

**Planning Committee:** 06/02/2019

**12.1**

**Application Reference:** 41C137A/DA

**Applicant:** Mr Aled Jones

**Description:** Application for reserved matters for the erection of a dwelling, construction of a vehicular access together with the installation of a treatment plant at

**Site Address:** Afallon, Penmynydd



**Report of Head of Regulation and Economic Development Service (Gwen Jones)**

**Recommendation:** Permitted

**Reason for Reporting to Committee**

The application is being presented to the Committee due to a call in request by the Local Member Alun Mummery due to concerns by local occupiers regarding the positioning of the proposed dwelling together with concerns on the drainage proposals.

**Proposal and Site**

The application is a reserved matters application for a dwelling, construction of a vehicular access together with the installation of a treatment plant at Afallon, Penmynydd.

### Key Issues

The key issue is whether the proposal complies with the outline permission approved under planning permission 41C137 on the 26/5/16. Consideration must be given to its design and whether the proposal will have a negative impact upon immediate residential properties

### Policies

#### Joint Local Development Plan Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	Landscape condition will be placed on the permission to ensure a suitable landscaping scheme is implemented.
Cynghorydd Robin Wyn Williams	No response at the time of writing the report.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Standard Advice.
Cynghorydd Alun Wyn Mummery	Request to call in the planning application to the planning committee due to neighbours concern with regards to the siting of the dwelling and drainage on site.
Cynghorydd Meirion Jones	No response at the time of writing the report.
Cyngor Cymuned Penmynydd & Star Community Council	Objection as the dwelling/access is located in a dangerous location on a junction with poor visibility.
Dwr Cymru/Welsh Water	Standard Advice.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Standard Advice.
Adain Dechnegol (Draenio) / Technical Section (Drainage)	Further drainage details awaited.

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 12/1/19. At the time of writing the report one letter of objection had been received.

The main reasons for objection as follows:

\*The dwelling has moved to the centre of the plot rather than where outline permission was granted

\*Mains water supply runs through the plot of land under consideration and our soakaway for the septic tank. The drainage scheme would interfere with the drainage system to our property that has been in place for over 50 years.

\*The proposed access and drive is along the perimeter wall to our bedroom windows. This would be detrimental to our lives and detrimentally affect the privacy of our property, i.e. noise, car headlights, also the access is on the narrowest part of the lane.

In response to the objection:-

\*The plan provided at outline stage was indicative only. The property has been located as close as possible to the outline approval. The planning application measurements are in accordance with the upper and lower limits as approved at outline stage.

\*Welsh Water does not have any objection to the proposal and the drainage section of the council has been consulted as part of the application. Drainage comments are awaited and it is requested that committee members approve the planning application upon confirmation that the drainage scheme is acceptable.

\*The access to the application site has already been approved as part of the outline permission. The outline permission also considered the amenities of the adjacent property and a condition was placed on the permission requiring an acoustic fence was placed on the boundary between the plot and the adjacent property known as Afallon. This was in order to address concerns of the neighbouring property.

### **Relevant Planning History**

41C137 – Outline planning permission for the erection of a dwelling, together with full details of access at land adjacent Afallon, Penmynydd – Approved 26/5/16

### **Main Planning Considerations**

#### **Policy Considerations**

Joint Local Development Plan

In the Joint Local Development Plan Penmynydd is identified as an open countryside location where development is strictly controlled and any new planning application for a dwelling will be resisted. However, the application site benefits an extant outline permission that was approved on the 26/5/16 under the former Ynys Mon Local Plan policies. Penmynydd was identified as a Listed Settlement under the provisions of Policy 50 where planning permission was acceptable for infill plots within or on the edge of the settlement.

This is a reserved matters application that complies with the extant outline planning permission previously approved.

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.

In accordance with the provisions of policy PCYFF2 and PCYFF3 the layout of the application site is acceptable with appropriate amenity space provided for the dwelling. The dwelling will be of high quality design and the scale complies with that previously approved at outline stage. The proposal also complies with distances as set out in the Supplementary Planning Guidance on Urban and Rural Environment.

#### Distances to Pen Graig

The proposed dwelling is located between 14.6 – 19.8 metres to the South East boundary and approximately 46m from the property known as Pen Graig. The supplementary planning guidance states that a distance of 10.5m should be achieved from ground floor main to boundary and a distance of 21m should be achieved from ground floor main to main. The proposal complies with distances to Pen Graig.

#### Distances to Afallon

The proposed dwelling is orientated in such a way that the windows does not directly overlook Afallon. The proposed side elevation of new dwelling at its nearest point to the boundary of Afallon is 14.3metres and a distance of 16.74 to the side elevation of Afallon. The Supplementary Planning Guidance states that a distance of 2.5m should be achieved from the side elevation of a property to the boundary of the site and a distance of 3.5 metres should be achieved from the side elevation of the new property to the side elevation of the neighbouring property. The proposed dwelling complies with the distances as set out in the supplementary planning guidance.

An acoustic fence is proposed to the boundary adjoining Afallon, which will alleviate concerns of noise from the new vehicular access.

#### Drainage

The proposed dwelling will be served with a Private Treatment Plant and surface water dealt with by means of a soakaway system. The Drainage Section comments are currently awaited and it is requested that committee members approve the application upon confirmation from the drainage section that the drainage scheme is acceptable.

#### Landscape

The proposal includes a landscaping scheme in accordance with the provisions of Policy PCYFF4 of the JLDP. The landscaping scheme includes details of planting to part of the East boundary and along the South boundary. It is considered that the landscaping scheme complies with the requirement of Policy PCYFF4 and a condition will be included to ensure the planting is undertaken accordingly.

#### Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations was 12/1/19. At the time of writing the report one letter of objection was 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. An acoustic fence is proposed to the boundary adjacent Afallon in order to alleviate concerns of noise from the proposed new entrance.

#### **Conclusion**

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

## Recommendation

**(01) Natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.**

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

**(02) Notwithstanding drawing number 1567-A3-02 A mixed native species hedge of 75% hawthorn (*Crataegus monogyna*) and 25% blackthorn (*Prunus spinosa*) shall be planted in a double line at 5 plants per metre along the southeast boundary as indicated in green on the with Location/Block Plan drawing number 1567-A3-02, at a minimum distance of 1 metre from the proposed boundary before the use of/ occupation of the development hereby approved or completion of the development, whichever is the sooner. Plants shall be in the size range of 20cm to 40cm and be protected by suitable rabbit guards, to be removed within 5 years from planting. Any plants that are found to be dead, dying, severely damaged or diseased within 5 years of planting, shall be replaced within the hedge by plants of the same specification within 12 months. Once grown, it shall be maintained at a height of between 1.5 and 2 metres, and retained for the lifetime of the development hereby approved.**

Reason: In the interest of amenity

**(03) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.**

- **Location/Block Plan Proposed – 1564-A3-02**
- **Proposed Section – 1564-A3-06**
- **Proposed First Floor Plan – 1564-A3-05**
- **Proposed Ground Floor Plan – 1564-A3-04**
- **Proposed Elevations – 1564-A3-03**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF1, PCYFF2, PCYFF3, PCYFF4

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.