

Rhif y Cais: **19C1207** Application Number

Ymgeisydd Applicant

Mr & Mrs Tudor Thomas

Cais llawn ar gyfer dymchwel yr annedd a modurdy presennol ynghyd a chodi annedd newydd yn ei le sydd yn cynnwys balconi a chodi modurdy newydd yn / Full application for the demolition of existing dwelling and garage together with the erection of replacement dwelling which includes a balcony and a new garage at

Pentowyn, Caergybi/Holyhead

Planning Committee: 06/12/2017

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called in by Councillor Shaun James Redmond for the reasons detailed in the consultation section of this report.

1. Proposal and Site

This is a full planning application for the demolition of an existing dwelling and its replacement with a new build dwelling.

The site is within the AONB, adjacent to the Wales Coast Path and carpark that serves Penrhos beach. To the north/northeast lies Penrhos Beach and to the southeast the A5 and former Anglesey Aluminium buildings.

The existing dwelling is of a dormer type design incorporating accommodation and a window at first floor level. The height of the existing dwelling is around 5.2 meters. Externally the existing dwelling has rendered walls and a slated pitched roof. The length of the existing dwelling is around 12.9 meters and the width at the widest point some 9.7 meters.

The originally submitted plans for the replacement dwelling have been amended and reduced in scale. Originally the proposals subject to the planning application had a height to the ridge of around 6.7 meters and a length and width of 17.8 and 8.3 meters respectively (excluding sectional balcony). The ridge height of the proposed dwelling has been reduced by 250mm and the length and width of the proposed dwelling has also been reduced to 14.5 metres 7.5 metres (excluding the garage). The sectional or framed first floor balcony on the north eastern gable of the proposed dwelling has now been replaced with an attached garage (the previous detached garage has been omitted from the proposal) incorporating a terrace area at first floor level behind a slated mansard type roof.

As part of the amended scheme stonework has been proposed on part of the front elevation in association with painted smooth render and vertical cladding. Natural slate is proposed to roof the dwelling.

The finished Floor Level “FFL” of the new dwelling is approximately 0.8 metres above that of the existing dwelling.

2. Key Issue(s)

- Compliance with relevant development plan policies in relation to replacement dwellings.
- Impact on the AONB.
- Flood risk considerations.

3. Main Policies

Anglesey and Gwynedd Joint Local Development Plan 2011 – 2026 “JLDP”

PCYFF 1: Development Boundaries
PCYFF 2: Development Criteria
PCYFF 3: Design and Place Shaping
PCYFF 4: Design and Landscaping
TAI 13: Replacement Dwellings

PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
AMG 1: AONB Management Plans
AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
AMG 5: Local Biodiversity Conservation
ARNA 1 Coastal Change Management Area

Planning Policy Wales (Edition 9, November 2016) PPW

Technical Advice Note 5 Nature Conservation and Planning (2009) "TAN 5"

Technical Advice Note (TAN) 14: Coastal Planning (1998)

Technical Advice Note (TAN) 15: Development and Flood Risk (2004)

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

4. Response to Consultation and Publicity

At the time of writing re-consultation is taking place in relation to the amended plans described previously and consultation responses will be updated at the planning committee.

Councillor Shaun James Redmond – Refer to the planning committee. Having been approached by local people regarding the JLDP boundary issues and size of the development I have been advised that I can ask for it to be referred to the committee. Local Town Council have also expressed concern.

Holyhead Town Council – No objection.

Highway Authority - Conditional permission.

Drainage Section – Additional detail regarding surface water drainage required if it is to be disposed of via soak-away.

Joint Planning Policy Unit "JPPU" - This site lies outside the development boundary and therefore this proposal cannot be considered under policy TAI 1. Policy TAI 13 'Replacement Dwellings' states that proposals for the replacement of a dwelling that meets the criteria within the policy where they are appropriate will be granted planning permission. Criterion of the policy as described with key considerations being the need for there to be a lawful residential use, the dwelling having no historic/architectural merit, evidence that renovation is not economically viable. Outside development boundaries siting, design and scale should be similar to that of the existing dwelling so that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling that does not lead to significantly greater visual impact can be supported. From the enclosed plans the proposal would lead to a larger dwelling than the existing dwelling on the site. It incorporates part of the existing footprint but moves the dwelling back from the front of the plot. In light of this consideration needs to be given towards the design merits of the proposed development and whether or not it leads to a significant greater visual impact. In terms of moving the proposed dwelling within the existing footprint regard should be given towards any impact upon the amenity of adjoining uses.

Welsh Water – Note that the developer wishes to dispose of surface water to the public sewer, but this will not be permitted unless it is demonstrated that all other options have been investigated, a condition is recommended preventing the discharge of surface water into the sewer.

Landscape Adviser – The application site is within the AONB and the special qualities of the AONB are listed. The combined increased FFL and ridge height indicate an increase approximating 2metres. The submission needs to provide more detail on the likely integration of the proposal into the local landscape as per policy PCYFF 4. It appears that the replacement dwelling would be

visually more prominent (a matter also considered under criteria 6 and 7, of policy TAI 13: Replacement Dwellings) from the Wales Coast Path and Penrhos beach. The appropriateness of the design and materials are not considered here but are relevant to the potential increase in visibility; and whether the proposed replacement dwelling conserves or enhances the special quality and location within the AONB.

Following the above comments photomontages of the proposed development were submitted and on the basis of this information the Landscape Adviser confirmed:

- It is not considered that the visual change would be significant as per TAI 13 (Criterion 7) and should therefore comply with that aspect of the policy.
- Related to Policy PCYFF 4: Design and Landscaping, the retention and enhancement of existing boundary vegetation is considered preferable to the walling proposed. They would reduce some of the potential roadside effects – although as noted above, they are not considered significant

Heritage Adviser - From a built environment perspective the proposed replacement dwelling generally appears to comply with current policies and guidance but I do have some concerns regarding the impact of the scale of the proposed carport and terrace on the replacement dwelling and on the AONB. Clearly it is only capable of covering a single motor vehicle therefore the potential to reduce its width and if deemed necessary to increase its length in order to maintain the proposed terrace area would be preferred.

Ecological and Environmental Advisor – Whilst no evidence of bats was found given the protection of bats in law the mitigation measures in the ecological report should be followed. Removal of any trees in the garden area should be undertaken outside the bird nesting season given their protection by law.

In terms of the amended plans it is stated that the introduction of hedge will result in ecological benefits.

AONB Officer – Comments awaited at the time of writing.

Natural Resources Wales –

Flood Risks – Recommend that the finished floor levels should be set at a minimum of 5.2 meters. In relation TAN 15 policy considerations in relation to highly vulnerable developments such as the residential property being applied for it is acknowledged that the development entails a replacement dwelling.

Protected Species - Recommended that the mitigation measures in the protected species survey are adhered to.

Protected Sites – Considered that there will not be any impacts on either the Anglesey Terns / Morwenoliaid Ynys Môn Special Protection Area (SPA) or the North Anglesey Marine / Gogledd Môn Forol Special Area of Conservation (SAC) subject to no materials being stored in these areas.

AONB – State that the statutory purpose of the AONB is to conserve and enhance the natural beauty, and recommend that the council's landscape adviser is consulted.

NRW made no further comments on the amended proposals and acknowledged that the agent had provided a further statement outlining their understanding of the flood risk to the coastal frontage/proposal.

Public response to notification:

The planning application was advertised by way of a site notice and letters to adjacent properties and the notification period for the amended plans expires on 06.12.2017. No observations have been received at the time of writing, but the recommendation made below reflects the fact that the notification period expires on the day of the planning committee.

5. Relevant Planning History

19C1207A/EIA Screening Opinion for the demolition of existing dwelling and garage together with the erection of a replacement dwelling No EIA required 22.11.2017.

6. Main Planning Considerations

Introduction - The application site is located in the countryside and in an area forming part of the Area of Outstanding Natural Beauty "AONB". The proposal is first considered in relation to the replacement dwelling policy TAI 13.

Principle of Development - Policy TAI 13 states proposal for the replacement of a dwelling that meets the applicable criteria will be granted, and these are considered further below.

The first criterion requires that the development has a lawful residential use. Whilst it is evident from an external inspection of the property that it has a lawful residential use, evidence has been submitted to confirm the same.

The second criterion requires that the dwelling is not listed and this is the case in respect of the existing dwelling to be demolished.

The third criterion requires that the existing dwelling is of no particular architectural, historic and or visual merit, for which it should be conserved and this has been confirmed to be the case by the council's Heritage Adviser.

The fourth criterion requires that the existing dwelling is not capable of retention through renovation and extension and it is demonstrated that the repair of the existing building is not economically viable. The planning application is accompanied by a Building Survey Report ERW Consulting (02.08.17) which provides detailed reasons on why the existing dwelling is so dilapidated internally so as to be unsuitable and incapable of economic alteration and extension to comply with modern technical requirements and the building regulations. Having considered the report the Local Planning Authority consider that the information provided is in compliance with criterion 4 of TAI 13.

Criterion 6. requires that the siting of the replacement dwelling should be within the same footprint as the existing dwelling unless it can be demonstrated that the relocation within the curtilage lessens its visual and amenity impact on the locality. The existing dwelling directly abuts the Penrhos Beach Road, where the replacement dwelling is set back within the curtilage. This re-siting results in some small trees in the garden being lost and moving the proposal closer to the caravan site at the rear of the site. The proposed footprint of the replacement dwelling is larger than that of the existing dwelling and the re-siting means that it does not encompass all the footprint of the existing dwelling. In this instance it is considered that moving the proposed house back from the public and introducing a natural stone wall and an indigenous hedge along the highway boundary will meet the policy requirement by lessening the visual impact on the highway and the coastal footpath. The rear elevation of the proposed development will be within around 7.3 metres from the boundary with the caravan site at the rear whereas the SPG Design generally requires a distance of 10.5 metres. In this instance 7.3 metres is considered acceptable as it is not considered that the proposal will not result in the unacceptable overlooking of the caravan site.

Criterion 7 requires that the siting and design of the total new development should be of similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be absorbed or integrated into the landscape. The policy goes on to state that in exceptional circumstances a larger well designed dwelling that does not lead to significant greater visual impact could be supported. In terms of scale the submitted Design and Access Statement states that the footprint of the existing dwelling is 101m² or 137m² including the detached garage. The proposed dwelling has a footprint which is marginally larger at 140 m, but it does have a first floor level of 112m² giving a total area of 252m². The finished floor level is around 0.8 metres above that of the existing dwelling and with the increase in height the ridge height is some 2.19 metres higher than that of the existing dwelling. All in all therefore the proposed dwelling is greater in scale and size than the existing cottage and as noted in the comments of the Landscape Adviser

it will be more prominent than the existing dwelling. The policy does, however, allow larger replacement dwellings in exceptional circumstances where the proposal is well designed and does not lead to significantly greater visual impact. The dwelling is considered to be of a high quality contemporary design incorporating high quality materials, and this is acknowledged in the comments of the Heritage Adviser. The next section of this report considers the visual impact of the development on the landscape in comparison with that of the existing dwelling.

Area of Outstanding Natural Beauty -

The proposal is within the AONB and relevant policy considerations in relation to this statutory landscape designation are considered below. Being within the AONB the policy requirements are more onerous in that the proposed development will instead need to conserve and enhance the AONB

Photomontages were submitted to support the proposal and on this basis the Landscape Adviser concludes that the visual impact of the proposed development is not significant in comparison with that of the existing dwelling under the terms of policy TAI 13.

Policy AMG 1 states that proposals must where appropriate have regard to the relevant AONB Management Plan. This includes for instance policy CCC 3.2 which states that new developments will be expected to adopt the highest standard of design, materials and landscaping in order to enhance the special qualities and features of the AONB.

As explained previously it is considered that the proposed dwelling is of a high quality design, incorporating natural stone and slate. A natural stone wall and an indigenous hedge has also been included along the road frontage.

Given that the proposed development will not have a significant impact on the AONB, and that the proposals are considered to comply with the requirements of conserving and enhancing the AONB as described the proposal is considered acceptable in landscape terms.

Flood Risk / Shoreline Management – In terms of flood risk the proposed development lies partially within a C2 flood zone. Given that the proposal entails a replacement dwelling which meets the planning policy requirements in the JLDP, and that there are no objections to the Flood Risk Assessment from NRW the proposal is considered acceptable subject to conditions notably in relation to the proposed finished floor level.

It has been concluded by the Local Planning Authority that the proposal is not within a Coastal Change Management Area under the provisions of policy ARNA 1 of the JLDP in which replacement dwellings would be refused as a matter of policy. NRW and shoreline management section of the council have been requested to confirm their position in relation to this policy consideration and an update will be provided at the planning committee.

Ecology – In terms of ecology no significant issues are raised by either NRW or the Council's Ecological and Environmental Adviser in terms of protected species or sites as detailed in the consultation section of this report.

Other Issues – The council's Highway Section are content with the proposal subject to a condition requiring a Traffic Management Plan. In terms of surface water drainage this can be regulated under the Building Regulations.

7. Conclusion

Though the proposal entails the re-siting of the proposed dwelling and the resultant development is larger than the existing dwelling the proposal is considered acceptable in relation to the provisions of TAI 13 for the reasons provided in the report. Given that the proposal will not significantly affect the AONB, the high quality design and materials proposed in addition to mitigation measures it is considered that the proposal will conserve and enhance this statutory landscape designation.

It is considered that the decision is in accordance with the Well Being of Future Generations (Wales) Act 2015 sustainable development principle, through its contribution towards the Welsh Ministers' well-being objective of supporting a resilient and globally responsible Wales.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The recommendation takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

8. Recommendation

That planning permission is granted upon the expiry of the neighbour notification period on 06.12.17 subject to the following planning conditions.

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990.

(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 / Report	Reference / Revision	Date
Site Location	A.SITE	19/07/2017
Existing Plans and Elevations	A.01	19/07/2017
Existing Topographical Survey	A.05	19/07/2017
Proposed Plans and Elevations	A.02 Rev B	17.11.2017
Site Layout	A.04 Rev A	01/11/2017
Protected Species Survey Pentowyn, Penrhos Beach Road, Holyhead, North Wales (Clwydian Ecology)		15/06/2017
Flood Consequences Assessment Pentowyn, Penrhos Beach Road, Holyhead, Anglesey (Brian Killingworth)		July 2017

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

(03) No other part of the development hereby approved shall commence until the exiting dwelling and outbuilding on the application site have been completely demolished.

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

(04) 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

(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: in the interests of amenity

(06) A Traffic Management Scheme which shall include the following shall be submitted to an approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved:

The parking of vehicles for site operatives and visitors

Loading and unloading of plant and materials

Storage of plant and materials used in constructing the development

Wheel washing facilities (if appropriate)

Hours and days of operation and the management and operation of construction and delivery vehicles.

(07) The construction of the development hereby approved shall be undertaken strictly in accord with the details to be approved in writing under the provisions of this condition.

Reason: To minimise danger and inconvenience to highway users.

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

Reason: For the interest of visual amenity and to enhance the Area of Outstanding Natural Beauty.

(09) The stone wall on the approved drawing reference A.04 Rev A (Site Layout) and the stone cladding on approved drawing reference A.02 Rev B (Proposed Plans and Elevations) shall be constructed of a local natural stone or a stone of equivalent colour texture and weathering characteristics. No development shall commence until full details of the natural stone have been submitted to and approved in writing by the Local Planning Authority. The natural stone approved under the provisions of this condition shall be used in the construction of the development hereby approved.

Reason: To ensure a satisfactory appearance of the development and to enhance the Area of Outstanding Natural Beauty.

(10) No development shall take place until full details of the Native Mix Hedge shown on the approved drawing reference A.04 Rev A (Site Layout) 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 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, to secure an ecological enhancement and to enhance the Area of Outstanding Natural Beauty.

(11) 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, to secure an ecological enhancement and to enhance the Area of Outstanding Natural Beauty.

(12) All construction, maintenance and repair work(s) in connection with the development hereby approved shall proceed strictly and entirely in accord with the Protected Species hereby approved (Survey Pentowyn, Penrhos Beach Road, Holyhead, North Wales (Clwydian Ecology 15/06/2017)

Reason: To safeguard any protected species present.

(13) The provisions of Schedule 2, Part 1, Classes A, B, E and F of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order re-voking or re-enacting that Order) are hereby excluded.

Reason: In the interests of the amenities of the locality and ensure that the development conserves the Area of Outstanding Natural Beauty.

(14) The building(s) hereby permitted shall only be constructed with slab(s) at levels indicated on the approved drawing references A.04 Rev A (Site Layout) and A.02 Rev B (Proposed Plans and Elevations).

Reason: To ensure a satisfactory form of development and to ensure that the development is resilient having regard to the assessed potential consequences of a flooding event.

Informatives

The Highway Authority have advised that:

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.

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: **19LPA1037/CC** Application Number

Ymgeisydd Applicant

Head of Service (Housing)

Cais llawn i newid defnydd yr adeilad presennol o ystafelloedd cymunedol i annedd yn / Full application for change of use of existing building from community rooms into a dwelling at

9a Cil Peibio/Peibio Close, Caergybi/Holyhead



Planning Committee: 06/12/2017

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application is made by the Council.

1. Proposal and Site

The proposal involves the change of use of the former single storey offices into a residential unit. Minor external alterations are proposed in the rear elevation by the blocking up of two existing openings and replace two small opening with one larger window. A garden area will be provided to the rear of the dwelling and a communal parking area is located to the front.

The site is located within the development boundary of Holyhead and lies on a residential estate known as Peibio Close. There is a mixture of single and two storey properties in the locality.

2. Key Issue(s)

The applications key issue is whether the proposal complies with current policies and whether the development will have a detrimental impact on the amenities of the surrounding neighbouring properties.

3. Main Policies

Joint Local Development Plan

Policy PCYFF2 – Development Criteria
Policy PCYFF3 – Design and Place Shaping
Policy TAI 1 – Urban Service Centre
Policy ISA 2 – Community Facilities

4. Response to Consultation and Publicity

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

Cllr. S Redmond – No response at the time of writing this report

Cllr R LI Jones – No response at the time of writing this report

Cllr G Haynes – No response at the time of writing this report

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

Drainage Section – Standard comments

Welsh Water – Recommended conditional approval

Natural Resource Wales – No comments

Response to Publicity

The application was afforded two means of publicity. These were by the posting of a notice near the site and the serving of personal notification letters on the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 24th November 2017 and at the time of writing this report no letters of representation had been received at the department.

5. Relevant Planning History

No previous site history

6. Main Planning Considerations

Policy Context – Holyhead is identified as an Urban Service Centre under Policy TAI 1 of the Joint Local Development Plan.

The proposal is situated within the development boundary and lies on a residential housing estate. The proposal is to change the use of the former Community Centre into a residential unit.

Policy ISA 2 of the Joint Local Development Plan states that the Plan will help sustain and enhance community facilities by;

...resisting the loss or change of use of an existing community facility unless:

- i. a suitable replacement facility can be provided by the developer either on or off site, and within easy and convenient access by means other than the car, or
- ii. it can be demonstrated that the facility is inappropriate or surplus to requirements, or...

The supporting information submitted as part of the application states that the building has been used as offices by the Housing Department of the Local Authority and not as a community facility. Prior to its use as offices the building was used as a residential dwelling. Due to the relocation of their operations to the Councils main offices in Llangefni and to Gaerwen the building is surplus to their requirements.

The proposal will therefore not result in a loss of Community Facility.

Impact on neighbouring properties – The site lies on a residential estate and no extension is proposed. The only minor external alterations proposed are to the openings in the rear elevation as stated above. The proposal includes a rear garden for the property and a communal parking area. The change of use of the building from a community facility/offices to a residential dwelling will not adversely affect the amenities currently enjoyed by the occupants of the neighbouring properties.

7. Conclusion

The proposal complies with Policy TAI 1 and ISA 2 of the Joint Local Development Plan and will not harm the amenities of the neighbouring properties.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The recommendation takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

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 / Document number	Date Received	Plan Description
24973/LP	26/10/2017	Location Plan
24973/SP	26/10/2017	Proposed Site Plan
24973/001	26/10/2017	Exisitng Floor Plan and Elevations
24973/002	26/10/2017	Proposed Floor Plan and Elevations

under planning application reference 19LPA1037/CC.

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.