

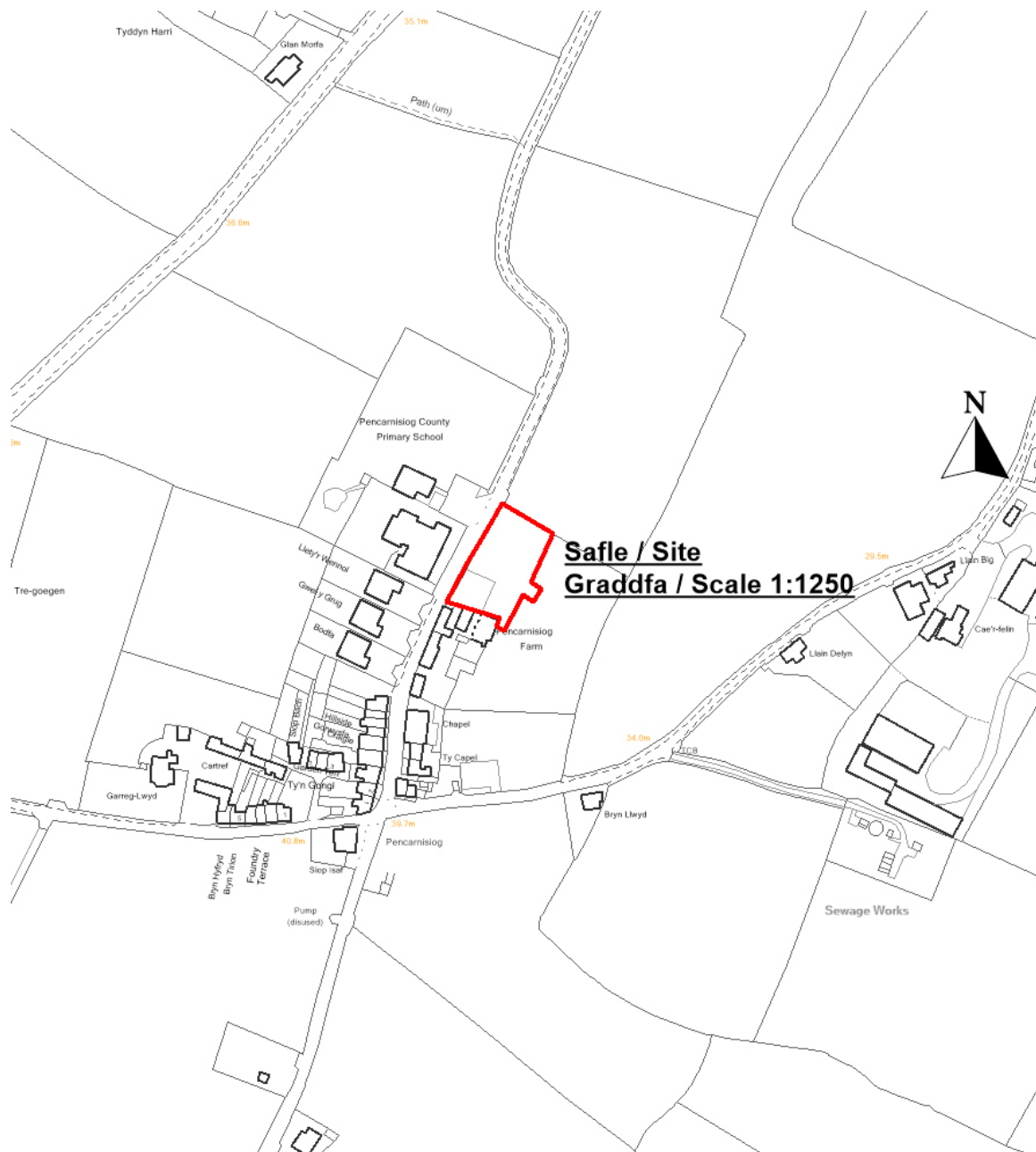
Rhif y Cais: **28C477B** Application Number

Ymgeisydd Applicant

Mr Alan Kelly

Cais llawn ar gyfer codi 4 annedd (1 fforddiadwy) ynghyd a chreu mynedfa newydd i gerbydau a cherddwyr ar dir yn / Full application for the erection of 4 dwellings (1 affordable) together with the construction of a new vehicular and pedestrian access on land at

Pencarnisiog Farm, Pencarnisiog



Planning Committee: 07/11/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

The application is being presented to the Committee as part of the application site is outside the development boundary of Pencarnisiog; therefore, is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve.

1. Proposal and Site

The application is a full application for the erection of 4 dwellings (1 affordable) together with the construction of a vehicular and pedestrian access on land at Pencarnisiog Farm, Pencarnisiog.

2. Key Issue(s)

The key issue is whether the proposal can be supported by national and local policies and whether the proposal fits into the area without having a negative impact upon immediate residential properties.

3. Main Policies

Joint Local Development Plan

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

4. Response to Consultation and Publicity

Community Council – No response at the time of writing the report

Local Member (Cllr Gwilym O Jones) – No response at the time of writing the report

Local Member (Cllr Richard Dew) – No response at the time of writing the report

Education Service – The Lifelong Learning section has confirmed that a contribution of £11,024.79 towards new facilities at Ysgol Pencarnisiog would be required.

Gwynedd Archaeological Planning Service – Confirmation has been received that the proposal will have no significant archaeological implications.

Ministry of Defence – The MOD has confirmed that they have no safeguarding objection to the proposal.

Welsh Water – Welsh Water has confirmed that only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at/ or downstream of manhole reference number SH35732701.

Natural Resources Wales – Standard Advice

Highways Authority – Conditional Approval

Housing Section – The housing section has confirmed that they welcome one affordable dwelling as part of the development.

A site notice was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 6/9/18. At the time of writing the report no letters were received.

5. Relevant Planning History

28C477 - Outline application for the erection of two dwellings together with the construction of a vehicular and pedestrian access on land at Pencarnisiog Farm, Pencarnisiog – Granted 26/4/13

28C477A - Application for reserved matters for the erection of two dwellings together with the construction of a vehicular and pedestrian access on land at Pencarnisiog Farm, Pencarnisiog – Granted 8/5/15

6. Main Planning Considerations

Policy Considerations

Joint Local Development Plan

In the Joint Local Development Plan Pencarnisiog is identified as a Local Village under policy TAI 4. This policy supports housing to meet the Plan's strategy through suitable unallocated sites within the development boundary and provided that the size, scale type and design of the development corresponds with the settlements character.

The majority of the site area, shown within the red line, lies within the development boundary. The proposed site plan indicates that the footprint and the curtilage of the proposed dwellings lies within the development boundary; however, part of the access road lies outside the development boundary and the drainage arrangements also lie outside the development boundary.

No new dwellings have been completed in Pencarnisiog between 2011 – 2017. A total of 2 units have obtained planning permission since 2017. There is therefore capacity within the settlement of Pencarnisiog to accommodate the 4 dwellings.

Policy TAI 15 seeks an appropriate provision of affordable housing. It has a threshold figure of 2 or more units within Local Villages such as Pencarnisiog. Pencarnisiog is identified as falling within the Rural West housing price area which seeks 20% (based on social rent tenure) affordable housing provision.

One of the four dwellings will be an affordable unit and this would satisfy the requirements of Policy TAI 15.

Policy TAI 8 'Appropriate Housing Mix' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Regard should be given to the LHMA, Council Housing Register, Tai Teg Register, 2014 - based household projections etc. to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market.

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development consideration would have to be given over the capacity with local schools to accommodate the anticipated number of children on the site.

Policy PCYFF2: Development Criteria states that proposals should be in line with the plan and national planning policy, make the most efficient use of land, provide appropriate amenity space regard to generation, treatment and disposal of water, where appropriate provision for management

and eradication of invasive species. Proposals should not have an adverse impact on health, safety or amenity of occupiers of adjacent users.

Policy PCYFF3: Design and Place Shaping states that all proposals will be expected to demonstrate a high quality design which fully takes into account its context. Innovative and energy efficient design will be particularly encouraged.

Policy PCYFF 4: Design and Landscaping states that all proposals should integrate into their surroundings.

Layout, design and amenity impacts.

The layout of the application site is acceptable with appropriate amenity space provided for each dwelling. The dwellings will be of high quality design and will fit in with other properties in the immediate area. The proposal also complies with distances as set out in the Supplementary Planning Guidance on Urban and Rural Environment.

New access and track.

The proposed application entails the construction of a new vehicular access and track which leads to the rear of the properties. The track has been reduced in width in order that it fits in with the general form of development in the area. The access track will also be landscaped in order to further screen the development from further afield.

Parking provision for primary school.

As part of the proposal the applicant has confirmed that 7 parking spaces will be made available at the front of the application site. These parking spaces will be available for drop-off and pick-up for the adjacent primary school.

Drainage

The foul drainage will connect into the existing mains sewer with a porous pipework and blanket soakaway provided to the rear of the access track.

Affordable Housing and School Places.

Policy TAI 15 seeks appropriate provision of affordable housing. For 2 or more dwellings in Pencarnisiog 20% affordable housing will be required. One of the four dwellings will be an affordable unit, which will be secured through a Section 106 agreement.

Policy ISA 1 seeks adequate infrastructure capacity. With this type of development consideration has been given to the capacity within Pencarnisiog primary school. The Lifelong Learning Service has confirmed that a contribution of £11,024.79 will be required for facilities for 4-11 year old pupils resulting from the development

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations was 6/9/18. At the time of writing the report no objections were received.

It is not considered that the proposal will have a negative impact upon the amenities currently enjoyed by existing residential properties. The proposal complies with distances set out within the Supplementary Planning Guidance on Urban and Rural Environment. Agricultural fields are located to the North and East, a primary school located to the West (immediately opposite the site), and outbuildings located to the South of the site. The nearest residential property known as Llety'r Wennol is located approximately 30m away from the proposed dwellings

7. Conclusion

Having considered the above and all other material considerations the recommendation is one of approval subject to a Legal Section 106 agreement for 1 affordable dwelling and the necessary education contribution payments.

8. Recommendation

To **permit** the proposed development subject to a Legal Section 106 agreement, to provide an affordable unit and education contributions.

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

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

(03) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at/ or downstream of manhole reference number SH35732701 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

Reason: For the avoidance of doubt

(04) Vegetation cut back/removal shall take place between September and February in any year.

Reason: To safeguard any nesting birds which may be present on the site.

(05) No development shall commence until full details for the design and construction of the highway improvements, which include parking bays and pedestrian footways, has been submitted to and agreed in writing by the LPA. The improvements shall be completed as per the approved plans before the use hereby approved is commenced.

Reason: In the interest of highway safety

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

Reason: In the interest of highway 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: In the interest of highway safety

(08) The access shall be constructed with visibility splays as shown on the proposed plan 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: In the interest of highway safety.

(09) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 0.6 meter above the level of the adjoining county

road carriageway along the whole length of the site's boundary with the adjoining highway and nothing exceeding this height erected within 2m. of the said wall.

Reason: In the interest of highway safety

(10) 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: In the interest of highway safety

(11) Before any development commences, plans shall be submitted and approved by the planning Authority in consultation with the Highway Authority showing details of the following reserved matters:

- **Longitudinal and cross sections through the estate roads showing the proposed road levels relative to the existing ground levels and proposed garage floor levels.**
- **The surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.**
- **The location and the type of street lighting furniture.**

Reason: In the interest of highway safety.

(12) The estate road(s) and its access shall be designed and constructed in accordance with 'Residential Road Adoption Specification Requirement, Anglesey' (copies of this document are available free on request from the Local Planning Authority).

Reason: In the interest of highway safety

(13) The estate road shall be kerbed and the carriageway and footways finally surfaces and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the site or such any other period as may be agreed in writing with the Local Planning Authority whichever is the sooner.

Reason: In the interest of highway safety

(14) 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 interest of highway safety

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

Reason: In the interest of highway safety

(16) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the LPA, a Construction Traffic Management Plan (CTMP). The CTMP shall include;

- (i) The routing to and from the site of construction vehicles, plant and deliveries.**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the**

highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;

(v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;

(vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;

(vii) The arrangements for loading and unloading and the storage of plant and materials;

(viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

The construction of the Development shall be completed in accordance with the approved details.

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

(17) The site shall be landscaped and trees and shrubs shall be planted in accordance with drawing number 2598:18:6A submitted with application reference 28C477B. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season following the occupation of the dwellinghouses or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained for a period of five years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation.

Reason: To ensure the development is appropriately screened.

(18) Prior to commencement of work on the site, details of a management and maintenance plan for the communal surface water drainage system and proposed area of porous paving; which will demonstrate how their operation is to be secured for the lifetime of the development shall be submitted to and approved in writing by the local planning authority and the development shall thereafter proceed and be maintained in accordance with the management and maintenance plan approved under the provisions of this condition.

Reason: To ensure the development is adequately drained.

(19) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans, under planning application reference 28C477B.

Drawing Description	Drawing Reference	Date Received
Location plan	2598:18:1	28/09/2018
Proposed Elevations and Floorplans	2598:18:4	31/07/2018
Highways Plan	2598:18:6A	28/09/2018
Proposed Site Plan (Drainage)	1955:18:3	31/07/2018

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

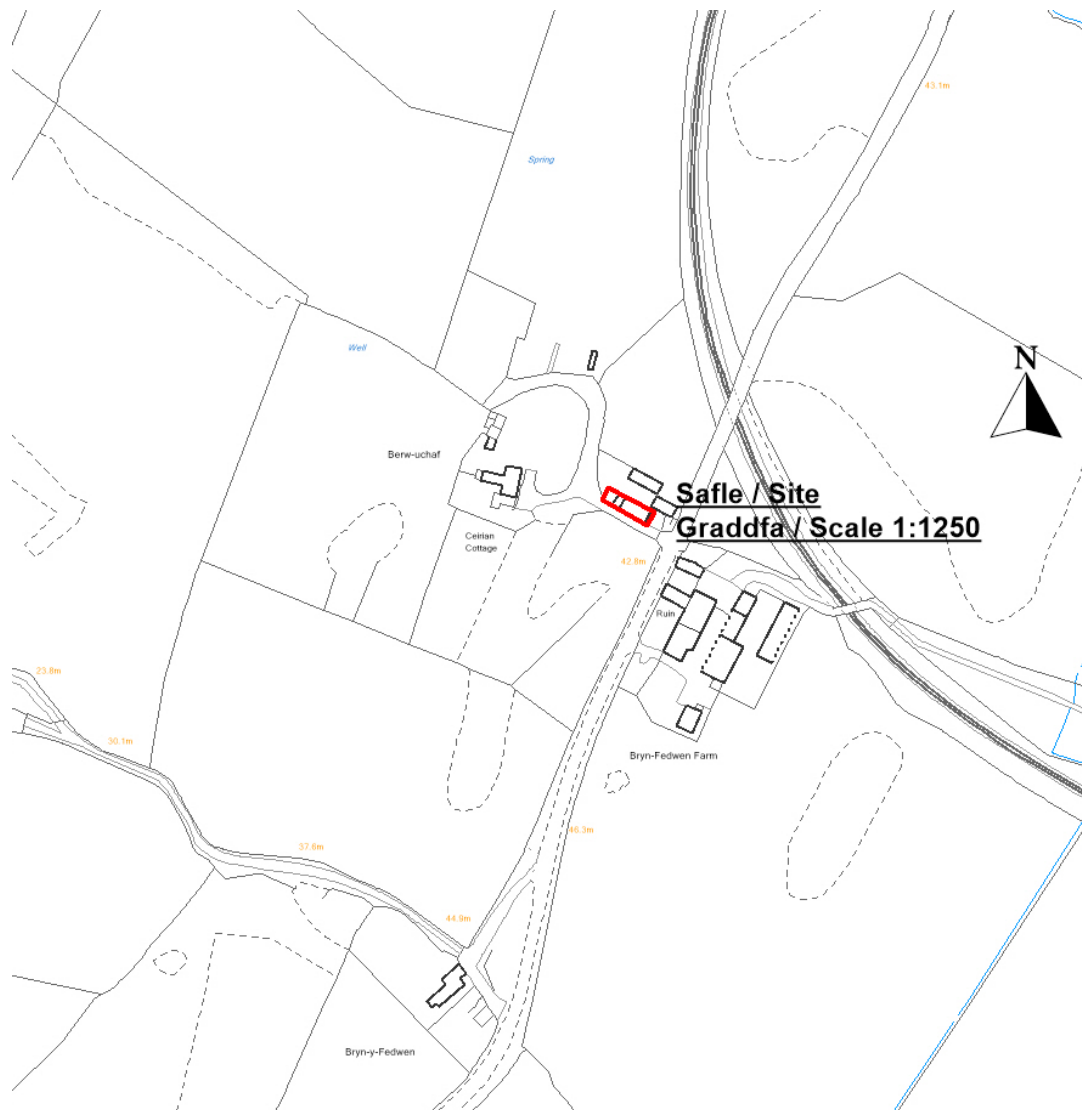
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

Rhif y Cais: **33C182E/VAR** Application Number

Ymgeisydd Applicant

Mr Eric Baller

Cais dan Adran 73A i amrywio amodau (03) (gwaith lliniaru), (08) (cau'r fynedfa gyfredol) a (09) (cynlluniau) o ganiatâd cynllunio cyfeirnod 33C182D (addasu adeilad allanol yn annedd ynghyd â chreu mynedfa) er mwyn newid y gorffenwaith ynghyd â chyflwyno manylion am ecoleg, trwydded liniaru a chau'r fynedfa wedi i'r gwaith gychwyn yn / Application under Section 73A for the variation of conditions, (03) (mitigation works), (08) (closure of the existing access) and (09) (plans) of planning permission reference 33C182D (conversion of outbuilding into a dwelling together with the formation of an access) so as to change the material finishes together with submission of ecology details, mitigation licence and closure of access details after the works have commenced at

Berw Uchaf, Gaerwen

Planning Committee: 07/11/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

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

1. Proposal and Site

The application is made under Section 73A for the following:

Variation of conditions (03) (mitigation works) so as to provide the details after work commenced on site.

Variation of condition (08) (closure of the existing access) so as to provide details of the closure of the existing access after commencement of work on site.

And the variation of condition (09) (as approved plans) of planning permission reference 33C182D so as to change the material finishes on the outbuilding at Berw Uchaf, Gaerwen.

2. Key Issue(s)

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

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

TAI 7- Conversion of Traditional Buildings in the open countryside to residential use.

4. Response to Consultation and Publicity

Community Council – No response at the time of writing the report.

Local Member (Eric Wyn Jones) – No response at the time of writing the report.

Local Member (Dafydd Roberts) - No response at the time of writing the report.

Highways – Satisfied with the information submitted with the application.

Drainage – No response at the time of writing the report.

Natural Resources Wales – NRW stated that, a species licence was issued for the development approved under reference 33C182D. An email from the applicant's ecologist Chris Hall and the licence return both stated that the original mitigation had been completed. It was confirmed that a compensation bat roost was created in an adjoining building and that the building under development no longer constitutes a bat roost.

Gwynedd Archaeological Planning Service – No archaeological concerns

Welsh Water – No comments

Site notices were placed near the site and neighbouring properties were notified by letter. The planning application was also advertised in the local newspaper as the development is contrary to policies of the Joint Local Development Plan. The expiry date for receiving representations was the 5/10/18. At the time of writing the report no letters were received.

5. Relevant Planning History

33C182D - Full application for conversion of outbuilding into a dwelling together with the formation of an access at Berw Uchaf, Gaerwen – Approved 31/1/17

6. Main Planning Considerations

Full planning permission has been granted for the conversion of the outbuilding into a dwelling together with alterations and extensions under reference 33C182D which was approved on the 31/1/17. Works have commenced on the site and the new access has been constructed to the site.

Variation of Conditions (03), (08) and (09)

Condition (03) of planning permission 33C182D states that no work shall be undertaken until the local planning authority has been provided with a copy of the licence issued by Natural Resources Wales authorising the works as approved to go ahead. A copy of the NRW licence has been submitted with this application. NRW has confirmed that they are satisfied with the information provided.

Condition (08) (Closure of existing access).

Condition (08) of the previous permission stated that no development should commence until a scheme, including timetable for works, for the closure of the existing access had been agreed by the local planning authority. Details were not submitted prior to the commencement of work and the applicant has now submitted details of the closure of the existing access for approval. The highways authority has confirmed that the details submitted with the application are acceptable and meets the requirement of condition (08) of planning application 33C182D. The condition will be varied to ensure that the existing access will be permanently closed before the outbuilding is in use.

Condition (09) (As approved plans)

Variation of condition (09) (as approved plans). The design of the outbuilding remains the same as that approved under application reference 33C182D. A request has been made to change the external finishing material from Wooden windows to UPVC. The advice of the Built Environment Section (Heritage Section) has been sought and it has been confirmed that the use of UPVC windows and doors would not significantly harm the overall character of the building

Policy Context – The principle of the conversion of the outbuilding into a dwelling has been established under planning application 33C182D approved on the 31/1/17.

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

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

Application reference 33C182D was approved on the 31/1/17, and work has commenced on site.

The amendments to the external finishing material is not considered to be a deterioration of that approved under the previous permission;

Affect on amenities of surrounding properties

Neighbouring properties have been notified of the proposed development. The expiry date to receive representations was the 5/10/18. At the time of writing the report no objections were received.

It is not considered that the amended external material finishes will have an impact on neighbouring properties.

7. Conclusion

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.

The application is contrary to Policy TAI 7 of the Joint Local Development Plan; however, the fallback position is that the application site has an extant planning permission for the conversion of the outbuilding into a dwelling.

It is not considered that the proposed changes deteriorate that previously approved under 33C182D.

8. Recommendation

Permit

(01) No development in the conversion of the buildings hereby approved shall take place during the bird breeding season (1st March to 30th September in any year) unless the site has been surveyed by an ecologist and confirmed to be absent of nesting birds and a report on the findings has been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard protected species which may be present on the site

(02) The conversion works shall take place in accordance with mitigation works outlined in Chris Hall Ltd Mammal Consultancy report dated 7th September 2016 submitted under planning reference 33C182D.

Reason: To safeguard protected species which may be present on the site.

(03) The access shall be laid out and constructed strictly in accordance with the submitted plan and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes. The access and vision splay shall be created in accordance with the submitted plan, Drg No: 2396:16:10 submitted under planning application 33C182D. 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: In the interests of highway safety

(04) 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: In the interests of highway safety

(05) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the County Highway and surface water from the within the curtilage of the site shall discharge onto the county highway.

Reason: In the interests of amenity

(06) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: In the interests of amenity and highway safety.

(07) The existing access shall be permanently closed prior to the occupation of the dwelling hereby approved and carried out in accordance with drawing number 2396:16:10 submitted with planning application 33C182E/VAR.

Reason: In the interests of highway safety.

(08) The development shall proceed in accordance with the following documents and plans, and as required under the conditions imposed:

Drawing number	Description	Date Received
23696:16:8	8 Proposed Bat Roost	20/10/16 Received with planning application 33C182D
2396:16:10	Visibility Splay	22/12/16 Received with planning application 33C182D
	J MCKernon & Co Ltd Structural Survey Report	15/7/16 Received with planning application 33C182D
	Chris Hall Ltd Mammal Consultancy Report	7/9/16 Received with planning application 33C182D
2396:16:10	Access Detail	22/8/18 Received with planning application 33C182E/VAR
2396:18:1	Location Plan	22/8/18 Received with planning application 33C182E/VAR
2396:18:9A	Proposed Floorplans and Elevations	26/9/18 Received with planning application 33C182E/VAR

Reason: To define the scope of this permission.

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

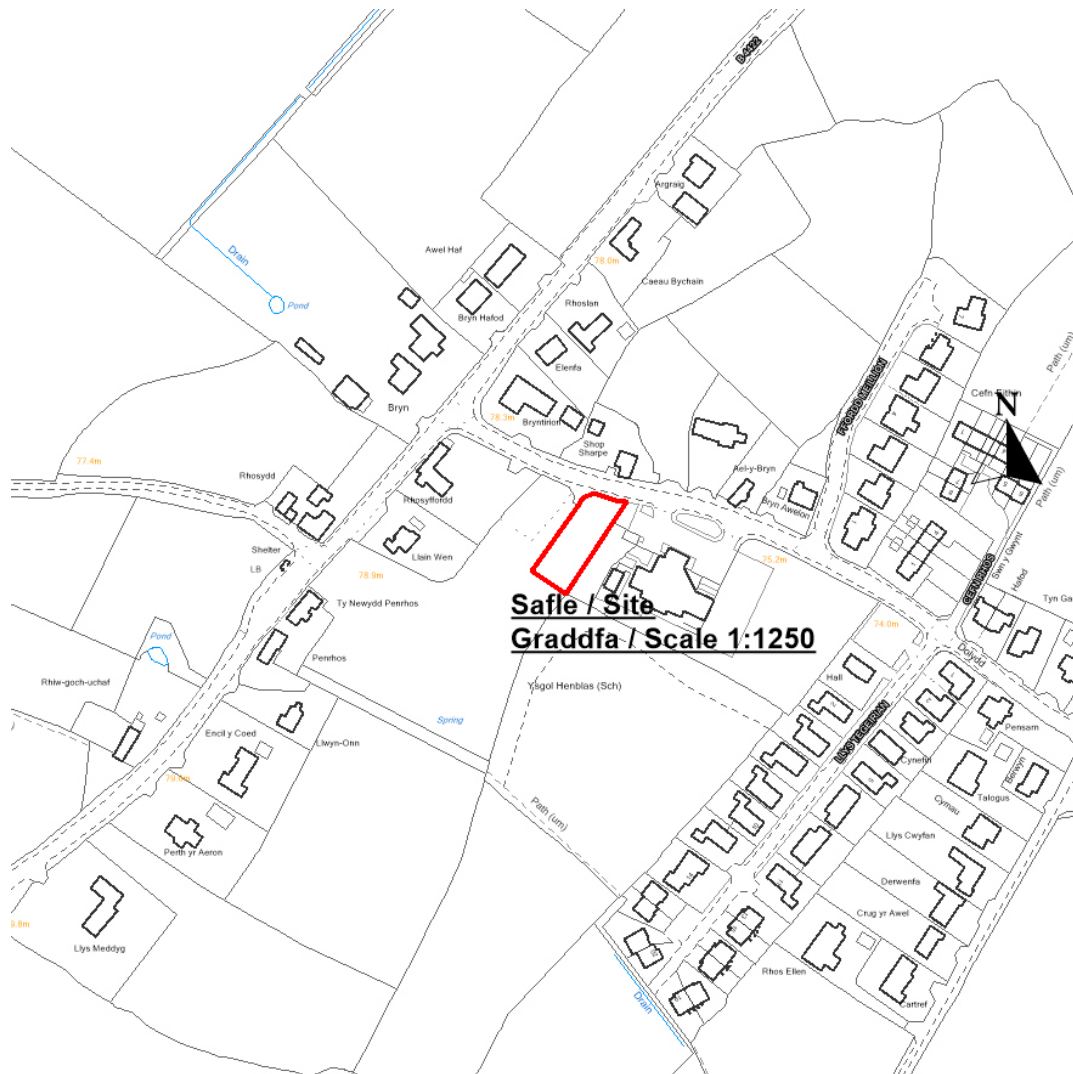
Rhif y Cais: **36C344C/VAR** Application Number

Ymgeisydd Applicant

Mr Steven Parry

Cais o dan Adran 73 i ddiwygio amod (07) o ganiatâd cynllunio rhif 36C344B/VAR (Cynlluniau Diwygiedig i godi annedd) er mwyn galleuo cyflwyno manylion traeni arol i gwaith cychwyn ar dir cyferbyn / Application under Section 73 for the variation of condition (07) of planning permission reference 36C344B/VAR (Amended plans for the erection of a dwelling) so as to allow drainage details to be submitted after work on land adjacent has commenced at

Ysgol Henblas, Llangristiolus



Planning Committee: 07/11/2018

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

Recommendation:

Permit

Reason for Reporting to Committee:

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

1. Proposal and Site

The application is a Section 73 for the variation of condition (07) of planning permission reference 36C344B/VAR (amended plans for the erection of a dwelling) so as to allow drainage details to be submitted after work on the site has commenced at land adjacent to Ysgol Henblas, Llangristiolus.

2. Key Issue(s)

The key issue is whether the surface water detail is acceptable.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

TAI4 – Housing in Local, Rural and Coastal Villages

4. Response to Consultation and Publicity

Community Council – No response at the time of writing the report.

Local Member (Dafydd Roberts) – No response at the time of writing the report.

Local Member (Eric Wyn Jones) – No response at the time of writing the report.

Drainage - No response at the time of writing the report.

Highways Department – Confirmation that the surface water detail is acceptable.

Welsh Water – No response at the time of writing the report.

Site notices were placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations is the 12/10/18. At the time of writing the report no letters were received.

5. Relevant Planning History

36C344 – Outline application for the erection of a dwelling together with full details of the vehicular access together with the re-location of the access into the field – 4/2/16 – Granted

36C344A/DA - Application for approval of reserved matters for the erection of a dwellings on – 25/1/18 – Granted

36C344B/VAR - Application under Section 73 for the variation of condition (01)(Approved plans) of planning permission reference 36C344A/DA (Application for approval of reserved matters for the erection of a dwelling) so as to allow sun room extension and erection of detached garage on land adjacent to Ysgol Henblas, Llangristiolus – Granted 9/4/18.

6. Main Planning Considerations

The principle of a dwelling has already been established under planning application 36C344A/DA. A further application was received under planning application 36C344B/VAR to amend the design to include a sun room and garage which was approved on the 09/04/2018. The construction of the dwelling is at an advanced stage and is near completion.

Joint Local Development Plan

Since the adoption of the Joint Local Development Plan Llangristiolus is now identified as a Local Village where any new dwelling must be within the settlement's development boundary and of a size, scale, type and design which corresponds with the settlement's character. The application is contrary to Policy TAI6 of the Joint Local Development Plan because it is located outside the development boundary; however, as the application site has an extant planning permission the following must be considered:-

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

Application reference 36C344A/DA was approved on the 25/1/18 and application reference 36C344B/VAR was approved for amendments to the original design on the 09/04/2018. The construction of the dwelling is at an advanced stage and is near completion.

Surface water detail was required to be provided prior to the commencement of work on site; however, the applicant did not provide the information prior to the commencement of work. The application is a request to provide surface water detail after commencement of work on site details of which have been submitted as part of this planning application. The Highways Authority has confirmed that they are satisfied with the surface water detail provided with the application.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 12/10/18. At the time of writing the report no objections were received. It is not considered that the proposal will have a negative impact upon adjoining residential properties.

7. Conclusion

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

It is considered that the previous application 36C344B/VAR has been implemented and the requirement to provide surface water detail prior to the commencement of work on the site did not go to the heart of the permission. Details of surface water arrangements have been provided with the planning application and the Highways Authority has confirmed that they are satisfied with the details.

8. Recommendation

Permit

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

Date Received	Plan Description	Plan Reference
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22.2.18	Proposed Detached Garage Received with planning application 36C344B/VAR	9
22.2.18	Proposed Elevation Received with planning application 36C344B/VAR	8
17.9.18	Proposed Site Plan Received with planning application 36C344C/VAR	6
22.2.18	Proposed Floor Plans and Cross Section Received with planning application 36C344B/VAR	7
22.2.18	Location Plan Received with planning application 36C344B/VAR	1

under planning application reference 36C344B/VAR and 36C344C/VAR

Reason: For the avoidance of doubt.

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

Reason: In the interests of visual amenity.

(03) The dwelling shall not be occupied until the surface water arrangements has been implemented in accordance with drawing number 6 received on the 17/09/2018, submitted with planning application reference 36C344C/VAR.

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

(04) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.

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

(05) The access to the dwelling hereby approved shall be completed with a 2.4m x 43 m visibility splay in a westerly direction and a 2.4m x 33 m visibility splay in an easterly direction before the dwelling is occupied. Within the visibility splays, nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: In the interests of highway safety.

10.4

Ceisiadau'n Tynnu'n Groes

Departure Applications

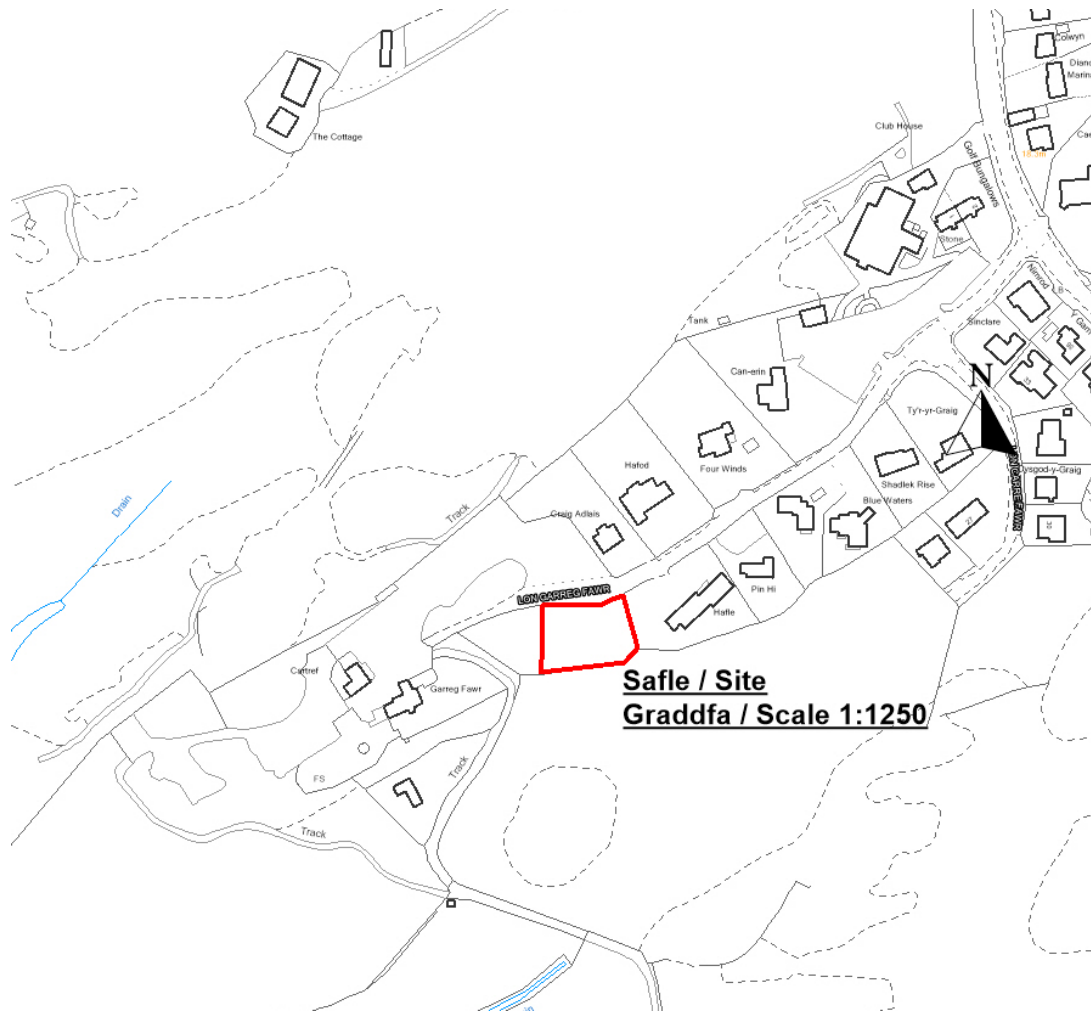
Rhif y Cais: **46C410H** Application Number

Ymgeisydd Applicant

Mr & Mrs Seddon

Cais llawn ar gyfer codi annedd sydd yn cynnwys ardal teras wedi ei decio ar dir ger/ Full application for the erection of a dwelling which includes a terraced decking area on land adjacent to

Garreg Fawr, Lôn Garreg Fawr, Bae Trearddur Bay



Planning Committee: 07/11/2018

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

Recommendation:

Permit.

Reason for Reporting to Committee:

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

1. Proposal and Site

The application is a full application for the erection of a dwelling which includes a terraced decking area on land adjacent to Garreg Fawr, Lon Garreg Fawr Trearddur Bay.

2. Key Issue(s)

The key issue is whether the proposal is an improvement to that originally approved under application reference 46C410E/DA.

3. Main Policies

Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

TAI 5 – Local Market Housing

4. Response to Consultation and Publicity

Community Council – No response

Local Member (Cllr John Arwel Roberts) – No objection

Local Member (Cllr Trefor Lloyd Hughes) – No response

Local Member (Cllr Dafydd Rhys Thomas) – No response

Drainage Section – No response

Welsh Water – No objection

Natural Resources Wales – Standard Comments

Highways Authority – No response

Environmental Health – Standard Comments

Site notices were placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations is the 26/10/18. At the time of writing the report five letters were received, all being from 1 neighbouring property.

The main comments are as follows:

- No details of means of enclosure have been provided with the application.
- Anomaly on the plans with regards to the siting of the dwelling on the plot.

- Footprint of the dwelling moved closer to a neighbours property and will cause overlooking
- No details of septic tank

In response to the above comments:

- No details of means of enclosure have been provided with the planning application: There will be a need for the applicant to provide details of means of enclosure prior to the commencement of work on site.
- The anomaly on the plans has now been rectified and all adjacent properties have been re-notified of the amended plans.
- The footprint of the dwelling has moved closer to the neighbouring property known as Hafle; however, the proposal complies with distances as set out in the Supplementary Planning Guidance on Urban and Rural Environment. It is not considered that the proposal will have a negative impact upon the amenity of the adjacent residential property.
- The application will no longer be served by a septic tank and will now connect to the Welsh Waters public sewer system.

5. Relevant Planning History

46C410B - Outline application for the erection of a dwelling on land adjacent to Garreg Fawr, Trearddur Bay – Approved 5/2/09 – Granted

46C410E/DA - Reserved matters application for the erection of a dwelling on land adjacent to Garreg Fawr, Trearddur Bay – 22/3/12 – Granted

46C410G/LUC - Application for a Lawful Development Certificate for existing operations comprising of works to access undertaken to implement planning permission 46C410B at Garreg Fawr, Trearddur Bay – 21/11/17 - Lawful

6. Main Planning Considerations

The principle of a dwelling has already been established. An application for a lawful use certificate to prove that works to the access had been undertaken to implement planning permission 46C410B was considered lawful on the 21/11/17. Therefore planning permission for a dwelling has been safeguarded on the application site.

Joint Local Development Plan

Since the adoption of the Joint Local Development Plan, Trearddur Bay is identified as a Coastal and Rural Village under the provision of Policy TAI 5. The policy does not support the provision of open market housing. However, as the application site has an extant planning permission the following must be considered:-

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

A reserved matters application reference 46C410E/DA was approved and a certificate of lawfulness was considered to be lawful on the 21/11/17. The likelihood of it being implemented is very likely as development to safeguard the permission has begun.

Amendments

The proposed amendments are as follows:

- The scale and massing has been reduced and the impact on the street scene is less than that previously approved. The proposed footprint of the dwelling has been reduced from 214square metres to 171 square metres. The amended planning application does not exceed the height of that approved by the previous application; however, as the proposal involves varying roof heights there will be a reduction of 1meter in the overall height or approximately 50% of the proposed dwelling.

- The finished floor level now reflects the existing topography of the site to avoid the need for significant rock excavation of the ground.
- The proposal has varying roof heights and stepped elevations which reflects the sites natural topography. This is a vast improvement on the scale and massing of the previously approved dwelling.
- The position of the amended dwelling has been moved closer to the neighbouring dwelling known as Hafle; however less windows are located in the gable elevation. The dwelling complies with distances of the Supplementary Planning Guidance. The SPG states that a distance of 21m should be achieved between the new dwelling and the neighbouring dwelling 'Hafle', there is a distance of 28.5m from the proposed dwelling and Hafle,

It is considered that the alterations fit in with the size, scale, type and design in the area and will not have a negative impact upon the amenities currently enjoyed by neighbouring properties.

Rock Excavation

There will be a requirement to excavate some rock from the site; however, the amount of rock excavation required will be reduced dramatically from the previously approved scheme. A condition will be placed on the permission requiring details of hours of operation, length of time necessary to carry out the work, dirt and dust control measures and mitigation, noise vibration and pollution control impacts and mitigation, and details of safety fencing and barriers prior to commencement of work on site. This is to ensure minimal impact and disruption upon adjacent residential properties.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 26/10/18. At the time of writing the report 5 objection were received from a single household. It is not considered that the proposal will have a negative impact upon adjoining residential properties.

The amended scheme is closer to the neighbouring property than what was previously approved; however there is a distance of 10.5m to the boundary of Hafle and approx. 28.5m away from the dwelling itself. The distance complies with the distances set out in the Supplementary Planning Guidance on Urban and Rural Environment. The SPG states that a distance of 10.5m should be achieved from a ground floor main window to the boundary and a distance of 21m should be achieved from a ground floor main window to another ground floor main window.

The amended scheme has less windows in the gable elevation compared to the approved application. A terrace has now been included in the plans; however, the applicant has included a new stone wall which will screen any views towards the neighbouring property known as Hafle.

7. Conclusion

The application is contrary to Policy TAI 5 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for an open market dwelling.

It is considered that the previous application 46C410E/DA is likely to be implemented and the amendments are an improvement to that previously approved. A condition will be placed on the permission which will preclude the implementation of the previous permission.

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) and document(s) submitted below:

Date Received	Plan Description	Plan Reference
5/10/18	Location Plan	PL 001 Rev A
15/10/18	Proposed Block Plan	PL 010 Rev C
15/10/18	Proposed Site Plan	PL 011 Rev B
1/10/18	Proposed Site Section	PL 012
1/10/18	Proposed Site Section	PL 013 Rev A
15/10/18	Lower Ground Floor Plan	PL 014 Rev A
15/10/18	Ground Floor Plan	PL 015 Rev B
1/10/18	First Floor Plan	PL016 Rev A
1/10/18	Roof Plan	PL 017
1/10/18	Proposed Elevations	PL 020 Rev A
1/10/18	Proposed Elevations	PL 021 Rev C
2/10/18	Proposed Drainage Connections	PL 022
15/10/18	Proposed Site Section III	PL 023

under planning application reference 46C410H

Reason: For the avoidance of doubt.

(03) The developer shall write to the Local Planning Authority within 7 days of the commencement of the development (as that term is defined in Section 56 of the Town and Country Planning Act 1990 as amended) to advise it of the fact. At no time thereafter shall the developer commence development or undertake any further work amounting to development on any of the following permission: [46C410E/DA - Reserved matters application for the erection of a dwelling on land adjacent to Garreg Fawr Farm, Lon Garreg Fawr, Trearddur Bay].

Reason: to prevent the implementation of separate planning permissions concurrently which would be objectionable to the Local Planning Authority

(04) No development shall commence until a Construction Environmental Management Plan "CEMP" has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include general environmental provisions relating to rock excavation and, as a minimum, shall include detail of:

- working hours during the rock excavation.
- length of time required to complete the rock excavation.
- dirt and dust control measures and mitigation.
- noise, vibration and pollution control impacts and mitigation.
- Height, specification and colour of safety fencing and barriers to be erected in the construction of the development hereby approved.

The development hereby approved shall be undertaken in accordance with the approved CEMP.

Reason: To safeguard against any impact the construction of the development on local amenity.

(05) No development shall take place until trade descriptions of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.

Reason: To ensure a satisfactory appearance of the development.

(06) Full details of all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the local planning authority before any work on the site is commenced.

(07) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the LPA, a Construction Traffic Management Plan (CTMP). The CTMP shall include;

(i) The routing to and from the site of construction vehicles, plant and deliveries.

(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;

(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;

(v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;

(vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;

(vii) The arrangements for loading and unloading and the storage of plant and materials;

(viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

The construction of the Development shall be completed in accordance with the approved Plan.

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

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