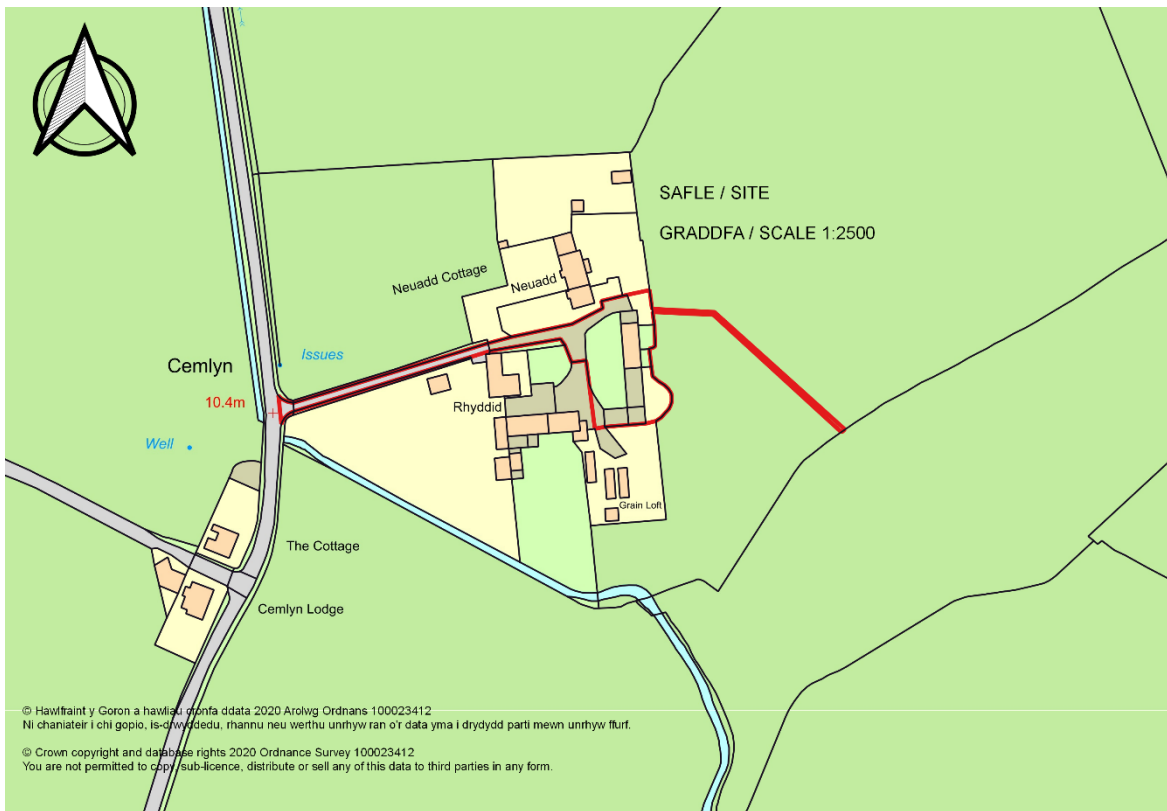


Application Reference: VAR/2020/14

Applicant: Mrs Wendy Viddler

Description: Cais o dan Adran 73 i ddiwygio amod (02) (Cynlluniau cymeradwy) o caniatâd cynllunio rhif VAR/2019/9 (Newid yr adeilad allanol i annedd) er mwyn newid deunydd y tô o paneli metal i llechi yn / Application under Section 73 for the variation of condition (02) (Approved Plans) of planning permission reference VAR/2019/9 (Conversion of outbuilding into a dwelling) so as to change the roofing material from metal panels to slate at

Site Address: Neuadd, Cemaes



Report of Head of Regulation and Economic Development Service (Joanne Roberts)

Recommendation: Caniatáu / Permit

Reason for Reporting to Committee

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

Proposal and Site

The application is made under Section 73 for the variation of condition (02)(Approved Plans) of planning permission reference VAR/2019/9 (Conversion of outbuilding into a dwelling) so as to change the roofing material from metal panels to slate at Neuadd, Cemaes.

Key Issues

The key issue is whether or not the proposed amendments are acceptable.

A fallback position exists (extant consent) however, the subsequent change in policy following the adoption of the Joint Local Development Plan (JLDP) is a material factor which must be taken into account.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy TAI 7: Conversion of Traditional Buildings in the Open Countryside to Residential Use

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 AMG 5: Local Biodiversity Conservation

Response to Consultation and Publicity

Consultee	Response
Cynghorydd John Griffith	No response at the time of writing the report.
Cynghorydd Kenneth P. Hughes	No response at the time of writing the report.
Cynghorydd Llinos Medi Huws	No response at the time of writing the report.
Cyngor Cymuned Cylch-y-Garn Community Council	No response at the time of writing the report.

The application was afforded three means of publicity. These were by the posting of notices near the site and serving of personal notification letters on the occupiers of the neighbouring properties together with the publication of adverts in the local press. The latest date for the receipt of representations is the 01/07/2020.

At the time of writing the report no representations had been received.

Relevant Planning History

18C71E - Full application for the conversion of outbuilding into a dwelling together with the installation of a package treatment plant on land at Neuadd, Cemlyn - Permitted 23/10/2014

MAO/2018/2 - Minor amendments to decision notice previously issued under planning permission 18C71E so as to include a condition relating to the approved plans for the proposed development at Neuad, Cemaes - Permitted 21/01/2019

VAR/2020/19 - Application under Section 73 for the variation of condition (02)(Approved Plans) of planning permission reference FPL/2019/233 (erection of a new production and storage building (Class use B2), construction of vehicular ramp together with associated ground works) so as to amend the approved plans to increase height of building together with erecting a chimney at Neuadd, Cemaes – Permitted 04/09/2019

Main Planning Considerations

Planning permission was originally granted for the conversion of the outbuilding into a dwelling on 23.10.2014 under planning permission reference 18C71E. On the 21.01.2019 a minor amendment was approved under reference MAO/2018/2 so as to include a condition relating to the approved plans and on the 04.09.2019 permission was granted under Section 73 for amendments to the design of the proposal and the discharge of condition (03) of permission ref 18C71E relating to boundary treatments under planning permission reference VAR/2019/9.

This is a further application under Section 73 in relation to a change to the approved roofing material from metal to natural slates.

Such an amendment is considered to be acceptable and will result in an overall improvement to the approved scheme.

However, since the adoption of the Joint Local Development Plan, conversion of traditional buildings into residential use will only be permitted where there is evidence that employment use of the building is not viable and that it provides an affordable unit for local need.

The development however, benefits from extant consent, therefore the following must be considered:

- Is there a likelihood that the existing permission can be implemented
- as the amendments to the permission an improvement to that previously approved.

The permission granted under reference VAR/2019/9 on 04/09/2019 was subject to a condition that the development be begun within 2 years - by 04/09/2021. No pre-commencement conditions are proposed to be imposed on any permission granted and therefore no barrier to prohibit the implementation of the permission.

The proposed change in the roofing material from metal to natural slates is considered to be an improvement to that previously approved.

Conclusion

The application is contrary to Policy TAI 7 of the JLDP; nevertheless a fallback position exists as the site benefits from an extant permission for the conversion of the outbuilding into a dwelling.

The proposed amendment to the roofing material from metal to natural slates is considered to be acceptable and an overall improvement to the scheme previously approved and it is not considered that the development will have an unacceptable impact upon the character and appearance of the area or the amenities of neighbouring properties.

Recommendation

(01) The development shall begin not later than two 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) 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 2187:14:1 approved under planning permission reference VAR/2019/9**
- **Proposed Site Plan 2187:14:3a approved under planning permission reference VAR/2019/9**
- **Proposed Plans and Elevations 2187:14:6**
- **Protected Species Survey, Clwydian Ecology dated 11th May 2019 approved under planning application reference VAR/2019/9**

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

(03) The car parking accommodation shall be completed in full accordance with the details as shown on drawing number 2187:14:3a approved under planning application reference VAR/2019/9 before the use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: To enable vehicles to draw off clear of the highway for the safety and convenience of the highway user.

(04) The development work shall take place in accordance with the Reasonable Avoidance Measures outlined within the Protected Species Survey prepared by Clwydian Ecology dated 11th May 2019 approved under application reference VAR/2019/9.

Reason – to safeguard any protected species which may be present on the site

(05) No development in the conversion of the building shall take place in the bird breeding season from 1st March to 30th September inclusive unless the site has been checked for the presence of nesting birds and the results of the survey are submitted to and approved in writing by the local planning authority prior to works commencing

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

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, TAI7, TAI15, AMG1, AMG3, AMG5.

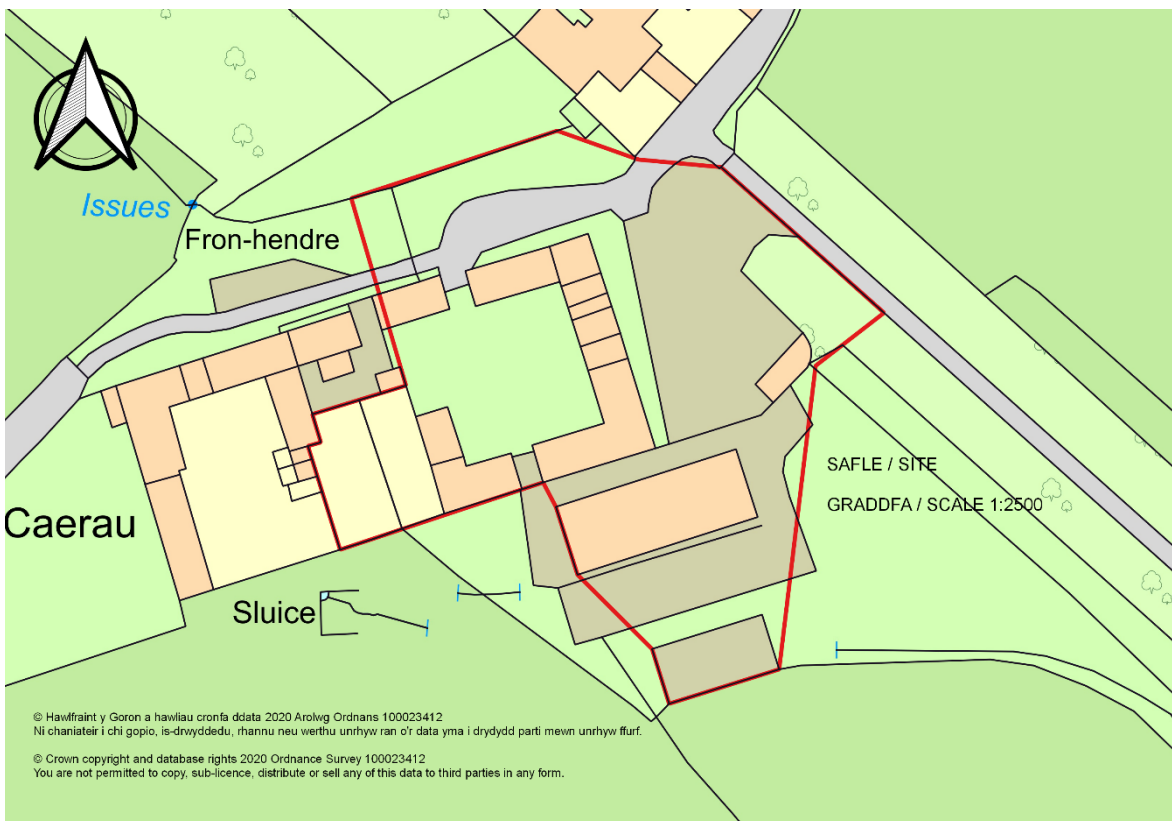
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: 18C223M/VAR

Applicant: Mrs Bente Whyatt

Description: Cais o dan Adran 73 i ddiwygio amodau (02) (manyllion draenio) a (06) (manyllion man pasio) o ganiatâd cynllunio rhif 18C223C (newid adeiliadau allanol i 8 bwthyn gwyliau) er mwyn cyflwyno gwybodaeth ar ôl dechrau datblygiad yn / Application under Section 73 for the variation of conditions (02) (drainage details) and (06) (passing place details) of planning permission reference 18C223C (conversion of outbuildings into 8 holiday cottages) so as to allow the submission of information after works has commenced at

Site Address: Caerau, Llanfairynghornwy



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

Recommendation: Caniatáu / Permit

Reason for Reporting to Committee

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

Proposal and Site

Application under Section 73 for the variation of conditions (02) (drainage details) and (06) (passing place details) of planning permission reference 18C223C (conversion of outbuildings into 8 holiday cottages) so as to allow the submission of information after works has commenced.

Key Issues

The key issue is whether the proposal is an improvement to that originally approved under application reference 18C223C

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy TAI 7: Conversion of Traditional Buildings in the Open Countryside to Residential Use

Response to Consultation and Publicity

Consultee	Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Policy is outlined within the main core of the report
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No Objection / Informative Advice. Works undertaken to Cow Shed / Stables building has been checked and considered acceptable by a qualified Ecologist, although other wildlife mitigation is yet to be completed.
Iechyd yr Amgylchedd / Environmental Health	No Objection / Informative Advice
Ymgynghorydd Tirwedd / Landscape Advisor	No Objection
Ymgynghorydd Treftadaeth / Heritage Advisor	No Comments
Cyngor Cymuned Cylch-y-Garn Community Council	Concern that the passing bays will not be constructed
Ymgynghoriadau Cynllunio YGC	The drainage section have confirmed due to the size and nature of the development it may be necessary to provide an application to the SAB. The drainage section have also stated that the drainage strategy provided with the application indicates that the developer has considered the use of sustainable drainage within the site, and includes discussion regarding proposed run-off destination and rate. A drainage plan has also been submitted illustrating the approach discussed in the strategy. However until an application is made to the SAB there remains some uncertainty whether the proposed site layout would enable full compliance with the suite of national SuDS standards.
Cynghorydd John Griffith	No Response

Cynghorydd Kenneth P. Hughes	No Response
Cynghorydd Llinos Medi Huws	No Response
Dwr Cymru/Welsh Water	No Objection
Priffyrdd a Trafnidiaeth / Highways and Transportation	The Local Highways Authority have been consulted as part of the application and confirmed that the passing places as required under condition 06 has been completed to their satisfaction.

Site notices was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 29/06/2018. At the time of writing the report no letters were received.

Relevant Planning History

18C223C - Full application for conversion of the outbuildings into 8 self-contained holiday cottages together with the installation of a septic tank – Caniatad 24/05/2016

Main Planning Considerations

The principle of developing the site has already been established under planning application 18C223C where permission was granted for conversion of outbuilding into a dwelling on the 24/05/2016. Works commenced at the site on the 24/03/2017 with a certificate of completion with respect to the passing places sent by the Local Highways Authority on the 22/05/2017.

Joint Local Development Plan

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

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

Application reference 18C223C was approved on the 24/05/2016. Although works has been undertaken by way of protected species mitigation measures to the Cow Shed / Stables building, it is not considered that these works amount to development as defined within s.56 of the Town and Country Planning Act (as amended). The application will therefore expire on the 24/05/2021 which therefore allows sufficient time for the permission to be implemented.

The application has been submitted since works have commenced on site and outstanding pre commenced condition required discharging. The information required under the provisions of the conditions have been submitted as part of the current application and have been assessed by specialist sections of the Authority.

Condition 02 - No development shall take place until a drainage scheme for the site has been submitted and approved in writing by the Local Planning Authority showing how foul and surface water drainage is to be dealt with, The development shall proceed thereafter in accordance with the agreed details with the drainage system being operational prior to any residential use of the buildings.

As part of the current application, a drainage scheme for the site has been submitted which shows how foul and surface water drainage is being dealt with. The surface water will be discharged into a soak away whilst the foul will be discharged into a private treatment plant.

The drainage section have confirmed due to the size and nature of the development it may be necessary to provide an application to the SAB. The drainage section have also stated that *the drainage strategy provided with the application indicates that the developer has considered the use of sustainable drainage within the site, and includes discussion regarding proposed run-off destination and rate. A drainage plan has also been submitted illustrating the approach discussed in the strategy. However until an application is made to the SAB there remains some uncertainty whether the proposed site layout would enable full compliance with the suite of national SuDS standards.*

Welsh Water have also been consulted regarding the application and raised no objection to the proposed development.

Condition 06 – No development shall commence until the location and construction details of 2 passing places to be provided in the highway approaching the site have been submitted to and agreed in writing by the Local Planning Authority, No other part of the development shall proceed until the passing places have been provided and made available for use in accordance with the agreed detail.

The Local Highways Authority have been consulted as part of the application and confirmed that the passing places as required under condition 06 has been completed to their satisfaction.

Conclusion

The application is contrary to Policy TA17 of the Joint Local Development Plan; however the fallback position is that the permission has sufficient time to be implemented. The submitted details are considered acceptable by relevant consultees.

Recommendation

Conditional Approval

(01) The development shall begin not later than 24/05/2021.

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

(02) The access shall be constructed with 2.4 metre by 43 metre splays on either side prior to the use of the buildings hereby approved. Within the vision splay lines, nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: in the interests of road safety.

(03) The access shall be constructed with a bitumen surface for the first 5 metres from the nearside edge of the county highway. No surface water shall be permitted to discharge onto the county highway.

Reason: In the interests of amenity.

(04) The sole means of access and egress for the site shall be that shown on BDS Gwynedd Ltd drawing number 12039/PA/LP Revision G submitted under application reference number 18C223C on 30th March 2016 and highlighted in red on the plan attached to this permission.

Reason: To define the scope of this permission and in the interests of highway safety.

(05) No development in the conversion of any of the buildings shall take place between 1st March and the 1st October in any year.

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

(06) Notwithstanding condition (04) above, no development in the conversion of the buildings to provide units 1 to 8 inclusive shall take place until the cow shed / stables building has been adapted and mitigation measures provided and made available for use in accordance with Greenman Ecology Protected Species Survey (GME382 version 2 report) received on 19th October 2015 under planning reference 18C223C and the email dated 27th March 2016.

Reason: to provide mitigation for the loss of habitat for protected species on the site.

(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.

- BDS Gwynedd Ltd drawing number 12039/PA/LP Revision G Location Plan
- Cow shed/ stables details received on 30th March 2016;
- BDS Gwynedd Ltd drawing number 12039/PA/02 Revision H Proposed Site Layout;
- BDS Gwynedd Ltd drawing number 12039/PA/06 Revision A Proposed Floor Plans (Cottage No.1 and No.2);
- BDS Gwynedd Ltd drawing number 12039/PA/07 Revision B Proposed Floor Plans (Cottage No.3 and No.4);
- BDS Gwynedd Ltd drawing number 12039/PA/08 Revision A Proposed Floor Plans (Cottage No.5);
- BDS Gwynedd Ltd drawing number 12039/PA/09 Revision A Proposed Floor Plans (Cottage No.6 and No.7);
- BDS Gwynedd Ltd drawing number 12039/PA/10 Revision C Proposed floor plans (Cottage No. 8);
- BDS Gwynedd Ltd drawing number 12039/PA/11 Revision C Proposed Elevations;
- BDS Gwynedd Ltd drawing number 12039/PA/12 Revision C Proposed Elevations;
- Greenman Ecology Protected Species Survey (GME382 version 2 report) & Ecologist's email dated 27th March 2016.
- Drainage Layout - 17103/501
- Trail Pit Location Plan - 17103/TP
- Drainage Details Outbuilding - 15180/512
- Drainage Details Outbuildings 2 - 15180/513
- Drainage Details and Langsection Outbuildings - 15180/514

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

(08) Notwithstanding the submitted drawings, all existing recessed stone arched opening heads shall be retained and all new roof lights shall be of a conservation style, low profile and flush fitting and with a slate covering; all units shall have a central vertical glazing bar.

Reason: In the interests of retaining the character and appearance of the buildings

(09) 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 the amenities of the designated Area of Outstanding Natural Beauty.

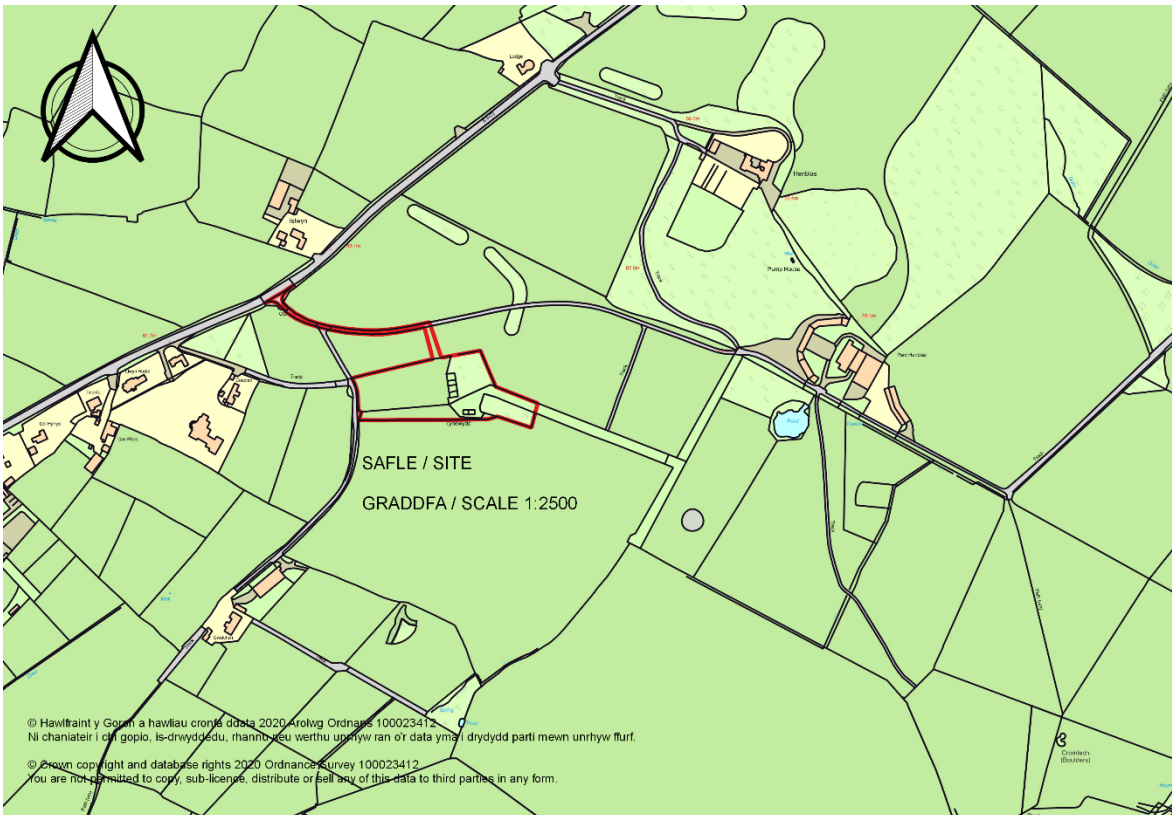
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2020/15

Applicant: Mr. Steve Harvey

Description: Cais o dan Adran 73 i amrywio amod (03)(Bydd y datblygiad a ganiateir dan y caniatad yn cael ei weithredu yn unol a'r cynlluniau a gymeradwywyd) o ganiatâd cynllunio rhif 36C49H (Newid defnydd ysgubor yn annedd, addasiadau ac estyniadau i'r hen fwthyn diffaith i mewn i garej ynghyd â gosod tanc septig) er mwyn diwygio dyluniad yn / Application under Section 73 for the variation of condition (03) (The development permitted by this consent shall be carried out in strict accordance to the plans submitted) of planning permission reference 36C49H (Change of use of barn into a dwelling, alterations and extensions to the former derelict cottage into a garage together with the installation of a septic tank) so as to amend design at

Site Address: Tithe Barn, Henblas, Bodorgan



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

Recommendation: Caniatáu / Permit

Reason for Reporting to Committee

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

Proposal and Site

The application is made under Section 73 for a variation of condition (03) (proposal must be carried out in strict accordance with the submitted plans) of planning application reference 36C49H so as to amend the design of the previously approved scheme. The Tithe Barn is a Grade II Listed Building situated on the outskirts of the village of Llangristiolus. Both buildings were a former cottage and a threshing barn. The site is situated on a higher elevation than the adjacent Class II highway that runs from Llangristiolus to Bethel.

Key Issues

The applications key issues are whether the proposal will have an adverse effect on the surrounding landscape and whether the design of the proposal respects the character of the listed building. There is an extant planning permission on the land and consideration must be given to whether the current proposal deteriorates that of the originally approved scheme.

Policies

Joint Local Development Plan

PCYFF2 - Development Criteria

PCYFF3 – Design and Place Shaping

TA17 – Conversion of Traditional Buildings in the Open Countryside to Residential Use

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Treftadaeth / Heritage Advisor	Comments
Cynghorydd Eric Wyn Jones	No response at the time of writing the report.
Cynghorydd Dafydd Roberts	No response at the time of writing the report.
Cyngor Cymuned Llangristiolus Community Council	No response at the time of writing the report.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments that work should be in line with the Ecological Assessment carried out.

Site notices were placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 1st July, 2020. At the time of writing the report 1 web comment had been received. The main comments as follows:

- * The condition of the stone barn near the Tithe Barn has deteriorated too much to convert.
- * There are three separate water pipes going into the barn ready to convert the barn to 2 houses and garage into 1 cottage.

In response to the above comments.

- * A structural survey has been received confirming the condition of the stone barn, it identifies areas where re-building will be necessary; however, it is considered that the majority of the building can be retained.

- * This application is a Section 73 application for amendments to the previous permission, the permission granted was for 1 dwelling. If there are any plans to convert the barn into 2 dwellings and change the

garage into a dwelling, this would be subject to new planning application which would be considered under policies of the Joint Local Development Plan.

Relevant Planning History

36C49E - Conversion of barn into a dwelling, alterations and extensions to the former derelict cottage into a garage together with the installation of a septic tank at Tythe Barn, Bodorgan - Approved 12/4/11

36C49F/LB - Listed Building Consent for conversion of barn into a dwelling, alterations and extensions to the former cottage to form a garage together with the installation of a septic tank at Tythe Barn, Bodorgan - Approved 3/5/11

36C49G/VAR/LB - Application under Section 73 for the variation of condition (01) of consent reference 36C49F/LB so as to extend the life of the permission at - The Barn, Henblas, Bodorgan - Approved 13/7/16

36C49H - Full application for the conversion of the outbuilding into a dwelling at - Tithe Barn, Henblas, Bodorgan. - Approved 10/10/16

Main Planning Considerations

The principle of the proposed scheme has already been established. A full application was approved under planning application 36C49E for the conversion of the barn into a dwelling, alterations and extension to the former derelict cottage into a garage together with the installation of a septic tank on the 12/4/11. A full application was subsequently approved under application 36C49H for conversion of outbuilding into a dwelling and alterations to the former cottage into a garage which was approved on the 10/10/16.

Joint Local Development Plan

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

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

A full application was approved on the 10/10/16 under application reference 36C49H for the conversion of outbuilding into a dwelling together with alterations to the derelict cottage into a garage at the Tithe Barn. The likelihood of it being implemented is very likely.

Amendments

The proposed amendments are as follows:

- Revised internal layout to the timber box within the barn - This does not require planning permission
- A new garage was initially proposed; however, the garage has now been omitted and a small utility building is proposed measuring 2.8m wide x 4m long x 4m high. The utility building is a small building required for plant and machinery associated with heating the Tithe Barn.
- 2no new flues are proposed on the front elevation of the barn
- The location of the rooflights on the rear elevation of the Tithe Barn has been amended.

- The derelict cottage which will be converted into a garage will have some minor changes such as slightly larger windows and retention of chimney stacks which was not part of the original approval.

Adjacent residential properties

Neighbouring properties have been notified of the development, a site notice placed near the site and a notice placed in the local newspaper as the development is contrary to policy. The expiry date to receive representations being 1st July, 2020. At the time of writing the report 1 letter had been received. It is not considered that the proposal will have a negative impact upon adjoining residential properties.

Conclusion

The application is contrary to Policy TAI 7 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for the conversion of the Tithe Barn into a dwelling and alterations to the derelict cottage and change the use to a garage.

It is not considered that the amended plans deteriorate that of the previous approved scheme.

Recommendation

(01) The development shall begin not later than 10/10/21.

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

(02) 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.

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

- * 154_01_A - Location Plan
 - * 154_02_A - Proposed Site Plan
 - * 154_16_A - Proposed Elevations - Outbuilding
 - *154_20 - Proposed Utility Building
 - * 154_07 - Proposed Ground Floor Plan
 - *154_08 - Proposed First and Second Floor Plan
 - *154_09 - Proposed Elevations
 - * 154_10 - Proposed Elevations
 - * 154_11 - Proposed Elevations
 - * 154_12 - Proposed Section
 - *154_15 - Proposed Plan - Outbuilding
 - * 154_18 - Proposed Internal Barn - Elevations
 - * 154_19 - Proposed Internal Barn Elevations and window details
 - * Structural Condition Report 'Castree' 2716-R01 dated March 20
 - Structural Condition Report 'Castree' Outbuilding - 2716 dated 12/3/20
 - * PA-09 - Proposed Sub-slab pipework in Barn (Received with planning application 36C49H)
- * Ecological Impact Assessment - V1 dated March 2020

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

(04) 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.

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.

Proposal and Site

This is an application under Section 73A for the variation of condition (05) (details of materials) (06) (details of fencing and walls) (07) (Construction Traffic Management Plan) from planning permission 46C410H on land adjacent to Garreg Fawr, Lon Garreg Fawr Trearddur Bay.

Key Issues

The key issue is whether the details submitted with the planning application are acceptable.

Policies

Joint Local Development Plan

Joint Local Development Plan

Policy PCYFF2 – Development Criteria
Policy PCYFF3 – Design and Place Shaping
Policy TAI 5 – Local Market Housing
Policy TRA2 – Parking Standards

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Dafydd Rhys Thomas	No response at the time of writing the report.
Cynghorydd John Arwel Roberts	No response at the time of writing the report.
Cyngor Cymdeithas Trearddur Community Council	No response at the time of writing the report.
Cynghorydd Trefor Lloyd Hughes	No response at the time of writing the report.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Confirmation that the Traffic Management Plan is acceptable.

Site notices were placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations is the 01/07/2020. At the time of writing the report no letters had been received.

Relevant Planning History

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

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

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

46C410H - Full application for the erection of a dwelling which includes a terraced decking area on land adjacent Garreg Fawr, Trearddur Bay – Granted 7/11/18

DIS/2019/15 – Application to discharge condition (04) (Construction Environmental Management Plan) from planning application 46C410H on land adjacent to Garreg Fawr, Trearddur Bay – Discharged 15/3/19

Main Planning Considerations

The principle of a dwelling has already been established. An application for a lawful use certificate to prove that works to the access had been undertaken to implement planning permission 46C410B was considered lawful on the 21/11/17. Therefore planning permission for a dwelling has been safeguarded on the application site. A full application was approved on the 7th November, 2018 to amend the design of the dwelling.

Joint Local Development Plan

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

- Is there a likelihood that the existing permission can be implemented.
- Are the details submitted with this application acceptable.

A reserved matters application reference 46C410E/DA was approved and a certificate of lawfulness was considered to be lawful on the 21/11/17. A further planning application was approved on the 7/11/18 under planning application reference 46C410H to amend the design of the dwelling previously approved. The development on the application site has already commenced.

Amendments

The proposed details submitted with the planning application are as follows:

- (Condition 05) Details of materials to be used in the development.

The materials for the dwelling are Spanish slate roof, K-Rend and horizontal cladding for the external walls and UPVC windows and doors. It is considered that the materials are acceptable and will fit into the area.

- (Condition 06) Details of fencing and walls

Details submitted with the planning application shows an existing stone wall to be repaired to the roadside elevation together with a new agricultural wire mesh stock fencing to the East, South and West boundaries.

- (Condition 07) Construction Traffic Management Plan.

The Highways Authority has confirmed that the Construction Traffic Management Plan submitted is acceptable and works should be implemented in accordance to the submitted information.

It is considered that the materials of the dwelling and fencing/walling is acceptable and will fit into the area.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 1st July, 2020. At the time of writing the report no letters had been received. It is

not considered that the materials and details submitted with the planning application will have a negative impact upon adjoining residential properties.

Conclusion

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

The details submitted with the planning application is acceptable and the conditions have been amended to reflect the submitted information.

Recommendation

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

- * **Location Plan - PL 001 Rev A Submitted with planning application 46C410H**
- * **Proposed Block Plan - PL 010 Rev C**
Submitted with planning application 46C410H
- * **Proposed Site Plan - PL 011 Rev B**
Submitted with planning application 46C410H
- * **Proposed Site Section - PL 012**
Submitted with planning application 46C410H
- * **Proposed Site Section - PL 013 Rev A**
Submitted with planning application 46C410H
- * **Lower Ground Floor Plan - PL 014 Rev A**
Submitted with planning application 46C410H
- * **Ground Floor Plan - PL 015 Rev B**
Submitted with planning application 46C410H
- * **First Floor Plan - PL016 Rev A**
Submitted with planning application 46C410H
- * **Roof Plan - PL 017**
Submitted with planning application 46C410H
- * **Proposed Elevations - PL 020 Rev A**
Submitted with planning application 46C410H
- * **Proposed Elevations- PL 021 Rev C**
Submitted with planning application 46C410H
- * **Proposed Drainage Connections - PL 022**
Submitted with planning application 46C410H
- * **Proposed Site Section III - PL 023**
Submitted with planning application 46C410H
- * **Proposed Materials Schedule - Submitted with planning application VAR/2020/28**
- * **Construction Traffic Management Plan - Submitted with planning application VAR/2020/28 – 1624 PL 026**
- * **Boundary Arrangements - PL024 Submitted with planning application VAR/2020/28**
- * **Construction Environmental Management Plan - Submitted with DIS/2019/15**

under planning application reference 46C410H, DIS/2019/15 and VAR/2020/28.

Reason: For the avoidance of doubt.

(02) Development shall be undertaken in accordance with the Construction Environmental Management Plan approved under planning application DIS/2019/15

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

(03) The materials used on the external surfaces of the development shall be in accordance with details submitted under 'Material Schedule' reference '1795 March 2020' approved under planning application VAR/2020/28.

Reason: To ensure a satisfactory appearance of the development.

(04) Fencing, walling and means of enclosure shall be in accordance with details submitted under 'Boundary Arrangements' drawing reference PL024 approved under planning application VAR/2020/28.

Reason: In the interests of visual amenity.

(05) Development shall be undertaken in accordance with the Traffic Management Plan drawing number PL026 approved under planning application VAR/2020/28.

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

In addition the Head of Service be authorised to add to, remove or amend/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.