

Application Reference: 30C225K/ECON

Applicant: York Design & Construction Ltd.

Description: Cais amlinellol ar gyfer lleoli 25 o gabanau gwyliau ynghyd â chyfadeladau hamdden a ffyrdd mynediad cysylltiedig gyda rhai materion wedi eu cadw yn ôl yn / Outline application for the siting of 25 holiday chalets together with leisure complex and associated access roads with some matters reserved at

Site Address: Treetops Country Club, Tyn Y Gongl



Report of Head of Regulation and Economic Development Service (Iwan Jones)

Recommendation: Caniatáu / Permitted

Reason for Reporting to Committee

Local Members – Councillor Ieuan Williams and Margaret Murley Roberts have requested that the application be referred to the planning committee for determination.

At the committee meeting held on the 3rd April, 2019, it was resolved that a site visit was required. The site visit took place on the 17th April, the Members are now aware of the site and its settings.

Proposal and Site

The application is submitted in outline form for the siting of 25 holiday chalets together with the erection of a leisure complex and associated access roads with some matters reserved at Treetops Country Park, Tyn y Gongl. Details of the proposed access, landscaping and layout have been included as part of the application.

The application site measures at approximately 1.2 hectares. A screening opinion is currently being considered by the Local Planning Authority. The application site is a parcel of land located to the east of the B5108 highway. The site is currently accessibly from the south by an existing access. A new access is proposed at the north of the site directly onto the B5108 highway.

The application site has an existing club house to the south which has been unused for a number of years. The chalets are proposed at the north part of the site whilst the leisure building is proposed to the south. A landscaping scheme has been submitted as part of the proposal which spread across the application site and other land within applicant's ownership.

Key Issues

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, amenity of the area and highway safety.

Policies

Joint Local Development Plan

Policy ISA 4: Safeguarding Existing Open Space
Policy PCYFF 2: Development Criteria
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 6: Water Conservation
Policy PCYFF 5: Carbon Management
Strategic Policy PS 14: The Visitor Economy
Policy TWR 3: Static Caravan and Chalet Sites and Permanent Alternative Camping Accommodation
Policy TRA 1: Transport Network Developments
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
Policy AMG 5: Local Biodiversity Conservation
Policy TWR 4: Holiday Occupancy
Technical Advice Note 5: Nature Conservation and Planning (2009)
Technical Advice Note 12: Design (2016)
Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)
Technical Advice Note 13: Tourism (1997)
Technical Advice Note 18: Transport (2007)
Technical Advice Note 23: Economic Development (2014)
Planning Policy Wales (Edition 10, December 2018)

Policy ISA 4: Safeguarding Existing Open Space

Response to Consultation and Publicity

Consultee	Response
CADW Welsh Historic Monuments	Proposed development would not have an impact upon any nearby Scheduled Monument.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection to the proposed development.
Cynghorydd Ieuan Williams	Referred to the Planning and Order Committee for determination. Concerns raised with respect to the effect upon the landscape, over provision of holiday accommodation within the area, traffic and highway safety.
Cynghorydd Vaughan Hughes	No Response
Dwr Cymru/Welsh Water	Conditional Approval
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Proposed landscaping scheme will bring biodiversity enhancements.
Iechyd yr Amgylchedd / Environmental Health	Conditional Approval Recommended. Proposed development does not however comply with the requirement separation distances within the Caravan Sites and Control of Development Act 1960.
Uned Datblygu Economaidd / Economic Development Unit	No Response
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Conditional Approval
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval Recommended
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	Concerns raised with respect traffic, highway safety and over provision of holiday accommodation within the area.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	The main JLDP policy relevant to the proposed development is TWR3. The acceptability of the development in question will depend on whether it accords with the listed criteria.
Cynghorydd Margaret Murley Roberts	Application referred to the Planning and Orders Committee for determination.
Adain Dechnegol (Draenio) / Technical Section (Drainage)	Greater detail of disposal of surface water is required.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditions recommended to ensure that the proposed landscaping scheme is implemented and thereafter managed in accordance with an approved scheme.

The application was afforded three means of publicity; these were by the posting of a notice near the site, the serving of personal notification on the owners / occupiers of neighbouring properties and the placing of an advert within the local press. The publicity process was carried out on two separate occasions following amended plans being received. The latest date of receipt of representations was the 08/02/2019. At the

time of writing this report fifteen representations had been received at the department. The main points raised are summarised below:

- Proposal promotes active lifestyles / recreational activity / well being.
- The application site is currently a blight on the landscape and will adversely impact the residential amenity of surrounding properties.
- Proposal would improve and promote the Welsh Language.
- Proposal is an improvement to existing traffic situation.
- Proposal would create a number of new jobs.
- No such complex within the area which will bring an economic benefits.
- The additional landscape is a positive, bringing biodiversity benefits.
- Landscaping at the site would ensure noise generated from the proposed use would not have a significant impact upon neighbouring properties.
- Proposed development would change the character of the area and have a negative impact upon the area.
- Concerns regarding increase in noise
- Concerns regarding increased traffic and highway safety.
- Concerns regarding surface water and sewerage system.
- Concerns that the proposed development would have a 12 month residency stipulation.

In response to the concerns raised, the Authority comments as follows:

- The chalets proposed are considered high quality. Landscaping is also proposed which would ensure that the development would not be out of character and have a negative impact.
- Given distances to neighbouring properties together with existing and proposed mitigation i.e. landscaping it is not considered the proposed development would have a negative impact upon the amenity of nearby residential properties.
- The Local Highway Authority are satisfied with the proposal subject to conditions.
- Welsh Water is satisfied with the proposal subject to conditions. A porosity test has been undertaken to demonstrate that ground conditions are suitable for surface water soakaways. The Authority is currently assessing a porosity test.
- Conditions will be imposed to ensure that the units will be used as holiday accommodation.

In addition, a statutory public consultation process has been carried out and a Pre-Application Consultation (PAC) report submitted as part of the application.

Relevant Planning History

30C225: Estyniad i'r clwb ynghyd a chodi byngalo i'r gofalwr yn / Extension to existing club together with erection of a steward's bungalow at Sportsfield, Benllech. Finally Disposed Of – 09/12/2007

30C225A: Estyniadau i greu fflat i Stiward y Clwb, bowlio "ten pin", rinc sglefrio, ystafelloedd ffitrwydd, cawodydd, llecyn lluniaeth, ystafell snwcr ac estyniad i'r ystafell clwb yn / Extensions to form Club Steward's flat, ten pin bowling, skating rink, fitness and shower rooms, refreshment area, snooker room and club room extension at the Sports Club, Bwlch. Approved – 10/09/1991

30C225B: Cais am ganiatad dros dro i gynnal 35 sel cist ceir rhwng 1 Mai a 30 Medi ar dir / Application for temporary permission to hold 35 car boot sales between 1 May and 30 September on land at Tree Tops Country Club, Bwlch, Benllech. Approved – 15/03/1999

30C225C: Cais am ganiatad i ddal 35 sel cist car rhwng 1af o Fai a 30fed o Fedi bob blwyddyn ynghyd a cadw newidiadau i'r fynedfa bresennol yn / Application for permission to hold 35 car boot sales between 1st May and 30th September in each year together with the retention of the alterations to the existing access at Treetops Country Club, Benllech. Refused – 16/07/2004

30C225D: Cais i ofyn am ganiatad i gynnal 35 sel cist car rhwng 1af i Fai a 30ain o Fedi pob blwyddyn ar dir yn / Application for permission to hold 35 carboot sales between 1st May and 30th September in each year on land at Treetops Country Club, Benllech. Approved – 09/06/2005

30C225E/ECON: Cais llawn ar gyfer cynlluniau diwygiedig i godi estyniad i ddarparu cyfleusterau hamdden ychwanegol ac annedd rheolwr cafodd eu caniatáu dan cais rhif 30C225A yn / Full application for the amended plans for proposed extension to provide additional leisure facilities and manager's flat previously approved under ref 30C225A at Treetops Country Club, Benllech. Approved – 24/07/2006

30C225F: Codi balconi ynghyd a darparu man chwarae i blant yn / Construction of a balcony and provision of children's play area at Treetops Country Club, Benllech. Approved – 24/05/2007

30C225G: Cais i ddiwygio amod rhifau (02) ac (04), a dileu amod (07) oddi ar gais rhif 30C225D yn / Application for variation of condition (02) and (04), and deletion of condition (07) of application ref 30C225D at Treetops Country Club, Bwlch. Finally Disposed Of – 16/04/2010

30C225H/AD: Codi 50 hysbysffwrdd o amgylch y cae rygbi yn / Erection of 50 advertisement boards around the rugby field at Treetops, Bwlch. Approved – 01/02/2012

30C225J - Cais llawn ar gyfer gwaith dymchwel rhannol i'r strwythur presennol ynghyd â gwaith altro ac ehangu sy'n cynnwys ymestyn y balconi presennol yn / Full application for the part demolition of the existing structure together with alterations and extensions which includes extending the existing balcony at Treetops Country Club, Tynyngongl. Approved 5/12/2017.

SCR/2019/8 - Barn sgrinio ar gyfer lleoli 25 o gabanau gwyliau ynghyd â chyfadeiladau hamdden a ffyrdd mynediad cysylltiedig yn / Screening opinion for the siting of 25 holiday chalets together with leisure complex and associated access roads at Treetops, Benllech - Currently Undetermined

Main Planning Considerations

The outline application is for the siting of 25 holiday chalets together with a leisure complex and associated access roads. Details of access, landscaping and layout have been included as part of the application. Indicative plans have been submitted with respect to the appearance and scale of the proposed chalet and leisure complex.

The proposed development comprises of 11 number of two bed units (upper limits of 8.4 metres x 9.4 metres and 3.65 metres high) and 14 number of three bed units (11.5 metres x 12.5 metres and height 3.65 metres height) chalets. The proposed units are considered in line with the definition of a chalet described within planning policy TWR3 of the Joint Local Development Plan.

The proposed leisure complex will be located at the south part of the site, within close proximity of the existing access and clubhouse. The maximum dimensions are proposed 34.6 metres x 19.2 metres and a maximum height of 4.2 metres. The Leisure Complex will include a gym, swimming pool and spa facilities.

A landscaping scheme is proposed as part of the proposal which includes planting between the units together with woodland planting proposed around the site boundary. This will enhance the existing mature trees which bound the majority of the site.

Since its initial submission, the site layout has been amended and an additional landscaping scheme has been submitted as part of the proposal.

Policy Considerations:

The application site is located in the open countryside, outside any defined development boundary. The site is a former playing field which is also located outside the Area of Outstanding Natural Beauty (AONB) and the Special Landscape Area (SLA).

When considering the principle of the development reference is made to Policy TWR3 of the Joint Local Development Plan.

Policy TWR3 states that proposals for the development of new static caravan (i.e. single or twin caravan), holiday chalet sites or permanent alternative camping accommodation will be refused within the Anglesey Coast Area of Outstanding Natural Beauty and the Special Landscape Areas. In other locations proposals for new static caravan or holiday chalet sites and permanent alternative camping accommodation will only be granted where it complies with all of the following three criteria:

i. It can be demonstrated that it doesn't lead to a significant intensification in the provision of static caravan or chalet or permanent alternative camping sites in the locality

In order to determine if the proposal would lead to an intensification in the provision of static caravan, chalets or permanent camping accommodation reference is made to the Anglesey Landscape Sensitivity and Capacity Study (March 2014). Within the study each Landscape Character Area (LCA) has been assessed to provide guidance in relation to the sensitivity of the landscape and assess the capacity for further caravan/chalet park developments; the proposed site is located within LCA 9 (*Red Wharf Bay*).

In respect of this LCA, the Study states that the indicative overall capacity in LCA9 "Outside the AONB and SLA it is considered there may be some capacity for sensitive sited and well – designed very small to small scale developments, which should relate well to the existing built environment / urban land cover". The study defines very small development as up to 10 units and small developments as 11-25 units. In all cases development should avoid the undeveloped coastal edge and its immediate setting.

Although table 2.11 (Static Caravan/Chalet Park Development Typologies) of the Anglesey, Gwynedd and Snowdonia National Park Landscape Sensitivity Study (March 2014) indicates that a scheme of about 10 holiday units would be more acceptable on a 1 hectare size site, this is only an approximation.

Following assessing the context of the site, amended layout together with the observations of the Built Environment section who raise no objection to the proposal, it is considered that 25 units are acceptable within this location.

ii. That the proposed development is of a high quality in terms of design, layout and appearance, and is sited in an unobtrusive location which is well screened by existing landscape features and/or where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape.

National planning policy guidance states that the effect of a development proposal on wildlife or landscape can be a material planning consideration. An unobtrusive location is defined in the JLDP as one which is well screened by existing landscape features and/or where units can be readily assimilated into the landscape without the need for excessive man made features.

Indicative plans have been submitted as part of the application, which suggests that the design and layout of the proposed chalets and leisure complex is of high quality.

The site is part of a playing field/recreation ground adjacent to the B5108 and visible to pedestrian and vehicular traffic from the B5108 and Lôn Bwlch. The site backs onto a piece of mostly hazel woodland which slopes upwards to the east and encloses the site from this aspect. There are some roadside deciduous trees of mixed species on the B5108 and a line of conifers on Lôn Bwlch. The conifers are incompatible with the deciduous trees and woodland locally, particularly in the winter months and provide little low level screening.

Following the submission of a landscaping scheme which will further aid to mitigate the development, it is considered that the proposed development would be unobtrusive within its location and does not significantly harm the visual quality of the landscape.

The landscape officer has raised no objection to the proposal and considered that the development complies with the requirements of PCYFF4, TWR3 and AMG3 of the JLDP.

iii. That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features.

Part 3 of policy TRA1: Transport Network Developments, states that proposals for large-scale development or developments in sensitive areas that substantially increase the number of journeys made by private vehicles will be refused unless they include measures as part of a Transport Assessment

National planning guidance stipulates, where appropriate, new developments should be accessed by various modes of transport. Paragraph 4.7.7 of PPW states that in rural areas the majority of new

development should be located or adjacent to settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole.

Paragraph 3.15 of Technical Advice Note (TAN) 18: Transport, states that tourism proposals, particularly in rural areas, should demonstrate access by a choice of modes to avoid locking in the requirement for travel by car, and, in rural areas a lack of public transport access needs to be balanced against the contribution tourism makes to the rural economy in the specific area.

Paragraph 3.11 states that development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. The JLDP has sustainable development at its core, therefore consideration needs to be given as to whether this development embodies the principles of sustainable development given its location, scale and the lack of public transport links.

The application site is approximately 50 meters from Tyn y Gongl (on the B5108 which has a pavement on the opposite side of the road) and 250 metres from Bwlch.

The site is located immediately adjacent to the B5108 highway. A new access to the site is proposed at the western part of the site, leading from the highway.

The site is considered to be in a sustainable location, located within close proximity to the National Cycle Network and existing public transport links. Two bus stops are located adjacent to the site.

The Local Highway Authority have assessed the application including the Transport Statement submitted as part of the application and are satisfied with the proposal subject to conditions.

Welsh Language Statement:

Policy PS 5 states that all proposals should protect, support and promote the use of the Welsh language. Policy PS1 provides a framework to consider how proposed developments achieve this. The policy requires developers to submit a Welsh Language Statement with any proposed retail, industrial or commercial development covering an area of 1,000m.sq or more as the case with this application. In accordance with the requirements of the Policy the applicant has submitted a Welsh Language Statement as part of the application's Planning Statement.

The Local Planning Authority have assessed the document and is satisfied that that the risk of the development in itself having a substantial negative impact on the language of the community is low.

Former Playing Field

Policy ISA4: Safeguarding Existing Open Space of JLDP states that proposals that will lead to the loss of existing open space will be refused unless they conform to one of the criteria listed in the policy. The site is no longer used as a playing field and the clubhouse has been redundant for a number of years. It is therefore considered that the proposal complies with criteria ii of the policy which states that the long term requirement for the facility has ceased.

Effect upon Amenities of Neighbouring Properties:

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 is 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.

The nearest dwellinghouse is Tyddyn Tudur approximately 70 meters west from the nearest proposed unit.

Given due consideration to these distance together with the existing landscaping between other dwellinghouses it is not considered that the proposed development would affect the amenities of neighbouring residential amenity to such a degree to warrant refusal of the application.

Other Matters:

Policy TWR3 of the JLDP allows either Static Caravans or Chalets to be considered acceptable under the policy. The proposed units under consideration are Chalets, which has been defined within the policy. The Caravan Sites and Control of Development Act 1960 (as amended by the Caravans Sites Act 1968) which require specific separation distances between units are not applicable to chalets and only relates to Static Caravans.

Conclusion

It is considered that the application will bring economic benefits to the area which can be supported by local and national planning policy, in particular TWR3 of the JLDP. It is not considered that there will be a significant intensification in the provision of such sites within the area and that the proposal is of high quality, located in a unobtrusive location providing adequate access onto a main highway network.

The amenities of the area and neighbouring properties have been taken into account, however it is not considered that the proposed development will harm the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application.

Various material considerations have been considered and assessed by the specialist Officers of the Authority who have not raised an objection to the scheme subject to a satisfactory porosity test (currently being considered by the Authority) and various conditions. It is recommended that the application be approved.

Recommendation

(01) The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To prevent the accumulation of planning permission: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990

(02) Details of the appearance and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is for outline planning permission.

(03) Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990.

(04) 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 Plan - 2492:17:1c

Proposed Hard standing Plan with Drainage - 2492:17:15d
Proposed Holiday Lodge Development Soft Landscape Proposals - 09/105/03 v1.1
Proposed Site Plan with Drainage - 2492:17:3m
Proposed Bin and Recycling Stores - 2492:17:16

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

(05) The units shall only be used for holiday accommodation and shall not at any time be used as permanent premises.

Reason: To define the scope of this approval.

(06) The owners/operators shall maintain an up to date register of the names of all owners/occupiers of individual units on the site and of their main home addresses and shall make this information available to the Local Planning Authority within 14 days of being requested by the Local Planning Authority.

Reason: To ensure the approved holiday accommodation is not used for unauthorised permanent.

(07) No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

(08) The site shall be landscaped strictly in accordance with Ark Company Dwg.No. 09/105/03 v1.1 in the first planting season after completion or first use of the development, whichever is the sooner. The landscaping scheme shall be retained for lifetime of the development hereby approved. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the carrying out of the landscaping scheme, shall be replaced by plants of the same specification within 12 months.

Reason: In the interest of visual amenity

(09) A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the units on the site. The landscape management plan shall be carried out as approved.

Reason: In the interest of visual amenity

(10) No development (including trial pitting, site clearance 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 Local 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 Local Planning Authority within six months of the completion of the archaeological fieldwork.

Reason:

1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2018 and TAN24: The Historic Environment.

2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

(11) Only foul water from the development site shall be allowed to discharge to the public sewerage system and this discharge shall be made at/ or downstream of manhole chamber reference SH50827601 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

(12) The access shall be laid out and constructed strictly in accordance with the submitted plan (reference number 2492:17:3m) before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

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

(13) 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 comply with the requirements of the Local Highway Authority.

(14) 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 operational before the use hereby permitted is commenced.

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

(15) 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 comply with the requirements of the Local Highway Authority.

**(16) No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:
The parking of vehicles for site operatives and visitors
Loading and unloading of plant and materials
Storage of plant and materials used in constructing the development
Wheel washing facilities (if appropriate)
Hours and days of operation and the management and operation of construction and delivery vehicles.**

Reason: To comply with the requirements of the Highway Authority to ensure reasonable and proper control is exercised over construction activities in the interests of road safety.

(17) No development shall commence until full details for the location and construction specification of a new pedestrian footway along the public highway from the application to the existing bus stop has been submitted and approved in writing by the Local Planning Authority. The footway must be completed in accordance the approved detail before the use hereby approved is commenced.

Reason: In the interest of highway safety

(18) No development shall commence until a management and maintenance plan for the drainage system has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall demonstrate how its operation is secured for the lifetime of the development. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the site is adequately drained.

(19) 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 Local Highway Authority.

(20) Construction works shall only be carried out between the hours of 08:00 - 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No works shall be carried out on Sunday or Bank Holidays.

Reason: In the interest of amenity

(21) Full details of all external lighting proposed to be used on the development shall be submitted to an approved in writing by the Local Planning Authority before building or other operations start. Such details shall include the following:

- **That all lights shall be directed onto the application site only and not onto any surrounding land or properties.**
- **Full details of all lights including luminaire, lamp, beam widths and any anti-glare hoods to be used.**
- **A report on any light spillage (including lux levels) onto any surrounding land or properties arising from the external lighting proposed.**

No external lighting other than that approved under this condition shall be used on the development. The external lighting approved shall be installed in strict accordance with the details approved in writing by the Local Planning Authority.

Reason To safeguard the amenities of occupants of the surrounding properties.

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.

Application Reference: FPL/2018/57

Applicant: Anwyl Homes

Description: Cais llawn ar gyfer codi 46 o dai ynghyd a chreu mynedfa newydd ar dir ger / Full application for the erection of 46 dwellings together with the creation of a new vehicular access on land adjacent to

Site Address: Parc Tyddyn Bach, Caergybi / Holyhead



Report of Head of Regulation and Economic Development Service (David Pryce Jones)

Recommendation: Caniatáu / Permitted

Reason for Reporting to Committee

The planning application has been called to the planning committee by a local member. The Committee, at its meeting held on 6th March 2019, resolved to visit the site which took place on the 20th March 2019.

Proposal and Site

This is major planning application made for 46 dwellings on agricultural land adjacent to the north west of the existing Annwyl site at Tyddyn Bach which is partly completed and occupied with construction ongoing on other parts of the site. Access would be via this existing Tyddyn Bach site onto the roundabout on South Stack Road. The proposal is made for 2 storey detached and semi-detached properties of 2, 3 and 4 bedrooms with associated estate roads, parking and drainage works. As part of the proposal an open space area is proposed on the northern part of the development. As part of the determination process amended plans were received which changed the house type and relocated on some dwellings proposed in proximity to the Waenfawr Estate and Monfa which faces onto South Stack Road.

To the west of the application site there are existing residential properties at the Waenfawr Estate. To the south of the application site there are also residential properties which face onto the South Stack Road including the Gwel y Mynydd Estate. To the south there is also the site of the former Llaingoch Primary School.

Key Issues

- Principle of Residential Development
- Relationship with Adjacent Properties
- Ecology and Biodiversity Considerations
- Consideration of the impact on the Setting of the AONB
- Highway Considerations and Sustainable Transport

Policies

Joint Local Development Plan

The following is a list of the main planning policies relevant to the proposal:

Anglesey and Gwynedd Joint Local Development Plan 2011 – 2026

PS 1: Welsh Language and Culture

ISA 1: Infrastructure Provision

ISA 5: Provision of Open Space in New Housing Developments

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable Development

PS 6: Alleviating and Adapting to the Effects of Climate Change

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PCYFF 6: Water Conservation

TAI 1: Housing in Sub Regional Centre & Urban Service Centres

TAI 8: Appropriate Housing Mix

TAI 15: Affordable Housing Threshold & Distribution

AMG 1: AONB Management Plans

AMG 3: Protecting and Enhancing Features and Qualities that are distinctive to the local Landscape Character

AMG 5: Local Biodiversity Conservation

PS 19: Conserving and where appropriate Enhancing the Natural Environment

Planning Policy Wales (Edition 10 December 2018)

Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)
Technical Advice Note 5 (TAN): Nature Conservation and Planning (2009)
Technical Advice Note Wales TAN 11 Noise (1997)
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)

Supplementary Planning Guidance Affordable Housing (2004)
Supplementary Planning Guidance IOCC Design Guide for the urban and Rural Environment (2008) "SPG Design Guide"
Supplementary Planning Guidance Parking Standards (2008)
Supplementary Planning Guidance Planning Obligations (Section 106 Agreements) (2008)
Supplementary Planning Guidance Housing Mix (October 2018)

Anglesey AONB Management Plan 2015-2020 "AONB Management Plan"

Response to Consultation and Publicity

Cynghorydd Glyn Haynes: I would like to call in Planning Consultation FPL/2018/57 for determination by the Planning and Orders Committee please.

The reason for the call in is that there are concerns from local residents at the Waenfawr Estate which will be backing on and adjacent to the proposed development in relation to possible flooding issues which may arise from the stream which runs nearby to their estate during and after development of the proposal.

Also, there are concerns from residents over the privacy of their homes especially in light of the 2 storey houses which will be overlooking their properties and that access to their estate might be seen as a 'short cut', I understand that a screening in the form of trees is proposed but this may not be adequate for privacy and that some sort of fencing in addition to the trees might be more appropriate.

Finally, there are known badger sets in the locality of the proposal and concerns are raised in relation to the welfare of the badgers and environmental concerns to them if they are relocated.

Cynghorydd Robert Llewelyn Jones: No observations received.

Cynghorydd Shaun James Redmond: No observations received.

Cyngor Tref Caergybi / Holyhead Town Council: No observations received.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: Key policy considerations are described including the fact that the application site is allocated for housing purposes in the JLDP. It is queried why the number of the units does not attain the 49 units forecast in the JLDP having regard policies which seek to ensure an efficient use of land (30 units a hectare) and the consequent effect of the 5 year housing land supply. Considerations are also described which seek to ensure that the housing mix of the development are appropriate have regard to the relevant policy considerations including consideration of the need for a Welsh Language Statement. It is also explained that in terms of the 4 affordable housing units that these need to be provided on a social rented basis but that this is lower than the expected figure of 4.6. Have also confirmed that the Open Space Assessment identified that there was a deficiency of outdoor sports provision within the locality (based on the Fields in Trust (FiT) benchmark standards). Based on the FiT standards the recreational needs for sports provision of the proposed development is 0.16ha. The applicant has provided an open spaces as part of the development site which will meet this deficiency.

Pennaeth y Gwasanaeth - Prifffyrdd / Head of Service - Highways: No objections conditional permission.

Adain Dechnegol (Draenio) / Technical Section (Drainage): Requested additional information which is awaited at the time of writing.

Dwr Cymru Welsh Water: Indicate that discussions are ongoing with the developer to establish an appropriate method to drain foul flows from the development. On this basis a condition precedent

requiring a comprehensive drainage scheme to be approved prior to the commencement of the development is recommended.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor "EEA": In terms of reptiles Reasonable Avoidance Measures RAM's are required as part of a Construction Environmental Management Plan "CEMP", recommendations in relation to badgers should be followed and included as part of a CEMP, scrub removal and hedgerow enhancement, mitigation measures in relation to bats, reptiles and birds, biosecurity and enhancement measures which have all been agreed can be dealt with by way of planning conditions.

Cyfoeth Naturiol Cymru / Natural Resources Wales: No objections, considerations in relation to the development are described and of note it is stated that there is a historic landfill in proximity and the advice of the council's Environmental Health.

Adran Tai / Housing Services: Have detailed the housing need for the area based on the housing waiting list and the Tai Teg Register and states that there is a demand for 2 and 3 bedroom affordable housing in the area which is not being met. On the basis of the policy requirement for 10% of the units would be affordable 4 of the units should be affordable with a pro rata payment also be made for 60% of the value of a residential unit.

Education - Head of Service: Would not seek a contribution towards education at Ysgol Cybi or Holyhead High School as capacity already exists in these establishments.

GCAG / GAPS: No significant archaeological issues.

Environmental Health: Consideration in relation to working hours, pneumatic rock machinery and contaminated land (having been consulted on the NRW comments on the landfill in proximity) are described.

The planning application is a major application which has been advertised by way of press, site notices and adjacent properties were notified in writing of the proposed development. Amended plans were also received which were described in the introduction of this report and the period for making representations on these latest plans expired on 30.04.2009. At the time of writing two objections on the following grounds have been received:

- Scale of the development.
- Houses nearest Waenfawr Estate should be bungalows.
- Proposal would intrude on the amenities of adjacent resident properties.
- Impact on the views from adjacent residential properties.
- Impact of the development on the amenities of the area.
- This is an AONB.
- Wildlife considerations including badgers and water voles.
- Destruction of a greenfield site.
- Open space will not benefit existing residents.
- Extent of the proposed landscaping buffer along the western boundary of the application along the brook on the border of the Waenfawr Estate is not clear. Also what provision will be made for the maintenance of the brook.
- Flooding.
- Surface water attenuation measures are queried.
- Mitigation of disruption from building work.
- An increase in the number of vehicles using the local highway network will result in a safety hazard.

Relevant Planning History

19C608F Outline planning application for residential development together with the Construction of a new vehicular and pedestrian access, conditionally approved 05.09.07

19C608R - Full application to amend the layout of plots 8-17, 29, 31, 37, 38, 44-45, 52-56, 72-74, 78, 82-83, 85-87, 89, 92, 96, 101-122 together with the parking layout of previously approved application

19C608K/DA (Detailed application for the erection of 123 houses together with the Construction of a new

vehicular and pedestrian access) Conditionally approved 05.12.16. This report was also approved subject to a legal agreement requiring affordable housing provision in the planning permission to align with the resolution made under reference 19C608Q.

19C608U Full application to amend the layout of plots 42-45, 48-54, 60-63, 66-67, 79, 82-83, 102-103 and 119 of previously approved application 19C608K/DA and 19C608R (Detailed application for the application for the erection of 123 houses together with the construction of a new vehicular and pedestrian access). Granted conditionally 10.10.2017.

19C608G Outline application for residential development together with the Construction of a new vehicular and pedestrian Access Split decision, that part of the site outside the settlement boundary is refused and the remainder of the site is conditionally approved, 05.09.07.

19C608K/DA Detailed application for the erection of 123 houses together with the Construction of a new vehicular and pedestrian Access Conditionally approved 01.07.08. This planning application contains the approved the phasing plan.

19C608N Application for a certificate of lawfulness to show that a material start has been made on planning permission 19C608k/DA on land at Tyddyn Bach – Lawful Use approved 7/8/12

19C608Q Application for the modification of planning obligation (affordable housing provision) under section 106A of the Town and Country Planning Act 1990 which is attached to planning permissions 19C608F and 19C608G to reduce the number of affordable dwellings from 37 (30%) to 18 (15%) Granted 06.12.16.

Main Planning Considerations

Principle of Residential Development The enquiry site is located on an allocated site (T13) within the settlement boundary of Holyhead under the provisions of PCYFF 1 and the principle of residential development is therefore acceptable and aligns with policy TAI 1.

The proposal is made for 46 units whereas it is estimated in the JLDP that the enquiry site could accommodate 49 units (based on 30 a hectare). As per the comments of the JPPU Consideration needs to be given to any justification provided by the applicant for any local circumstances or site constraints that justifies a lower density otherwise the proposal is not in line with policy PCYFF 2 of the JLDP. In this case it is considered that the density is acceptable given the considerations which are described in more detail in relation residential amenity, ecology and landscaping considerations described in the report below.

Policy TAI 8 of the JLDP in essence requires that the mix of housing in a development are appropriate and align with the need of the area. In terms of the mix of housing proposed units the proposal is made for 2 storey detached and semi-detached properties of 2, 3 and 4 bedrooms predominantly for sale on a market basis and justification for this mix has been received from the applicant. Policy TAI 15 requires that part of the proposed development is provided for affordable housing purposes and in Holyhead this equates to 10% of the overall number of units which equates to 4.6 units. Four of the units would be affordable purposes social rented purposes (two 2 bedroom and two 3 bedroom) and this align with demand identified by the council's Housing Section for affordable housing purposes. As part of any approval granted a payment equal to 60% of the cost of an affordable social rented housing unit would also be required to be paid to the council as part of a legal agreement to be completed as part of any planning permission granted.

Relationship with Adjacent Properties The proposal will need to comply with the council's SPG Design in terms of the proximity of development to prevent overlooking and other unacceptable impacts particularly on existing properties in proximity. As explained in the introduction of this report plans were received which changed the house type and relocated on some dwellings in proximity to the Waenfawr Estate and Monfa which faces onto South Stack Road. The proposal subject to this planning application are

considered to align with the recommended distances from existing properties. It is material in this regard that the existing residential properties to the west at the Waenfawr Estate have rear gardens which are of limited length and that the layout of the proposed dwellings nearest to this boundary takes this into account by providing satisfactory distances from these boundaries. The retention of the existing hedge and the provision of an additional landscaping buffer along with a screen fencing along this boundary will also further mitigate the impacts of the outlook of these existing dwellings, and the details of these measures will be secured by way of a planning condition. The impact of the proposed development on views from these and other existing dwellings is not a matter which can be attributed significant weight in the determination of this planning application.

In terms of the impact of the proposed development on the residential amenities of adjacent residential and other properties it is considered that this can be satisfactorily regulated by the use of a CEMP which will regulate working times and so on.

Ecology and Biodiversity The planning application is accompanied by an EEA which considers the effects of the development on protected sites and species and includes mitigation and enhancement measures in the construction and following the completion of the development. As detailed in the consultation response the council's Ecological and Environmental Adviser is satisfied with the proposed development subject to conditions in relation to the considerations listed which encompass the construction in the form of a CEMP condition and longer term management measures. These comments take into account the presence of protected species including considerations of routes used by badgers across the application site. It is clarified that badgers will not be translocated as part of the development since there are no setts on the application site and that mitigation in this regard has already been undertaken as part of the first phase of the development which is under construction.

The landscaping scheme proposed particularly along the western boundary as detailed in the comments of the EEA would include indigenous species which would provide an enhancement of the type required under the Environment (Wales) Act 2016.

Highway Considerations and Sustainable Transport The planning application is accompanied by a Transport Assessment which includes consideration of travel other than by means of private car in accordance with TAN 18 and includes measures to improve and promote connectivity. Objections have been received to the development on the grounds of highway impact.

The council's Highways Section having considered these considerations raises no objections to the proposal. It is also material that since the proposal is a housing allocation in the JLDP that its development for housing would have been subject to assessment as part of the JLDP process. On this basis the proposal is considered acceptable subject to the conditions recommended by the council's Highways Section.

Consideration of the impact on the Setting of the AONB The AONB is located around a mile away (or 1.5km) to the west of the application site. Policy AMG 1 states that proposals must where appropriate have regard to the relevant AONB Management Plan and there are also statutory requirements in this regard. The AONB Management Plan requires assessment of proposals within 2km of the AONB. In this instance given the distance from the AONB and the intervening urban uses between the development and the AONB it is not considered that the proposal affects the setting of the AONB. In addition a landscaping buffer is also proposed along the western boundary of the application site which will screen views of the development in views from the AONB.

Other Matters Policy ISA 5: of the JLDP requires that new housing proposals for 10 or more dwellings in areas where existing open space cannot meet the needs of the proposed development, will be expected to provide suitable open space provision in accordance with the policy. Comments are provided by the JPPU which indicate that the large green area provided as part of the development will meet the identified deficiency and a legal agreement has been recommended to ensure that this area is retained and maintained for these purposes.

At present foul drainage from the development would be discharged to the pumping station approved as part of the first phase of this development. Surface water would be disposed of via a sustainable drainage system which includes attenuation measures. In terms of foul and surface water drainage it is apparent that discussions are ongoing as regards the most appropriate means of foul drainage from the development but that Welsh Water are content subject to the planning condition recommended below. At present the council's Drainage Section have requested further information but again it is anticipated that a planning condition will be adequate once the additional information has been received. As the scheme includes surface water attenuation measures which will restrict the surface water discharge rate it is not considered that the development will exacerbate the flooding of the brook referred to in the objections. Any landscaping buffer approved along the western boundary should also make provision for maintenance of the brook and an informative has been recommended in this regard.

NRW have indicated that there is a former waste disposal site in vicinity of the proposed development and recommended that the council's Environmental Services are consulted. Given these matters in accord with the comments of Environmental Services a contaminated land condition has been recommended to be attached to the planning permission.

A Welsh Language Statement would not be required in connection with the proposal under the provisions of policy PS 1 as the number of units proposed would not exceed the indicative housing provision for Holyhead and as detailed in the report officers are content with the housing mix proposed as part of the development.

The council's Education Section as regards has confirmed that no contribution will be required towards an education contribution.

Conclusion

The proposal is allocated for residential purposes in the JLDP and the principle of residential development is clearly acceptable as are the other material considerations described in the report subject to the legal obligations and conditions recommended. Drainage matters are ongoing but it is anticipated from enquiries that these matters can be dealt with by way of planning conditions.

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more prosperous and resilient Wales in terms of the economic and biodiversity improvements being proposed as part of the development. In addition given that affordable housing will be secured as part of the proposal it is considered that the proposal will result in a more equal and cohesive Wales.

Recommendation

That planning permission is approved subject to the completion of a legal agreement containing the following obligations.

Affordable Housing – Provision of four (2 two bedroom and 2 three bedroom) social rented affordable housing units. Payment to be made to the Isle of Anglesey Council equivalent to the value of 60% of the value of a social rented three bedroom house in Holyhead.

Open Space – The areas identified on the proposed plan as an Open Space and an Informal Green Space shall be provided for use for these purposes in accordance with a timetable to be approved in writing by the local planning authority and thereafter retained for these purposes. Details of the maintenance and long term management of these areas including associated boundaries shall be approved by the Local Planning Authority prior to their use.

Badger Scheme – A scheme indicating and providing full specifications of all access points to the development to be formed to maintain the ability of badgers to transect the application site to and from their foraging grounds in accord with the Extended Phase One Survey and Planning Application

Assessment (EDC – 0527-Phase Two – South Stack Eco Report-v1a) shall be submitted prior to the commencement of the development hereby approved, to be agreed in writing by the LPA. The Badger Scheme shall include a timetable for its implementation, provision for monitoring, recording and adaption/enhancement measures, following the implementation of the Badger Scheme. The Badger Scheme shall also include provision for the long term maintenance and management of all badger access points.

Thereafter that planning permission is granted subject to the following planning conditions.

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

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

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the approved plans, and contained in the form of application and in any other documents accompanying such application as listed below, unless specified otherwise in any conditions of this planning permission:

**Location Plan AH013 LP01 A
Landscape LDS386-02B
Engineering Plan 7143 – P01 C
South Stack Further Phases October 2018 rev A
Proposed Planning Layout AH013 PL01 P7
Extended Phase One Survey and Planning Application Assessment (EDC – 0527-Phase Two – South Stack Eco Report-v1a)
Phase 1 Extended Survey SS – 01 A
Water Efficiency Statement (October 2018) Waterco Consultants
Transport Statement (October 2018) Focus Transport Planning
Geo-Environmental Investigation Report (October 2018) REFA Consulting Engineers
Flood Statement (November 2018) Waterco Consultants
Design and Access Statement (November 2018) Astle Planning & Design Ltd
Tree Survey LDS386-01A
Tree Survey Report LDS386(A)-TSR
Landscape Specification LDS386(B) - LS**

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

(03) No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence, until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted, has been submitted to and approved in writing by the local planning authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found, until an additional scheme of remediation has been submitted to and approved in writing by the local planning authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

Reason To ensure that any contaminants present are remediated given the presence of a historic landfill in proximity.

(04) Each part of the site subject to the remediation under the scheme(s) approved as part of planning condition (insert number) shall not be occupied/used, until a Validation Report has been

completed in respect of that part of the site and this has been submitted to and approved in writing by the Local Planning Authority.

Reason To ensure that any contaminants present have been remediated to safeguard occupants and users of the development.

(05) No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

(06) Notwithstanding the details shown on the Engineering Plan 7143 – P01 C no development shall take place until details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. The proposed development shall be constructed with the approved slab and ground levels.

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

(07) No development shall commence until full details of all external materials (including roofing materials) and finishes (which shall include such details for all building(s)), Hard Landscaped Areas, engineering operations and all other works associated with the development) which shall include colours, construction details (where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The details approved under this condition shall be implemented in full and adhered to in the completion of the development hereby approved. Hard Landscaped Area means drives, paths and other permeable or hard surfaced areas.

Reason: In the interests of visual amenities of the locality.

(08) The provisions of Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded on plots 18, 21, 22, 23, 24, 25, 26, 38 and 46.

Reason In the interests of the amenities of the existing residential properties in proximity.

(09) No development shall take place until full details of a scheme indicating all of the proposed means of enclosure around and within the application site whether by means of walls or fences has been submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed or erected prior to the occupation of the dwelling(s) to which it relates and it shall thereafter be retained in the lifetime of the development hereby approved and any replacement wall or fencing shall be to an equivalent specification.

Reason To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to protect the amenities of adjacent residential properties.

(10) Planting to the northwest boundary of plots 18 – 26 inclusive shall be landscaped strictly in accordance with Landscape Plan – LDS 386-02B and Landscape Specifications – LDS 386 (B) – LS within 12 months of the commencement of development. The remainder of the site shall be landscaped strictly in accordance with Landscape Plan – LDS 386-02B and Landscape Specifications – LDS 386 (B) – LS within 12 months following completion, or first use of the development, whichever is the sooner. Trees and hedges that form of part of the landscaping

scheme shall be retained for lifetime of the development hereby approved. Any trees or hedge plants that are found to be dead, dying, severely damaged or diseased within five years of the carrying out of the landscaping scheme, shall be replaced by plants of the same specification within 12 months.

Reason In the interests of the visual amenities of the area and to secure an ecological enhancement.

(11) Hedges H3 and H13 shown on Tree Survey LDS386-01A shall be retained and protected by appropriate fencing during the course of the development hereby approved "Fenced Area". The Fenced Area shall be erected prior to the commencement of the development and shall be maintained in the duration of the development of the Open Space and plots 18, 43, 44, 45 and 46 including associated roads and other infrastructure. Ground levels within the Fenced Area shall not be altered, nor shall any excavation be made.

Reason In the interests of the visual amenities of the area and biodiversity.

(12) The application site shall be developed strictly and entirely in accord with the Extended Phase One Survey and Planning Application Assessment (EDC – 0527-Phase Two – South Stack Eco Report-v1a).

Reason: In the interests of ecology.

(13) 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 the construction of the development and, as a minimum, shall include detail of:

The sustainability of the construction methods to be employed;

Full specification(s) of external lighting (if any)

Working hours during the construction

Dirt and dust control measures and mitigation

Noise, vibration and pollution control impacts and mitigation;

Water quality and drainage impacts and mitigation.

Precautionary reasonable avoidance measures "RAMS" for protected species.

Existing hedge and tree protection measures.

Height, specification and colour of safety all fencing and barriers to be erected in the construction of the development hereby approved.

Monitoring and compliance measures including corrective/preventative actions with targets in the CEMP which shall accord where relevant with British Standards.

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

Reason: To safeguard against any impact the construction of the development may have on the environment, landscape, local ecology and local amenity.

(14) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the local planning authority, 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 timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on access routes to the site, particularly in regard to nearby schools;**
- (iii) Measures to minimise and mitigate the risk to road users on the existing phase 1 development including non-motorised users;**
- (iv) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (v) The arrangements for loading and unloading and the storage of plant and materials;**
- (vi) 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.

(15) Nobody will be permitted to occupy any dwelling erected as part of the development until parking spaces for the properties have been constructed.

Reason: In order to ensure that the development does not lead to any road / parking problems.

(16) The estate roads and footpaths must be completed to an asphalt basecourse level and the work of installing street lighting should be completed and operational before anybody moves in to any of the dwellings they serve.

Reason: In order to ensure that the development does not lead to any road / parking problems.

(17) Development work will not commence until the arrangements for the provision of a management and maintenance scheme regarding the road system, the footpaths and the surface water drainage system for the lifetime of the development have been submitted to and approved in writing by the local planning authority. Such details must include the adoption arrangements by any public authority or statutory undertaker or other arrangements to ensure that the plan will be implemented and maintained throughout its lifetime.

Reason: In order to ensure satisfactory and safe 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.

Application Reference: FPL/2019/13

Applicant: Mr Idwal Hughes

Description: Cais llawn ar gyfer codi sied amaethyddol i gadw anifeiliaid a storio peiriannau a bwyd ynghyd a adeiladu trac mynediad llain caled ar dir ger / Full application for the erection of an agricultural shed for the housing of livestock and the storage of machinery and fodder together with the construction of a hard standing access track on land adjacent to

Site Address: Mast Teleffon/Telephone Mast, Nebo



Report of Head of Regulation and Economic Development Service (Iwan Jones)

Recommendation: Gwrthod / Refused

Reason for Reporting to Committee

Application has been called to the Planning and Orders Committee for determination by Local Member Richard Owain Jones

At the committee meeting held on the 3rd April, 2019, it was resolved that a site visit was required. The site visit took place on the 17th April, the Members are now aware of the site and its settings.

Proposal and Site

The site is located in the open countryside outside of Nebo adjacent to the Television Station Mast. The proposal entails the erection of an agricultural shed for the housing of livestock and the storage of machinery and fodder together with the creation of an access track.

Key Issues

The key issues to consider are whether there is sufficient justification for the proposed shed for agricultural purposes and visual impact.

Policies

Joint Local Development Plan

Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy AMG 2: Special Landscape Areas

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Griffiths	No Response
Cynghorydd Aled Morris Jones	No Response
Cynghorydd Richard Owain Jones	Request that the application is called into the Planning and Orders Committee for determination.
Cyngor Cymuned Llanelilian Community Council	Concerns regarding location of proposed shed and its impact upon the AONB.
Ymgynghorydd Tirwedd / Landscape Advisor	No clear opportunity to integrate the development into the site as required under the Joint Local Development Plan. It is considered that the site cannot accommodate further development without additional harm to the landscape.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	The proposed planting will lead to a biodiversity gain which is welcomed.
Iechyd yr Amgylchedd / Environmental Health	Conditions Proposed
The Highway Service	Conditions Proposed

The application was afforded two means of publicity; these were by the posting of a notice near the site and the serving of personal notifications on the owners of neighbouring properties. The publicity process was carried out on two separate occasions following further information being received which subsequently changed the description. The latest date for the receipt of representations is the 05/04/2019. At the time of writing the report no representations had been received at the department.

Relevant Planning History

24C331 - Full Planning - Cais llawn ar gyfer codi adeilad amaethyddol ar gyfer cadw anifeiliaid a storio peiriannau a bwyd ynghyd a chreu trac mynedfa ar dir ger / Full application for the erection of an

agricultural building for the housing of livestock and the storage of machinery and fodder together with the creation of an access track on land adjacent to - Mast Teleffon / Telephone Mast, Nebo - Refused
04/07/2016

24C331A - Full Planning - Cais llawn ar gyfer codi adeilad amaethyddol ar gyfer cadw anifeiliaid a storio peiriannau a bwyd ynghyd a chreu trac mynedfa ar dir ger /Full application for the erection of an agricultural building for the housing of livestock and the storage of machinery and fodder together with the creation of an access track on land adjacent to - Mast Teleffon / Telephone Mast, Nebo - Refused
18/08/2016

24C331B - Full Planning - Cais llawn ar gyfer codi sied amaethyddol i gadw peiriannau amaethyddol ar dir ger / Full application for the erection of an agricultural shed to store agricultural machinery on land adjacent to - Mast Teleffon/Telephone Mast, Nebo - Withdrawn 30/08/2018

Main Planning Considerations

Justification:

Three previous applications have been submitted at the site for the erection of an agricultural shed. With exception to a withdrawn application, the other two applications were refused due to insufficient justification.

The general principle of development for agriculture purposes is accepted within local and national planning policies provided development can be justified. The acceptability of the proposed development thus depends on detailed development control criteria. The proposed agricultural building is measured at 6 meters (width) x 9.6 meters (length) and 5.2 meters (ridge height). The scale has been reduced from previous applications.

The purpose of the shed is for the housing of livestock and the storage of machinery and fodder. The applicant owns 2.37 hectares of land. No evidence of the agricultural use made of the land and the need for an agricultural shed of this size has been submitted as part of the application. The applicant has confirmed he currently does not own animals, however requires the shed to house potential future livestock. Based upon the above, it is considered there is no justification for an agricultural building in this location.

Visual Impact:

The site is an agricultural enclosure in an elevated location (approximately 160 metres AOD) with views to the coast. This is an open landscape with little vegetation to enclose fields and development. The telecommunication mast at Nebo is conspicuous in distant views from surrounding landform and highways. Other built development is prominent locally and in the absence of topographical or landscape features poorly integrated into the landscape.

The application site is located within the Special Landscape Area of Parys Mountain and adjoining the Area of Outstanding Natural Beauty.

It is considered that the site is within a prominent location and although adjacent masts are detracting features, it remains a sensitive location with natural beauty most evident in views towards the coast.

Landscaping is proposed as screening on the access and surrounding the building. This is an open and exposed location and landscaping as proposed is unlikely to establish here within a reasonable timeframe or reach proportions that would screen this development. In addition the location of the site would not - even if landscaped, make this an inconspicuous development or well integrated into the site.

From local routes the proposal is likely to be seen as a skyline feature located close to the top of this landform and locally interfere with the coastal view to the north. Other views towards the site will depend on intervening hedgerows/roadside boundaries and it will become distinctly less visible outside a range of 250 metres.

Residential Amenity:

Due to the distance to neighbouring properties, it is not considered that the proposal will unacceptably effect the residential amenity of adjoining properties.

Conclusion

No justification has been submitted as part of the proposal to demonstrate that the building as proposed is reasonably necessary in terms of its size, location and use in association with any agricultural use of the unit.

The site is located within a prominent location with no clear opportunity to integrate this development into the site. Although local landscape value is reduced by telecommunication and energy infrastructure and is visually obtrusive; however, it is not considered that the site can accommodate more development without additional harm.

Recommendation**Refusal**

(01) The applicant has not demonstrated that the building as proposed is reasonably necessary in terms of its size, location and use in association with any agricultural use of the unit. The proposal is therefore contrary to policy PCYFF 3 of the Joint Local Development Plan and the advice contained within Technical Advice Note 6: Planning for Sustainable Rural Communities (2010) and Planning Policy Wales Edition 10.

(02) The Local Planning Authority considered that the proposal would constitute development which would result in an unjustified and prominent feature in the landscape to the detriment of the character of the area contrary to policy PCYFF4 and AMG2 of the Anglesey and Gwynedd Joint Local Development Plan and advice contained within Planning Policy Wales Edition 10.