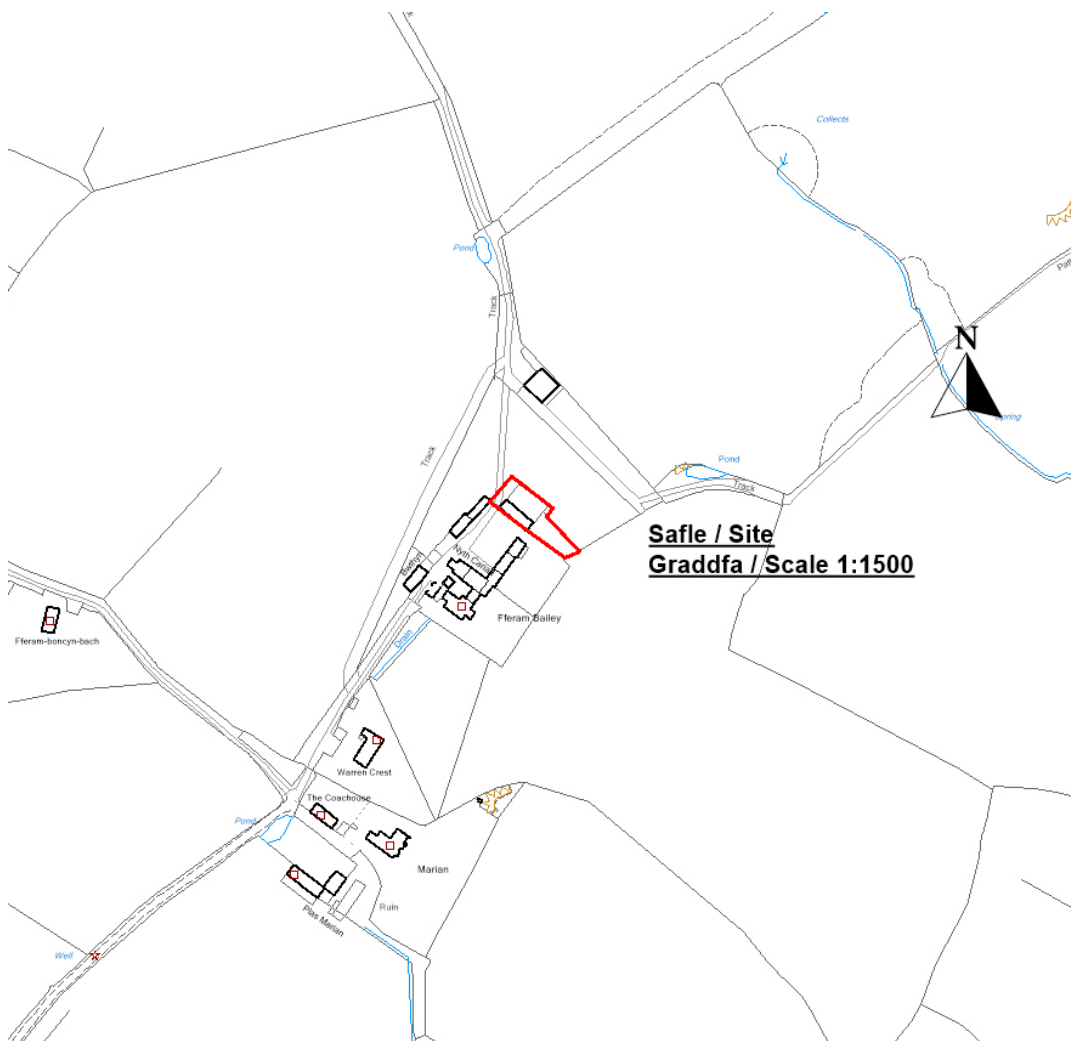


Rhif y Cais: **15C29M/VAR** Application Number

Ymgeisydd Applicant

**Mr Michael Roberts**

Cais dan Adran 73 i amrywio amod (02) (cyflwyno manylion am y modd y bwriedir trin y ffiniau, dulliau amgáu a marcio cyn cychwyn defnyddio'r safle yn hytrach na cyn i'r gwaith ddatblygu gychwyn ynghyd â chaniatáu i'r gwaith gael ei gwblhau o fewn 12 mis o gychwyn ei ddefnyddio) o benderfyniad apêl cyfeirnod APP/L6805/A/13/2194277 (troi adeilad allanol yn annedd) yn / Application under Section 73 for the variation of condition (02) (submission of details of the boundary treatments, means of enclosure and demarcation prior to occupation rather than prior to development taking place together with allowing work to be completed within 12 months of occupation) of appeal decision reference APP/L6805/A/13/2194277 (outbuilding conversion into a dwelling) at

**Hen Feudy, Fferam Bailey, Trefdraeth**

**Planning Committee: 07/02/2018**

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

**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 proposal is an application under Section 73 for the variation of condition (02) of appeal decision reference APP/L6805/A/13/2194277 (so as to allow the submission of the boundary treatment, means of enclosure and demarcation prior to occupation rather than prior to development taking place together with allowing work to be completed within 12 months of occupation) so as to convert the building into a dwelling and the installation of a package treatment plant on land at Fferam Bailey, Trefdraeth.

The works of conversion have been completed and the dwelling is currently occupied. The site is situated within a complex of traditional outbuildings with a number of the buildings having been converted into residential properties and a number of the units benefitting from planning permission for their conversion into residential units.

The site lies on the outskirts of the settlement of Trefdraeth. Access to the site is via an unclassified track.

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

The application's key issue is whether the proposed boundary treatment is acceptable in this location.

### **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 to date

**Local Member – Councillor B Owen** – No response to date

**Local Member – Councillor Peter Rogers** – No response to date

#### **Response to Publicity**

The application was afforded three means of publicity. These were by the posting of a notice near the site, publication of a notice in the local press and the serving of personal notification letters on the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 31<sup>st</sup> January 2018 and at the time of writing this report no letters of representation had been received at the department.

## **5. Relevant Planning History**

15C29G – Full application for the conversion of the outbuilding into a dwelling together with the installation of a package treatment plant on land at Fferam Bailey, Trefdraeth – Refused 30/01/13 – Appeal Allowed 09/07/2013

### **Site history adjoining land**

15C29 – Conversion of outbuildings into holiday cottages at Fferam Bailey, Trefdraeth – Approved 28/09/1987

15C29A – Conversion of outbuildings into holiday cottages at Fferam Bailey, Trefdraeth – Approved 20/06/1988

15C29B – Alterations and extension at Fferam Bailey, Trefdraeth – Approved 12/01/2000

15C29C – Change of use of existing outbuilding into a dwelling together with the installation of a new septic tank at Fferam Bailey, Trefdreth – Approved 12/03/2007

15C29D - Conversion of the three outbuildings into 3 residential dwellings and the installation of septic tanks at Fferam Bailey, Trefdraeth – Approved 03/05/2011

15C29E – Deletion of conditions (02), (03), (04) and (05) so as to use the unit as a permanent dwelling at Unit 4, Fferam Bailey, Bodorgan – Granted 03/02/2011

15C29F – Full application for the change of use of the outbuilding into a dwelling, demolition of part, alterations and extensions thereto, the installation of a treatment plant together with the erection of a garage and workshop at Barn 3, Fferam Bailey, Trefdraeth – Returned to applicant 23/03/2012

15C29H - Full application for the conversion of outbuilding into a dwelling adjacent to Y Bwthyn on land at Fferam Bailey, Trefdraeth – Approved 02/09/2013

15C29J - Full application for the conversion of an outbuilding into a dwelling, the erection of a double garage together with the installation of a package treatment plant at Unit 3 at Fferam Bailey, Trefdraeth – Approved 24/04/2014

15C29K - Full application for alterations and extensions at Y Bwthyn, Fferam Bailey, Trefdraeth – Approved 10/11/2015

## **6. Main Planning Considerations**

The principle of converting the outbuilding has been established by the granting of the appeal application referenced APP/L6805/A/13/2194277 where permission was granted for the conversion of the building into a residential dwelling.

The details of the means of enclosure (stone walling and 1.2m high timber fencing) are considered acceptable and similar to what can be found in the locality.

### **Joint Local Development Plan**

The Joint Local Development Plan states that conversion of traditional buildings will only be permitted for employment use, if this is not an option, the development could provide an affordable unit. However the works on the conversion of the building has been completed and the dwelling is currently occupied

## **7. Conclusion**

The materials proposed to be used are considered acceptable and are similar to what can be found in the locality.

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 WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG 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 WCFG Act.

## 8. Recommendation

### Permit

**(01) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans submitted under planning application reference 15C29M/VAR.**

Drawing / Document number	Date Received	Plan Description
2328:15:T1	15/11/2017	Location Plan
2328:15:T3	15/11/2017	Proposed Site Plan

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.

### Informative

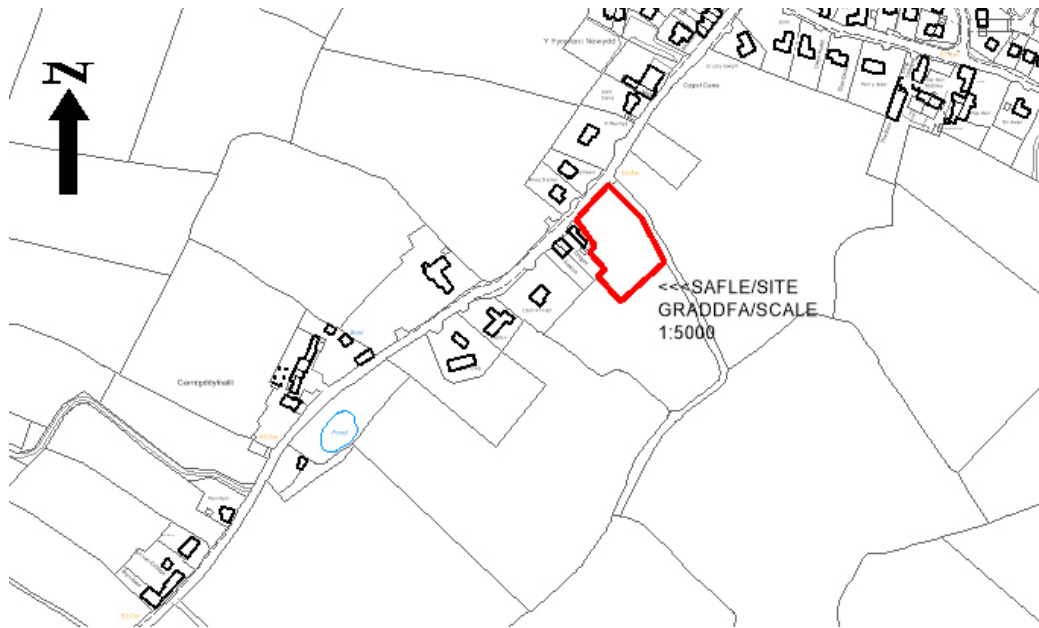
This decision should be read in conjunction with the remaining conditions imposed on planning permission 15C29G.

Rhif y Cais: **21C38G/VAR** Application Number

Ymgeisydd Applicant

**Anglesey Lifestyle Homes Ltd**

**Cais o dan Adran 73 a Adran 73A i ddiwygio amod (16) (cynlluniau a gymeradwywyd) mewn perthynas a chaniatâd cynllunio 21C38D (codi 4 annedd a mynedfa newydd i gerbydau) er mwyn diwygio dyluniad y 4 annedd ar safle yr hen / Application under Section 73 and Section 73A for the variation of condition (16) (approved plans) of planning permission reference 21C38D (erection of 4 dwellings and new vehicular access) so as to amend the design of the 4 dwellings on land of the former**

**Canolfan Busnes Daniel Business Centre, Llanddaniel**

## **Planning Committee: 07/02/2018**

### **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**

This is a Section 73 application for the variation of condition (16) (approved plans) of planning permission reference 21C38D (erection of 4 dwellings and new vehicular access) so as to amend the design of the 4 dwellings at Former Daniel Business Centre, Llanddaniel.

Llanddaniel is identified as a Local Village and the development is within the development boundary of the village. A small area of the estate road is outside the development boundary and hence the reason for reporting the application to the planning committee.

Full planning permission has been granted on the site under planning application reference 21C38D which was approved on the 8/10/10. Since the application was approved the access and the 1.8m wide footway has been partly completed and footings for two of the properties have been completed.

The amendments that are being requested to change the design of the dwellings include fenestration and doors and also entails the erection of a sunroom to the rear elevation of each of the 4 dwellings. The approved dwellings were at a height of 7.7 meters; however, the height has now been reduced to 7.3m high.

It is not considered that the amendments to the design will have any more impact on adjoining residential properties than what has previously been approved on the site.

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

The applications key issue is the existence of the fallback position (extant planning consent), what likelihood exists of the extant permission coming forward and that any harm that is generated by the extant permission being balanced against the proposed scheme and any improvement or betterment the proposal offers over and above the fall-back position.

#### **3. Main Policies**

##### **Joint Local Development Plan**

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

TAI4 – Housing in Local, Rural and Coastal Villages

TAI 15 – Affordable Housing Threshold and Distribution

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

**Community Council** – No response

**Local Member (Cllr Eric Wyn Jones)** – No response

**Local Member (Cllr Dafydd Roberts)** – No response

**Highways** – No response

**Drainage** - Comments

**Environmental Health** – No response

**Footpath Officer** – No response

**Biodiversity Officer** – No ecological comments

**Welsh Water** – No comments

### **Response to Publicity**

The application was afforded three means of publicity. These were by the posting of a notice near the site, serving of personal notification letters on the occupiers of the neighbouring properties together with an advertisement in the local newspaper as part of the site is outside the development boundary and therefore contrary to policies of the Joint Local Development Plan. The latest date for the receipt of representations was the 22<sup>nd</sup> December, 2018 and at the time of writing this report, 1 letter had been received raising comments on the application.

- The comments made was requesting clarification that the application site was within the development boundary.

In response to these issues I would respond as follows;

The 4 dwellings proposed are within the development boundary of Llanddaniel. A small part of the estate road is outside the development boundary.

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

21C38 – Conversion of existing warehouse into 3 industrial units at Llanddaniel – Approved 11/8/89

21C38A – Outline application to erect 11 starter units – Approved 26/2/91

21C38B – Erection of a warehouse and associated parking – Refused 10/6/68

21C38C – Outline application for demolition of existing industrial units together with residential development in lieu of Daniel Business Centre – Approved 8/1/08

21C38D – Full application for the erection of 4 dwellings together with the construction of a vehicular access on land at the former Daniel Business Centre – Approved 8/10/10

21C38E/DIS – Application to discharge condition (14) of planning application 21C38D at Daniel Business Centre, Llanddaniel – Approved 12/9/13

21C38F/DIS – Application to discharge condition (15) of planning application 21C38D at Daniel Business Park – Approved 20/2/14

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

**Policy Context** - The principle of the erection of four dwellings on the site has been established under planning application 21C38D approved on the 8/10/10.

**Joint Local Development Plan** – Llanddaniel Fab is identified as a Local Village where housing proposals can be supported within the development boundary under Policy TAI 4.

Developments for the erection of two or more houses trigger the need for affordable housing and in Llanddaniel the percentage of affordable units required would be 20%.

The application currently under consideration complies with Policy TAI 4, however it does not comply with Policy TAI 15 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 21C38D was approved on the 8/10/10 and work on the site has already commenced (access, road, footway and 2 footings have been completed).

The application currently under consideration involves the erection of four detached dwellings the height of the previously approved dwellings was 7.7 m and the height of the proposed dwellings are 7.3m, being 0.4m lower than the four dwellings previously approved.

A sunroom is proposed to the rear elevation of the dwellings. It is not considered that the proposal will harm the amenities currently enjoyed by the occupants of adjoining residential properties.

#### **Affect on neighbouring properties –**

The existing stone wall to the North East of the site will screen the garden area from the neighbouring dwelling and ensure that the proposal will not harm the amenities currently enjoyed by the occupants of the property.

#### **7. Conclusion**

The application is contrary to Policy TAI 4 and TAI 15 of the Joint Local Development Plan; however, the fallback position is that the application site has an extant planning permission for four dwellings.

It is considered that works on the previous application 21C38D has commenced which has safeguarded the approved application.

#### **8. Recommendation**

##### **Permit**

##### **(01) Foul water and surface water discharges must be drained separately from the site.**

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

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

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

##### **(04) A 1.8 metre wide footway shall be provided along the whole frontage of the development site adjacent to the County Highway and be completed with detailed specifications agreed in writing with the Local Planning Authority before any dwelling is occupied.**

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



**(05) 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.

**(06) The access shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.**

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

**(07) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 metre 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.**

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

**(08) The access shall be completed with a bitumen surface for the first 5 metres 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 comply with the requirements of the Highway Authority.

**(09) 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.

**(10) Within 2 months of the date of this planning permission detailed design and construction details of the proposed foul and surface water drainage systems (including measures to prevent surface water from the development site flowing into the highway) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the details approved under the provisions of this condition and the foul and surface water systems shall be complete and operational before any dwelling is occupied.**

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

**(11) Within 2 months of the date of this planning permission a Management and Maintenance plan for both the surface water drainage system and the estate road shall be submitted to and approved in writing by the local planning authority. The development shall thereafter proceed and be maintained in accordance with the Management and Maintenance plan approved under the provisions of this condition.**

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) and document(s) submitted below:**

<b>Drawing / Document number</b>	<b>Date Received</b>	<b>Plan Description</b>
2534:17:3	20/11/17	Proposed Site Plan
2534:17:8	20/11/17	Proposed Elevations
2534:17:7	20/11/17	Proposed Floor Plans

<b>2534:17:1</b>	<b>20/11/17</b>	<b>Location Plan</b>
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**and as required to be approved under the conditions imposed under planning application reference 21C38G/VAR.**

Reason: For the avoidance of doubt.

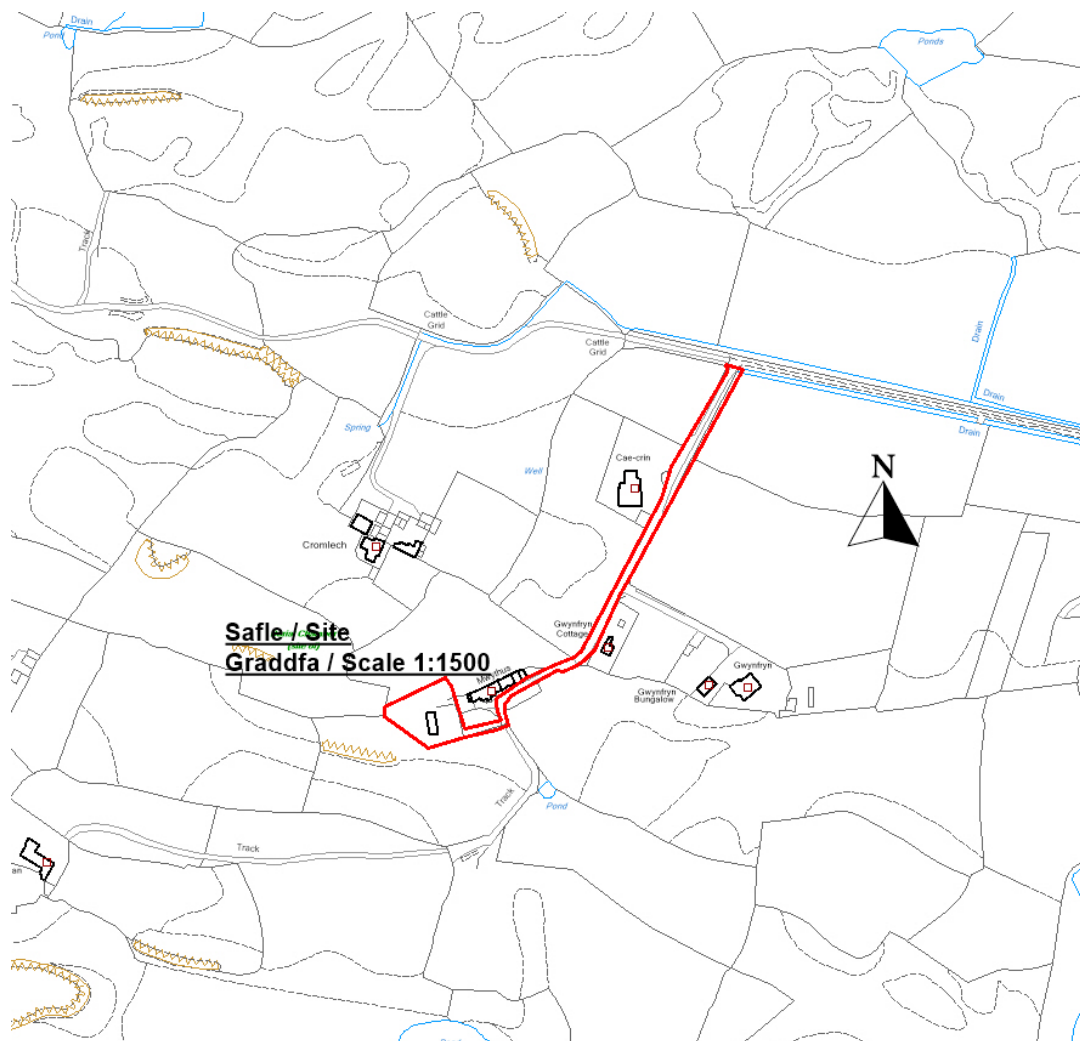
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Rhif y Cais: **43C195F/VAR** Application Number

Ymgeisydd Applicant

**Mr A & Mrs J Hillman**

Cais o dan Adran 73A i ddiwygio amodau (02) (cofnod ffotograffig), (03) (gwared ar ddwr wyneb) a (04) (modd y bwriedir trin ffin) o caniatâd cyllunio rhif 43C195D (newid defnydd adeilad allanol) er mwyn caniatáu cyflwyno manylion ar ôl i gwaith ddechrau yn / Application under Section 73A for the variation of conditions (02) (photographic record), (03) (disposal of surface water) and (04) (proposed boundary treatment) of planning permission reference 43C195D (change of use of outbuilding into dwelling) so as to allow the submission of details after works has commenced at

**Y Granar, Rhoscolyn**

**Planning Committee: 07/02/2018**

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

**Recommendation:**

Permit.

**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:**

This is a retrospective planning application under section 73A of the Town and Country Planning Act 1990 (as amended) to undertake development not in accordance with conditions of the original planning permission.

Planning permission 43CC195D comprised a full application for change of use of outbuilding into a dwelling, alterations and extensions together with the installation of a treatment plant and was conditionally approved on 20.10.2015. It is evident that the development has commenced within the statutory time period as it had been completed in accord with the approved plans. The proposed development is currently in breach of the following planning conditions which required prior approval in writing by the LPA prior to the commencement of the development:

(02) No development shall commence until a photographic record of the existing building in electronic format has been submitted to an approved in writing by the local planning authority. Reason In the interests of recording architectural and historic details prior to development.

(03) No development shall commence until a scheme for the disposal of surface water within the curtilage of the site, including its future maintenance, has been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in accordance with the approved details.

Reason In the interests of amenity and to prevent flooding.

(04) No development shall commence until details of the proposed boundary treatment for the curtilage of the converted dwelling, including its future maintenance, have been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in accordance with the approved details.

Reason To ensure a satisfactory appearance of the development within the designated landscape.

The planning application subject to this report is accompanied by a photographic survey as required by condition (02), in terms of condition (03) photographs of the car parking arrangements and a porosity test are provided and details of existing and implemented fencing arrangements are submitted in relation to condition (04).

**2. Key Issue(s)**

- Compliance development plan policies in relation to the conversion of existing buildings in the countryside to a residential use.
- Lawfulness of the development implemented.
- Whether the proposal conserves and enhances the Area of Outstanding Natural Beauty "AONB".

### **3. Main Policies**

#### **Anglesey and Gwynedd Joint Local Development Plan (2017) “JLDP”**

TRA 2: Parking Standards  
PS 5: Sustainable Development  
PCYFF 1: Development Boundaries  
PCYFF 2: Development Criteria  
PCYFF 3: Design and Place Shaping  
PCYFF 4: Design and Landscaping  
TWR 2: Holiday Accommodation  
AMG 1: AONB Management Plan  
AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character  
AMG 5: Local Biodiversity Conservation  
AT 3: Locally or Regionally Significant Non Designated Heritage Assets

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

#### **Technical Advice Notes 12: Design**

#### **Supplementary Planning Guidance: Design in the Urban and Rural Built Environment**

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

**Local Member** – Support.

**Community Council** – No response to date

**Highways** – Observations awaited at the time of writing.

**Drainage** – The permeable surface indicated for the parking areas, in conjunction with the porosity test results provided by the applicant, suggests that the ground conditions are suitable for soakaways to be utilised as a means of surface water disposal. As a consequence, there would be no specific objection to condition (03) of planning permission 43C195D being varied as requested.

**Public Protection** – No objection but considerations in relation to working hours and foul drainage listed.

**Ecological and Environmental Adviser** – No ecological related issues.

**Gwynedd Archaeological Planning Service “GAPS”** – Confirmed that the photographic survey submitted with the planning application is acceptable.

The application was afforded three means of publicity. These were by the posting of a site notice near the site, the publication of a notice in the local press and the serving of personal notifications on the occupants of neighbouring properties. The latest date for the receipt of representation was 31.01.2018. At the time of writing no representation had been received at the department.

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

**43C195** Full application for change of use of outbuilding into a dwelling, alterations and extensions which incorporates a balcony - Refused 10.06.2015.

**43C195A/SCR** Screening opinion for change of use of outbuilding into a dwelling, alterations and extensions which incorporates a balcony - No EIA required 27.04.2015.

**43C195B** Full application for change of use of outbuilding into a dwelling, alterations and extensions thereto together with the installation of a treatment plant – Refused 27.08.2015.

**43C195C/SCR** Screening opinion for the change of use of the outbuilding into a dwelling, alterations and extensions thereto together with the installation of a treatment plant - No EIA required 07.08.2015.

**43C195D** Full application for change of use of outbuilding into a dwelling, alterations and extensions thereto together with the installation of a treatment plant – Conditionally approved 20.10.2015.

**43C195E/SCR** Screening opinion for the change of use of outbuilding into a dwelling, alterations and extensions thereto together with the installation of a treatment plant No EIA required 21.09.2015.

## **6. Main Planning Considerations**

**Introduction** – The building subject to this application is located in the countryside under the provisions of PCYFF 1 of the JLDP and within an area forming part of the Area of Outstanding Natural Beauty. As described below there has been a change in development plan policies since approval of planning permission 43C195D in 2015.

**Principle of the Development** – Under the former development plan the conversion of existing buildings in the countryside to a residential use such as that being applied for was permitted subject to the listed criteria. The JLDP was adopted on 31.07.17 and superseded the former development plan. Under the provisions of policy TAI 7 (Conversion of Traditional Buildings in the Open Countryside to a Residential Use) of the JLDP the conversion of existing buildings to residential purposes is only permitted where evidence is provided that an employment use of the building is not viable and then only for affordable housing purposes or as a subordinate element in a wider scheme. The planning application subject to this report does not comply with any of these requirements and has therefore been advertised as a departure from the current development plan comprising the JLDP.

The proposal is considered to be in compliance with the remaining criterion of policy TAI 7 in that the building is structurally sound, further it appears from a visual inspection to have been completed in accord with the structural survey previously submitted. In terms of the extent of alterations and extensions, retention of architectural and traditional materials the planning considerations in policy TAI 7 remain broadly the same and when the application was previously considered in 2015 and the implemented proposals are considered acceptable.

As explained in the introduction of this report the development has commenced within the statutory time period but is currently in breach of the listed planning conditions. Given that the proposal does not comply with the JLDP as described above it can only be considered acceptable if the planning permission 43C195D has been lawfully implemented and there then remains what is termed a “fall-back position”. To determine whether the development implemented is lawful requires consideration of various planning case law from which the following points can be derived and applied sequentially:

1. Is it a pre-condition to lawful development and if so, has it been complied with;
2. If it has not been complied with, can the developer bring himself within one of the recognised exceptions in case law such as if the breached condition is not central to the development non-compliance does not render the development unlawful.
3. Would a decision to initiate enforcement be judicially reviewable e.g. because it would be irrational or an abuse of power.

In terms of the first criterion planning conditions (02), (03) and (04) are all conditions precedent which have not been complied with. Moving on to criterion 2. none of the conditions precedent breached (being a photographic record, surface water detail and boundary treatment) are central to the development approved such that non-compliance would render the development unlawful and planning permission 43C195D is therefore considered lawful. The third criterion need not therefore be applied in consideration of the lawfulness of planning permission 43C195D, but it is material in the assessment of the current planning application that sufficient details have been submitted in

relation to conditions (02), (03) and (04) to effectively discharge them such that it would not be expedient to instigate enforcement action. As can be seen from the consultation section of this report GAPS are content in relation to condition (02), the council's Drainage officer is content as regards condition (03) so that these conditions can now be deleted. Similarly the boundary treatments have been implemented and are considered acceptable and condition (04) is not considered necessary.

To sum up therefore the planning permission 43C195D has been lawfully implemented and as there remains a "fall-back position" the proposal is considered acceptable notwithstanding the provisions of policy TAI 7.

**Area of Outstanding Natural Beauty** -The proposal is within the AONB and relevant policy considerations in relation to this statutory landscape designation require that the proposed development conserve and enhance the AONB.

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.

It is considered that the proposed development is of a high quality design, incorporating natural stone and slate, natural stone wall. Further appropriate landscape treatment has been included in the current proposals which represent a betterment in comparison with the previously approved scheme.

**Other Matters** – In terms of the applicability of existing conditions of planning permission 43C195D condition (05) is still material in so far as bio-diversity measures were contained within the mitigation measures and a condition (06) is still required in so far as the retaining the car parking area in connection with the development.

## 7. Conclusion

Given that planning permission 43C195D has been lawfully implemented and as there remains a "fall-back position" the proposal is considered acceptable notwithstanding the provisions of policy TAI 7. For the reasons described in the report it is also considered that the proposed development conserves and enhances the AONB, and that the proposal represent a betterment in comparison with the scheme approved under planning permission 43C195D.

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 WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG 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 WCFG Act.

## 8. Recommendation

### Permit

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

Drawing / Document number	Dated	Plan/Report Description
2232:14:1d	July 2015	Location Plan
2232:17:3a	January 2018	Proposed Site Plan
2232:14:6C	June 2015	Proposed Elevations

2232:14:5C	July 2015	Proposed Floor Plans & Section
15037/E/01	28 <sup>th</sup> April 2015	Survey Report – Outbuildings at Mwythus, Rhoscolyn
	18 <sup>TH</sup> February 2015	Protected Species Survey Mwythus, Rhoscolyn, Anglesey, North Wales.

**The development shall be undertaken in accordance with the recommendations contained within Clwydian Ecology Protected Species Survey report dated 18<sup>th</sup> February 2015 and submitted under planning reference 43C195D.**

Reason To safeguard protected species and secure bio-diversity improvements.

**The car parking accommodation shown on the plans hereby approved shall be retained for these purposes.**

Reason To enable vehicles to draw off and turn clear of the public highway.