest (SSSI)

Provided no works are undertaken within the protected sites and no materials are stored within this area, NRW considers that there is unlikely to be a significant adverse effect upon the site features.

Protected Landscapes - The proposal is within 300 metres of the Ynys Môn/Anglesey Area of Outstanding Natural Beauty (AONB). We recommend that you consult the Local Authority's internal landscape specialist on any local/regional landscape interests.

Pollution Prevention - The development site lies within 115 metres of a well, and approximately 120 metres from a main river (Afon Crigyll). All works at the site must be carried out in accordance with Guidance for Pollution Prevention GPP5: 'Works and Maintenance In or Near Water'.

Construction Waste - Any waste excavation material, building waste generated, or the importation of waste (e.g. builders' rubble or tarmac scalplings) for use in the construction should be registered with NRW as an exempt activity under the Environmental Permitting Regulations.

Public response to notification:

Following publicity undertaken in June 2017 the following observations were received:

An email has been received from Ty Mel which is considered in the report below indicating that the planning application is far superior than the previous planning application (28C373E/VAR), hence no complaint is raised in relation to the current application.

Another letter from the owner/occupier of 7 Bryn Colyn flats explains that the writers are very disappointed that the houses will completely block their view of the beach. However, the plans are an obvious improvement on previous plans for this site and we are therefore broadly supportive. There are several windows at the rear of one or two of the properties that will look directly in to our bedroom windows and will require obscured glass to protect our privacy. Another two emails from the owner/occupier of 5 Bryn Colyn flats reflects the most of the aforementioned points and additionally adds that the proposal will result in a loss of light to their property. The owner/occupier of 6 Bryn Colyn Flats explains that they strongly object on the grounds of loss of light, amenity, visual amenity and devaluation of their property.

Following publicity undertaken in September 2017 the following observations were received:

One letter received from the owner/occupier of a property at Station Road expressing concern that the council may not be aware of parking problems in the area which can affect the fire station. Occupants of the houses are likely to be wealthy, there is no affordable housing and their large vehicles will exacerbate parking problems. The council should instead purchase the land and make it into a car park.

At the time of writing the planning application is being advertised as a departure and the publicity period expires on 11/10/17.

5. Relevant Planning History

28C373 Application for residential development comprising 4 x 4 bedroom houses and 4 x 2 bedroom flats: Refused 12/12/06. Appeal Dismissed 14/6/07.

28C373A Outline application for residential development for residential development comprising of three 2-storey houses, one bungalow and four flats within a two storey building together with the construction of a new vehicular access on land at Bryn Gwyn and Bryn Colyn, Station Road, Rhosneigr – approved 7/5/2009

28C373B/DA Reserved matters application for residential development of land at Station Road, Rhosneigr – approved 12/6/2012

28C373D/DIS Discharge of condition (09) of permission 28C373A (noise protection scheme) – discharged 12/5/14

28C373E/VAR Outline application for residential development comprising of three two storey houses, one bungalow and four flats within a two-storey building together with the construction of a

new vehicular access subject to the variation under section 73 condition (03) (commencement of the development schedule) – approved 14.08.14

28C373F Full application for the erection of 3 three-storey townhouses, 4 two-storey dwellings and 1 bungalow together with the construction of a new access – approved 29.04.2015.

6. Main Planning Considerations

Planning History: The principle of residential development has been established on the application site and there remain two extant planning permissions 28C373E/VAR (8 units) & 28C373F (8 units). These extant planning permissions are material in assessing the acceptability of the proposal in terms of policy and other material considerations such as overlooking and proximity, this comprises the “fallback”. Similarly, planning permission 28C373 is also material in assessing the impact on the amenity of adjacent properties as it was refused partly on these grounds as considered in the report below.

Principle of the Development and Overdevelopment: The site is located within the development boundary of Rhosneigr defined under the provision of PCYFF 1 of the JLDP.

Policy TAI 5 (Local Market Housing) permits the development of local market housing within the development boundary subject to the size of the unit complying with the maximum for the particular type of unit specified in the JLDP and there being adequate arrangements to restrict occupancy of the open market housing. The proposal is made for general residential development which is larger than the size limits specified under the provisions of TAI 5, and this is why the planning application has been advertised as a departure from the development plan. Whilst the proposal would normally be unacceptable under the provisions of TAI 5, given that there is an extant planning permission for 6 dwellings comprising a fallback position the principle of the development is considered acceptable. The statutory time period for commencement of the development has been reduced to three years to reflect the timescales for implementation of planning permission 28C373F which was granted full planning permission in 2015.

Proximity and Overlooking

Though the detached houses are of an unconventional design the north elevations comprise side elevations. Similarly, the north elevation of the row of town houses comprises a side elevation. Existing dwellings at Ty Mel, flats at Bryn Colyn and Bryn Gwyn have side elevations facing the proposed development. The council's SPG Design indicates that the normal side to side distance should be 3.5 metres but that this should be increased where the proposals are more than two stories which applies to the town houses. The SPG Design also indicates that this should be increased where there is a difference in relative height between existing and proposed dwellings. In this instance the existing dwellings are generally at a higher or similar level than the proposed dwellings such that it is not considered that the ideal distance should be increased. The nearest proposed dwellings are around 6 meters from Bryn Mel and Bryn Collyn Flats which is considered acceptable. The three storey town houses face onto Station Road and are forward of Bryn Gwyn at the nearest point they are around 5.5 meters from the existing property, this is considered acceptable and the relationship with the existing dwelling is considered further below.

In reaching a conclusion on the acceptability of the proposals regard has been had of the position and number of dwellings approved under planning applications which remain extant. Further the comments of the Inspector in an appeal which was dismissed have been assessed and officers are satisfied that siting and level of the proposed dwelling on the western side of the application site will not result in an unacceptable impact on the amenities of the occupants of Ty Mel. Similarly the design of the development takes into account the Inspectors by providing an open aspect to the side elevation and re-siting the dwellings forward towards Station Road. It is material that 3 storey town houses have been approved in this position as part of planning application 28C373F.

In terms of potential overlooking all habitable room windows on the northern side elevation of the proposed development were removed. The only windows now proposed are on the detached houses and these are obscurely glazed non habitable room windows.

Character and Appearance of the Locality -

The design of the proposed dwellings is considered acceptable and accords with the varied and contemporary architecture present in the locality.

AONB

The application site is some 300 metres from the AONB and having taken into account of the comments of the Built Environment (Landscape) section it is considered that the proposal will conserve and enhance the AONB, subject to the requirement for a landscaping condition.

Highways and Drainage: The highways section is satisfied with the proposal subject to conditions and has taken into account objections received.

Ecology: NRW and the council's Ecological and Environment Officer are satisfied that the proposal will not have an unacceptable impact on protected species subject to compliance with ecological mitigation measures submitted with the planning application. Similarly it is not considered that the proposal will have a significant impact on the statutorily protected sites referred to in the NRW response.

Technical Considerations – Issues raised by the MOD and the council's Drainage Section can be controlled via planning condition.

7. Conclusion

Given the extant planning permission although the proposal comprises a departure from TAI 5 which would not normally be acceptable it is recommended for approval for the reasons provided in the report.

8. Recommendation

Upon the expiry of the publicity period on the 11/10/2017, that planning permission is granted subject to the following conditions:

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

Reason The proposal does not accord with policy TAI 5 of the JLDP but regard has been taken of the fall-back position.

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the approved plans, and contained in the form of application and in any other documents accompanying such application as listed below, unless specified otherwise in any conditions of this planning permission:

Drawing	Reference	Revision
Location Plan	P253_100	A
Existing – Site Layout	P253_120	
Proposed – Site Levels and Landscape	P253_211	B
Site Sections	P253_212	
Proposed – Site Layout	P253_210	D
Town Houses	P253_210	B
Detached House (Type 1)	P253_230	C
Detached House (Type 1)	P253_240	C

Reason: To ensure that the development is implemented in accord with the approved details.

(03) The provisions of Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded.

Reason: In the interests of the amenities of the locality.

(04) All works in connection with the development hereby approved shall proceed strictly and entirely in accord with the Biora (07.09.2017) Reasonable Avoidance Measures (RAMs) for Reptiles and Grassland – Land off Station Road, Rhosneigr, Anglesey, LL64 6RB “the report” and shall thereafter be permanently maintained and retained. No development shall commence until the Marram Grass habitat has been translocated in accord with the recommendations of section 2.5.3 Reasonable Avoidance Measures for Area of Grassland of “the report”.

Reason: To safeguard the protected species.

(05) Notwithstanding the details shown on drawing reference P253_211 Rev B no development shall take place until a scheme of landscaping and tree planting for the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the proposed planting, including species, size and density. The approved new planting shall not be implemented not later than the first planting season after the occupation of the buildings or completion of the development, whichever is the sooner.

Reason: In the interest of the visual amenities of the locality.

(06) Any tree or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.

Reason: In the interest of the visual amenities of the locality.

(07) No development shall commence until a for foul, surface (including highway drainage) and land drainage of the development has been submitted to and approved in writing by the local planning authority “approved scheme”. The “approved scheme” shall be completed and operational before any of the dwellings hereby approved are occupied.

Reason: In order to ensure that the development is adequately drained.

(08) No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

(09) The proposed development site is crossed by public sewers with their approximate position being marked on the attached Statutory Public Sewer Record. Their position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewers.

Reason: To protect the integrity of the public sewer and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

(10) The opaque glass windows denoted on drawing numbers P253_230 Rev C and P253_240 Rev C shall not be glazed or re-glazed other than with obscured, frosted or stained glass.

Reason: To preserve the amenities of occupants of the adjacent dwellings.

(11) The dwellings hereby approved shall be constructed strictly and entirely in accord with the sound reduction measures detailed in Part 6 of the Sol Acoustics (21.07.17) Intrusive Noise Study, and these measures shall thereafter be retained.

Reason To protect the amenities of occupants of the proposed dwellings from aircraft noise.

(12) The glazing panels in the dwellings hereby approved shall not exceed 3 metres square and shall be of a minimum 6.8mm thick laminated glass with Polyvinyl butyral int “PVB” erlayer.

Reason The proposed development is within the outer explosive safeguarding zone of RAF Valley.

(13) 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 minimise danger and inconvenience to highway users.

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

Reason: To minimise danger and inconvenience to highway users.

(15) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 meter above the level of the adjoining county road carriageway along the whole length of the site's boundary with the adjoining highway and nothing exceeding this height erected within 2m of the said wall/hedge/fence or any new boundary.

Reason: To provide adequate inter-visibility between the access and the existing public highway for the safety

(16) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the County Highway with the surface water drainage system completed and operational before the use hereby permitted is commenced.

Reason: To minimise danger and inconvenience to highway users.

(17) 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 enable vehicles to draw off, park and turn clear of the highway to minimise danger obstruction and inconvenience to users of the adjoining highway.

(18) No surface water from the within the curtilage of the site to discharge onto the county highway.

Reason: To minimise danger and inconvenience to highway users.

(19) The estate road(s) and its access shall be designed and constructed in accordance with ‘Residential Road Adoption Specification Requirements, Anglesey’.

Reason: To minimise danger and inconvenience to highway users.

(20) The estate road(s) shall be kerbed and the carriageway and footways finally surfaces and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of development whichever is the sooner.

Reason: To minimise danger and inconvenience to highway users.

Please inform the Applicant that:-

The Highway Authority shall not be responsible for any road surface water entering the site as the result of the development.

Any adjustments, re-siting and/or protection of any statutory services in the highway shall be his responsibility and carried out at his own expense.

The footway and/or verge crossing required in connection with this development shall be carried out at his expense by the Highway Authority, their Agents or other approved Contractor before the access is brought into use and completed before the use is commenced.

If he/she chooses to carry out the work himself/, the Applicant should be advised to apply in writing to the Corporate Director of Highways, Transportation and Property for the necessary consent, as required under Section 171 of the Highways Act, 1980 to carry out work within the highway for the formation of the footway and/or verge crossing.

No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted and approved in writing by the local planning authority. The management and maintenance plan shall include the arrangements to secure the operation of the scheme throughout its lifetime.

The Highways Authority would require the following details to be submitted for approval before the works hereby approved are commenced:-

A full comprehensive and robust Traffic Management Scheme including:-

1. The parking of vehicles for site operatives and visitors
2. Loading and unloading of plant and materials
3. Storage of plant and materials used in constructing the development
4. Wheel washing facilities (if appropriate)
5. Hours and days of operation and the management and operation of construction and delivery vehicles.

It is a requirement under law to serve an abnormal load notice to police and to Highway and Bridges Authorities under "The Motor Vehicle (Authorisation of Special Types) General Order 2003".

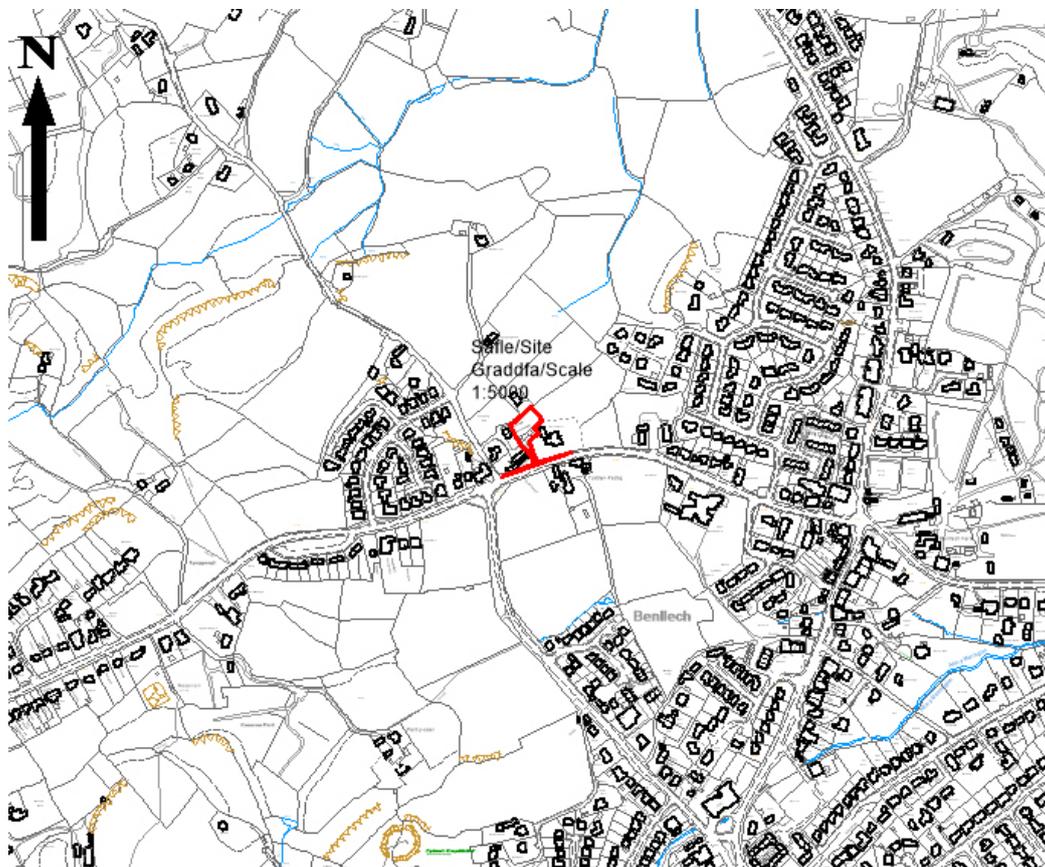
The Highways Authority will be utilising Section 59 of the Highways Act 1980 "Recovery of expenses due to extraordinary traffic", to recover compensation for any damage done to the public highway as a result of this development.

Rhif y Cais: **30C246K/VAR** Application Number

Ymgeisydd Applicant

Mr A Chilton

Cais o dan Adran 73 i ddiwygio amod (12) o ganiatâd cynllunio rhif 30C246H (codi tri annedd) er mwyn symud lleoliad un annedd (P1) ar dir gyferbyn a / Application under Section 73 for the variation of condition (12) of planning permission reference 30C246H (erection of three dwellings) so as to move the location of one dwelling (P1) on land opposite

Tyn Pwll, Benllech

Planning Committee: 04/10/2017

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

Recommendation:

Permit.

Reason for Reporting to Committee:

The application is being presented to the Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve

1. Proposal and Site

Application under Section 73 for the variation of condition (12) of planning permission reference 30C246H (erection of three dwellings) so as to move the location of one dwelling (P1) on land opposite Ty'n Pwll, Tynyngl.

2. Key Issue(s)

The key issue is whether the proposal is an improvement to that originally approved under application reference 30C246K/VAR.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping
TAI6 – Housing in Clusters

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Margaret M Roberts) – No response

Local Member (Ieuan Williams) – No response

Local Member (Vaughan Hughes) – No response

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 27/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

30C246H - Full application for the erection of three dwellings which include a Juliet balcony, erection of a garage together with alterations to the existing access on land adjacent to Tyn Pwll, Tynyngl – 3/11/16 – Granted

6. Main Planning Considerations

The principle of developing the site has already been established under planning application 30C246H. Full permission was approved on the 3/11/16 for the erection of 3 dwellings at Tyn Pwll, Tynyngl.

Joint Local Development Plan

Since the adoption of the Joint Local Development Plan Tynyngonl is now identified as a Cluster where any new dwelling must be for an affordable local need on an infill site. The application is therefore contrary to Policy TAI6 of the Joint Local Development Plan; however, as the application site has an extant planning permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented?
- Are the amendments to the permission better than that previously approved?

Application reference 30C246H was approved on the 3/11/16 and its implementation is very likely as the permission will not expire until 3/11/21. The applicant has already completed footings to 2 of the dwellings.

The amendments to the current application are the re-location of one of the dwellings identified as (P1) 3m away from the boundary of the site. The application which was previously approved was located 1m from the boundary. It is considered that the current application will have less of an impact on the property to the rear.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations are 27/09/17. At the time of writing the report no objections were received. It is considered that the current application will have less of an impact than that previously approved under application reference 30C246B as the dwelling will now be located 3m from the boundary.

7. Conclusion

The application is contrary to Policy TAI6 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for a dwelling.

It is considered that the previous application 30C246K/VAR is likely to be implemented and the amendments are an improvement to that originally approved. A section 106 agreement will be required in order to preclude the implementation of the previous permission.

8. Recommendation

A section 106 agreement will be required that will preclude the implementation of the previous permission.

(01) The development to which this permission relates shall be begun no later than the expiration of four years beginning with the date of this permission.

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

(02) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

(03) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

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

(04) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D, E and F of Part 1 of Schedule 2 are hereby excluded.

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

(05) The access shall be laid out and constructed strictly in accordance with the submitted 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.

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

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

(07) The access shall be completed with a bitumen surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 metres from the nearside edge of the County Highway with the surface water drainage system completed and in working order before the use hereby permitted is commenced.

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

(08) 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 in the interests of road safety.

(09) No surface water from within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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

(10) No development shall commence until the written approval of the local planning authority has been obtained in relation to a full comprehensive traffic management scheme including:

- i. The parking of vehicles for site operatives and visitors**
- ii. Loading and unloading of plant and materials**
- iii. Storage of plant and materials used in constructing the development**
- iv. Wheel washing facilities (if appropriate)**
- v. Hours and days of operation and the management and operation of construction and delivery vehicles.**

The works shall be carried out strictly in accordance with the approved details.

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

(11) Full details of a management plan to secure the future maintenance of the drainage system for the site hereby approved, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the dwellinghouses. The development shall thereafter proceed in accordance with the approved details.

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

(12) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 30C246H and 30C246K/VAR.

Proposed Site Plan	2404:16:3A	24/7/17
Visibility Splay	2404:16:8A	Submitted with application reference 30C246H
Elevations House 1	2404:16:5B	Submitted with application reference 30C246H
Elevations House 2	2404:16:6A	Submitted with application reference 30C246H
Garage	2404:16:7	Submitted with application reference 30C246H

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.

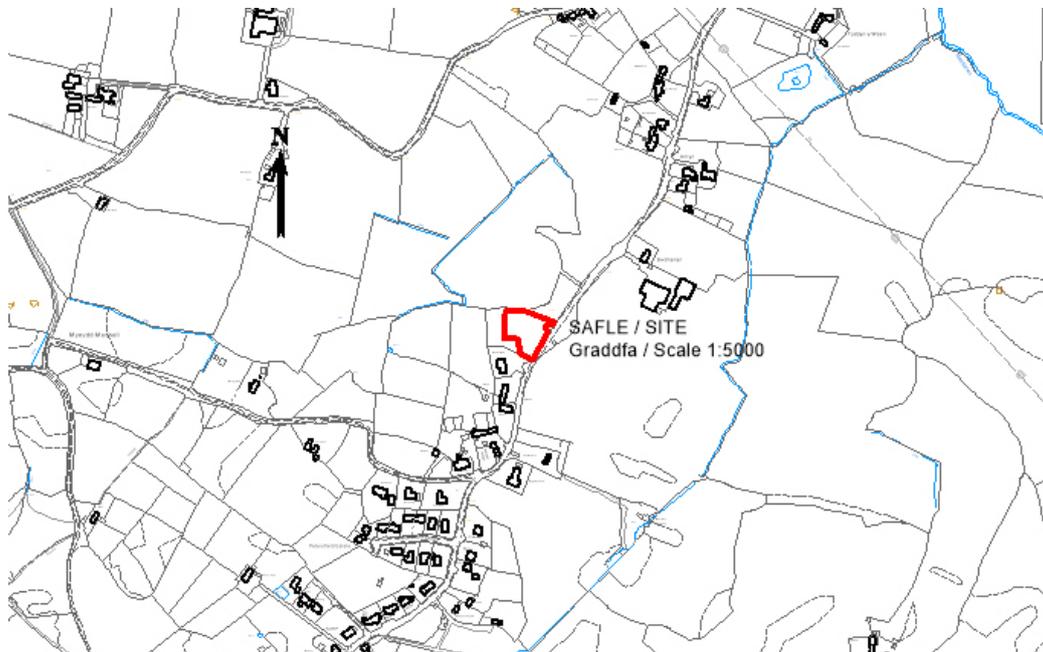
Rhif y Cais: **38C180F/VAR** Application Number

Ymgeisydd Applicant

Mr Thomas Roberts

Cais o dan Adran 73 i ddiwygio amod (02) o ganiatâd cynllunio rhif 38C180D (cais amlinellol ar gyfer codi annedd a chreu mynedfa newydd) er mwyn caniatáu ymestyn yr amser i gyflwyno cais materion a gadwyd yn ôl yn / Application under Section 73 for the variation of condition (02) of planning permission reference 38C180D (outline application for the erection of a dwelling and vehicular access) so as to allow an extension of time to submit a reserved matters application at

Gilfach Glyd, Mynydd Mechell



Planning Committee: 04/10/2017

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

Recommendation:

Refuse

Reason for Reporting to Committee:

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

1. Proposal and Site

Application under Section 73 for the variation of condition (02) of planning permission reference 38C180D (outline application for the erection of a dwelling and vehicular access) so as to allow an extension of time to submit a reserved matters application at Gilfach Glyd, Mynydd Mechell.

2. Key Issue(s)

The key issue is whether the proposal can be supported by national and local policies.

3. Main Policies

Joint Local Development Plan

PCYFF1 – Development Boundaries
PCYFF2 – Development Criteria
PCYFF3 – Design and Place Shaping

Technical Advice Note 6 – Planning for Sustainable Rural Communities

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Llinos Medi) – Request that the application is called in to the planning committee for consideration.

Local Member (Kenneth Hughes) – No response

Local Member (John Griffith) – No response

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 27/9/17. At the time of writing the report no letters were received.

5. Relevant Planning History

38C180D – Outline application for the erection of a dwelling – 2/5/13 – Approval

6. Main Planning Considerations

Previous planning permission

A previous planning application was approved under application reference 38C180D (Outline application for the erection of a dwelling) approved on the 2/5/13. The applicant was required to submit a reserved matters application by the 2/5/16; however no application was submitted. The

applicant is out of time to submit a reserved matters application in accordance with the conditions of the outline consent. The application has been made under Section 73 is in effect an application for a new planning permission and must be determined in accordance with prevailing policies, in this case, the Joint Local Development Plan.

Policy Considerations

Joint Local Development Plan

Policy PCYFF1 The Joint Local Development Plan states that proposals outside development boundaries will be resisted unless they are in accordance with specific policies of the plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

Technical Advice Note 6 states that development in open countryside must be fully justified by reference to robust supporting evidence that there is a need for the dwelling for a rural enterprise.

The land in question is located in the open countryside therefore is contrary to Policy PCYFF1 of the Joint Local Development Plan. No evidence has been provided to justify the need for a dwelling in this location in accordance with the requirement of TAN 6.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 27/9/17. At the time of writing the report no objections were received.

7. Conclusion

Having considered the above and all other material considerations my recommendation is that the application should be refused as the site is located in an open countryside location and no supporting evidence has been provided with the application in relation to the requirements of TAN 6.

Having considered the above and all other material considerations the recommendation is one of refusal.

8. Recommendation

Refuse

(01) The Local Planning Authority considers that the proposal would amount to the erection of a new dwelling in the countryside for which no long term need is known to exist for the purposes of a rural enterprise; the development would therefore be contrary to Policy PCYFF1 of the Joint Local Development Plan and the advice contained within Planning Policy Wales, 2016 (9th Edition) and Technical Advice Note Planning for Sustainable Rural Communities.