

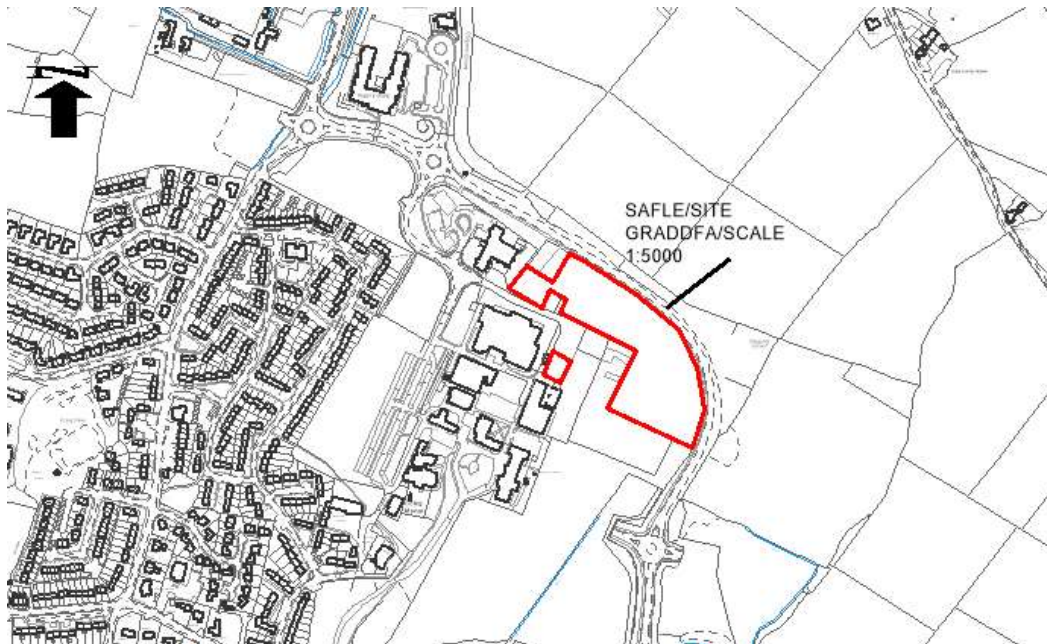
Rhif y Cais: **34C304Z/1/ECON** Application Number

Ymgeisydd Applicant

Grwp Llandrillio-Menai

Cais llawn ar gyfer codi chwech o adeiladau, newid defnydd cae yn ardal hyfforddiant peiriannau trwm ynghyd a chreu maes parcio newydd yn / Full application for the erection of six buildings, the change of use of field into a heavy plant training area together with the creation of a new car park at

Coleg Menai, Ffordd Y Coleg, Llangefni



Planning Committee: 25/07/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

This is a major planning application and the development forms part of the long term masterplan for the campus and town of Llangefni for which, it is considered, members should be part of the determining process.

1. Proposal and Site

The proposed development comprises 6 buildings consisting of;

1. General construction operative equipment store
2. Scaffolding store
3. Casement and shuttering formwork joinery training centre and general operative training building
4. Centre welfare/changing facilities
5. Scaffold training building
6. Heavy plant store

Additionally there will be a change of use of land to a heavy plant training area along with the creation of a carpark and associated landscaping.

The objective being to add to the educational function currently on offer, creating a Centre for Infrastructure Skills Training (CIST). A training centre of excellence for North Wales. It is anticipated this will deliver many of the skill requirements associated with the construction stages of major infrastructure projects.

The buildings vary in scale and reflect the industrial design of those that exist on the campus utilizing blockwork, powder coated metal cladding and roof sheets.

The proposed scaffolding training building (21) is the largest extending up to 15.5m ridge height with a width of 35m and length of 50m. Attached to this are the changing facilities (20) and casement/shuttering training centre (19) these have a height of 8m to ridge a width of 21m and length of 41m.

The scaffold store (18) to the east of the above building measures 8m in height to ridge 19.8m in length and 14.6m width (including a single storey lean-to)

The equipment store (17) to the south of the above has a ridge height of 8.6m a width of 12m and length of 20m.

The final building, the heavy plant equipment store (22) will be located to the south of the above buildings and will be positioned between the existing skills centre and testing centre (not constructed) in the campus. This building will have a ridge height of 8.2m a width of 25m and length of 40m.

The heavy plant training area will be to the east of the proposed new buildings abutting the link road the area will be resurfaced with hardcore.

Car parking is to be provided to the west of units 17 and 18 and will have 41 spaces these will be for the use of the CIST.

Access is to be achieved via the existing road to the new link road roundabout to the north east of the complex

The site is located directly adjacent to the Llangefni development boundary (as defined within the Joint Local Development Plan). Within the Plan's hierarchy of settlements Llangefni is defined as an Urban Service Centre.

It is partly undeveloped and located along the north and north east boundaries of the campus encapsulated by the newly constructed Llangefni link road.

The operation will require 21 staff 20 of which will be newly created posts. Furthermore details provided state that the centre will have the capacity to train between 800 and 1000 individuals annually.

2. Key Issue(s)

Whether the proposals are acceptable in land use/policy terms?

Will there be harm to amenity?

Will there be any highways issues?

Welsh language

3. Main Policies

Strategic Policy PS 1: Welsh Language and Culture

Policy ISA 1: Infrastructure Provision

Policy ISA 3: Further and Higher Education Development

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Policy TRA 1: Transport Network Developments

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Strategic Policy PS 5: Sustainable Development

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

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and place shaping

Policy PCYFF 5: Carbon Management

Policy PCYFF 6: Water conservation

Strategic Policy PS7: Renewable energy technology

Strategic Policy PS19: Conserving and where appropriate enhancing the natural environment

Policy AMG3: Protecting and enhancing features and qualities that are distinctive to the local character

National Planning Policy

Planning Policy Wales (Edition 9, November 2016)

Technical Advice Note (TAN) 12: Design (2016)

Technical Advice Note (TAN) 23: Economic Development (2014)

4. Response to Consultation and Publicity

Llangefni Town Council No response at time of writing report

Local Members

Cllr N Roberts: No response at time of writing report

Cllr D Rees: No response at time of writing report

Cllr B Parry: No response at time of writing report

Welsh Water: No response at time of writing report

National Resources Wales: No response at time of writing report

GAPS: No response at time of writing report

Highways: Conditions

Ecological Advisor: Section 4.2 Recommendations which are relevant to ecology should be followed, with Planning conditions where appropriate

Environmental Health – No response received

In addition, a statutory public consultation process has been carried out and a pre application consultation report submitted as part of the application.

This Pre-Application Consultation (PAC) report provides a review of the stakeholder and community consultation undertaken by Grŵp Llandrillo Menai (GLLM)

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 requires that the developer should undertake pre-application consultation for all planning applications that are classed as ‘major’ development for both full or outline applications. Major development is defined in article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) as being:

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwelling houses where;
 - (i) the number of dwelling houses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more;
- or
- (e) development carried out on a site having an area of 1 hectare or more;

The proposed development falls within the definition of major development as defined by (d) Above (4151sqm proposed). The order also requires that there be a 28 day publicity period prior to submitting a planning application and that the following should be undertaken:

- Display a site notice in at least one place on or near the land to which the proposed application relates for a period of no less than 28 days before submitting an application for the proposed development
- Write to “any owner or occupier of any land adjoining the land to which the proposed application relates”
- Make the draft planning application information available publicly
- Consult community and specialist consultees before applying for planning permission
- Consider if Environmental Impact Assessment (EIA) is required for the project
- Submit a pre-application consultation report (PAC) as part of the planning application

This document records the process of the pre-application consultation process as required above in the form of a PAC report.

The Order requires that the PAC report presents the following information:

- a) A copy of the site notice;
- b) A declaration that the site notice was displayed in accordance with the statutory requirements i.e. in at least one place on or near the development site for no less than 28 days;
- c) A copy of the notice given to owners and occupiers of adjoining land;

- d) Copies of all notices provided to councillors, town and community councils, and specialist consultees
- e) Copies of all responses received from specialist consultees with an explanation of how each response has been addressed by the developer
- f) A summary of all issues raised in response to the statutory publicity – the developer must confirm whether the issues raised have been addressed and if so, how they have been addressed.

Full details are included in the pre-application consultation report.

5. Relevant Planning History

34C304 - Erection of a new agricultural building at – Granted 08/04/93

34C304A - Change of use of land from agricultural to a playing field and car park at – Granted 06/05/94

34C304B - Erection of a manure and slurry store on land at – Granted 15/09/94

34C304C - Extensions to create a boiler room at – Granted 20/01/95

34C304D - Erection of an extension on to the existing workshop at - Granted 06/06/96

34C304E - Erection of new farm buildings along with alterations to the existing buildings at – Granted 06/03/97

34C304F - Construction of a new teaching building along with alterations and improvements to the access road serving the site at - Granted 05/12/96

34C304G - Re location of the 3 greenhouses along with the erection of a new potting shed / store at – Granted 03/02/96

34C304H - Retention of the 6 mobile classrooms on land at – Granted 06/06/97

34C304J - Erection of a food technology unit together with associated car parking on land at – Granted 23/03/01

34C304K - Erection of new farm buildings together with the re-siting of an existing farm building on land at – Granted 13/07/99

34C304L - Erection of an extension on the existing brickwork workshop at – Granted 04/08/99

34C304M - Removal of existing temporary building and the erection of 2 temporary classrooms at – Granted 14/06/00

34C304N - Extension to the food technology unit at - Granted 23/03/01

34C304P - Demolition of the existing buildings and erection of a two storey teaching unit with associated car parking facilities at – Granted 24/04/02

34C304R -Alterations and Extensions to engineering workshop at – Granted 06/11/02

34C304T - Extension to the existing engineering workshop at – Granted 08/10/03

34C304W - Erection of an aluminium glazed extension to form lobby at – Granted 09/02/07

34C304X - Extension to car park at – Granted 01/08/08

34C304Y - Construction of a new Education Facility building to provide specialist energy and Fabrication Skills together with the removal of existing temporary tent structure - Granted 23/02/09

34C304Z - Demolition of three existing buildings, erection of a two storey extension to the Energy and Fabrication Centre together with an extension to the car park – Granted 16/06/10

34C304A/1 - Erection of a temporary modular building to provide training facility – Granted 14/09/11

34C304B/1 - Erection of a two storey extension to the food technology centre - Granted 11/04/12

34C304C/1/SCR - Screening opinion for the provision of heavy plant track ways, construction of hard standing areas, the erection of a security fence around the vehicle storage and the construction of a designated area for fire training equipment – EIA Not Required 07/12/12

34C304D/1 - Full application for the provision of heavy plant track ways, construction of hard standing areas, the erection of a security fence around the vehicle storage and the construction of a designated area for fire training equipment – Granted 14/12/13

34C304E/1/RE - Full application for the erection of one 5.5kw wind turbine with a maximum mast height of up to 9m, rotor diameter of up to 3.1m, swept area of up to 16 metre square and a maximum upright vertical tip height of up to 15.24m – Approved 30/03/2016

34C304F/1/ECON - Extension to the existing campus comprising of the erection of three; three-storey units with 250 no associated car parking, a separate unit comprising of a gym and fitness studio with 60 no associated car parking together with an all-weather outside football pitch, and sustainable drainage system with all matters reserved- Approved 27/10/15

34C304G/1/SCR - Screening opinion for the an extension to the existing campus comprising of the erection of three; three-storey units with 250 no associated car parking, a separate unit comprising of a gym and fitness studio with 60 no associated car parking together with an all-weather outside football pitch, and sustainable drainage system with all matters reserved – 26/10/15 EIA Not Required

34C304K/EIA/ECON - Hybrid application for 153 dwellings, Engineering Centre, hotel, food car parking and drink outlet and associated Works
Approved 25/5/2017

34C304B/2/SCR - Screening opinion for erection of 6 buildings change of use of field into Heavy plant training area along with creation of parking area and landscaping. No EIA required 6/7/2018

6. Main Planning Considerations

Whether the proposals are acceptable in land use/policy terms?

In accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004) it is necessary to ensure that planning applications conforms with the adopted Development Plan unless material planning considerations indicate otherwise. Other planning considerations can include national planning policy along with Technical Advice Notes (TAN). The Joint Local Development Plan (JLDP) was formally adopted on 31st July 2017 and has superseded the previous local planning policy framework for the Isle of Anglesey Local Planning Authority Area. The JLDP forms the development plan for both Gwynedd and Anglesey Local Planning Authority areas and forms the basis for decisions on land use planning in this area

When considering the principle of the development reference should be made to Policy ISA 3 of the Joint Local Development Plan. Policy ISA 3 stipulates that proposals for new facilities or extensions to existing buildings for academic and support purposes or for ancillary social, cultural or leisure activities at further or higher education sites will be granted subject to consideration of scale, location, design, amenity and transportation being acceptable.

In accordance with Policy ISA 3, when considering the location of additional facilities, the sequential test approach should be used with preference given to the re-using of existing sites and buildings. If there isn't a suitable site available for reuse, consideration should then be given to

development of land on existing further or higher education sites and secondly on sites which have a close relationship with the existing campus.

Due to the nature and scale of the proposal it is not considered there are suitable sites available for the proposals within the existing campus.

The proposed site directly adjoins the campus and therefore forms a natural extension, with the Llangefni bypass road forming part of the site boundary.

Will there be harm to amenity?

The impact of the proposal, especially upon the amenity of nearby land users should be considered in accordance with the criteria as set out in policy PCYFF 2 (Development Criteria). Specific consideration should be given to criteria 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupiers of local residences or other land and property users.

Neighbouring land uses can be identified as the following.

To the north and east lies the Llangefni link road with agricultural land beyond. To the south is the College campus, Such uses do not exhibit such amenities that require preservation. However, to the west is Canolfan Plant Llangefni, whilst not a residential use the impact of the buildings has been taken into account. The scaffold training building is of a considerable size and scale and if positioned in close proximity could have an overbearing impact. However at a distance of over 100m away, whilst it will be seen, its impact is not considered to be unacceptable.

The dwellings at Pencraig/Bro Tudur are over double this distance away and it is not considered that there will be harm to their amenity.

In respect of the heavy plant training area, noise will be generated by the machinery used. However, again given the distances from other land uses with existing residential properties over 300m away, it is not considered that the noise generated would be unduly harmful to amenity.

Furthermore, it should be noted that a heavy plant training area was previously approved to the south west of the proposal site in 2013 under reference 34c304D/1. This site was closer to residential properties a condition was however, attached to the permission restricting hours of use to mitigate this.

This permission was not implemented due to changes to future plans.

Visual Amenity

The development involves further development of agricultural land located to the south west of the link road which forms an informal boundary to the site at this point (land beyond being wooded). The buildings proposed are of an industrial finish and scale and will provide a hard edge to the site. The heavy plant training will be an area of hardstanding and frequently occupied by large machinery.

The link road opens up views to the site and to the mainland beyond. The site is also visible from the Penymynydd road on the elevated approach near Cefn Poeth (from the west), and on the final stretch of Lôn Penymynydd approaching the new roundabout at the link road intersection. Travelling south, the site is to the right of the view with significant building elevations to the highway temporarily interrupting views to the mainland. Travelling north, the buildings would be seen in the context of surrounding shelterbelt woodland and existing buildings. From the west views would be filtered by existing woodland with effects varying seasonally.

Mitigation planting in the form of a boundary hedge with trees will in time filter low level roadside views. This will depend on the height at which the hedgerow is maintained. Some hedgerow trees are proposed - of species of more limited stature.

The site is not identified as being of High Landscape and Visual sensitivity and no features and qualities distinctive to local landscape character would be affected as required by policy AMG 3. Views are primarily from the highway and associated cycle and footpaths.

Given the proposed buildings' combined mass and their utilitarian nature on this edge of the site, a greater volume of landscaping would provide greater screening than that proposed in the Landscape Plan. The number of hedgerow trees could be increased along the elevations of building 18 – 21. The volume of landscaping could be increased to the south east of building 21 and on the curving highway boundary with the heavy plant area, and include tree species such as pine and beech of greater potential impact. These measures would ensure greater compliance with PCYFF 4 and as such has been made the subject of a condition.

With the above matters in mind it is considered that the proposals are acceptable in landscape terms in this location.

Will there be any highways issues?

The Highways Authority have been consulted in respect of the application and raise no objection but suggest conditions as listed below.

Welsh Language

A Welsh language statement has been submitted with the application. The statement identifies that Grwp Llandrillo-Menai (GLIM) has a Welsh Language Scheme in place, GLIM is committed to

- 1) Supporting and encouraging staff to make greater use of Welsh in their day to day work, and will ensure that staff members are aware of opportunities to use Welsh, and are confident in doing so;
- 2) Supporting the development of Welsh language skills in its curriculum; and
- 3) Providing and promoting opportunities for learners to receive bilingual education wherever possible to develop balanced language skills in Welsh and English, and to enable learners to play an active role in the bilingual community and economy.

The Welsh Government recognizes that education has a crucial role to play in order to support the aspirations of a bilingual nation strategy (Iaith Fyw, Iaith Byw, Welsh language Strategy 2012-2017) and supporting the use of the Welsh language within communities. The proposed CIST will expand the provision of bilingual education for local people of Anglesey and North Wales.

7. Conclusion

It is considered that the proposals are an acceptable land use and also will not unduly harm residential or visual amenity. The addition of education facilities will benefit not just the location but a far wider area and will assist in creating the centre of excellence providing a type of training which does not presently exist in North 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 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

To grant delegated powers to **approve** the application following receipt of outstanding consultation responses

(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.

(02) Full details of any lighting proposed shall be submitted to and approved in writing by the LPA prior to any such installation. The lighting scheme shall be constructed in strict accordance with the approved details.

(03) Prior to the commencement of the development hereby approved a Construction Traffic Management plan shall be submitted to the Local Planning Authority for its written approval. The Plan shall include as a minimum, but not limited to:

- i) The routing to and from the site of construction vehicles, plant and deliveries,**
- ii) The parking of vehicles for site operatives and visitors**
- iii) Loading and unloading of plant and materials**
- iv) Storage of plant and materials**
- v) Wheel washing facilities where appropriate**

The applicant shall ensure that the requirements of the approved plan shall be adhered to throughout the construction of the development.

Reason: To ensure reasonable and proper control is exercised over construction activities in the interests of amenity and highway safety.

(04) Prior to the commencement of any works a site-wide Construction Environmental Management Plan (including a Construction Travel Plan) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following matters:

- **Protective measures to trees and shrubs**
- **Signage for the construction traffic, pedestrians and other users of the site,**
- **Controls on the arrival and departure times for the construction vehicles;**
- **Piling methods (if employed)**

- **Earthworks**
- **Hoardings to the site,**
- **Hours of working,**
- **Details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated**
- **Waste management and disposal and material re use,**
- **Prevention of mud / debris being deposited on public highway;**
- **Protection of the amenities of nearby residential occupiers**
- **Materials storage; and hazardous material storage and removal.**
- **A system for the management of complaints from local residents**
- **Emergency Containment Procedures**

Reason: To ensure the construction environment is not harmful to the amenities or wildlife of the locality.

(05) Heavy plant using the training area shall be operated on site only between the hours of 9am and 5pm. No plant shall operate at weekends or Bank holidays

Reason: To define the scope of this permission

(06) Additional planting shall be provided in accordance with a scheme to be approved in writing by the LPA prior to the commencement of the landscaping of the site. The scheme shall be implemented in accordance with the approved details prior to the use hereby approved being commenced and thereafter shall be retained for the lifetime of the development.

Reason: In the interests of amenity

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

Plan	Number	Received
Masterplan		7th June 2018
Location Plan	D605A.01	7th June 2018
Proposed Block Plan	D605A.02	7th June 2018
Floor Plans Elevations (Building 19, 20, 21)	D605A.03	7th June 2018
Proposed elevations (Building 17)	D605A.11	7th June 2018
Proposed elevations (Building 17)	D605A.10	7th June 2018
Proposed floor plan (Building 17)	D605A.09	7th June 2018
Proposed elevations (Building 18)	D605A.07	7th June 2018
Proposed elevations (Building 18)	D605A.08	7th June 2018
First floor plan (Building 18)	D605A.06	7th June 2018
Ground floor plan (Building 18)	D605A.05	7th June 2018
Floor plans and elevations (Building 22)	D605A.04	7th June 2018
Foul and surface water layout	CIST-CAP-HDG-00-DR-C- 0001	7th June 2018
Landscape planting plan	ENG-CAP-MP-00-DR-L-0002	7th June 2018
Biosecurity Risk assessment		19th June 2018
Ecological appraisal		7th June 2018
Drainage strategy		7th June 2018
Welsh Language Statement		7th June 2018

Reason: For the avoidance of doubt and to ensure a satisfactory form of 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.

7.2

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **39C18C/2/VAR** Application Number

Ymgeisydd Applicant

Mr Christopher Hutchinson

Cais o dan Adran 73 i ddiwygio amod (09) o ganiatâd cynllunio rhif 39C18H/DA (codi 21 o dai) er mwyn diwygio yr edrychiad allanol yn / Application under Section 73 for the variation of condition (09) of planning permission reference 39C18H/DA (erection of 21 dwellings) so as to amend the external appearance at

Plot 10, Ty Mawr, Porthaethwy/Menai Bridge



Planning Committee: 25/07/2018

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

Recommendation:

Permit.

Reason for Reporting to Committee:

The application has been referred to the Planning Committee by Cllr M Jones.

At its meeting held on the 4th July, 2018 committee members recommended that a site visit should take place. The site visit took place on the 18th July and the members are now aware of the site and its settings.

1. Proposal and Site

This application has been made to change the design of the previously approved dwelling the planning permission for which is extant.

It is proposed to build a 4 bedroom bungalow with a bedroom in roof space. There will also be a detached double garage.

This vacant site is located on land which is currently being developed. It is identified as plot 10 and is positioned alongside plots 8 and 9 to the west and 5 and 6 Ty Mawr to the north and north east.

Numbers 5 and 6 Ty Mawr are positioned at a higher level and have windows overlooking the site. The new bungalow will be 9m (closest point) from the boundaries with no 5 and 6.

2. Key Issue(s)

- Is the design acceptable in this location?
- Will there be harm to residential amenity?

3. Main Policies

Strategic Policy PS 5 Sustainable Development
Policy PCYFF 3 Design and Place Shaping
Policy PCYFF 4 Design and Landscaping

Technical Advice Note 12 Design
Technical Advice Note 18 Transport

SPG Design Guide for the Urban and Rural Environment.

4. Response to Consultation and Publicity

Menai Bridge Town Council - No observations.

Cllr M Jones has referred the application to the Planning Committee as he considers the development would be harmful to neighbours.

Cllr R Williams - No comments.

Cllr A Mummery - No comments.

Highways - No comments.

4 letters / emails have been received points raised include;

- Concerns regarding finished floor level (FFL) of extant permission in comparison to that proposed
- There has been backfill which has changed the levels since planning permission was granted
- Are FFL's which the agent refers to valid?
- The new house has twice the spatial volume of that approved and the ridge height from eaves will be more than double the ridge height of the original
- The footprint with garage will be 50% larger
- The massing and scale will be double that approved
- The FFL should be at least 5.5m below plot 6 this will lessen harm.

5. Relevant Planning History

39C18H/DA - Detailed plans for the erection of 21 dwellings on land at Ty Mawr, Menai Bridge, approved 25/04/96

6. Main Planning Considerations

The key issues have been identified as

- Is the design acceptable in this location?

It is proposed to build a bungalow on a sloping site. There are other similar modern bungalows in the vicinity and it is not considered that the design or size of the building will detract from the character or appearance of the location.

- Will there be harm to residential amenity?

Concerns have been raised in respect of the impact the new bungalow will have on those properties nearby namely numbers 5 and 6. The occupants of those properties have made representations making comparisons with what has been approved and what is proposed. Of especial concern is the matter of the height of the new build, where the FFL.s should be, and how it is unclear where the approved FFL's are set.

Recognizing this concern, sections through the site have been requested showing the proposed dwelling in relation to those surrounding. These show the heights of numbers 5 and 6 and also the proximity of the new bungalow and its height and floor levels. Additionally the submitted plan indicated the height and outline of the approved dwelling.

The new dwelling will have a roof construction which is hipped on four sides sloping up towards a narrow ridge. This reduces the impact over that approved which has a long central ridge and gable ends. Additionally, the narrow ridge will be 200mm lower than the approved scheme.

Notwithstanding what has been approved, what is to be determined here is whether or not the new proposal is acceptable. It is considered that given the form of the roof construction the impact on nearby properties is not so great as to be unduly harmful to their amenities. The roof will be sloping away from those properties from a single storey height of 2.5. to eaves and given the hip construction the maximum height of the dwelling will only be realized at the centre of the construction. Furthermore the distance from 5 and 6 which is a minimum of 9 m is considered acceptable for a single storey construction especially when the plots lower position is taken into account.

Whilst this will inevitably interrupt the views currently enjoyed by the residents to the side and rear this is not a reason to refuse this application which could be justified at appeal.

Furthermore, given the relationship between the properties with 5 and 6 being higher there will be no direct overlooking from the new bungalow.

The scale of the dwelling is similar to those surrounding and its single storey construction albeit built up at front, will not seem obtrusive or out of place.

7. Conclusion

Whilst it is acknowledged that there will be impact on those dwellings surrounding the form of the proposal ensures that what impact there will be are of an acceptable level not unreasonably detracting from the amenities of the occupants thereof.

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 to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

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

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

Drawing number	Date Received	Plan Description
PL: Hutchinson PL 01	01/03/2018	Proposed floor plan
PL Hutchinson PL 02	01/03/2018	Proposed elevations
PL Hutchinson PL 03	01/03/2018	Proposed elevations
PL Hutchinson PL 04	01/03/2018	Proposed plans and elevations (Garage)
PL Hutchinson PL 05	01/03/2018	Proposed site plan
PL Hutchinson PL 06	01/03/2018	Proposed first floor plan
PL Hutchinson PL 07	15/05/2018	Proposed context sections (FFL 31.82)

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.

7.3

Gweddill y Ceisiadau

Remainder Applications

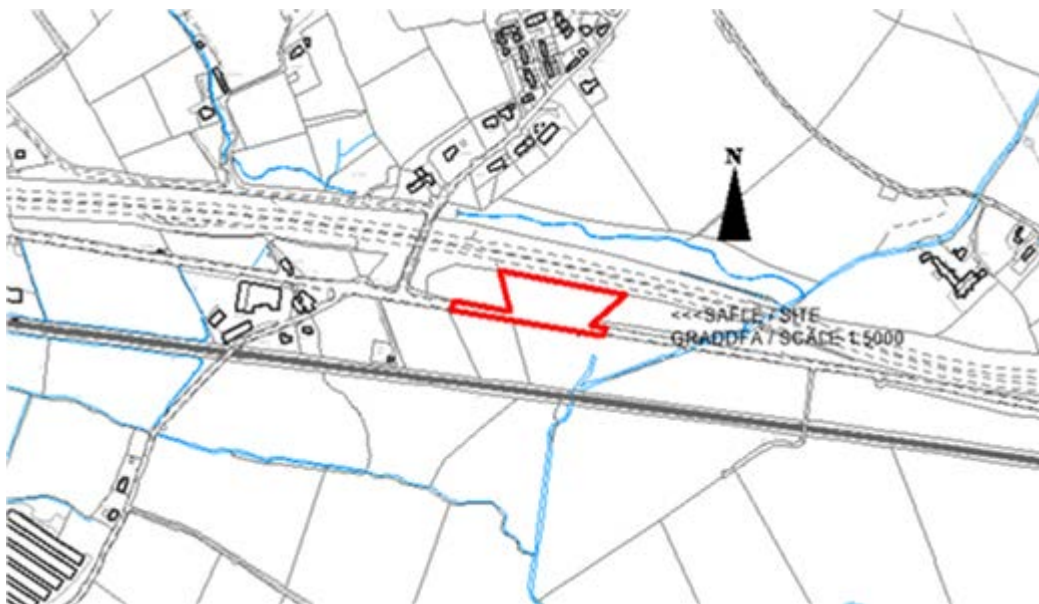
Rhif y Cais: 41LPA1041/FR/TR/CC Application Number

Ymgeisydd Applicant

Cyngor Sir Ynys Môn

Cais llawn ar gyfer newid defnydd tir amaethyddol i'w ddefnyddio fel man stopio dros dro (10 llecyn) ar gyfer Sipsiwn a Theithwyr, creu mynedfa gerbydau newydd, ffurfio mynedfa newydd i gerddwyr a phafin ynghyd â datblygiadau cysylltiedig ar dir i'r Dwyrain o / Full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of

Star Crossroad, Star



Planning Committee: 25/07/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been submitted by the Isle of Anglesey County Council (Housing Services). Under the Council's present scheme of delegation it is required that the matter of this application be referred for determination to the Planning and Orders Committee, based on the following 3 grounds.

1. The applicant is a department within the Isle of Anglesey County Council, in this case Housing Services;
2. Councillors Robin Wyn Williams, R. Meirion Jones and Alun Mummery, in their consultation responses, have requested that the application be heard and determined by the Planning and Orders Committee; and
3. As a result of the number of 3rd party representations stating objection to the proposed development.

1. Proposal and Site

The application site, which extends to 0.88 Ha, is classed under the Joint Local Development Plan (JLDP) as open countryside. It is identifiable as a narrow strip of land physically constrained by the A55 North Wales Expressway (to the north/rear) and the A5 Holyhead Road (to the south/front), with the rail line of the North Wales Coast Line located further south beyond the A5 carriageway c. 100m distant, the Star road immediately to the west and further agricultural fields to the east toward the direction of Llanfairpwll. It is an area of undeveloped rural/agricultural land which has been separated from the larger field enclosure to the north by the construction of the A55. Uncut and overgrown hedges, have grown into the site and adjoining enclosures, to the west and east.

The site is located c.70m to the south of Star, at the other side of the A55, which acts as a physical barrier between the site and Star. Star however is notably the closest rural settlement. Further distant to the east along the A5 (c. 1.08 km) is Llanfairpwll; the larger of the two local communities.

The description of development reads *"The proposed development is for a temporary stopping place for Gypsies and Travellers on an area of rough grassland between the A5 and the A55. The site will accommodate 10 No caravans and towing vehicles on hard standing pitches. The site will be enclosed by fencing and a new site access provided off the A5."*

Following consultation, and the subsequent refinement of the scheme in order to meet servicing and operational requirements, provision of utilities, site security considerations and access arrangements, the proposal comprises:

- Secure boundary fence and lockable gate;
- Planting strip of evergreen hedge along the southern verge boundary;
- Area measures approximately 38 x 110 metres with a total site area of 0.88 hectares or 8,800 square metres or 2.17 acres;
- Access off the A5 east of the Star junction - visibility splays accepted by Isle of Anglesey County Council's (IACC) Highways Department;
- Footpath provided from Star junction to site entrance for access to Bus Stop;

- Provision of serviced pitches 10 No. temporary pitches - min spacing of 7 metres between bays – spacing approved by IACC;
- Bays designed for large caravans to future proof capacity and to accommodate wide range of vehicles;

- Portakabin toilets and shower facilities provided for each pitch including disabled WC connected to mains sewer – hired on and off as required;
- Waste water discharge points and chemical toilet waste disposal points;
- Acoustic barrier fencing to reduce noise levels from A55;
- Security Fencing along frontage of A5;
- Sliding gates with lockable mechanism;
- LED lighting on 4.5 metre high lamp posts – lighting general circulation area only;
- Electricity and water supply to each pitch;
- Provision of fire points (two fire extinguishers in secure container); and
- Informal amenity area fenced defined by bow top fencing.

2. Key Issue(s)

The key issue in the assessment of this application is the acceptability of the proposed development in principle and compliance with the JLDP. Specifically, the development must comply with the JLDP in respect of:

- Site location and suitability for development in principle;
- Highway, parking and safety considerations;
- Detailed technical considerations (drainage, landscape, ecology);
- Design and appearance; and
- Impact on residential and local amenity.

In addition, weight must be given to any other material considerations. In this case the additional material considerations comprise:

- Relevant national planning policy and advice;
- Local adopted supplementary planning guidance'
- The content of the letters of representation; and
- The responses from consultees.

3. Main Policies

This section of the report sets out the relevant national and local planning policies and associated guidance to the application to be determined by the committee and the weight that should be given to each. Further in the report, the application will be assessed against each relevant planning policy.

The Well-Being of Future Generations Act 2015:

The Well-Being of Future Generations Act 2015 requires that local authorities think more about the long term, work better with people and communities and each other, look to prevent problems and adopt a more joined-up approach. As a result, public bodies when making decisions must take into account the impact they could have on people living their lives in Wales in the future. In this respect, the Act requires public bodies to:

- work together better;
- involve people reflecting the diversity of our communities;
- look to the long term as well as focusing on now; and
- take action to try and stop problems getting worse - or even stop them happening in the first place.

Sustainable development is central to the aims of this Act and in this context the term '*sustainable development*' means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle,

aimed at achieving the *well-being goals*. In doing this, the Act places a well-being duty on public bodies, which states:

“Each public body must carry out sustainable development. The action a public body takes in carrying out sustainable development must include:

- *setting and publishing objectives (“well-being objectives”) that are designed to maximise its contribution to achieving each of the well-being goals, and*
- *taking all reasonable steps (in exercising its functions) to meet those objectives.”*

The seven well-being goals (‘the goals’) show the kind of Wales we want to see. Together they provide a shared vision for the public bodies listed in the Act to work towards. The goals are:

- A prosperous Wales;
- A resilient Wales;
- A healthier Wales;
- A more equal Wales;
- A Wales of cohesive communities;
- A Wales of vibrant culture and thriving Welsh language; and
- A globally responsible Wales.

In terms of the determination of planning applications and of making planning decision, the Act has been aligned with Planning Policy Wales (PPW), which states:

“The planning system manages the development and use of land in the public interest, contributing to improving the economic, social, environmental and cultural well-being of Wales, as required by the Well-being of Future Generations (Wales) Act 2015. It should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land, and protecting natural resources and the historic environment. A well-functioning planning system is fundamental for sustainable development.”¹

In February 2017, the Council published its well-being statement and objectives for 2017-18 which will be linked to the Corporate Plan priorities and draws on the Public Services Board’s well-being assessment.

Consideration of how this application can contribute to the well-being principles outlined above are provided within the conclusion at the end of this report.

Local Development Plans:

All planning authorities must prepare a Local Development Plan for its area². Once adopted, decisions about planning applications must be made in accordance with it unless material considerations indicate otherwise.

The statutory development plan consists of the Joint Local Development Plan (Anglesey and Gwynedd) 2017 (the JLDP). At its meeting held on 31st July 2017, the Council resolved to adopt the JLDP and also to retain current Supplementary Planning Guidance documents (SPGs) until new or replacement guidance is produced.

Within the JLDP, the following policies are considered applicable:

- PS 4 – Sustainable Transport, Development and Accessibility.
- PS 5 – Sustainable Development.
- PS 6 – Alleviating and Adapting to the Effects of Climate Change.
- PS 19 – Conserving and Where Appropriate Enhancing the Natural Environment.
- TRA 4 – Managing Transport Impacts.
- PCYFF 1 – Development Boundaries.

¹ Planning Policy Wales, 9th Edition, November 2016. Para 1.2.1

² Planning Policy Wales, 9th Edition, November 2016. Section 1.1.5.

- PCYFF 2 – Development Criteria.
- PCYFF 3 – Design and Place Shaping.
- PCYFF 4 – Design and Landscaping.
- AMG 3 – Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character.
- TAI 8 – Appropriate Housing Mix.
- TAI 19 – New Permanent or Transit Pitches or Temporary Stopping Places for Gypsies and Travellers.
- SPG Parking Standards, 2008.
- SPG Design in the Urban and Rural Built Environment, 2008.

In addition to the statutory development plan, the following national planning policy and advice require to be considered:

- Planning Policy Wales (Edition 9, November 2016) (hereafter referred to as PPW).
- The Enabling Gypsies, Roma and Travellers Plan, June 2018
- Technical Advice Note (TAN) 5: Nature Conservation and Planning (2009).
- Technical Advice Note (TAN) 12: Design (2016).
- Technical Advice Note (TAN) 15: Development and Flood Risk (2004).
- Technical Advice Note (TAN) 18: Transport (2007).
- Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017).
- Technical Advice Note (TAN) 24: The Historic Environment (2017).

Additionally, since the submission of the application, the Welsh Government has adopted *Circular 005/2018 Planning for Gypsy, Traveller and Showpeople Sites*, June 2018. This Circular reflects provisions contained in the Housing (Wales) Act 2014 to ensure local authorities meet the accommodation needs and provide sites for Gypsies and Travellers through the planning system. It outlines how planning authorities and Gypsies and Travellers can work together to achieve this aim.

The Circular supersedes the following documents:

- Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites;
- Circular 78/91 Travelling Showpeople; and
- Circular 76/94 Gypsy Sites Policy and Unauthorised Camping.

4. Response to Consultation and Publicity

Local Members: Councillors Robin Wyn Williams and Alun Mummery request call-in of planning application to committee and notes the following:

- Safety of the site which has been located between A55 on one side and the A5 on the other side.
- Access to the A5 is dangerous.
- Liable to flooding on the site. I have a video which I took on the 23rd of November 2017 showing the site underwater.
- Lack of Isle of Anglesey County Council to consider other suitable sites for this purpose.
- A site visit should take place prior to the application's determination

Councillor R. Meirion Jones, who objects to the application and has intimated that his objection be provided in full within this report for the benefit of committee members. Councillor Jones' representation is therefore provided below as follows:

"Subject: 41LPA1041 – Temporary Stopping Site for Gypsies and Travellers at Star

I would like to comment on the following application. Because of its nature it will be going before the Planning Committee. A site visit will be arranged.

I have waited until now to try and receive all the information. Even so, I have not received the following -

A1. The reports in Welsh.

A2. Report from the Highways Department of Welsh Government in relation to the A55. Some comments have been made in 2016 and are relevant to the A5 but not to this specific application and especially not to the A55 which is the dual carriageway. It is known that work is being done on the A55 in Conwy near the Gypsy and Traveller Site and therefore comments must be asked for in relation to this site near Star. There are a number of relevant factors, especially noise and data (and basis and use of data).

A3. Report and comments of the Police. Comments were made by the Police to the Executive, regarding the unauthorised site on Pentraeth Road, on 31 May 2016.

Chief Superintendent Harrison, in his message on 9 March 2016, requested the opportunity to comment when the planning application had been made. Have the Police had a request to comment?

The Officer stated: "Our concern is one of public safety in so much the proximity of the site to a busy 'A' road gives us concern should there be children resident . . . There are clear concerns of how they would be safeguarded to prevent them from egressing on to the road which is fast moving and busy."

If the Police were concerned about child safety on that site, what would they say about what is intended at Star which is located between the A5 'A' Road and the A55 dual carriageway? Also, the railway track is not far away. Remember that Public Services need access to the site at all times so the site cannot be locked and entry cannot be denied or otherwise.

Therefore, the application is defective without the full comments of the Police regarding safety issues and in general.

Some other comments –

B1. It has been said previously that the Star site is not suitable for the needs of the Gypsies. Is it a Transit site for up to three months or a Temporary stopping site – no more than 28 days? It was stated in the consultation document 2/6/16-1/7/16 "to meet the needs of the Gypsies and Travellers who have a traditional pattern of camping for a few weeks for cultural reasons and while they are working in the area." In paragraph 5.1.17 of the document it is also said ". . .for Gypsies and Travellers that have been camping illegally at Mona in recent years, the intention is to allow them to stay for two weeks, without a right to return within four months." Or is there a possibility the caravans will be there all the time?

B2. In the assessment of the Star Site within the Consultation document, reference is made to "Nearby Use" – "...does not either overlook a domestic or commercial business." – quite possible, but I would like to emphasise that the Star Community is on the raised land and many houses look down over the proposed site! This will become apparent on the site visit.

B3. Guidelines have been put in place regarding Gypsy and Traveller Sites. They should not be in areas which are unsuitable for residential or social housing and should not be near dangerous areas, especially for children and adults e.g. dual carriageways. They should be given the same consideration as other accommodation.

B4. Noise

Briefly (as others have referred to this) – the report itself shows that there are significant noise problems in relation to noise and the noise barrier/fence etc. This application should be rejected based on this alone.

B5. Water and overflow and flooding.

B6. Road Safety and entrance to the site on arrival.

B7. There are a number of other concerns to include shortcomings in the assessments in the relation to animals, pest management, arrangements to ensure that no bonfires etc. are lit.

B8. The basis of the objection locally is that the site is unsuitable for people to live for a short period or for any period of time. The people referred to are Gypsies but I emphasise that we refer to them as people. The application includes so many shortcomings that it isn't acceptable or safe to approve the application. I ask the planning committee to refuse the application."

Penmynydd and Star Community Council:

- The land is unsuitable, wet and dangerous.
- Its location is unsuitable for residents and drivers.
- The location and 3 metre fence will be visible from the residents of Star and tourists.
- The cost of preparing the site will be high.
- There is no footpath to the village of Llanfairpwll and no street lighting.
- The Community Council is also concerned of the noise level between the A5 and A55 roads, and from the nearby railway.
- The Isle of Anglesey County Council have not made a proper assessment of other locations.
- The access is not suitable.

The Community Council is appealing to the Councillors to look at the application as if they were considering an application within their administrative area.

Notably, the Community Council enclosed a petition of 1591 signatures objecting to the scheme on the aforementioned grounds.

Bangor Back Lane Residents Association:

Bangor Bank Lane Residents Association are an organisation formed by members of the local Gypsy and Traveller community to communicate with the County Council and housing departments about accommodation needs. The Association, in their objection state that they recognise the need for transit sites however have raised concerns on the Council's decision to build a temporary stopping place rather than a permanent transit site, where residents can stay for up to three months at a time. The points of objection raised by the association include:

- Misleading information on the pre-application consultation with the Gypsy and Traveller community;
- Inappropriateness of a stopping place rather than a permanent transit site;
- Lack of space within the pitches/size of plots;
- Lack of private individual toilet facilities;
- Concerns regarding safety of the site due to its location between the A55 and A5 roads;
- Concern that the design does not promote a welcoming place, and instead would be built like a cage which will expose residents to abusive behaviour from outwith the community;
- Impact of noise on residents, the inappropriateness of a 3m sound barrier and concern over failure to comply with World Health Organisation noise standards and
- Lack of information on management of the site.

Travelling Ahead:

Travelling Ahead is a Welsh Government funded project working with the Gypsy, Roma and Traveller communities across Wales to provide independent advice, advocacy and support for community members to have a say in local and national plans and decisions that affect them and their families. In their objection, they recognise that more transit site provision is urgently needed across north Wales, however in a similar manner to Bangor Back Lane Residents' Association have concern that what is being proposed is a temporary stopping place and not a true transit site, designed to meet the needs of the Gypsy and Travelling community. Travelling Ahead consider that the current plans require to be substantially revised in order to meet the needs and establish

the confidence of the Gypsy and Traveller communities travelling in and through the Isle of Anglesey.

Further points of objection raised by Travelling Ahead (on behalf of the member community) include:

- Concern over the appropriateness of the location and facilities;
- Negative views on the site's suitability for children, safety, noise levels and the unwelcoming appearance and nature of the site;
- The basic level of facilities being provided;
- The lack of sufficient space within the pitches; and
- The temporary and unhygienic nature of the toilet and washing facilities (advising that members of the community would look after and clean permanent allocated facilities, but temporary facilities such as those proposed will not be well used or cared for).

Public Representations:

In addition to the above, 39 individual letters of objection have been received in respect of this application. These representations are from 3rd party individuals and organisations. The representations include a mix of individually written letters, pro-formas (e.g. a standardised letter with pre-written content circulated to and signed by members of the public in an organised manner before being returned to the planning authority as an individual's objection).

The bulk of objections centre on the unsuitability of the site, the lack of meaningful consultation with both the Gypsy and Traveller community and the local communities and noise, safety and traffic impact.

Of the points raised, those which are material planning considerations may be summarised in more detail as follows:

Object (Social):

- The proposal will result in an increase in antisocial behaviour within the area.
Officer's Response – There is no evidence that the proposed development will result in an increase in anti-social behaviour within the locale. Furthermore, the Welsh Government, within their Enabling Gypsies, Roma and Travellers Plan, June 2018 recognise the marginalisation and discrimination of these groups and seek – at a national level – to support developments which would serve to integrate different groups to overall societal benefit.

Objection (Traffic and Transport):

- The proposed access to/from the A5 will create traffic safety issues for road users and pedestrians, including those who use the site as there is insufficient room for the continuous movement of vehicles belonging to the travellers. These vehicles will be stopping to gain access, or wait for the gates to be opened, thus making it dangerous for road users.
- The formation of a new access to the A5 will result in traffic queuing on the carriageway.
- Due to the proximity of the A5, there is a high likelihood of an accident resulting from children playing within the site (e.g. from a ball being thrown onto the road).

Officer's Response – The proposed access is considered to be sufficient in terms of its design and layout and is not considered to present significant impacts on the transport network. Furthermore, the submitted Site Management Plan provides measures to control access via keypad access in order to mitigate against any potential for accidents resulting from the site's proximity to the A5 carriageway. Further information on this matter, including a summary of the response from the Council's Highways department is provided later in this report.

- This section of the A5 is unlit which poses a safety risk to pedestrians.

- The location of the site next to the A5 is unsafe for pedestrians and in particular those living within the site.

Officer's Response – At present, the current situation is that no street lighting is provided for between the site and the nearby settlement of Llanfairpwll however street lighting is provided for immediately outwith the site in the location of the two bus stops situated near to the Star Crossroads on the A5. Given this, it is considered that while there will be a small section of pedestrian link from the site access which is not lit, this will not pose a significant risk to safety as pedestrians walk to/from the site and the bus stops.

- The level of traffic noise experienced on site will be very high due to the close proximity of the A55 and the A5. This will result in a lack of basic amenity for those who live/use the site.

Officer's Response – The inclusion of a 3m high acoustic barrier in order to mitigate against noise impacts (principally from the A55) is incorporated within these proposals. Further information in the acceptability of this solution is provided later within this report.

- The development will block a designated bus stop access on the A5.
- Officer's Response – The development will not block access to the bus stops for either pedestrians or buses themselves.*

Object (Environmental):

- The development site is located within a C1 flood zone, with parts within and adjacent to a C2 flood zone, where there is a high risk of flooding.

Officer's Response – The development is not located within a C1 or C2 flood zone and further information on this matter is provided later within this report.

- The site has a prior history of flooding.

Officer's Response – See above response.

- The proposal will have a significant and detrimental visual impact on the character and amenity of the area.

Officer's Response – The proposed development is not deemed to present a significant detrimental impact on visual amenity or landscape character within the locale. Further information is provided on this matter later within this report.

- The proposed acoustic barriers would have an adverse effect on an area designated of being of international and national importance for biodiversity and landscape.

Officer's Response – The site is not subject of any statutory international or national designations.

- The submitted noise assessment is insufficient as it was undertaken on a weekend day in December; a date that is not representative of the potential year-round noise impacts.
- The period of measurement taken for the noise assessment is too short to accurately demonstrate the potential noise impacts affecting this development.

Officer's Response – The methodology of the Noise Impact Assessment is considered satisfactory in meeting the requirements of TAN 11: Noise.

- The proposed development was affected by external noise levels in excess of 60 Db LAeq during the daytime, and is expected therefore to fail to achieve World Health Organisation criterion of 50-55dB LAeq (16h) for outdoor gardens and recreational areas.

Officer's Response – Further details on this matter are provided later within this report.

- The submitted Air Quality Assessment does not take account of particulates PM2.5 and smaller, or carbon black, or other pollutants such as PAH's, ozone, etc.

Officer's Response – PM2.5 is a fraction of PM10 and carbon black is likely to be soot and covered under PM10 if its particles are small enough.

Object (Policy):

- The proposals do not meet all of the criteria within policy TAI 19 of the JLDP and therefore fail to comply with the adopted development plan; specifically with regard to site location and design, noise assessment, air quality assessment and visual impact assessment.
- The proposal fails to comply with policy TAI 19 (Criteria 2) as the site is not within reasonable proximity to local services and facilities as it is some distance away from Llanfairpwll and there is no public footpath or street lighting between the site and the nearby settlement.
- The proposal fails to comply with policy TAI 19 (Criteria 4) as noise levels will be unacceptable within the site and cannot be sufficiently mitigated with the proposed 3m high acoustic barriers.
- The proposal fails to comply with policy TAI 19 (Criteria 6) due to the site's location between two busy main roads, close proximity to a rail line and close proximity to a C2 flood zone – all of which indicate that due regard has not been given to the Mobile Homes (Wales) Act 2013 and the Welsh Government Good Practice Guide in Designing Gypsy Traveller Sites in Wales.
- The proposal fails to comply with policy TAI 19 (Criteria 7) as the proposed development will have an unreasonable impact on the character and appearance of the surrounding areas, particularly due to the inclusion of 3m high acoustic barriers surrounding the southern, eastern and western site boundaries.
- Welsh Assembly Government Circular 30/2007 clearly states that enclosing a site with too many high barriers would be visually obtrusive and should be avoided.
- The proposal fails to comply with policy TAI 19 (Criteria 8) as the acoustic barriers would have adverse impacts on an area designated as being of international or national importance for biodiversity and landscape. As stated in Planning Inspectorate Appeal Decision APP/L6805/A08/2085702, the area of this land is a National Landscape Character Area which shows the attractive open character of the local area and the presence of any development will be foreign and obtrusive.
- The proposal fails to comply with policy TAI 19 (Criteria 10) as the site is located within a C1 flood zone and parts of the site are located within and adjacent to a C2 flood zone.

Officer's Response – Due to the number of objections on policy grounds, specifically in relation to policy TAI 19, these are considered in further detail within the policy assessment section of this report below.

Object (Other):

- Since the May 2013 (ref 050463) report to the Executive Committee of the County Council, which considered the suitability of the site, what has changed that allows this site to be considered suitable? At this time, the local Community Council wrote to the County Council to advise that the site was inappropriate owing to its location outside of the Village boundary (Star), that the highway was unsuitable for the additional traffic generated, and that the land was prone to flooding.

Officer's Response – There is no policy position under national policy or within the JLDP which would prevent the proposed development from being located outwith a development boundary.

- In respect of report 050463 above, the Inspector considered that the proposal was inappropriate development in the green barrier, but that the unmet need constituted exceptional circumstances; however he was concerned that proximity to the road would give rise to unacceptable living conditions in terms of noise and air pollution.

Officer's Response – Please see further assessment of noise and amenity impacts later in this report.

- The proposed use of the site as a stopping place rather than a transit site is of concern. The very short term nature of the stays on a stopping place (i.e. 2 – 3 weeks) would not likely meet the need for families who (in the consultation by the County Council) have said the visit the island for several week to months at a time, particularly during the summer months. Therefore while it is acknowledged that there is a need for sites of this nature on the Island, it is questions as to whether this site meets the actual needs of the Gypsy and Traveller community in practical terms.

Officer's Response – The principle of development and the argument for a temporary stopping place vs a transit site are outlined within the policy assessment later in this report.

Object (Design and Siting):

- The trees within the site are deciduous and therefore it will not be possible for these to screen the caravans from view.
- It appears likely that the final appearance of this site will be akin to a floodlit compound.

Officer's Response – The impact of the site on visual amenity and landscape character has been considered later in this report.

- The proposed site does not meet the requirements of The Good Practice Guide in Designing Gypsy Traveller Sites in Wales, 2009 which states:
 - Local authorities should avoid locating sites next to or near hazards which present specific risks to children and adults such as dual carriageways, industrial sites, rivers or canals;
 - If a site is inappropriate for private or social residential use then it should not be considered appropriate for a Gypsy Traveller site and Gypsy Traveller sites should receive the same considerations as other forms of accommodation;
 - Sites should not be considered if they are near hazardous locations such as motorway flyovers. The location of a site should always be in acceptable surroundings or where the surroundings can be made pleasant at a reasonable cost. Sensitive landscaping and boundary definition should provide seclusion for residents.

Officer's Response – A number of objections provide a series of comments on the proposal's failure to comply with The Good Practice Guide in Designing Gypsy Traveller Sites in Wales, 2009. It should however be noted that these comments cannot be considered in the assessment of this application as this document has been superseded by Designing Gypsy and Traveller Sites in Wales, 2015. In respect of this document however, it is advised as being for guidance only and does not have any statutory basis as a material consideration in the assessment of a planning application, instead the statutory mechanism to consider such matters falls to Circular 005/2018 Planning for Gypsy, Traveller and Showpeople Sites, June 2018. Consideration of the Circular is provided within the policy assessment below.

Objections which are Non-Material:

In addition, it is noted that a number of other non-material matters have been raised; namely costs incurred by the County Council, local property values, general personal opinions on the Gypsy and Traveller community, cost of insurance premiums, and comparisons to other unrelated sites, decisions by other local authorities and appeal decisions. In these instances it is advised that non-material matters cannot be considered in the assessment of a planning application and also that it is a fundamental tenet of the Welsh planning system that each application be assessed on its own merits, and not by the virtue of planning and appeal decisions taken on differing development proposals, or at differing sites and under differing local planning regimes.

Furthermore, comments have been raised as the result of a local press article regarding the suitability of the site, both from a local resident and a user perspective. In this instance, it is understood that a number of points for and against the use of this site have been raised. Following publication of the press article, members of the public and Bangor Back Lane Residents

Association have written to the Council voicing concerns over the suitability of the site and in particular safety given the site's position adjacent to the road carriageway. To clarify this matter, it is noted that no new material planning issues have been raised which require further consideration in the assessment of this application.

Consultees:

Highways Section – In their response from 31st January 2018, The Highways Authority provided an outline of previous pre-planning consultation for a temporary Traveller site at this location (and that a consultation response was submitted on the 8th July, 2016). It was then summarised that within that response, the Highways Authority highlighted potential issues with the development proposal that would need to be overcome or justification provided if no mitigation/improvement was proposed.

The access as submitted on the proposed plans is acceptable in terms of size and visibility splay. However, although it does mention in the 'Site Management Report' submitted that the travellers entering the site would have to contact the site manager to gain access before arriving, In reality, this would be difficult to achieve and control. One observation made during the pre-planning consultation was that the Highways Authority would not accept any development that would involve vehicles parking or stopping temporarily on the highway while the access gates were being opened as this would be detrimental to the safety of the public highway and its users. Therefore, the applicant must demonstrate a clear and robust method that mitigates the potential risk of vehicles waiting on the public highway for someone to come to open the gates.

The pedestrian link proposed is satisfactory and would allow occupants of the proposed site to safely walk from the site to the nearest bus stop near the Star crossroads.

Following submission of the amendments made to the site management plan, the Highways Authority wrote to the planning authority to confirm that the proposals were deemed to be acceptable, subject to a series of conditions in relation to the design of the access; provision of the proposal footway as indicated in the revised site management plan; the submission of a full comprehensive and robust Construction Phase Traffic Management Scheme; and the provision of car parking relative to the occupation of the site.

Drainage Section – In their response of 5th February 2018, the Chief Engineer (Highways) confirmed that drainage scheme detailed on the submitted site plan appears satisfactory in principle.

Dŵr Cymr/Welsh Water – In their response of 10th May 2018, Welsh Water wrote to advise that having reviewed the revised proposed drainage layout and supporting letter, that they acknowledge that the developer proposes to dispose of foul flows via the public sewerage system and discharge surface water run-off into the Afon Braint via a land drain. On the basis that only foul drainage flows are discharged to the public sewerage system, Welsh Water have no objection to the proposal.

In addition, the following points are noted:

- No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site; and
- A water supply can be made available to service this proposed development. Initial indications are that a connection can be made from the 9" diameter water main in 'Field Opposite site location'.

Welsh Water have also recommended a safeguarding condition ensuring that no surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage network and that it should be discharged to the Afon Braint unless otherwise agreed by the planning authority.

Landscape Officer – In his response of 6th February 2018, the Council's Landscape Officer advised as follows:

The site is not within a protected landscape; the Southern Anglesey Estate lands lies approximately 120 metres to the South East (across the rail network). The AONB lies some 1.4km further to the south east.

The site is visible obliquely from the A5 for a range of approximately 250 metres in both directions. From the A55 travelling west, there are views to the site from a similar range and travelling east, oblique glimpses from the road cutting up to the site for a short duration (following the fly-over). A new (from the A55's construction) hawthorn hedge with ash trees borders the site with the A55. There is limited vegetation bordering the A5's boundary. The site is overlooked from viewpoints in Star to the north from where there is an extensive rural view to the mainland and coast with the transport corridors less visible in daylight hours.

Key features of the landscape baseline include:

- Transport corridors, road and rail, historic and modern which provide gateways and fine views to the mainland, and occasionally detract from the view.
- Commercial development to the west of the Llanddaniel/Star junction and intermittent development from there to Gaerwen.
- A more rural agricultural landscape to the south east (including the Southern Anglesey Estate lands) with occasional views of domestic and tourist facilities and prominent High Voltage Lines.

These combine in a site within an immediate area that is semi-rural in character but influenced by nearby developments and experienced in peri-urban and rural contexts. It is presented as being of '*low landscape sensitivity*' in the LVA.

Landscape effects are greatest to the site with the loss of grassland, re-profiling and reduction of boundary vegetation and effects to the immediate setting related to boundary treatments and lighting extending cumulative effects from built development at Star further to the east. These effects are in the context of the A5 route rather than the A55.

The proposal would not alter key characteristics of the Landscape Character Area (LCA). It has taken account of the key development issues noted in the LCA (4.2.1) but cannot fully mitigate effects in relation to these.

The sensitivity noted in the LVA is related to the urban features and transport corridors. Sensitivity rises to the east close to and within the Special Landscape Area (SLA).

It is not considered that the proposal has any effect on the following special qualities of the Southern Anglesey Estate lands noted below:

- The strong estate feel of the landscape, as part of the Grade I listed 18th/19th century Plas Newydd estate.
- The mosaic of grazed pastures (including wood pasture), estate woodland plantings and mature specimen trees in fields and hedgerows;
- Its function as an immediate setting to part of the Anglesey AONB;
- Its strong inter-visibility with the adjacent AONB, and scenic views across the Menai Strait to the mountains of Snowdonia;
- The peaceful and strongly rural character of the landscape, with a general absence of modern development.

In respect of potential visual effects, 8 illustrative public viewpoints have been chosen within a 1km radius as shown in Figure 8 of the LVA and summarised in para 7.1.11. These represent a selection of major and minor roads and an A55 pedestrian bridge. Taken in the winter months, they show the site when most visible.

Viewpoint 1: Built development, pylons and trees and hedges feature strongly in the view. Views from here are not anticipated; neither does it appear that there would be views of the site from this point on (to the A5 junction).

Viewpoint 2: Various vertical structures and signage are present in this view along the A5. The site is presently screened by a mix of deciduous/evergreen hedges and scrub on the site boundary, most of which would remain. The proposed fencing would be visible; however, other structures would be substantially screened.

Viewpoint 3: From further along the A5, the number of vertical structures and other clutter is reduced, representative of the more rural view. There will be views of structures towards the site's frontage with the A5, with those closer to the A55 substantially screened.

Viewpoint 4. This a brief view, dominated by the A55 and mainland with views to pylons. The proposed development would be visible but a minor feature. The boundary trees and hedge would provide important screening in summer months.

Viewpoints 5 – 7 represent a sequence of views from Star. Viewpoint 6 is situated close to a bench/sitting area on the roadside verge with good views to the landscape beyond. This (VP 6) is a locally sensitive viewpoint and the site would be a visible feature of this expansive view, particularly in the winter months, with a slight adverse effect. Night time views presently include vehicular lights on the A55 and A5 and roadside lights at the Star/A5 junction.

Viewpoint 8: Elements of the site (fencing and caravans) would be visible against a backdrop of built development in Star.

Several other viewpoints not considered in the LVA are noted below:

There are no stopping points on the A55 near the site. Views travelling west are from within the roadside cutting and the height of the viewpoint and sensitivity of the receptor (commuters/tourist) will vary. The site's proposed acoustic barrier would be visible briefly between (to the rear of existing trees) with a slight-moderate adverse effect, particularly in winter. The proposed lighting is unlikely to be prominent among the vehicular, wider residential and street lighting.

A55 views travelling east are of a shorter duration and oblique with broadly similar effects.

The tree survey notes a life expectancy of 40yrs + for all but one of the boundary trees. Measures are suggested for works within the Root Protection Areas of trees and the development will not have a direct effect on them. As noted above the trees provide an important screen to the site and would break up views of the fence. Ash dieback is not noted in the survey but is present on the A55 (mainly younger trees). NRW predictions are that ash dieback will intensify (although there is no absolute timeframe) and result in the widespread death of ash. The hawthorn hedge would be unaffected and could be allowed to grow taller. Replacement trees (young standards) would take in the region of 10 years+ to reduce the effect on views, unless mature specimens were planted. Some effects would remain in the winter months.

Most of the boundary hedges are retained to the east and west and the works would have negligible effect on their screening capacity. Moss green has been chosen as a colour for boundary fences in keeping with fence colours locally. Trees outside the site are believed to be outside of the applicant's control and changes are likely as noted above.

A new evergreen hedge is proposed on the A5 boundary.

The LVA concludes that the effect of landscape change would be moderate adverse such as the loss of, or partial loss of some landscape features (Policy AMG 3). Effects on landscape quality would be slight adverse. There would not be significant effects on landscapes of international or national importance (TAI 19). There would be no effect on the Special Landscape Area (AMG 2).

The design has taken account of local views and natural screening as advised in the Landscape Character Description and PCYFF 4. Mitigation seeks to further integrate the proposal into the site.

The acoustic barrier is noted in the LVA 5.1.5 as the most visually prominent part of the development and the visual effect of the proposal is considered in the LVA 7.1.14 to be neutral/slight (based on the sensitivity of the receptor). Effects are predicted above to be greatest from a static viewpoint in Star (near VP 6) and the A5 and A55. VP 6 is a wide view and the proposal would be a visible but minor feature of the view. Views from the A55 are brief and more enclosed, particularly travelling west. The vulnerability of the boundary trees outside the site to disease will affect the long-term quality of the screen and the visual effects from the A55 and A5.

Network Rail – Network Rail do not object to this proposal, however do have concerns that this proposal will increase the potential for trespass in this area. An advisory note concerning the location of the railway relative to the development site is recommended by the planning authority in this instance.

North Wales Fire Service – The Fire Authority does not have any observations in regard to access for appliances and water supplies.

North Wales Police – North Wales Police (NWP) offer no objection to the proposals, however make the following observations:

- Consideration should be given to enabling the site at construction stage to facilitate the retro-fitting of CCTV, should future issues with the site emerge.
- NWP continue to seek to be engaged with on any management plans put in place for this site, specifically in relation to out-of-hours provision.
- NWP continue to have concerns about the proximity of the site to the A5 for child safety reasons.

Officer Note – Regarding the points outlined above by NWP, the matter of CCTV was considered and decided against following consultation with the Traveller and Gypsy community over the summer of 2017. This notwithstanding, the Council intends to fit infrastructure to enable the installation of CCTV, should it be required in the future.

In respect of management plans, the submitted Site Management Plan has been considered and agreed by the Project Board within input from NWP. The Council intends on continuing to have NWP input into the detailed plans, which will include out-of-hours provision.

The safety of all users, including children, has been considered by the Council during the design process, and mitigation has been included in the site design process. As a result, a secure boundary along the curtilage of the A5 is proposed as part of the scheme design. The design incorporates a 2.4 metre high security mesh fence along the southern boundary of the site together with mechanical sliding gates and a pedestrian gate both of a similar height to the fence. The gates will be secured and operated by a key pad locking system ensuring safe and secure access and egress.

Joint Planning Policy Unit (JPPU) – No objection on policy grounds, outline of policy requirements.

Natural Resources Wales (NRW) – Within their response of 26th June 2018, NRW advised that following receipt of the revised Flood Consequence Assessment (Capita. FCA Revision 003. 25th June 2018) that they are satisfied that the level of flood risk associated with the site is acceptable and in line with the requirements of TAN 15: Development and flood risk.

Furthermore, NRW state that the hydrology used (and included in the revised FCA as Appendix C) has followed regulatory guidelines and is deemed appropriate and conservative thus adopting a precautionary approach to flood risk. The hydrology/flow estimates have been used in the hydraulic modelling work to determine the impact of blockages on structures which could impact the site during high flows; this was our concern for the site due to historic blockages and flooding from the Afon Braint in the surrounding area.

NRW have also reviewed blockage scenarios within the survey information and note *“Blockage scenarios have followed our guidelines along with increases in flows due to the impacts of climate change (again in line with our guidelines). It is unclear if any time limitations will be attached to the planning permission, however all epochs have been considered with the maximum central estimate of +30% in flows being considered the greatest risk. The model has indicated that for the medium blockage scenario the site is elevated above adjacent flood levels (A55 blockage). As such we are satisfied with the allocation of the site as shown in the latest FCA.”*

NRW then note that the Council as Local Flood Authority should ensure that the final surface water drainage design is considered satisfactory, which as outlined above, it is.

Notably, in order to achieve surface water discharge to the Afon Braint, a Flood Risk Activity Permit may be required from NRW.

From the information contained in the bat report, NRW consider that the proposed development represents a lower risk for bats, as defined in guidance document *‘Natural Resources Wales Approach to Bats and Planning (2015)’*. Bats and Great Crested Newts (GCN) and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Any development that would contravene the protection afforded to bats or GCN’s under the Regulations would require a derogation licence from NRW. A licence may only be authorised if:

- There is no satisfactory alternative and
- The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.
- In addition, the development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN 5) states that the County Council should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any protected species on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

In this case, the report concludes that the proposed development is not likely to harm or disturb protected species or their breeding sites and resting places at this site, if avoidance measures described in the report are implemented. Also, because the development represents a lower risk to protected species in this case, NRW do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Therefore, NRW do not object to the proposed development, subject to all recommendations described in section 7 of the submitted bat report being set out in a method statement and secured through the inclusion of suitable planning conditions and/or a Section 106 agreement.

NRW considers that the controlled waters at this site are not of the highest environmental sensitivity, therefore do not provide any detailed site-specific advice or comments with regards to land contamination issues for this site.

NRW has recommended that the requirements of Planning Policy Wales and the Environment Agency Guiding Principles for Land Contamination (GPLC 1, 2, and 3), March 2010, should be followed – NRW have adopted this guidance.

Ecological Advisor – The Council’s Ecological Advisor had noted from page 1 of the initially submitted Assessment Report (second paragraph) that the scheme design layout was in preliminary stages and that the Report *“is not intended to be submitted for planning unless supported by the further surveys and a detailed assessment of the impacts ... once the scheme is finalised.”* Given this, the advisor had requested that relevant updates/clarifications be made either in a new version of the document, or in further document(s) clarifying the situation. This should

relate to the actual proposed development layout and details (including lighting) and cover relevant ecological mitigation and methodology.

Following this, an updated Ecological Impact Assessment (April 2018) was submitted by the applicant. The Ecological Advisor noted that in view of the S6³ duty for local authorities to seek to conserve and enhance biodiversity, the submitted General Layout Plan and the Phase 1 Habitat Plan would indicate a loss of overall biodiversity at the site. It is advised that a clearer commitment to mitigation actions involving habitat creation be made and that the recommendations within Section 7 of the assessment report be put into place. This notwithstanding, the following clarifications should be made:

- Area(s) of new planting for both hedges and grassland need to be more firmly defined (on main plans). Areas should be marked, with species mix and basic management instructions. The area of proposed evergreen hedge be instead planted with holly and/or beech as a broadleaved alternative closer to native ecology considerations.
- Scrub removal to be either outside March-end August, or following checks by ecologist.
- Excavations to be covered overnight, or with sloping side.

Gwynedd Archaeological Planning Service (GAPS) – The application site is immediately north of an enclosure, provisionally identified as of medieval date, which was originally identified as an upstanding earthwork but has since been largely levelled by ploughing (PRN 2702). The enclosure appears to be wholly contained within the field to the south of the old A5, but associated buried deposits may extend into the application site. During assessment for the then proposed A55, the area including the application site was identified as being within medieval fields, with earthworks in the adjoining field to the east of the site interpreted as the remains of medieval agriculture (PRN 37223). To the west of Star crossroads, fieldwork for the A55 scheme recorded a burnt mound (PRN 31845), one of several recorded along the road and indicative of prehistoric activity in the locality. Fieldwork for the A55 scheme was carried out and reported in several separate events and I have been unable to find further information specifically relating to this section as to whether the possible medieval sites were investigated and the extent to which the construction works affected the application site. Some disturbance appears likely, as well as for utilities that cross the site.

As such, the application site has a potential for medieval and prehistoric archaeological remains, but that these remains are likely to be of no more than local significance and may have been damaged by previous construction work. As the proposed development would result in the loss or further damage to any archaeology present, appropriate mitigation should be put in place to record any remains affected.

Based on the above, and in accordance with Planning Policy Wales (November 2016) and TAN 24: The Historic Environment, it is recommended that the planning authority should require that appropriate mitigation is undertaken, if planning consent is granted. The following condition wording is suggested to secure such a scheme of work:

- No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the planning authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.
- A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the planning authority within six months of the completion of the archaeological fieldwork.

Environmental Health Section – No objection or comments, subject to standard safeguarding conditions and advisory notes.

Economic Development and Tourism Section – No objection subject to substantial visual landscaping/ screening of the site, and adequate ongoing site monitoring and management arrangements which minimise any negative

³ Environment Wales Act 2016

impacts on the local economy, community and environment

In addition, it is noted that the Council's Waste Management Section were consulted in respect of this application but no response was provided.

Travelling Ahead – It is important to fence each plot for privacy/prevention of damage. Recommended that a grassed play area, farthest away from the access is provided to allow children a safe area to play. Car registrations should be provided and a deposit taken.

Officer's note – It is considered that in respect of the fencing, this would not be of the overall benefit of the site and would prevent layout flexibility in the future. With regard to an area for children to play, this is noted however would necessitate a redesign of the layout which would extend beyond the reach of the assessment of this application (although an advisory note to the applicant on this matter is recommended). Other matters, car registrations, deposits are not material planning considerations and cannot be enforced or controlled.

5. Relevant Planning History

25/07/2016 - The Executive resolved “that the County Council should carry out further investigation into Site 1, Strip of land between A55/A5 between Llanfairpwll and Star Crossroads to confirm suitability with regard to further assessment of any safety or technical risks posed by the site, and to consider whether the site design can resolve these issues.”

- This resolution included that an appropriate consultant should be appointed in order to prepare site design and subsequent planning applications.

19/12/2016 – The Head of Housing Services prepared a report to The Executive to provide a progress update, following the resolution of 25/07/2016. The update outlined the undertaking of the tender process and the selection of the relevant consultant.

14/02/2017 – The Head of Housing Services prepared a report to The Executive to provide a further progress report on the preparation of various supporting technical documents supporting the planning application.

18/09/2017 – The Executive resolved to authorise officers to progress to the submission of a detailed planning application in respect of a temporary stopping place at Star (i.e. the site) as well as a separate application for a permanent residential site at Penhesgyn.

Notably at the time of this resolution, the report stated:

“The Housing (Wales) Act 2014 places a duty on Local Authorities to provide sites for Gypsies and Travellers where a need has been identified. The Welsh Government Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites also strengthens the requirement that local authorities identify and make provision for sufficient appropriate sites in their Local Development Plans.

The Anglesey and Gwynedd Gypsy and Travellers Accommodation Needs Assessment 2016 (GTAA) has been produced jointly between Anglesey County Council and Gwynedd Council during the Autumn of 2015 and updates the previous North West Wales GTAA which was published in 2013. The GTAA was approved by Anglesey Council's Executive on the 8th February 2016, and identified the need for the following on Anglesey:

- A permanent residential site to meet the needs of the New Travellers arising from the unauthorised tolerated site at Pentraeth Road (four pitches)
- Two sites to be used as Temporary Stopping Places for Gypsies and Travellers along the A55 on Anglesey, one in the Holyhead area and one in the centre of the Island.

If constructed, the provision of a Permanent Residential Site at Penhesgyn and a Temporary Stopping Place at Star will enable the Council to take appropriate enforcement action to tackle unauthorised encampments elsewhere on the Island. For example, Members may be aware that Mona Industrial Estate has been used by the Gypsy and Travelling Community as an unauthorised

encampment on a regular basis over a number of years. Historically, the lack of alternative authorised facilities has limited the powers of enforcement reasonably available to the Council.

A Site Management Strategy will form part of any future formal application for Planning Permission which will set out terms and conditions for both permanent and temporary use of the sites.”

Furthermore, the report stated:

“The Star site has been identified by IACC as the most appropriate location for a Temporary Stopping Place for the Gypsy and Traveller community following a site selection and Public Consultation process undertaken by IACC in 2016. The original site selected by IACC encompassed three parcels of land in private ownership that lie between the A55 and the A5 south of the village Star.

General site and technical appraisals were undertaken by Capita Real Estate and Infrastructure in November and December 2016; reports were submitted to the Executive in February 2017 and published on the Council’s web-site. The aim of undertaking the technical appraisals was to establish if there were any technical reasons or constraints that could prevent the site being suitable for occupation as a temporary traveller site. In addition to the specific technical appraisals other more general considerations such as size of the site, access and other physical characteristics were also taken into consideration.

The proposed temporary Traveller site was found to be acceptable in planning terms taking into account a number of technical assessments undertaken notably air quality, noise, ecology and flood risk assessment. Subsequently, the design and scheme have been progressed to detailed design in preparation for a planning application to be submitted.”

6. Main Planning Considerations

The below are considered the main planning considerations in respect of this case. The starting point is the LDP and an assessment against key policies and national planning policies, as set out below.

Principle of Development:

National (PPW) and local (JLDP) policy recognises that Gypsies and Travellers have specific accommodation needs, and those needs should be identified through an assessment of housing needs and demand.

The national policy provision stems from the requirements set forth within The Housing (Wales) Act 2014 (the Housing Act), which places a legal duty upon local authorities to ensure that the accommodation needs of Gypsies and Travellers are properly assessed and that the identified need for pitches is met, as per section 101 (1),

“A local housing authority must, in each review period, carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area.”

PPW follows from the Housing Act by ratifying the requirement that accommodation needs and related planning policies must be identified and included within development plans. In this regard, PPW paragraph 9.2.21 states,

*“Local authorities are required to assess **the accommodation needs of Gypsy families**. It is therefore important that local planning authorities have policies for the provision of Gypsy sites in their development plans. In drawing up policies local planning authorities should consult providers of social housing, representatives of Gypsies and Travellers and landowners in areas likely to be appropriate for Gypsy sites, in accordance with their Community Involvement Scheme.”*

Further to the Housing Act and PPW, the Welsh Government has produced the Enabling Gypsies Roma and Travellers Plan, 2018 (replacing the Travelling to a Better Future Framework for Action and Delivery Plan, 2011). The purpose of this Plan is to provide a dedicated strategy which seeks

to improve the outcomes for the Gypsy and Traveller communities (as well as the Roma community). While it is noted that this document is not a planning document, and therefore focussed on a number of non-planning issues, there are still considered to be relevant material considerations, including:

- A requirement to ensure that there is a focus on ensuring sufficient, culturally-appropriate Gypsy and Traveller residential and transit sites are created in Wales;
- An action to ensure that sufficient pitches are provided to meet the identified needs (of Gypsies and Travellers) across Wales which will result in the Welsh Government scrutinising Gypsy and Traveller Accommodation Assessments to ensure they are robust, and to monitor local authorities on an annual basis to ensure sufficient pitches are provided; and
- An action to ensure that Local Authorities are supported to develop a network of Transit sites across Wales to facilitate the nomadic Gypsy and Traveller way of life.

Circular 005/2018 provides the overarching framework under which the planning system in Wales can provide for the Gypsy and Traveller community. In respect of temporary stopping areas, the Circular provides clear guidance, as follows:

“Where a local authority experiences unauthorised encampments due to Gypsies and Travellers ‘passing through’ an area and the authority has an inadequate supply of transit pitches, temporary stopping places could be identified for short-term occupation. Temporary stopping places help to reduce unauthorised encampments preventing social, economic or environmental issues whilst facilitating the traditional Gypsy and Traveller way of life. Temporary stopping places must make provision for waste disposal, water supply and sanitation at a minimum. However, temporary stopping places are only a short term, rather than a long term, solution. They are not planning designations and should not be addressed through land use allocation policies in development plans.”

With regard to this statement, it is noted that the County Council has followed the national policy position insofar as they have identified a need to provide temporary stopping areas to address an ongoing issue on the island concerning unauthorised encampments. This issue has been addressed via the GTAA, which in turn has led to the selection of this site. Furthermore, temporary stopping places are also acknowledged by the Council as fundamentally temporary measures by virtue of the fact they are not included for under site selection policies of the JLDP. In addition, the facilities provided within the proposed development are considered to be consistent with this statement, as well as other advice contained within the Circular.

In addition to the national policy position, local policy contained within JLDP is relevant as follows:

Policy TAI 8 seeks to promote sustainable mixed communities by ensuring that new development contributes to a compatible mix of housing, referring to the need to make provision for specific housing needs, which includes accommodation for Gypsies and Travellers.

Criterion 1 of Policy TAI 19 requires that an accommodation need for Gypsy and Traveller pitches is established. Based on the results of the most recent Gypsy and Travellers Accommodation Needs Assessment undertaken jointly with Gwynedd Council in 2016, the Isle of Anglesey County Council considers that there is a need for sites to accommodate temporary stopping places for Gypsies and Travellers. Furthermore, the Welsh Government has come to the conclusion that the Gypsy & Traveller Accommodation Assessment (GTAA) provides a reasonable assessment of current and future need for Gypsy and Traveller accommodation in Anglesey (and Gwynedd).

Criterion 3 requires consideration of whether the proposed pitches can be located on an existing authorised site. As there are presently no authorised sites on the island, alternative sites were considered and discounted due to lack of suitability, prior to the identification of the proposed site. In review of the suitability of the proposed site, it has been deemed that dedicated temporary stopping places could perform a valuable function in terms of accommodating visiting households, and reducing the formation of unauthorised encampments. A position which is further supported within the recently adopted Circular 005/2018 ‘Planning for Gypsy, Traveller and Showpeople Sites’.

Based on the foregoing, it is considered that there is sufficient evidence from a national and local policy perspective to support the principle of this development. Nationally there is a commitment from the Welsh Government to ensure that local authorities are identifying and delivering appropriate sites which are suitable for Gypsy and Traveller accommodation, and through the GTAA, the Isle of Anglesey County Council has met their obligations, which has, in turn, resulted in the promotion of this site in-line with national policy, guidance and advice.

Further acceptability of the development, beyond its principle, is considered in detail below.

Location of the Proposed Development:

The proposed site lies in the countryside, in that it lies outside any defined development boundary in the JLDP. In this regard, Circular 005/2018 'Planning for Gypsy, Traveller and Showpeople Sites' states:

"Permission to develop Gypsy and Travellers sites outside of settlement boundaries could be granted subject to sustainability criteria set out in national planning policy if there are no realistic, suitable sites available within or adjacent to settlement boundaries to accommodate Gypsies and Travellers".

Central to the consideration of locational suitability for any given development is a need to comply with Policy PS 5. Within this policy a need to achieve sustainable development, whose principles include promoting the effective use of land and infrastructure, reducing the need for travel by private transport, and managing the risk of flooding is identified.

Reflecting national planning policy, Policy PCYFF 1 seeks to manage new development in open countryside. It guides appropriate new development to sites within development boundaries, but also acknowledges that some land uses may be appropriate on sites outside development boundaries or require a countryside location. It sets out the need for proposals for development on sites outside development boundaries to demonstrate compliance with other policies in the Plan or that a countryside location is essential.

Policy TAI 19 supports the release of land to provide pitches for Gypsies and Travellers in locations that wouldn't be normally released for residential development and sets a list of 10 criteria which must be followed:

1. An accommodation need for Gypsy and Traveller Pitches is identified;
2. Where possible, the site will be in reasonable proximity to local services and facilities;
3. It cannot be accommodated on an authorised site;
4. That environmental factors, including ground stability, contaminated land, and proximity to hazardous locations, do not make the site inappropriate for residential development unless mitigation is possible and proportionate;
5. It is capable of being serviced with water, electricity, and waste management;
6. Where appropriate, the standards and design of the development demonstrate that due regard has been given to the Mobile Homes (Wales) Act 2013 and the Welsh Government Good Practice Guide in Designing Gypsy Traveller Sites in Wales;
7. There would be no unreasonable impact on the character and appearance of the surrounding areas including impact on residential amenity of neighbouring occupiers or the operating conditions of existing businesses;
8. There are no adverse effects on areas designated as being of international or national importance for biodiversity and landscape;
9. That satisfactory arrangements are in place to restrict the occupancy of the pitches to Gypsies and Travellers; and
10. That a highly vulnerable development is not located in a C2 flood zone.

Notably, a large number of public objections to the proposed development have raised issue with compliance with TAI 19, specifically with regard to criteria 2, 4, 6, 7, 8 and 10. As outlined earlier in this report, consideration of these points of objection would be addressed within this policy assessment.

Policy TAI 19 is considered to provide the fundamental criteria when considering the suitability of a site for the proposed development and as such is given due weight in the decision making process, particularly concerning the suitability of the location of the site.

In respect of each criterion of the policy, which the development has been considered against, the following comments are provided:

1. The Anglesey and Gwynedd Gypsy and Travellers Accommodation Needs Assessment 2016 (GTAA) identified a need for sites to be used as Temporary Stopping Places for Gypsies and Travellers along the A55 on Anglesey, one in the Holyhead area and one in the centre of the Island. The GTAA also identified this site as being a possible location which would allow for the enforcement of unauthorised encampments while ensuring displacement of the Gypsy and Traveller community from unauthorised sites would not take place without an alternative, and authorised provision being made. The GTAA has been backed by the Welsh Government and its findings are aligned to national policy requirements while extend from the Housing Act through to the Enabling Gypsies Roma and Travellers Plan, 2018 and to the planning regime via PPW.
2. While it is acknowledged that the site is physically removed from the closest facilities and services provided at Llanfairpwll (as well as Gaerwen in the opposite direction), it is nonetheless considered that this is mitigated by virtue of the site's location immediately adjacent to a bus stop which provides ready access by public transport to services and facilities in Llanfairpwll and Gaerwen; both of which are within a reasonable journey time. Both settlements are identified as Local Service Centres in Policy PS 17 (Settlement Strategy), and therefore offer a range of facilities and services that the proposed site's occupiers could access during their temporary stay on the site.
3. There are presently no authorised sites on Anglesey and given this no such alternative provision can be met.
4. There are no environmental factors which would prevent the development and use of this site to support a stopping place for Gypsy and Traveller use.
5. The site is capable of being adequately serviced by the basic requirements outlined under policy and the applicant has demonstrated that these services will be provided within the proposed development.
6. In respect of this criterion, it is firstly noted that the Welsh Government Good Practice Guide in Designing Gypsy Traveller Sites in Wales document has been succeeded by the Welsh Government Designing Gypsy and Traveller Sites Guidance May 2015, since the publication of the JLDP. Using the updated guide, it is considered that the proposed development has been designed to meet the standards outlined within the guide for temporary stopping places and therefore the development meets the requirements of policy in this regard.
7. It is acknowledged that the proposed development will have an impact on the immediate locale, by virtue of the fact that it being sited within a presently undeveloped area of open countryside. This notwithstanding, the impact is contained to the immediate locality and it is not deemed that a significant visual or amenity impact will be created to the nearest settlement (Star) by virtue of its physical separation from the site by the A55. Furthermore the nearest residential property is located c. 70m distant and is again physically separated and removed from the site by the A55 – this distance, and the presence of the North Wales Expressway are considered to be significant in ameliorating potential impacts which could exist between the existing settlement and the proposed development and is noted as one of the determining factors in the initial selection of this site. Furthermore, the site's location is c. 100m from the land occupied by the nearest business (Peninsula Windows) at Star Crossroads and there is not deemed to be any potential conflicts between the proposed development and this site which would impact on the operational activities of the business.
8. The site itself is not located within an area designated as being of international or national importance for biodiversity and landscape, nor is it contained within the list of scheduled sites under Appendix 7 of the JLDP.
9. Contained within the submitted Site Management Plan, the applicant has identified that the Council (Housing Services) will take control of the day-to-day management of the site. This is considered to be a suitable arrangement which, when compared to a privateer venture,

can appropriately control the management of the site in the best interests of both the occupants, surrounding local communities, and the public in general. Furthermore, the within the Site Management Plan, it has been identified that a Site Manager will be appointed whose responsibilities include – among other things – the check-in and check-out of occupants. Again this is considered sufficient as effective management of the site and would ensure that occupancy of the pitches is reserved only for the Gypsy and Traveller community.

10. Notably, the objectors have pointed out that proposed development predominantly lies within a C1 flood risk zone (areas of the floodplain which are developed and served by significant infrastructure, including flood defences.⁴) with small areas of the site within a C2 zone (Areas of the floodplain without significant flood defence infrastructure⁵). Objectors consider that this encroachment into the C2 zone is a fundamental policy failure under TAI 19 and should therefore result in the refusal of this application. In this regard, the applicant has submitted a Flood Consequence Assessment (Capita. FCA Revision 003. 25th June 2018). Within this assessment, which is considered to meet the requirements and methodologies outlined in TAN 15: Development and Flood Risk, 2004, it has been determined that the site is in actuality located within NRW Flood Zone 1/TAN 15 Flood Zone A (considered to be at little or no risk of fluvial or tidal/coastal flooding.⁶). This report, its content and findings, have been reviewed by NRW who agree with its conclusions and recommendations and support position demonstrated by the applicant in respect of the flood zone. Given this, the proposed development is not deemed to be located within a C2 zone and therefore complies with this criteria of the policy.

In addition to the criteria listed above, there is no requirement within Policy TAI 19 for a site for temporary stopping places to be located within development boundaries. Furthermore, national planning policy and guidance does not exclude sites outside settlements for provision of pitches for Gypsy and Travellers.

Consideration has been given to the content of the letters of objection in relation to this policy criteria, however in this instance it is not considered that the points raised sufficiently and unequivocally argue against compliance with the policy.

Furthermore, it is also important to consider the comments raised by the Bangor Back Lane Residents Association and Travelling Ahead when considering this policy. In this regard, both community groups raise concerns with the layout and facilities provided within the site; while expressing a need for transit sites over temporary stopping places. While it is considered that these comments are valid and should be taken seriously as an identifier of the views of the Gypsy and Traveller community, it is nonetheless considered that the purpose of this application is to assess the suitability for a temporary stopping place and not a transit site. Given this, and given the identified need for a temporary stopping place within the GTAA, as well as the facilities, layout and site design complying with the requirements of the Welsh Government Designing Gypsy and Traveller Sites Guidance May 2015 (criterion 6) the proposed development is considered acceptable under policy TAI 19.

Landscape and Visual:

Policy PS 19 seeks to protect and where appropriate enhance the natural environment, reflecting the greater environmental significance of international and national statutory designations, compared to statutory and non- statutory local designations. The proposed site isn't within the AONB or a Special Landscape Area. The site lies within Landscape Character Area 12: East Central Anglesey. The scenic quality of the A55 corridor is described as low. The site itself is unremarkable. It is contained within the boundaries of the A55 and the A5. Star lies to the north of the A55 and is classified as a Cluster in Policy PS 17. A number of commercial properties lie on the A5 to the west of the site. Due to the site's containment within two major highways, its proximity with Star and other development along the A5 as well as main railway line that runs to the south of the A5, it is reasonable to conclude that the proposed site's encroachment into the countryside is

⁴ Technical Advice Note 15: Development and Flood Risk, Welsh Government, 2004.

⁵ Technical Advice Note 15: Development and Flood Risk, Welsh Government, 2004.

⁶ Technical Advice Note 15: Development and Flood Risk, Welsh Government, 2004.

limited. It is noted from the Planning, Design and Access Statement that some existing vegetation is retained, that there is already mature highway planting to the north west of the site, and that an evergreen hedge is proposed along the southern boundary. It is also noted that the proposed colour of the acoustic fencing has been selected in order to help reduce the impact of this aspect of the development and reinforced grass will be used in the main circulation area. The existing highway planning also helps to screen the development from Star. There is no requirement that sites are completely screened from view. The aim is to seek to ensure that they have adequate landscaping rather than isolating them.

Policy PCYFF 4 requires applications to demonstrate due consideration to landscape character assessments and other elements associated with seeking to ensure that new development is well integrated into its surrounding area despite the inevitable change to the character and appearance of the site from an unused field to a developed area occupied hardstandings etc. and for short periods by caravans.

In this regard, the planning authority has consulted with the Council's Landscape Officer, who has considered the findings of the submitted Landscape and Visual Appraisal and who has offered no objection to the proposed development on the ground of potential landscape impact.

Given this, it is considered that the proposed design and layout has taken appropriately taken account of local views and natural screening, as advised within the Landscape Character Description as well as PCYFF 4. Furthermore, the proposed mitigation measures seek to further integrate the proposed development into the site.

The Council's Landscape Officer did note that the acoustic barrier as being the most visually prominent part of the development and also that the visual effect of this element is considered in the LVA and found to be of a neutral/slight effect based on the sensitivity of the receptor.

Specifically, the LVA finds that effects are predicted to be greatest from a static viewpoint within Star, however this is a wide view and therefore while the proposed development would result in a visible intervention within the landscape, it would also be only a minor feature of the view. Other views from the A55 are brief and more enclosed, particularly travelling west.

Based on the foregoing, it is considered that the proposed development satisfies policy PCYFF 4 of the JLDP and that due consideration has been taken of landscape character and appropriate mitigation has been included to offset any potential visual effects on the LCA.

Traffic and Transport:

Policy TRA 4 requires that development avoids unacceptable harm to the safe and efficient use of highways. Temporary stopping places are intended to provide accommodation on a short-term basis for Gypsies and Travellers in the course of travelling and use of the site to provide such accommodation would not extend long-distance journeys away from the main road network onto a network of rural routes.

The planning supporting statement submitted alongside this proposal highlights the merits of the proposed site as well as details of the access arrangements, stating *"A new safe vehicular access point would be provided to the site on its southern boundary, providing direct access to the A5. The position of the access and visibility splays have been accepted by IACC Highways Department. To increase the safety of the junction and to facilitate access within the site lighting will be provided on the A5 and near the amenity blocks within the site."*

While it is undoubtedly recognised that the A5 remains a fast and busy road, and that this has also raised significant comment from members of the public on the grounds of road traffic safety, it is considered that the development is acceptable in terms of its transport impacts. It is considered that the proposed access, visibility splays and site management all combine to ensure that any vehicles turning into and out of the site do so in a carefully controlled and appropriate manner with minimal disruption to the carriageway. Furthermore, due to the acceptance of the access arrangements, access design and proposed visibility splays by the Highways Authority it is

considered that the points of objection, while valid, do not outweigh the proposed development's compliance with the JLDP.

Finally it is also noted that at 10 pitches, the level of vehicle movements associated with this development are not deemed to be significant to such a degree that further assessment of transport impacts is required.

Amenity:

Criterion 7 of Policy PCYFF 2 requires consideration of impacts on the health, safety or amenity of local residents, other land and property users or characteristics of the locality due to a number of factors cited in the Policy, which include noise and fumes. The Cluster of Star is located on the northern side of the A55 and therefore the site does not immediately adjoin dwellings and is physically segregated from the nearby settlement. On this basis, it is considered that it is reasonable to conclude that the activity generated by the proposed use, i.e. caravans arriving and leaving and the temporary occupancy of the site would not have an adverse effect on the living conditions of existing residents in Star. Furthermore, the proposed scale of development, the degree of separation between the settlement of Star, other properties and the proposed site suggests that the proposed development would not dominate existing settlements.

In addition, it is considered that the proposed boundary treatments (inc fencing and hedgerow), soft landscaping and acoustic barrier are sufficient to provide a suitable means of enclosure, as well as an appropriate degree of privacy when viewed from the A5 but balanced with a need to ensure that the site does not feel like a compound which has been closed off from the outside environment. In respect of noise impact, the acoustic barrier at 3m in height is considered to be sufficient to address internal noise impacts in line with TAN 11: Noise. On this point, it is however considered that a number of objections discuss the failure to meet WHO criteria in respect of noise levels externally. While this is noted, and raised within the submitted Noise Impact Assessment report accompanying the proposed development, this also needs to be balanced with the overarching policy position that such development's should be located on routes used by the Gypsy and Traveller community in order to prevent further unauthorised encampments appearing. Given this, the noise impact externally will be mitigated to some degree by the acoustic barrier, and the impact externally – while beneath WHO recommendations – is, on balance, considered to be acceptable.

Flood Risk:

Reflecting national policy, Policy PS 6 requires development to be located away from flood risk areas and aim to reduce the overall risk from flooding within the Plan area and areas outside it unless it can clearly be demonstrated that there is no risk or that the risk can be managed. It is noted that the proposed site is not located within a C Flood Zone and therefore the development is acceptable from a flood risk perspective, furthermore NRW offer no objections to the proposed development on this basis.

Ecology

Strategic policy PS 19 seeks to manage development so as to conserve and where appropriate enhance the area's distinctive natural environment, countryside and coastline. The policy requires that when assessing a planning application, development proposals must "*protect or enhance biodiversity through networks of green/blue infrastructure*". This is further supplemented by policy AMG 5, which provides criteria by which to assess the biodiversity impacts of developments.

In this respect, it is noted that the submitted General Layout Plan and the Phase 1 Habitat Plan would indicate a loss of overall biodiversity at the site. In such an instance, policy AMG 5 advises that a development can be supported where:

1. There is no other satisfactory sites available for the development;
2. The need for the development outweighs the importance of the site for local nature conservation; and
3. That appropriate mitigation or compensation measures are included.

Based on these 3 criteria, it is considered that 1) there are no other satisfactory alternative sites, as expressed by the GTAA, 2) the need for this development in order to manage unauthorised encampments by providing an authorised stopover facility would outweigh local nature conservation in this particular locale, and 3) the proposal does contain mitigation measures as expressed within the submitted Ecological Assessment.

The above notwithstanding, and on the advice of the Council's Ecological Advisor, it is agreed that a clearer commitment to mitigation actions involving habitat creation must be made and that the recommendations within Section 7 of the assessment report be put into place. In this instance, it is considered that such matters are appropriate to address as suspensive planning conditions.

Furthermore, the submitted Ecological Assessment report has identified that no protected species records were identified at the application site, and that the site had limited value for protected species due to the poor habitat and due to it being relatively isolated from the wider landscape by virtue of its location between the A55 and A5 roads. Additionally, the submitted bat report demonstrates a lower risk for bats.

Given this, there are not considered to be any significant impacts on protected species which would necessitate further assessment in the determination of this application.

Historic Environment

The development site does not contain any statutory designations which may be affected by this development. Given this, it is not considered that the development will interrupt or otherwise detrimentally impact on the historic environment. It is noted that a number of objections refer to the historic route of the A5 in this location, however this route is not subject to any statutory designation, nor included within Appendix 7: Schedule of Protected Sites or Areas of the JLDP. Furthermore, the use of the A5 as a tourist route to Holyhead is not considered to be significantly detrimentally affected by this development.

Consideration against The Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 sets a framework for local authorities across Wales to ensure the 'sustainable development principle' (meeting the needs of the present without compromising the ability of future generations to meet their own needs) is met. Section 4 of the Act puts in place a number of well-being goals which authorities are to seek to achieve in order to meet this principle. These goals include achieving 'a Wales of cohesive communities', containing attractive, viable, safe and well-connected communities, and 'a Wales of vibrant culture and thriving Welsh language', containing a society that promotes and protects culture, heritage and the Welsh language.

In assessing the proposed development, it has been found that it – to a lesser or greater degree - meets and does not conflict with the aims of the seven well-being goals as follows:

A prosperous Wales. The proposed development is not considered to conflict with this aim, which seeks an innovative, productive and low carbon society which recognises the limits of a global environment and therefore uses resources efficiently and proportionately.

A resilient Wales. The proposed development is not considered to present any significant conflicts with the natural environment which would conflict with this aim.

A healthier Wales. The proposed development is neither in support or conflict of this aim, which seeks to promote a society where people's physical and mental well-being is maximised.

A more equal Wales. The proposed development directly supports this aim, which seeks to promote a society that enables people to fulfil their potential no matter of their background or circumstances.

A Wales of cohesive communities. The proposed development offers the opportunity to provide a viable transient solution for the Gypsy and Traveller community which moves through the island, as well as fulfilling the aim of creating a safe and secure environment for this community.

A Wales of vibrant culture and thriving Welsh language. The proposed development is neither in support or conflict of this aim, which seeks a society that promotes and protects culture, heritage and the Welsh language.

A globally responsible Wales. The proposed development will contribute positively on a societal level in particular, which supports the aim of this goal.

7. Conclusion

Having regard to the policy support discussed in this report, other material considerations along with the assessment of the impacts listed above in mind that it is considered that the application should be approved.

8. Recommendation and Conditions

Permit, subject to conditions listed below with authority delegated to the Head of Planning to add, amend or delete conditions as necessary.

(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 hereby permitted shall be carried out in accordance with the following approved plans:

**AGS-CAP-ELS-01-DR-L-1001 Revision P01;
AGS-CAP-ELS-01-DR-L-1003 Revision P01;
AGS-CAP-HSC-01-DR-C-0201 Revision P01;
AGS-CAP-HFE-01-DR-C-0301 Revision P01;
AGS-CAP-HFE-01-DR-C-0302 Revision P01;
AGS-CAP-HDG-01-DR-C-0501 Revision P03;
AGS-CAP-HGT-01-DR-C-0601 Revision P01;
AGS-CAP-HLG- 01-DR-C-1301 Revision P01; and
AGS-CAP-HML-01-DR-C-0001 Revision P01**

unless otherwise required to be approved under the terms of this permission and as thence permitted.

Reason: For the avoidance of doubt.

(03) Notwithstanding the submitted information, hereby approved, no surface water or land drainage shall be allowed to connect directly or indirectly with the public sewerage network and that it should be discharged to the Afon Braint, unless otherwise agreed in writing with the planning authority, in consultation with Welsh Water.

Reason: To ensure the proper drainage of the site and to protect the integrity of the public sewerage network.

(04) Notwithstanding the submitted information, hereby approved, the applicant shall provide a statement and accompanying plan which demonstrates a clear and robust method that mitigates the potential risk of vehicles waiting on the public highway for someone to come to open the gates. This statement and plan shall be submitted to the planning authority and receive approval, prior to the commencement of development on site.

Reason: To prevent detrimental impacts on the safe operation of the public highway and in the interests of pedestrian and vehicular safety.

(05) The proposed pedestrian link, hereby approved, shall be constructed and in place prior to the occupation of the site and shall remain in place at all times thereafter.

Reason: In the interests of pedestrian and vehicular safety.

(06) The access shall be laid out and constructed strictly in accordance with the submitted plan, drawing No "AGS-CAP-HDG-01-DR-C-0501 rev. P03" 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 prevent detrimental impacts on the safe operation of the public highway and in the interests of pedestrian and vehicular safety.

(07) 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 prevent detrimental impacts on the safe operation of the public highway and in the interests of pedestrian and vehicular safety.

(08) The access shall be constructed with 2.4 metre by 215 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: To prevent detrimental impacts on the safe operation of the public highway and in the interests of pedestrian and vehicular safety.

(09) 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 in perfect working order before the use hereby permitted is commenced.

Reason: To prevent surface water shedding onto the carriageway.

(10) 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 the residential amenity for occupants and internal site safety.

(11) The applicant shall submit a full comprehensive and robust Construction Phase 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**
- VI. Management and operation of construction and delivery vehicles.**

This Construction Phase Traffic Management Scheme shall be approved in writing by the planning authority, in consultation with the Highways Authority prior to the commencement of development works on site.

Reason: In the interests of pedestrian and vehicular safety and in the interests of the proper traffic management of the site during construction.

(12) The applicant shall submit supporting design calculations for the attenuated surface water drainage system. This information shall be approved in writing by the planning authority prior to the commencement of development works on site.

Reason: In the interests of the proper drainage of the site.

(13) Notwithstanding the approved information, any trees, plants or hedgerows, which are included within the development for the express purpose of providing visual screening, which shall be replaced on a like for like basis, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of visual and residential amenity.

(14) The applicant shall submit a method statement setting out that all recommendations described in section 7 of the submitted Ecological Assessment report are adhered to and adopted. This method statement shall be approved in writing by the planning authority prior to the commencement of development on site.

Reason: In order to preserve and protect the ecological interests of the development site.

(15) Notwithstanding the submitted information hereby approved, the applicant shall provide updated plans which indicate firmly defined area(s) of new planting for both hedges and grassland. Furthermore the areas of proposed evergreen hedge be instead planted with holly and/or beech as a broadleaved alternative closer to native ecology considerations. This plan shall be approved in writing by the planning authority, prior to any development works on site relating to the implementation of the planting scheme.

Reason: In order to enhance the ecological interests of the site and safeguard visual and residential amenity.

(16) No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the planning authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.

Reason: In order to safeguard local archaeological interests.

(17) A detailed report on the archaeological work, as required by condition (16), shall be submitted to and approved in writing by the planning authority within six months of the completion of the archaeological fieldwork.

Reason: In order to safeguard local archaeological interests.

Informatives:

(01)The applicant is advised that consideration should be given at construction stage to facilitate the retro-fitting of CCTV, should future site issues emerge.

(02)The applicant is recommended to engage with North Wales Police on the preparation of any future amendments or further detail to the Site Management Plan.

(03)The applicant is advised that any development that would contravene the protection afforded to bats of Great Crested Newts under the Conservation of Habitats and Species Regulations 2010 (as amended) would require a derogation licence from Natural Resource Wales. Furthermore, a licence may only be authorised if:

- a. There is no satisfactory alternative.
- b. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range; and

- c. The development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- (04)The applicant is recommended to contact Natural Resource Wales about how the guidance contained within Planning Policy Wales and the Environment Agency Guiding Principles for Land Contamination (GPLC 1, 2 and 3), March 2010 can be adopted in relation to this development.
- (05)The Highway Authority shall not be responsible for any road surface water entering the site as the result of the development.
- (06)Any adjustments, resiting and/or protection of any statutory services in the highway shall be his responsibility and carried out at his own expense.
- (07)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.
- (08)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.
- (09)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.
- (10)It is a requirement under law to serve an abnormal load notice to the police and to Highway and Bridges Authorities under “The Motor Vehicle (Authorisation of Special Types) General Order 2003”.
- (11)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.
- (12)The culverting of the land drainage ditch to provide for the vehicular access, will require a consent from this Authority under Section 23 of the Land Drainage Act 1991.
- (13)The applicant is advised that in order to achieve surface water discharge to the Afon Braint, a Flood Risk Activity Permit may be required from Natural Resource Wales.
- (14)Construction waste should only be disposed of to sites which can prove that they are registered as exempt, or licensed under the Environmental Permitting Regulations. There is a legal requirement (Duty of Care requirements of Section 34 the Environmental Protection Act 1990) on the site owner, contractor etc. to ensure that the re-use or disposal of this waste is appropriate and complies with the Environmental Permitting Regulations. Under the Duty of Care requirements, appropriate Waste Transfer Notes must be produced and kept. Any waste which is imported as part of the construction is also subject to Environmental Permitting Regulations 2010. The applicant should ensure they have appropriate exemptions/permits in place for the waste activities.

- (15) Pollution prevention methods should be in place for any work taking place at the eastern side of the site within close proximity to the Afon Braint. The applicant should be aware of the contents of the latest Pollution Prevention Guideline with regards to working near water i.e. GPP5 via the NetRegs website.**
- (16) Care should be taken with all work involving concrete so as not to pollute watercourses. Any water that meets wet concrete must be treated as contaminated and must not be allowed to discharge into any watercourse. Should pollution occur, Natural Resources Wales should be notified immediately on 03000 653000.**
- (17) All fuel, oil and chemicals used on site should be stored away in a locked store which is bunded to 110% capacity of the total volume stored. Oil spill kits should be available at key locations on site for dealing with any oil spill. All staff on site should be aware of their location and trained in their use.**
- (18) The applicant is advised that scrub removal should be carried out either outside March-end August, or following checks by a qualified ecologist.**
- (19) The applicant is advised that Excavations to be covered overnight, or bunded with sloping sides.**
- (20) The applicant is advised that the development should cause no nuisance by dust, fumes, noise, odour or artificial light.**
- (21) Any construction works should be carried out between the following times: 0800 – 1800 (Monday to Friday); 0800 – 1300 (Saturday) and no working on Sundays or Bank Holidays.**
- (22) It is recommended that the applicant undertake construction works in accordance with CIRIA document – C650 C741, 2015 – Environmental Good Practice On Site (Fourth Edition).**
- (23) The applicant is advised that there should be an Information board provided on site to display details such as site rules, emergency contact information, fire safety, general info on GPs etc.**