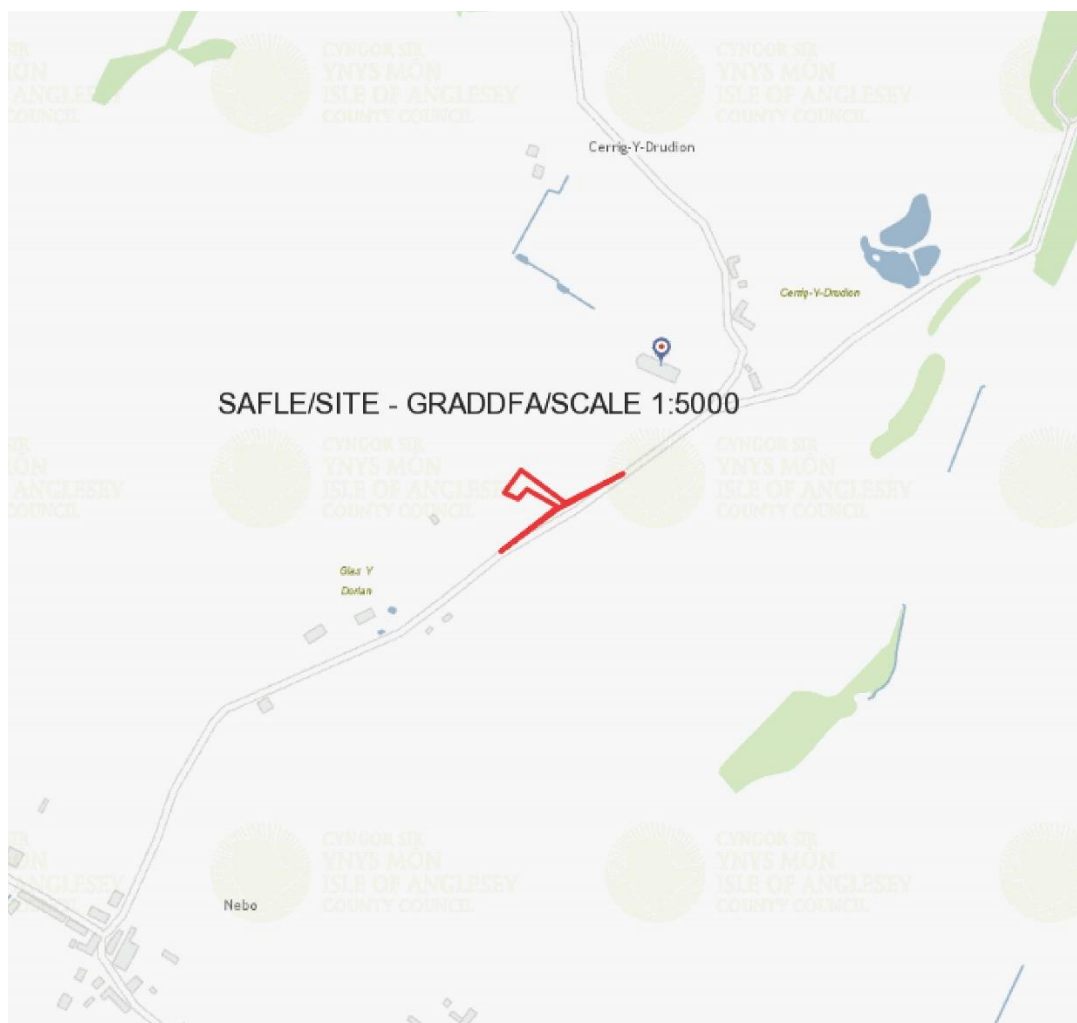


Application Reference: FPL/2019/13

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.

The Planning Committee resolved to approve the application contrary to officer recommendation at its meeting held on the 1st May, 2019.

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 Llanelian 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 mac - Mast Teleffon / Telephone Mast, Nebo

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 mach - Mast Teleffon / Telephone Mast, Nebo

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

Main Planning Considerations

The application is presented to the Planning and Orders Committee at the request of the Local Member.

At its meeting held on the 1st May, 2019 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

The proposed development is justified and complies with Policies PCYFF4 and AMG2 of the Joint Local Development Plan.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

i) Justification for the erection of the shed for the purposes of the housing of livestock and storage of machinery and fodder.

The applicant owns 2.37 hectares of land. No evidence of agricultural use made of the land or the need for an agricultural shed has been submitted as part of the application.

Granting planning permission on this basis would set a dangerous precedent without clear certainty that the applicant would purchase animals in the future.

The Local Planning Authority considers there has been insufficient justification submitted a part of the proposal to demonstrate that the building as proposed is reasonably necessary in term of its size, location and use in association with any agricultural use of the unit.

The proposal is therefore considered 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.

ii) The proposed development would not result in an unjustified prominent feature in the landscape to the determinant of the character of the area contrary to policy PCYFF4 and AMG2 of the Joint Local Development Plan.

The planning history of the site does not indicate that land has been previously developed such as to be classed as brownfield land.

The definition of previously developed land as stated in Planning Policy Wales Edition 10 'is land which is or was occupied by a permanent structure (excluding agricultural or forestry buildings) and associated fixed surface infrastructure'.

It is not considered that the application site falls within the definition of previously developed land.

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

The site is located in an elevated position with views to the coast. It is considered that the proposed development would not maintain, enhance or restore the recognised character and qualities of the Special Landscape Area contrary to policy AMG2 of the Joint Local Development Plan.

Although it is acknowledged that other developments closely located to the application site are larger in scale and do potentially have a greater impact upon the landscape, the application is nevertheless located within a sensitive location.

Although a landscaping scheme has been proposed as part of the application, the application site is within an open and exposed location and as such the proposed landscaping scheme 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.

Policy PCYFF 4 of the JLDP requires that all proposal should integrate into their surroundings. For the reasons stated above, it is considered that even with the landscaping scheme being established the proposed development would not respect nor protect the local and strategic views and would fail to integrate into its surroundings.

Conclusion

It is not considered that the reason put forward are material planning consideration of such significant as to outweigh the policy objections, given the insufficient justification and negative impact upon the landscape.

It is considered that the granting of this permission would set a dangerous precedent which would lead to further similar applications being granted.

Recommendation

(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.

Planning Committee: 05/06/2019
Application Reference: FPL/2018/57

7.2

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.

The applicant requested that the planning application was deferred at the last Planning Committee in May whilst they addressed matters in relation to the housing mix and drainage.

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 is awaited at the time of writing. 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 garden 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 accord 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 raise 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 accord 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 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. As explained in the report additional information is awaited in terms of the housing mix of the development and 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.

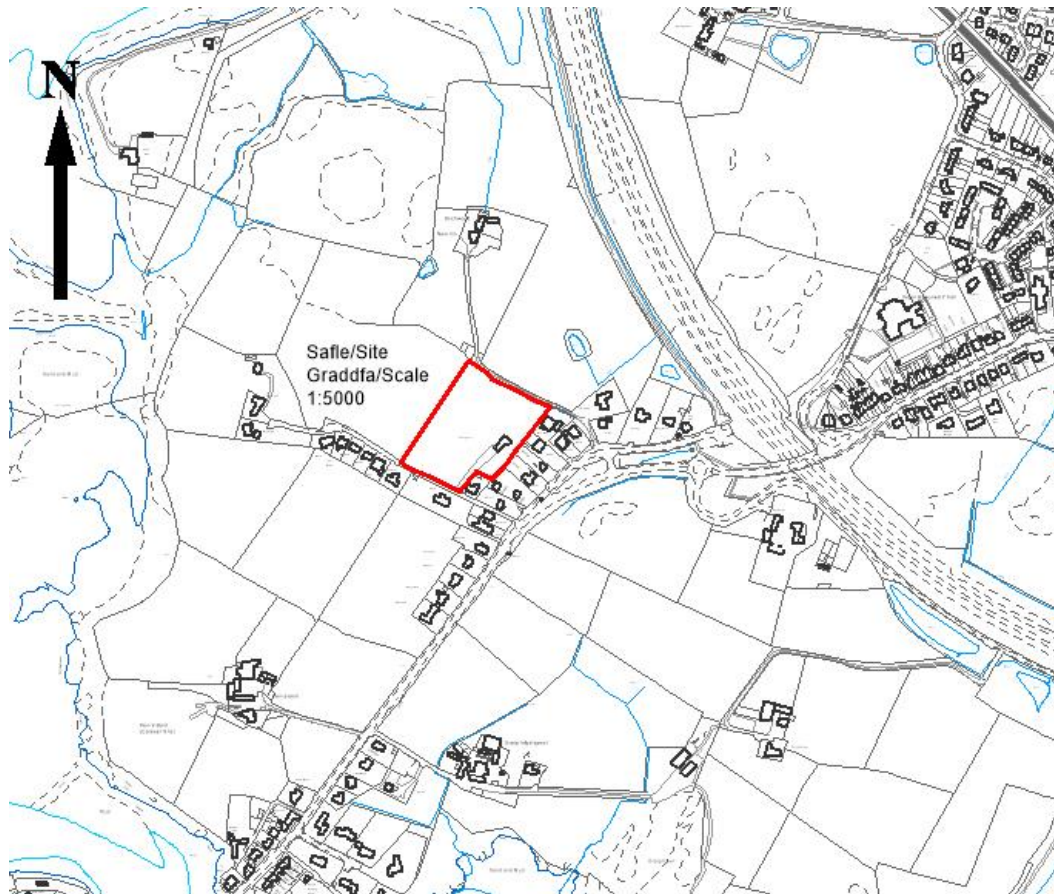
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2018/52

Applicant: Holyhead RFC

Description: Cais llawn ar gyfer codi adeilad ystafell newydd a tŷ clwb i Clwb Rygbi Caergybi yn / Full application for the erection of a new changing rooms and club house for Holyhead Rugby Club at

Site Address: Clwb Rygbi Caergybi / Holyhead Rugby Club, Ffordd Bryn Y Mor Road Y Fali / Valley



Report of Head of Regulation and Economic Development Service (Owain Hughes)

Recommendation: Caniatáu / Permitted

Reason for Reporting to Committee

The planning application has been called to the planning committee due to concerns about the development's relationship with adjacent residential properties and highway / traffic concerns.

The site was visited on the 18/04/2018 and Members will now be familiar with the site and its surroundings.

Proposal and Site

The existing rugby club lies within Bryn y Môr cluster in Valley village. The site is within the Area of Outstanding Natural Beauty.

The proposed development is for the demolition of the existing changing room together with the erection of a new changing room and club house in lieu. The existing changing rooms are temporary buildings and are in a poor state. Additional parking provision is also created as part of the planning application.

Since the original submission, amended plans and additional information have been received at this department. The additional information submitted was the Planning Statement, whilst the plans have been amended to change the colour of the proposed building and the showing of the parking arrangement within the proposed site plan

Key Issues

The key issue is whether the proposed scheme is acceptable in terms of planning policies and whether the proposed development may impact the surrounding amenities and neighbouring properties.

Policies

Joint Local Development Plan

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy ISA 2: Community Facilities

Technical Advice Note 12: Design (2016)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Planning Policy Wales (Edition 10, December 2018)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Dew	<p>I wish to refer this application to the Planning Committee.</p> <p>The reasons being:</p> <p>The proposed development is adjoining residential properties and will have an effect on their amenities due to its scale and proposed social use.</p> <p>The access to the proposed development is a single track lane and would be unsuitable when considering the probable increase in traffic.</p>
Cynghorydd Gwilym O Jones	<p>I wish to refer this application to the Planning Committee for the following reasons.</p> <p>The narrow road leading to the development would be unsuitable for the potential increase in traffic.</p>

	<p>The proposed development is very close to neighbouring houses and it is felt that it would have an effect on the amenities of the residents due to its scale and social use.</p>
<p>Cyngor Cymuned Y Fali / Valley Community Council</p>	<p>Objection to the proposed development due to the following:</p> <ul style="list-style-type: none"> • Location • Site Area / Size Area • Existing Use • Pedestrian and Vehicle Access • Vehicle Parking • Flood Risk • Biodiversity and Geological Conservation • Foul Sewage • Waste Storage and Collection • Non-residential floorspace • Hours of Opening <p>Since the planning application has been amended, community council still have concerns being:</p> <ul style="list-style-type: none"> • Parking – the access to the site is narrow and cannot be widened. The proposed car park would not be suitable for coaches • Little evidence that those who use the site will be travelled by train and buses. And the pedestrian access to the club is narrow which has no pavement. • Location of parking spaces are within an area which is regularly flooded. • Anti-social behaviour from the proposed bar area and at a future date, an application for licensed premises for the consumption of alcohol will be made. <p>on of soakaways.</p> <p>Biodiversity and Geological Conservation - Area is known to provide habitat for great crested newts.</p> <p>Foul Sewage - Sewage may not be able to cope with the added pressures associated with an increase in sewage.</p> <p>Waste Storage and Collection - No references on the drawings</p> <p>Non-residential floorspace - A total increase of 404 metre square</p> <p>Hours of Opening - Unreasonable amount of noise and anti-social behaviour. Potential licence for the sale of alcohol.</p>
<p>Priffyrdd a Trafnidiaeth / Highways and Transportation</p>	<p>Comments - conditions</p>
<p>Environmental Health</p>	<p>Comments - Informative</p>
<p>Adain Dechnegol (Draenio) / Technical Section (Drainage)</p>	<p>Comments - conditions</p>
<p>Dwr Cymru Welsh Water</p>	<p>Comments - conditions</p>

Cyfoeth Naturiol Cymru / Natural Resources Wales	Comments - condition relate to Reasonable Avoidance Measures with respect to Newts
Ymgynghorydd Tirwedd / Landscape Advisor	Meets the expectations of highest standard of design within the AONB following amended plans.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments - conditions
Ymgynghorydd Treftadaeth / Heritage Advisor	No heritage asset would be affected by the proposed development.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments relating to policy ISA 2 of the Anglesey and Gwynedd Joint Local Development Plan

The application was afforded two means of publicity. These were by the placing of a notice near the site and serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was the 05/04/2019. At the time of writing this report, the department have received 31 letters of representations.

Their concerns were:

- Access
- Parking
- Noise
- AONB
- Great Crested Newts
- Licence to sell alcohol and use the building during night time
- Out of character

The concerns raised above will be address within the main section of the report.

Relevant Planning History

49C33 - Cadw ystafell newid / cyfarfod dros dro yn Clwb Rygbi Caergybi / Holyhead Rugby Club, Bryn y Môr, Y Fali / Valley - Caniatau / Approved - 07/02/1986

49C33A - Dymchwel yr ystafelloedd newid presennol ynghyd a chodi ystafelloedd newid, cawodydd, toiledau a cegin newydd ar dir yn / Demolition of existing changing rooms together with the erection of new changing rooms, showers, toilets and kitchen on land at Clwb Rygbi Caergybi / Holyhead Rugby Club, Bryn y Môr, Y Fali / Valley - Caniatau / Approved 15/04/1991

49C33B - Cais i gadw un portacabin a un cynhwysydd ar dir yn/Retention of one portacabin and one container on land at Clwb Rygbi Caergybi / Holyhead Rugby Club, Bryn y Môr, Y Fali / Valley - Caniatau / Approved - 11/11/2010

Main Planning Considerations

The proposal is for the demolition of the current changing rooms together with the erection of a new changing room and clubhouse in lieu. The existing changing rooms are a temporary structure and are currently in a poor state. There is one rugby pitch on site.

It is considered that the proposed building complies with the relevant planning policies – the main one being policy ISA 2 (Community Facilities) of the Anglesey and Gwynedd Joint Local Development Plan. Policy ISA 2 states that

- they are located within or adjoining development boundaries or they are located outside development boundaries but within clusters where the proposal will provide an essential facility to support the local community

- ii. in the case of new buildings, that the local community's needs cannot be satisfied through the dual use of existing facilities or the conversion of existing buildings;
- iii. where the proposal is for a facility being relocated, it can be demonstrated that the existing site is no longer suitable for that use
- iv. the proposal is of an appropriate scale and type compared to the size, character and function of the settlement
- v. the proposal is easily accessible by foot, cycle and public transport.

This is an existing playing field for the purpose of the rugby club. The site has been used as a rugby field for many years. The use of the site will not be changed as part of this planning application. This application is submitted to improve the existing facilities for the players – the numbers of members are 250. The agent confirms that the bar / social area is to be used for usual post-match food and drink consumption by players and supporters and not as a stand-alone party venue. A planning condition will be imposed with respect to its usage, to ensure that the use of the building shall not be used other than the purpose of rugby club.

The existing facilities on site comprises 2 changing rooms and a shower room which measures 114 metre square. The proposed new building measures 31.5 metres by 17.3 metres with a height of 3.7 metres (to the eaves). The proposed building will have a flat roof. This gives a total floor area of 554.95 metre square. The proposed new building will have a kitchen area, social area, bathroom, equipment store, 4 changing room (each will have space for 22 players), 2 referee changing rooms and a plant room. The social club and kitchen area will face the rugby field whilst the changing rooms are situated at the rear (facing the dwelling houses).

The agent has stated that the current rugby club has approximately 250 members (70 female members, 180 male members and 75 junior members). The kitchen area will allow the club to serve drinks and snacks following the games or during events such as annual General Meetings or Award Ceremonies. With respect to selling of alcohol, the club will need a Licence from Trading Standard to sell and serve alcohol.

Highway Issues: As part of the planning application, new parking spaces will be created. As indicated on the proposed site plan, there will be 75 parking spaces, which is an increase of 50. The Highway Authority raises no concerns about the development as the use of the site as a rugby club already exist. A Construction Traffic Management Plan and Operational Phase Traffic Management Plan condition will be imposed on the decision notice. The Operations Phase Management Plan will bring controls in relation to matches and events at the site to ensure traffic issues are mitigated. Currently, the site is unregulated through condition.

AONB: The Landscape Advisor raises no concerns about the proposed development and is satisfied with the proposed materials which have been amended from a white render to grey to mitigate effect on the AONB by being less prominent. It is not considered that the proposed development will impact the status of AONB to such a degree to warrant a refusal. It is considered that the design of the proposed new building is an improvement to the site.

Ecology : Natural Resource Wales and the Ecology Advisor also raise no objection to the proposed development subject to a planning condition requiring reasonable avoidance measures during construction to safeguard newts.

Welsh Water raises no concerns about the proposed development.

Drainage: The site is not within a flood zone. With respect to surface water, a condition will be imposed to ensure that the site is adequately drained.

Residential Amenity: It is not considered that the proposed development will impact the surrounding amenities nor any neighbouring properties to such a degree to warrant a refusal. The use of the site already exists. There are currently no restrictions or controls over the matches such as highway concerns

and the use of the site raised by neighbouring occupiers. The recommendation includes conditions with the aim of mitigating impacts on residential amenities.

Technical Advice Note 11 (Noise) states 'the impact of noise from sport, recreation and entertainment will depend to a large extent on frequency of use and the design of facilities'. It goes further to state 'Local planning authorities should consider whether proposals for new noise-sensitive development would be incompatible with existing activities, taking into account the likely level of noise exposure at the time of the application and any increase that may reasonably be expected in the foreseeable future'. As the proposed scheme sees an increase in the scale of the building, a condition is proposed in relation to the use of the building. Currently there are no restrictions. In addition to this, a planning condition is proposed with respect to acoustic fencing along the dwelling house boundaries in order to alleviate any potential noise impact. There is boundary treatment between the rugby club and the existing residential dwellings. It is considered that by imposing the above conditions, noise concerns will be mitigated.

It is considered that the proposed development complies with the planning policy ISA 2 of the Anglesey and Gwynedd Joint Local Development Plan. The agent has provided justification for its scale. It must be noted that there is an existing use of the site as a rugby training ground and for matches. There are no current restrictions on site in terms of access, parking, noise and opening times – within this planning application these matters can be controlled and better managed.

Conclusion

The proposed development is considered acceptable to the Local Planning Authority.

Recommendation

(01) The development shall begin not later than five years from the date of this decision.

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

(02) No development shall commence until a scheme of Reasonable Avoidance Measures in relation to Great Crested Newts is submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved scheme.

Reason: To safeguard protected species on site.

(03) 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 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.

(04) The development hereby approved shall not be brought into operation until there has been submitted to and approved in writing by the Local Planning Authority, an Operational Phase Traffic Management Plan (OTMP). The OTMP shall include;

(i) Measures to communication to Club Members and users of the facility of the available parking spaces on site. Such members shall include club publicity and signage on site as appropriate. Club members and visitors shall be required not to park on the access road.

(ii) Measures to community to visiting clubs of the available parking spaces on site. Visitors shall be encouraged not to park on the access road.

(iii) Measures to communicate to visiting clubs of the unsuitability of the access road for coaches. Visiting coaches shall be requested to drop off passengers at the nearby Bus Stop before departing to a suitable parking area and return to collect passengers from the Bus Stop prior to departure.

The operation of the development shall be carried out in accordance with the approved Plan.

Reason: To ensure reasonable and proper control is exercised over traffic associated with the operation of the development in the interests of highway safety.

(05) No development shall take place until drainage details for the site, to include measures for their future maintenance has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the scheme has been implemented and it shall thereafter be managed and maintained in accordance with the approved details. The scheme shall include:

(i) a timetable for its implementation

(ii) a management and maintenance plan for the lifetime of development which shall include the arrangement for adoption by any public body or statutory undertaker, or any other arrangements to secure its operation.

Reason: To ensure that the development is adequately drained.

(06) No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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.

(07) The building hereby approved shall only be used by members of the rugby club operating from the site.

Reason: To define the scope of this permission.

(08) No use of the building shall take between the hours of 22.00 p.m. and 10.00 a.m.

Reason: In the interest of residential amenities.

(09) No use of the building shall take place until full details (to include colour, materials and height) of an acoustic fence to be erected along the point A-B shown on the attached plan (drawing reference EL (9-) 01) is submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timetable for its erection. The fence shall thereafter be retained in perpetuity and any or repair shall be of the same specification as that approved under this condition.

Reason: In the reason of residential amenities.

(10) 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 - EL (--) 01**
- **Proposed Block Plan - EL (9-) 01 Revision B**
- **Proposed Elevation Plan - EL (2-) 02 Revision A**
- **Proposed Floor Plan - EL (2-) 01 Revision A**
- **Drainage Layout - EL (95) 01**
- **Planning Statement**

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: AMG 1, AMG 3, PCYFF 3, PCYFF 4, ISA 2

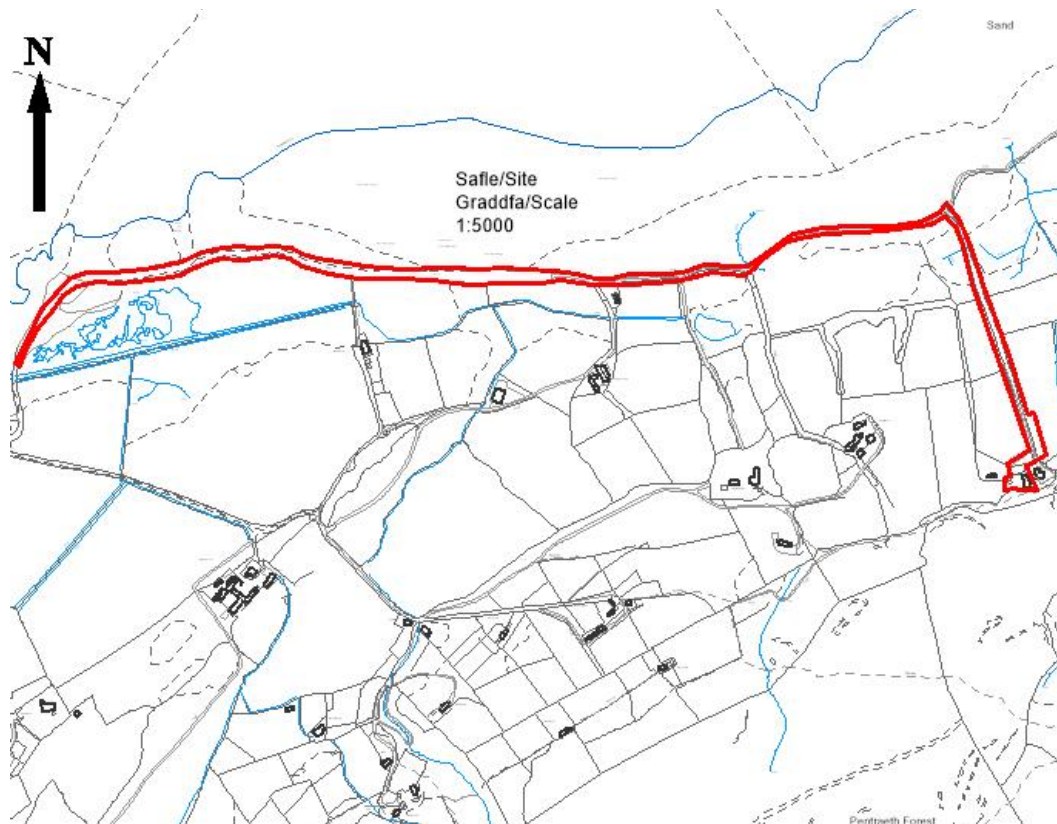
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2019/31

Applicant: Mr & Mrs A Davies

Description: Cais llawn ar gyfer newid defnydd adeilad allanol yn uned gwyliau ynghyd a gosod tanc septig newydd yn / Full application for the conversion of an outbuilding into a holiday letting unit together with the installation of a new septic tank at

Site Address: Ty Mawr, Pentraeth



Report of Head of Regulation and Economic Development Service (Sion Hughes)

Recommendation: Gwrthod / Refused

Reason for Reporting to Committee

The application was called in to committee by Councillor Ieuan Williams to ensure policy compliance.

At the committee meeting held on the 1st May, 2019, it was resolved that a site visit was required. The site visit took place on the 15th May, the Members are now aware of the site and its settings.

Proposal and Site

The site is located in the open countryside flanking Pentraeth forest and forms a part of a small group of dwellings, the majority of which have been disused until recently. Access is afforded to the site via a single track lane which is in poor condition and a large part of which crosses Pentraeth beach. It is noted from a recent site visit that access is not possible at high tide using the access given as a part of the Red Line. The outbuilding is thought to have been erected pre 1840 and is of local architectural and historic interest. The design is traditional in nature, being entirely one storey in nature with lime rendered walls and a mixture of roofing materials including asbestos corrugated sheeting and slate. A number of small extensions have been added to the building since its erection which is obvious from the breeze block/brick construction which sharply contrasts to the stone construction of the main body of the outbuilding.

The proposal is for the conversion of the outbuilding to provision a 4 bedroom holiday unit together with significant alterations and extension to the building to allow the above. Foul water would be dealt with via the installation of a septic tank whilst the water will be supplied by a newly laid mains water connection.

An application for conversion has previously been refused on the site in 2018 on the ground of excessive scale.

Key Issues

The key issue of proposal is whether or not the scheme would comply with the relevant policies and if the scale of the scheme would damage the character of the building which is of local interest and importance. It must also be considered what impact the scheme would have upon the adjacent residential property.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Technical Advice Note 12: Design (2016)
Technical Advice Note 23: Economic Development (2014)
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)
Policy TWR 2: Holiday Accommodation

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Treftadaeth / Heritage Advisor	Supportive from a conservation perspective providing it complies with relevant policies.
Cynghorydd Vaughan Hughes	No response
Cynghorydd Ieuan Williams	Wishes to call in application to ensure compliance with policies.
Cynghorydd Margaret Murley Roberts	No response
Cyngor Cymuned Pentraeth Community Council	No comment

Ymgynghorydd Tirwedd / Landscape Advisor	<p>The outbuilding is located close to the dwelling and remain visually part of this context from the sensitive viewpoint above. There would be no increase in ridge height (although it would be two storey in nature), and the extension should not be visible from the WCP in the image below (the site is not visible from other points on the WCP). It may be visible from wider views where distance would hide design details. Light spill may result in low-light conditions. From the WCP to the rear, where views are largely enclosed by vegetation, the development would not harm wider natural beauty; however at this much closer distance, details of design, materials and appearance will be obvious.</p> <p>Heritage comments do not consider policy issues or design guidance. The Built Environment is listed a special quality of the AONB and Management Plan and the value of the building noted in Heritage/Conservation comments. Design guidance in 5.1 https://www.anglesey.gov.uk/documents/Docs-en/Planning/Planning-policy/Supplementary-Planning-Guidance-Design/Design-in-the-Urban-and-Rural-Built-Environment-Conversions.pdf notes that only minor external alterations unless it leads to significant enhancement of the building's appearance. The glazed elevation of the two storey extension would be hidden from the WCP, or substantially so. It is a matter for your judgement as to whether the design is acceptable as amended, given the AONB policy requirement for high quality in order to enhance special qualities – in this instance the (agricultural) Built Environment.</p>
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	License required from NRW
Priffyrdd a Trafnidiaeth / Highways and Transportation	No response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Concerns have been raised in relation to the schemes compliance with national as well as local policy. Satisfied with business plan.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Does not object. Bat and foul sewage license required
Iechyd yr Amgylchedd / Environmental Health	Informative
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection

Publicity was given to the application via the posting of personal letters to the occupiers of the neighbouring properties together with a site notice which was placed on the nearest post to the site. The latest date for representations was the 15/03/2019. At the time of writing this report, no letters of

representation had been received at this department and it is not thought that the proposal as presented would affect any neighbouring properties to a degree that would warrant forming a part of the refusal.

Relevant Planning History

FPL/2018/5 - Full application for the conversion of outbuilding into holiday let together with installation of a new septic tank at Ty Mawr, Pentraeth. Refused 8/1/2019.

Main Planning Considerations

Effect upon character of the building - Purely from a design perspective, it is deemed the character would be maintained as traditionally used materials are utilised such as slate and lime render. Whilst modern design aspects are implemented in the scheme such as timber cladding and large glazed gables, it is deemed by the Authority Heritage adviser that it would not damage the character of the outbuilding to an extent that would form a part of the refusal.

Scale - The scale of the proposal is considered excessive with a large proportion of the outbuilding to be demolished and rebuilt as a two storey section to the front elevation. The building in its current form has a volume of approximately 377 m3 which does not include the outdoor toilet, store or lean to as these would not be suitable for conversion and would be unable to be utilised in the scheme due to their construction or absence of roof or walls being to an usable height. The proposal as currently presented has a volume of approximately 786 m3 which is a little over double the existing volume. Whilst it is noted that the increase in footprint is small, the two storey proportion of the building adds considerable volume and scale which would be to the detriment of the buildings character and appearance. To the rear section of the side elevation, a large extension is proposed to provision an additional bedroom. There is currently a small partly built extension in this location, however it is not considered as existing footprint due to its unsuitability for conversion. The existing partly built extension has no roof and has only been built 2 blocks high therefore would not be possible to utilise in its current form. Section 3.2 of TAN 23 relates to the re-use of existing rural buildings and states a positive approach to conversion is expected on the basis the following criteria is met:

- they are suitable for the specific use;
- conversion does not lead to dispersal of activity on such scale as to prejudice town and village vitality;
- their form, bulk and general design are in keeping with their surroundings;
- imposing conditions on a planning permission overcomes any planning objections, for example on environmental or traffic grounds, which would otherwise outweigh the advantage of re-use;
- if the buildings are in the open countryside, they are capable of conversion without major or complete reconstruction;
- conversion does not result in unacceptable impacts upon the structure, form, character or setting where the building is of historic and / or architectural interest.

The scheme would not comply with the majority of the above points. Whilst the building has been demonstrated by the accompanying structural report/ecological survey/business plan to be suitable for conversion to holiday use, the extent of the work required to alter the building provides clear evidence it is not suitable for the specific use of a 4 bedroom unit. The accompanying document do however support the use of the building for a unit with less bedrooms and reconstruction. Whilst the form and design of the building is considered in-keeping with its surroundings, the bulk is far out of context and in its current form would dwarf the existing building, adjoining farmhouse, newly permitted neighbouring replacement dwelling and adjacent bungalow. Whilst it is appreciated the scheme would only incur a modest increase in footprint, the two storey proportion would see an disproportionate increase in scale and volume to the building.

The building is located within the open countryside and the Anglesey Area of Outstanding Natural Beauty, some way away from the development boundary of Pentraeth at a distance of 2.3km. The proposal as presented would require major reconstruction of the building with a large proportion of it being demolished together with 2 large extensions which as described by TAN 23 is unsuitable for this rural location. Policy TWR 2 of the Anglesey and Gwynedd Joint Local Development Plan states proposals for conversion of

existing buildings into self serviced holiday accommodation will be permitted providing the development is appropriate in scale and makes use of a suitable previously developed site. The scale and extend of the works required under the scheme are not appropriate in consideration of the nature of the proposal to convert the outbuilding. The suitability of the site is doubted in light of the reconstruction work required and therefore contrary to TWR 2.

The above raised issues support the notion that the scheme would unacceptably impact the form and structure of the building and would see a major reformation of the character of the building which is viewable from both ends from public rights of way in the Anglesey Area of Outstanding Natural Beauty.

Residential Amenities - It was previously thought that the adjacent Ty Mawr dwelling was abandoned and would not be affected by the proposal as it was in the ownership of the applicant, however the planning department has received an application for alterations and extensions to the Ty Mawr dwelling on the 22/05/2019 and correspondence with the Authority Council Tax department has revealed the dwelling has valid residential status and was sold on by the applicant in February 2019 which was after the receipt of this conversion scheme and initial site discussions with the applicant. The dwelling is now in new and separate ownership with intentions to use it residentially which is made obvious from the householder application to renovate the property.

The dwelling in its present and proposed form includes utility/hall windows on the ground floor and a bedroom window on the first floor which would directly face the proposed bedroom windows of the conversion scheme. Required distances for these windows in these arrangements would be 9-15 meters as defined in the Authority 'Supplementary Planning Guidance Design Guide on Proximity' document. The distance between the first floor bedroom window on the dwelling and the ground floor bedroom window on the conversion is roughly 12 metres which in this instance is considered un-acceptable due to the difference in storeys. The ground floor overlooking can be sufficiently mitigated against by creating a boundary fence to a height of 1.8 metres but as presented the first floor dwelling window would be overlooked unacceptably and thus impacting the residential amenities of the occupiers of the Ty Mawr dwelling.

Conclusion

The scheme would require major reconstruction and alterations which is contrary to national and local conversion policies and guidelines. Whilst the principle of conversion is widely accepted, the mode in which the scheme proposes to do so is considered unsympathetic and excessive. Due to the above mentioned issues and failure to take into account the reason for the previous refusal, the application is recommended for refusal.

Recommendation

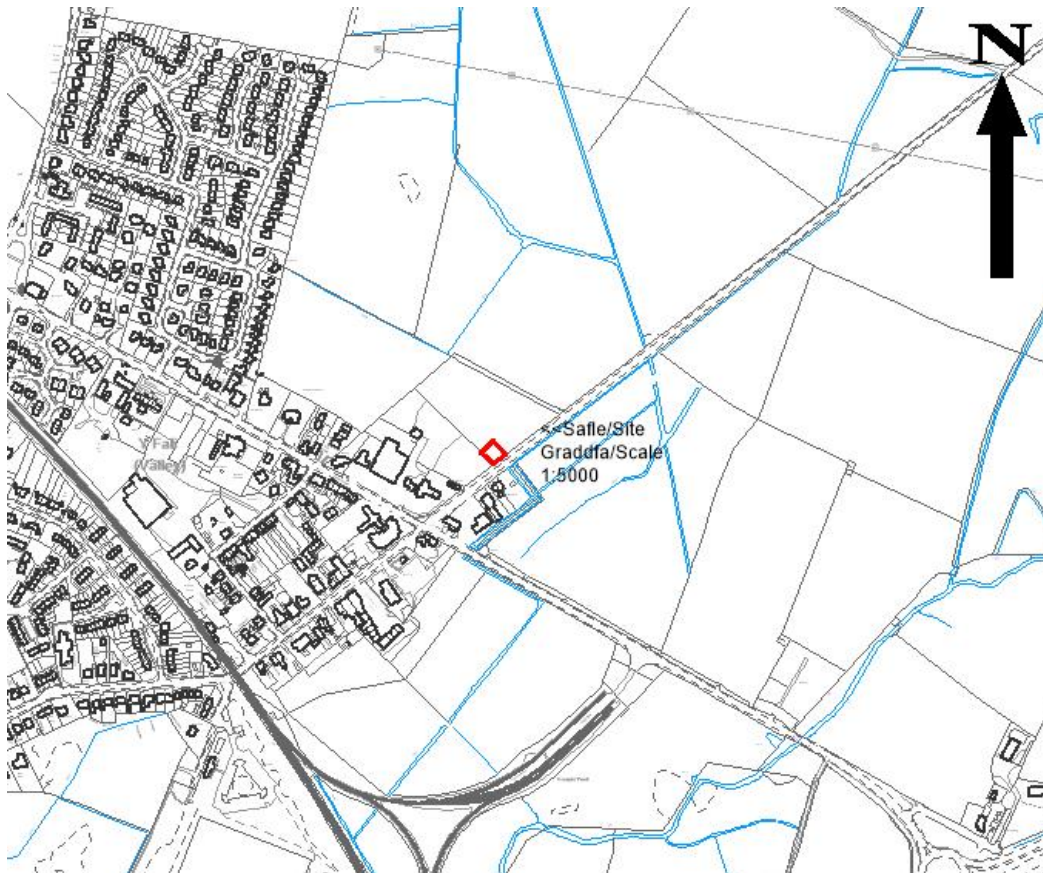
(01) The proposed conversion and associated alterations by virtue of their size and scale would detract from the character of the existing building and appearance of the location which is identified as a designated Area of Outstanding Natural Beauty. The proposal as such would be contrary to PCYFF3, PCYFF 4 and TWR 2 of the Gwynedd and Anglesey Joint Local Development Plan, Technical Advice Note 12: Design (2016), Technical Advice Note 23: Economic Development (2014) and Supplementary Planning Guidance: Design Guide for the Urban & Rural Environment.

Application Reference: FPL/2019/51

Applicant: Griffith Roberts & Son

Description: Cais llawn ar gyfer newid defnydd tir yn lle storio agored ar gyfer cerrig sy'n gysylltiedig â'r prif ddefnydd a wneir o'r tir gan yngymerwyr angladdau ar dir gyferbyn â / Full application for the change of use of land for open storage of stone material ancillary to the primary use of funeral undertakers on land opposite

Site Address: Preswylfa, Y Fali / Valley



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

Recommendation: Gwrthod / Refused

Reason for Reporting to Committee

The application has been called into the planning committee by both local members, Cllr Richard Dew and Cllr Gwilym O Jones.

Proposal and Site

Full application for the change of use of land for open storage of stone material ancillary to the primary use of funeral undertakers on land opposite Preswylfa, Valley.

Key Issues

The key issue is whether the proposal complies with Technical Advice Note 15: Development and Flood Risk and whether the development would affect the amenities of the surrounding properties.

Policies

Joint Local Development Plan

Policy TAI 2 – Housing in Local Service Centres
Policy PCYFF2 – Development Criteria

Technical Advice Note 12: Design
Technical Advice Note 15: Development and Flood Risk

Response to Consultation and Publicity

Consultee	Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No response at the time of writing the report.
Cynghorydd Richard Dew	Requested the application be presented to the Planning Committee for consideration.
Cynghorydd Gwilym O Jones	Requested the application be presented to the Planning Committee for consideration.
Cyngor Cymuned Y Fali / Valley Community Council	No Observations
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Confirmation has been received that a more detailed design should be provided, to the standard of a clawdd, including stone, earth, planting on top and stockproof fence on the field.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	The Highways Authority has confirmed that they have no comments to make.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	No response at the time of writing the report.

Site notices was placed near the site and neighbouring properties were notified by letter. The expiry date for receiving representations was the 5th April, 2019. At the time of writing the report no letters were received.

Relevant Planning History

49C324 - Full application for the change of use of an agricultural field into a private car park together with the improvement to the existing - Preswylfa, Y Fali / Valley Tynnu'n ôl / Withdrawn

Main Planning Considerations

The application is presented to the Planning and Orders Committee at the request of the Local Member.

At its meeting held on the 1st May, 2019 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

- The development is in accordance with Criterion (iv) of Technical Advice Note 15. It had considered the potential consequences of a flooding event for the particular type of development (in this case a less vulnerable commercial development) and in terms of the criteria contained in sections 5 and 7 and Appendix 1 had found them acceptable given that the site will be used for the storage of mainly stone materials.
- The proposed application will not have a negative impact upon immediate surrounding properties

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution." Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

The proposal is in accordance with criterion (iv) of Technical Advice Note 15.

It is considered that the proposal meets the requirements of paragraph 6.2 (ii) of TAN 15; however, the proposal does not meet with the requirements of criteria (iii) as it is not a previously developed site.

The definition of previously developed land as stated in Planning Policy Wales Edition 10 'is land which is or was occupied by a permanent structure (excluding agricultural or forestry buildings) and associated fixed surface infrastructure'.

It is not considered that the application site falls within the definition of previously developed land. Although gravel has been laid on the site and is currently being used to store head stones associated with the funeral directors business, planning permission has not been granted for this use. It is therefore not considered that the application site meets the test of previously developed land and fails to comply with criteria (iii) of TAN 15.

The proposal is therefore contrary to TAN 15: Development and Flood Risk and therefore conflicts with Policy PCYFF 2 of the JLDP.

-The proposed application will not have a negative impact upon immediate surrounding properties.

It is not considered that the proposal will have a negative impact upon immediate properties in the surrounding area.

Conclusion

It has been shown above that the reasons for refusal given by officers are clear cut and can be weighted to such an extent that a refusal of this application could be defended at an appeal.

Recommendation**Refuse**

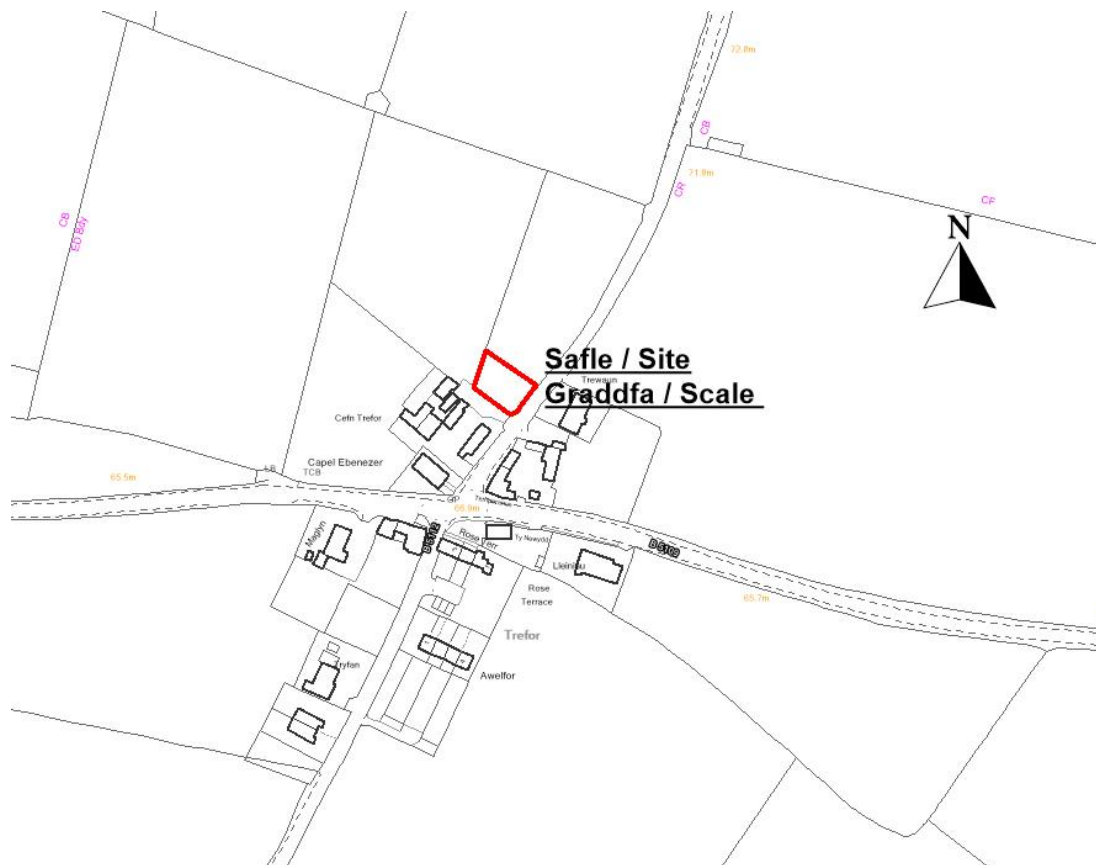
(01) The proposal does not meet the definition of previously developed land and is therefore contrary to Policy PCYFF 2 of the Gwynedd and Anglesey Joint Local Development Plan and Technical Advice Note 15 – Development and Flood Risk (July 2004).

Application Reference: 14C257

Applicant: Mr Gavin & Mrs Rachel Evans

Description: Cais amlinellol ar gyfer codi annedd fforddiadwy yn cynnwys manylion llawn am y fynediad i gerbydau a draenio gyda'r holl faterion eraill wedi eu cadw yn ôl ar dir ger / Outline application for the erection of an affordable dwelling together with full details of the vehicular access and drainage with all other matters reserved on land adjacent to

Site Address: Cefn Trefor, Trefor



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

Recommendation: Gwrthod / Refused

Reason for Reporting to Committee

At its meeting held on the 7th November, 2018 the Committee resolved to defer determination of the application in order to refer the issue of the definition of local person and the rural hinterland of clusters

within the meaning of Policy TAI6 of the Joint Local Development Plan to the Joint Planning Policy Committee and to reconsider the application when a definition is agreed.

Main Planning Considerations

In light of the request for clarity over the extent of the 'surrounding rural area' in relation to Policy TAI 6 it was agreed that it would be beneficial for the emerging Affordable Housing Supplementary Planning Guidance (SPG) to provide the required advice for both affordable housing provision under Policies TAI 6 and TAI 4 of the JLDP.

In order to inform consideration of the matter a number of potential options were identified with the key aim being the need for the area to be of a sufficient size to provide opportunities for local families with the local connection, to live in the cluster or Village, but without undermining the Policy. Officers from the Joint Planning Policy Unit and Planning Services also sought the informal views of both Council's Planning Committee Chairperson and Planning Portfolio Lead Member about the options.

A recommended definition was discussed at the Joint Planning Policy Panel meeting on the 22 March 2019 with a final recommendation presented as part of the consultation report on the Affordable Housing SPG on the 15 April 2019.

On the 15th April the Supplementary Planning Guidance on Affordable Housing was adopted by the Joint Committee.

The following provides a definition of 'surrounding rural area' for applications within Local, Coastal or Rural Villages or Clusters:

'surrounding rural area', which is a distance of 6km from the site of the application and the extent of any Community Council area bisected by the 6km distance, but excluding properties within the development boundary of any settlement other than the settlement within which the application is located.

If the applicant then decides to sell the dwelling the 'second qualifying person' would need to comply with the above requirement. If the property has been marketed and has not been sold within 8 weeks it would then provide an opportunity for the second qualifying person who is in affordable need to have a local connection with the County of Anglesey.

Conclusion

The Local Planning Authority previously recommended refusing the planning application as the applicant had failed to demonstrate their local connection to Trefor. In light of recent discussions and clarity over the definition of 'surrounding rural area', the applicant now complies with this criteria.

The Local Planning Authority continues to recommend refusal of the planning application due to the scale of the proposed dwelling as it would create an intrusive feature in the locality. It is not considered that the proposal would be of a scale that would be consistent with the character of the settlement; therefore, would fail to meet criteria 3 & 4 of Policy TAI 6.

Recommendation

(01) Details of the appearance, landscaping, layout (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.

(02) 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.

(03) 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

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

Reason: To ensure a satisfactory appearance of the development

(05) Any application for the approval of the layout of the development under condition (01) above shall include details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the use of the development and retained in perpetuity.

Reason: In order to ensure that the development is adequately drained.

(06) The scale of the development shall not exceed the upper limits as indicated in the Design and Access Statement dated 11th May, 2018.

Reason: To define the scope of this permission

(07) 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 - Revised 1/10/18
- Block Plan - Revised 28/9/18

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

(08) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of residential and visual amenity.

(09) 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, including any Temporary Traffic Management Measures and Traffic Regulation Orders necessary to facilitate safe construction of the scheme including any advance, preparatory and demolition works;

- (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;
- (iv) Identification of the routing strategy and procedures for the notification and conveyance of indivisible “out of gauge” loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers’ plant and equipment; and for the temporary removal of street furniture;
- (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 storage of plant and materials and the loading and unloading 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 and demolition traffic and construction activities in the interests of highway safety.

(10) The car parking accommodation shall be completed in accord with the details hereby approved before the use hereby permitted is commenced.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

(11) 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 order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

(12) The landscaping details approved under condition (01) above shall be completed before the dwelling is occupied and thereafter retained for the lifetime of the development.

Reason: In the interests of the amenity of the area.

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, TAI6, TAI8, TRA2

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.