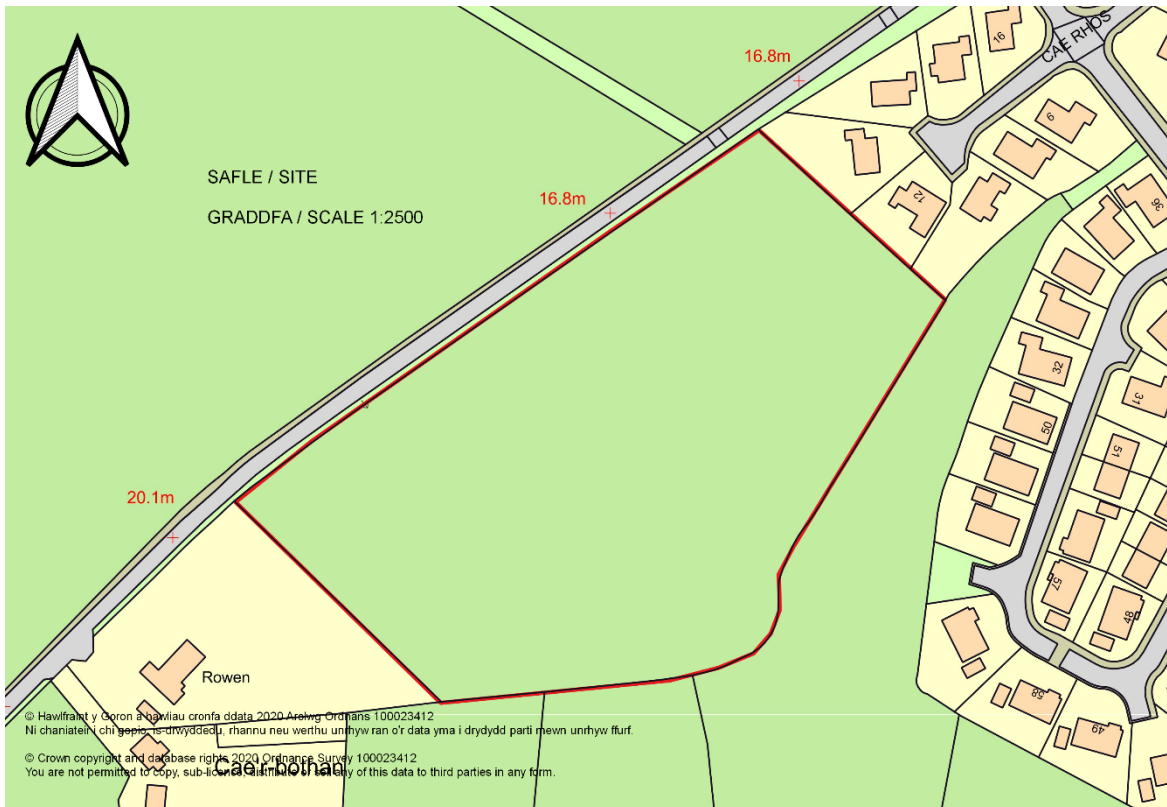


**Application Reference: 19C1231**

**Applicant:** Mr David & Mr Tom Nevin & Mrs Barbara Earnshaw

**Description:** Outline application for the erection of 32 market dwellings and 4 affordable dwellings, construction of new vehicular and pedestrian access, provision of play area and open spaces together with full details of access and layout on land adjacent to

**Site Address:** Cae Rhos Estate, Porthdafach Road, Holyhead



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application has been called to the Planning Committee by Local Members.

**Proposal and Site**

The application site comprises 1.76 hectares of agricultural land located on the south western approach to Holyhead. The application site is situated along Porthdafarch Road which leads via Henddu Terrace and Mountain View to Kingsland Road (B4545) in proximity to junction 2 of the A55 expressway. There is an existing dry stone wall and hedgerow present along the frontage with the public highway. The south western boundary of the application site abuts the Area of Outstanding Natural Beauty "AONB". The

application site is abutted to the north east by the Cae Rhos residential estate and to the south west by a residential property (Rowen). There is a public footpaths on the opposite side of Porthdafarch Road and to the south east leading from the Cae Rhos estate.

This is an outline planning application with access and layout included for determination. The proposal is made for 36 dwellings including 4 affordable dwellings. The layout plan illustrates a T junction access with Porthdafarch Road and an internal circular access road. As part of the proposal a pavement will be provided at the frontage of the application site either side of the vehicular access with the public highway which will extend to the existing pavement footpath at the entrance to the Cae Rhos Estate.

There is an equipped play area and playing field provided in the south western corner of the development adjacent to the boundary of the AONB and the residential property (Rowen).

In terms of external materials the submitted details indicate the use of natural slate roofs and white painted render walls with white UPVC detail.

No detailed drainage plans are submitted with the planning application but the submission states that foul drainage from the development would be discharged into the public sewer which runs along Porthdafarch Road. Surface water run-off would be discharged into an existing watercourse within the application site which runs along the south eastern boundary.

This is a major planning application which has been subject to statutory pre-application discussions. In the course of determining the planning application amended plans which reduced the total number of dwellings by 2 (from 38 to 36) and also increasing the distances from the rear elevations to the rear boundaries on a number of plots. Additional highway and ecological information were also submitted as described in the main body of the report.

Following the consideration of the planning application in the September planning committee an addendum to the Transport Assessment has been submitted which proposes that a Traffic Regulation Order for a one way street requiring that vehicles are only permitted to travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road.

## **Key Issues**

- Principle of Residential Development
- Highway Considerations and Sustainability
- Relationship with the Surroundings and the AONB
- Relationship with Adjacent Properties
- Ecology and Biodiversity Considerations

## **Policies**

### **Joint Local Development Plan**

Joint Local Development Plan

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  
PS 20: Preserving and Where Appropriate Enhancing Heritage Assets  
AT 4: Protection of Non Designated Archaeological Sites and their Setting

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)  
Technical Advice Note (TAN) 24: The Historic Environment (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: No observations received.

Cynghorydd Dafydd Rhys Thomas: Concern expressed as regards the traffic situation.

Cynghorydd John Arwel Roberts: No observations received.

Cynghorydd Robert Llewelyn Jones: No observations received.

Cynghorydd Trefor Lloyd Hughes: Requested that the planning application is called to the planning committee because the creation of such a large estate would have a serious effect on highway issues.

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

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: Conclusions as follows:

- The site is within the development boundary and forms site T11 in the JLDP which is designated as a housing allocation. Policy PCYFF 1 and Policy TAI 1 support residential development on allocated sites within development boundaries.
- 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.

- The Housing Service will be able to advise you to enable you to reach a conclusion about Policy TAI 8 and whether the proposal provides an appropriate housing mix.
- Provided the proposal aligns with Policy TAI 8, a formal assessment of its impact on the Welsh language and culture is not required.
- You will need to be satisfied that the proposal complies with more generic policies that relate, e.g. to landscaping, vehicular access.

Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer: No observations received at the time of writing.

Dwr Cymru/Welsh Water: Conditional permission requiring the submission of a scheme for foul and surface water drainage and these comments have been confirmed as valid in relation to the amended proposals subject to the re-consultation.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Following the initial consultation further ecological information was requested including consideration of reptiles and ecological enhancements. Following the submission of a revised ecological report it was confirmed that generally that there were no objections subject to planning obligations and conditions recommended including: amphibian friendly drainage features, retention of existing boundary features and a method statement being provided by way of a planning condition to rebuild/repair existing walls, boundary features to be separated from gardens by fencing and modification made on plans and management notes in the Biodiversity Conservation Management Plan & topsoil turf translocated to an area in the centre of the application site, table provided listing which bird boxes are to be installed on which houses, ecological report amended to identify that existing scrub will be retained include scrub management in the Conservation Management Plan, Biodiversity Conservation Management Plan required by way of a planning condition and managed in the lifetime of the development by way of a legal agreement, amendment required to include the fill species list in Appendix c, ecological report amended to require no vegetation clearance between March to August.

Prior to the last planning committee the existence of the sett was brought the Local Planning Authority's attention by NRW and North Wales Police and on the basis of this new information it was indicated that a further survey should be undertaken to inform the case, in view of the protections in law which relate to badgers and badger setts, and of WG policy (TAN 5) for ensuring that there is a thorough ecological understanding of the site. It has now been confirmed that ecological information submitted with the planning application which included the additional information in relation to a badger set adjacent to the application site is acceptable subject to planning condition.

Gwasanaeth Addysg / Education Service: Taking into account comments from the applicants which points to educational capacity being available in the locality the council's Education Service have now confirmed that a reduced amount of £73, 542 will now be required towards education provision at Ysgol Kingsland.

Iechyd yr Amgylchedd / Environmental Health: Considerations are described in relation to working hours, the use of pneumatic rock machinery, contaminated land and noise. A Construction Environmental Management Plan "CEMP" is required by way of a planning condition.

Llwybray Cyhoeddus / Public Rights of Way: No comments.

Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service: Given the archaeology and the investigations undertaken in the vicinity the application site must be regarded as having the potential for as yet unidentified buried deposits. A staged archaeological evaluation prior to determination is not considered effective for a development of this scale and having regard to planning guidance a condition is recommended requiring an archaeological strip, map and record in advance of the development.

Ymgynghorydd Treftadaeth / Heritage Adviser: The proposed development would be some 500m to W of the grade II\* listed Kingsland Windmill. In my opinion, although possibly visible from the listed building,

the proposed development site does not make a significant contribution to the heritage asset and consequently the proposals would not impact on the setting of the lb.

Strategol Tai / Housing Strategy: The need for affordable housing based on the council housing waiting list and the Tai Teg register is confirmed. To achieve the Local Development Plan the aim is to achieve 10% of affordable units. We are therefore satisfied that 4 out of the 36 dwellings will be developed as affordable units. We are satisfied with the housing mix, although properties suitable for older persons have not been considered.

Priffyrdd a Trafnidiaeth / Highways and Transportation: Initially confirmed that the design within the development was acceptable in principle subject to standard conditions. Also that insufficient information on what effect the additional traffic produced would have on the local highway network leading to the site especially at the bottom of Porthdafarch Road in the reia of Henddu Terrace and Mountain View where there are presently restrictions on traffic. It was considered that a transport statement was necessary in accord with policy TRA 1 since this is a sensitive area locally and additional traffic could have an adverse impact on existing problems.

The Highways Authority previously acknowledged that a Transport Assessment has been provided as part of the application but they have significant concerns with regards to the existing substandard situation on the public highway leading up to the site due to vehicles being parked along this highway constantly, reducing the road to a single carriageway for a significant length, that this part of the highway has become saturated and has reached its capacity. If the road has reached its capacity then they suggest no additional traffic. A Transport assessment has been commissioned by the highway authority to consider these concerns which should take up to 4 weeks to complete and then will need to be analysed before comments are provided. If the report confirms stated concerns the highway authority will be recommending refusal unless the applicant can provide an improvement. If the report suggests that the capacity has not been reached then they will be recommending conditional approval. Since the planning application was last considered by the planning committee in February the Highways Section have confirmed that a video survey was undertaken on the 4th February 2020 between the junction of Kingsland Road and the Tan yr Efail Estate to record any traffic problems on this section of the road including any queuing of vehicles. Further if queuing occurred it was recorded how many cars were involved and the duration of time taken in queuing, it was also recorded whether it was necessary for vehicles to mount the pavement to pass each other. Further that analysis of this video survey should occur by the week ending the 21.02.20 and that a recommendation should be available by the end of February 2020.

Highways also require that a pedestrian footway be provided along the whole frontage of the site and that it connects into the existing footway network leading into Holyhead. This is outside the red line plan submitted within this application. However, this land is Highway Land and not private 3rd party land therefore there should be no issues.

The Highway Authority commissioned a traffic and parking survey along Porthdafarch Road, from its commencement at the B4545/Kingsland Road Junction to the Tan yr Efail Estate junction. The survey was conducted on Tuesday 4 February 2020 and was for a duration of 24 hours and incorporated traffic queue analysis, vehicle parking occupancy and duration of stay and instances of vehicle movement conflict (reversing, pavement mounting, pulling in behind parked cars). On the basis of the aforementioned survey and having provided the applicant and opportunity to comment and submit their own assessment of the survey results the council's Highways Section have come to the conclusion that the increase in traffic from the development is significant on a highway where there is existing danger and is unacceptable without an improvement that would reduce this danger.

At the September Planning Committee it was reported that the Highways Section had withdrawn their objections and were recommending conditional permission. The conditions recommended included a requirement for a Traffic Regulation Order "TRO" for a one way street requiring that vehicles only travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road and a requirement that the developer funds the costs of the TRO process and works.

Adain Dechnegol (Draenio) / Technical Section (Drainage): Further to your consultation regarding the outline application for the above residential development, I can confirm that the foul and surface water drainage systems as detailed appear to be satisfactory in principle. However, it would be advisable to request the applicant to provide a Flood Risk and Hydrological Assessment for this site, to demonstrate the effects of an obstruction/structural failure of the culverted watercourse downstream and confirm any mitigation which may be necessary. In addition, should any subsequent application be submitted which amends the drainage scheme or site layout, then this would require an equivalent application to the Authority's SuDS Approval Body (SAB), incorporating a surface water drainage scheme which complies with new SuDS Statutory Guidance.

Following the submission of amended plans it has been confirmed that surface water drainage can be dealt with by way of a planning condition. Further that unless there are local flooding issues surrounding the site of which I wouldn't be aware I agree that a flood risk assessment isn't necessary for the development.

Ymgynghorydd Tirwedd / Landscape Advisor: Following the initial consultation it was recommended that house types were re-considered in relation to their position relative to the site's topography, boundaries affected by visibility splays will require mitigation and that planning conditions should also include landscaping and its maintenance and boundary treatments. In relation to the amended plans it was confirmed that the layout had removed housing from the more elevated part of the site closest to the AONB. House types A and B (single storey) are located on the site boundaries with house type D (two storey) on the centre of the site. With regard to effects on the AONB and integration into the site, the layout now proposed addresses previous comments (layout is part of the Outline Planning application). The appearance of the buildings (materials and design) and landscaping will be subject to a Reserved Matters application. Further that the plan proposes native hedgerow and tree planting along the site's boundaries and in the open space area. The species proposed and mix are suitable. Final details of numbers will be required as a pre-commencement condition. The landscape strategy is broadly suitable (suitable to confirmation of the access and visibility splay) and no more information is required at this time.

Cyfoeth Naturiol Cymru / Natural Resources Wales: Does not object but the following comments are made in relation to the appropriateness of the landscaping and boundary treatment. No issues were raised in relation to protected species and it was not considered that the proposal was likely to have a significant effect on the Special Area of Conservation "SAC" or the Special Protection Area "SPA" at Glannau Ynys Cybi (because the application site is not under suitable management for choughs and is adjacent to existing developments).

NRW have also confirmed that they are content with the ecological information submitted with the planning application which included the additional information in relation to a badger set adjacent to the application site.

Following detailed comments on the landscaping scheme it has now been confirmed that NRW are content with the proposal subject to the requirement for a detailed landscaping scheme and management plan. Further that they are satisfied that the proposed development has taken into account the Anglesey AONB and rural context.

Llywodraeth Cymru (Priffyrdd) / Welsh Government (Highways): No direction.

Bwrdd Iechyd Prifysgol Betsi Cadwaladr/ Betsi Cadwaladr University Health Board: No observations received.

At the time of writing a re-consultation is taking place with all consultees in relation to the addendum to the Transport Assessment proposing a Traffic Regulation Order for a one way street.

The planning application has been advertised as a major planning application on four occasions as follows:

Following the initial publicity in November 2018 eight objections were received on the following grounds:

- Increase in construction and operational traffic and resultant highway dangers (including access by emergency vehicles) specifically along Arthur Street and Mountain View where there are already issues due to the width of the road and visibility available due to parked cars along the street. Also the impact of traffic on the environment. No improvements are proposed as part of the planning application.
- Porthdafarch Road is already in a poor condition and additional traffic will exacerbate this.
- There should be a mechanism for preventing the houses being sold as rental or holiday homes so that they are affordable to local families.
- Unfair that letters are only sent to properties adjacent to the application site.
- Need for the development given the housing development in Llaingoch which it is understood are not being sold.
- Redevelopment should be preferred to the development of a greenfield site.
- The proposed development does not include access to the writer's land such that it will become landlocked and unavailable for further residential development.
- Concerns are raised and assurances requested as regards the drainage ditch along the existing Cae Rhos boundary.

In December 2019 amended plans were submitted which reduced the total number of dwellings by 2 (from 38 to 36) increased the distances from the rear elevations to the rear boundaries on a number of plots and changed one of the house types. A Transport Assessment was also provided. This information was advertised in November 2019 and (number) objections received on the following grounds:

- Issues are raised in relation to existing problems, the volume of traffic likely to result from the development, damage to parked vehicles, congestion, speed, emergency vehicle access along Porthdafarch Road having regard to the transport assessment submitted in support of the planning application.
- Loss of light on the adjacent bungalows at Cae Rhos.
- Ecology including bats present on the application site.
- Need for additional housing on this greenfield sites given other residential developments which are occurring in the vicinity.
- Morlais scheme has selected Porthdafarch – Mill Road route for onshore cabling, cable trenching will result in additional traffic problems.

In May 2020 additional information comprising an update of the ecology report and the applicant's response to the Arup Report produced by the Highway Authority were received. The advertising of this information was delayed by the Covid situation but the publicity period has now expired on the 01.07.20. Three objections have been received on the following grounds:

- Development would impact on wildlife notably badgers.
- Impacts generally on the AONB which would impact on tourism.
- There is previously developed land available within the settlement boundary.
- Extra traffic resulting from the development. Issues in relation to existing problems along Lon Porthdafarch are reiterated and it is stated that the construction and operation of this development will exacerbate these problems.
- Perceived inaccuracies and differences of opinion are expressed in relation to the highway information submitted by the applicant's is listed including that Arthur Street is one way, that there are no passing places available when residents are at home in Arthur Street and Hendy Terrace.
- 36 residential units is excessive.

Houses would be out of place adjacent to bungalows at Cae Rhos.

The addendum to the Transport Assessment proposing a Traffic Regulation Order for a one way street is currently being advertised with a press notice, site notices and individual notification letters. The publicity

period will expire on the 08.10.20. Any representations received will be reported at the Planning Committee.

### **Relevant Planning History**

No material planning history.

### **Main Planning Considerations**

Background Following the submission of the amended plans and additional information in December 2019 it was recommended that a site visit was convened at the Planning Committee in January 2020 and this was convened on the 22.02.20.

At the February Planning Committee the planning application was deferred due to outstanding matters in relation to: Highway concerns, the provision of upper and lower limits in relation to the amended house types in the Design and Access Statement and clarification of NRW's position in relation landscaping/along the south eastern boundary of the application site.

At the March planning committee it was explained that additional ecological information on badgers would be required as NRW.

The planning application was scheduled to be considered at the April 2020 Planning Committee but this meeting was cancelled due to the Covid 19 situation.

The next planning committee where planning application were being considered took place in July 2020 and in accord with the applicant's request the planning application was deferred to enable further discussions to take place with the Highway Authority.

The planning application has been deferred at planning committee since February for a variety of reasons. The highway and ecological reasons for the deferral are considered in more detail in the relevant sections of the committee report below.

At the September planning committee the Highway Authority withdrew their objection to the planning application and it was resolved to approve the planning application. Following the receipt of legal advice the council subsequently requested that the applicant's formally submit their proposal for a one way system along Porthdafarch Road and these details are currently being consulted and publicised. An update on these matter will be provided at the planning committee.

Principle of Residential Development Holyhead is identified as an urban service centre with the JLDP which is the highest level of settlement on the island. Because of the sustainability credentials of these settlements a higher proportion (53%) of new development will be expected to take place in them.

The application site is located on an allocated site (T11) 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, further the JPPU have confirmed that at present capacity exists in the settlement and that no Welsh Language Statement is required with the planning application. A satisfactory record of how the Welsh language was considered in drawing up the planning application has been provided with the Design and Access Statement submitted with the planning application.

The proposal is made for 36 units (which equates to a density of 0.26 units per hectare) whereas it is estimated in the JLDP that the enquiry site could accommodate 53 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. The Design and Access Statement submitted with the planning application explains that the development has been designed to be in keeping with surrounding sites in a semi-rural setting adjacent to the AONB that it has also not been possible to achieve the density sought in



the JLDP due to onsite provision of open space requirements, spacing requirements for dwellings and road adoption standards. Added to these considerations are the ecological and landscaping considerations described in the relevant sections of the report below.

Policy TAI 8 of the JLDP requires that the mix of housing in a development are appropriate and align with the need of the area. The mix of dwellings comprises eight 3 bed two storey semi-detached (type a), twenty 2 bed one and a half storey semi-detached (type b) and eight 2 bedroom two storey terrace dwellings (type c). The Design and Access Statement explains how the mix was derived having regard to the SPG Housing Mix and concludes that the scheme meets the need 2 and 3 bedroom dwellings in Holyhead. The council's Housing Service confirm that they are satisfied with the housing mix proposed in the development, although the comments note that properties suitable for older persons have not been considered as part of the assessment.

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 3.6 units. The council's Housing Service has confirmed that there is a need for affordable housing based on the council housing waiting list and the Tai Teg register is confirmed and have also confirmed that they are satisfied for 4

**Highway Considerations and Sustainability** The planning application has been called to the planning committee by a local member who considers that the scale of the development would result in significant highway issues. As detailed in the consultation section of this report principal objections received relates to the adequacy of the highway network at the bottom of Porthdafarch Road at Henddu Terrace and Mountain View. The primary concern is that the additional traffic produced by the proposed development would exacerbate existing congestion and a lack of visibility of oncoming vehicles which is tantamount to a single carriageway along these streets due to cars owned by occupants of the terraced houses being parked along one side of the highway.

It is material that the application site is allocated for residential purposes in the JLDP and that at part of this process the adequacy of the highway network serving the development would have been assessed in preparing the plan. It is also material that the number of dwellings proposed at 36 is 17 units (approximately 30%) less than that forecast in the JLDP.

At the Planning Committee in February 2020 it was reported that the Highway Authority had significant concerns that the public highway leading to the application site along Henddu Terrace and Mountain View was substandard due to parked vehicles reducing the carriageway width for a significant length such that it may be saturated and at capacity. A transport assessment was commissioned by the Highway Authority which concluded that the increase in traffic from the development is significant on a highway where there is existing danger and is unacceptable without an improvement that would reduce this danger. The applicant's were provided with a copy of the transport assessment in April and thereafter submitted a rebuttal in May which was further considered by the Highway Authority who confirmed that they maintained their objection. At the July planning committee the planning application was deferred at the applicant's request as they only recently received confirmation of the Highway Authority's position and required additional time to facilitate further discussions. In the August Planning Committee the recommendation was that the planning application was refused but it was agreed by all parties that the application was deferred so as to enable consideration of the applicant's offer to transfer land at the rear of Porthdafarch Road to the council for use as a car park.

At the September planning committee the Highway Authority withdrew their objection to the planning application and it was resolved by the planning committee to approve the planning application. The council's Highways Section withdrew their objection conditional upon a requirement for a Traffic Regulation Order "TRO" for a one way street requiring that vehicles only travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road. From Kingsland Road vehicular access south along Porthdafarch Road then will only be permitted via Arthur Street which is already one way only south towards Porthdafarch Road. An addendum to the Transport Assessment has been submitted as part of the planning application which proposes TRO for

this one way system and this is being consulted and publicised as part of this planning application. An update will be provided at the planning committee.

A TRO is a legal document which can only be prepared by the Highway Authority that restricts or prohibits the use of the highway network with the aim of improving road safety and access. As part of the TRO process there will be a separate TRO consultation with local members, Holyhead Town Council and local residents. A legal agreement requiring that the developer funds the costs of the TRO process and works has been recommended as part of any planning permission granted.

It is recommended that planning permission is approved conditional upon the TRO for the one way system being secured, which means that it is approved and implemented. In accord with the comments of the council's Highways Section if the TRO is not secured then the planning condition will prevent the development being implemented.

Relationship with the Surroundings and the AONB: The south western boundary of the application site abuts the AONB. 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. The amended plans received address the comments of the council's Landscape Adviser in removing two storey developments from the elevated part of the application. Since the last committee report in February NRW have confirmed that they are content with the proposals subject to a requirement for a detailed landscaping and management plan the requirements of which can be drafted into a planning condition by the Local Planning Authority.

Relationship with Adjacent Properties The council's SPG Design Guide provides guidance on the proximity of development to other properties and boundaries to prevent overlooking and other unacceptable impacts. Amended plans were received in the course of determining the planning application which increased the distances from the rear elevations of the dwellings to the boundaries at the bottom of their rear gardens. The distances are now acceptable such that there will not be any unacceptable impacts on the residential amenities of the existing residential property to the south west at Rowen or to the north east at Cae Rhos. The distances from the rear elevations of the dwellings on plots 9 and 10 to the boundary with the agricultural land to the rear is around 6.7 metres whereas the guidance prescribes 7.5 metres. Given that the distance deficit is less than 1 metre and that the dwellings back on to agricultural land this is considered acceptable in this instance.

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 Construction Environmental Management Plan which will regulate working times and other construction activities as recommended in the comments of the council's Environmental Health Section.

Ecology and Biodiversity: At the March planning committee it was reported that it had been brought to the Local Planning Authority's attention by NRW that following a report from a member of the public that there is a badger sett in close proximity to the application which has not been identified in the ecological survey submitted with the planning application. Additional ecological information was provided by the applicant in May 2020 to address this matter and both NRW and the council's Ecological and Environmental Adviser are content subject to conditions that the development is undertaken strictly in accord with this information including necessary mitigation measures.

No issues were raised by NRW in relation to protected species and it was not considered that the proposal was likely to have a significant effect on the Special Area of Conservation "SAC" or the Special Protection Area "SPA" at Glannau Ynys Cybi.

The retention of scrub areas, proposed indigenous landscaping and the provision of bird nesting boxes on the dwellings would provide an enhancement of the type required under the Environment (Wales) Act 2016.

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. As part of the proposed development 972m<sup>2</sup> of equipped play space is to be provided and 1450m<sup>2</sup> of open space and the JPPU have confirmed that this meets the requirements of the policy.

The application site comprises agricultural land and PPW states Grade 1, 2 and 3a agricultural land should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. In this instance the application site is allocated such that the aforementioned considerations would have been systematically assessed as part of the overall process of preparing the JLDP.

The council's Education Section have confirmed that a financial contribution will be required towards providing additional year 12 and 13 pupil capacity at Holyhead High School and on this basis a planning obligation has been recommended requiring a financial contribution of £73, 542 as part of the development.

Surface water from the development will need to be disposed of via a SuDS system and approval will be required from the Suds Approving Body which is an arm of the council. Based on the information provided by the agent the council's Drainage Advisor is content to deal with this by way of a planning condition. Similarly Welsh Water are content with the proposal on surface water drainage grounds subject to a requirements for a planning conditions requiring that full details of the scheme are provided.

## **Conclusion**

The application site is allocated for residential purposes in the JLDP and all matters except highway considerations have been resolved some time back as reported previously to the planning committee. The Highway Authority have now withdrawn their previous objections to the proposal subject to the requirements for a TRO as described in the report. An addendum to the Transport Assessment has been submitted as part of the planning application which proposes TRO for a one way system requiring that vehicles are only permitted to travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road and this is currently being consulted and publicised as part of this planning application. An update will be provided at the planning committee.

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

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**

Subject to the expiry of the notification and consultation periods on the 08.10.20 and no representations being received which raise new material considerations that delegated powers are granted to officers to grant planning permission subject to the completion of a legal agreement containing the following obligations:

Affordable Housing – Provision of 4 two bedroom affordable housing units to be sold as such on the open market or to a Registered Social Landlord (Plots 29, 30, 31 and 32).

Open Space – Provision of 972m<sup>2</sup> of equipped play space (including full details of equipment to be provided) and 1450m<sup>2</sup> of open space. 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.

Education - A financial contribution of £73, 542 towards providing educational provision at Ysgol Kingsland.

Traffic Regulation Order “TRO” – The developer is responsible for undertaking a pre-order consultation and submitting this information along with full design details of the TRO required under planning condition (24) to the Highways Authority. The Highways Authority will then submit the order and we will arrange for it to be put in place, if approved. The developer will be liable to pay the costs of the TRO and this is a sum to be agreed when a final design has been submitted and agreed.

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

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.

(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/ Block Plan Existing 1461-A3-01

Location/ Block Plan Existing 1461-A3-02

House Type A (Gogarth) Proposed Elevations 1461-A3-03

House Type A (Gogarth) Proposed Ground Floor Plan 1461-A3-03

House Type A (Gogarth) Proposed First Floor Plan 1461-A3-05

House Type B (Piscar) Proposed Elevations 1461-A3-06

House Type B (Piscar) Proposed Floor Plan 1461-A3-07

House Type D Proposed Elevations 1461-A3-08

House Type D Proposed Ground & First Floor Plan 1461-A3-13

Typical cross section through Road/ boundary wall 1461-A3-13

Location/ Block Plan Proposed 1461-A3-14

Proposed Landscape Strategy Plan 2019048/LSP/01

Reptile and Breeding Bird Survey (January 2020) Egniol

Technical Note (14 June 2019) SCP

Technical Note (14 September 2020) SCP

Design and Access and Planning Statement (November 2019) Cadnant Planning

Habitat Assessment four Choughs (September 2018) Egniol.

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

(03) If contamination is encountered in the implementation of the development hereby approved it shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the Local Planning Authority. The relevant parts of the application site shall thereafter be remediated in accordance with the scheme of remediation approved under the provisions of this planning condition.

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

(04) 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. Also in the interests of ecology.

(05) 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.

(06) 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 and to conserve and enhance the Area of Outstanding Natural Beauty.

(07) 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 1, 2, 3 and 4.

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

(08) Notwithstanding the plans hereby approved 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.

(09) Notwithstanding the plans hereby approved no development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

(a) A Landscaping Scheme for the development hereby approved which provides for the retention of existing trees, hedges and retention/provision of landscape areas/features identified as mitigation, compensation and enhancement in the Reptile and Breeding Bird Survey (January 2020) Egniol. The Landscaping Scheme to be submitted shall show the proposed planting including species, size and their density and distinguish trees, hedges and other existing landscape areas/features to be retained showing where applicable their species, spread and maturity together with measures for protection in the course of the development hereby approved.

(b) A Management Plan which includes a method statement and detailed measures for the maintenance and monitoring of the Landscaping Scheme approved under the provisions of 10(a).

The Landscaping Scheme and Management Plan to be approved in writing under the provisions of this planning condition shall be implemented not later than the first planting season following the occupation of the development hereby approved or its completion, whichever is the sooner. The provisions of the Management Plan shall where applicable under the provisions of the scheme to be approved in writing under 10(b) above be maintained for the lifetime of the development hereby approved.

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

(10) Any trees or shrub which forms part of the approved Landscaping Scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.

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

(11) The application site shall be developed strictly and entirely in accord with the Reptile and Breeding Bird Survey (January 2020) Egniol and the Habitat Assessment four Choughs (September 2018) Egniol.

Reason: In the interests of ecology and biodiversity.

(12) 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.

(13)

a) No development (including trial pitting, topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development hereby shall be carried out and all archaeological work completed in strict accordance with the details as may be approved in writing by the Local Planning Authority.

b) A detailed report on the archaeological work, as required by condition 13 (a), shall be submitted to and approved in writing by the Local Planning Authority within twelve months of the completion of the archaeological fieldwork.

Reasons: 1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2016 and TAN24: The Historic Environment. 2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

(14) The development hereby approved shall not commence until the Local Planning Authority have approved in writing a scheme of works which shall be based on a topographical survey in respect of the following:

i. The re-alignment and reinstatement of stone walls along the frontage of the application site to provide visibility splays of 2.4 metres by 70 metres either side of the proposed vehicular access to the development from the public highway.

ii. Provision of a minimum 2 metre pedestrian footway long the whole frontage of the application site and thereafter from the proposed vehicular access of the development hereby approved to the existing pavement at the existing vehicular entrance to the Cae Rhos estate.

No other part of the development hereby approved shall commence until those works to be approved in writing under the provisions of (i) and (ii) of this planning condition have been implemented and completed.

Reason To provide adequate inter-visibility between the vehicular access of the development and the existing public highway and to minimise danger and inconvenience to users of the highway and the development. Also to conserve and enhance the Area of Outstanding Natural Beauty.

(15) The vehicular access to the development hereby approved shall be constructed with 2.4 metre by 70 metre splays on either side.

Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway of the public highway shall be permitted at any time.

Reason: To provide adequate inter-visibility between the access and the existing public highway for the safety and convenience of users of the highway and the access.

(16) The vehicular access to the development hereby approved 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 the development.

(17) The vehicular access to the development hereby approved shall be constructed with its gradient not exceeding 1 in 20 for the first 5 meters back from the nearside edge of the adjoining carriageway of the public highway.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the development.

(18) The vehicular access to the development hereby approved shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the public highway.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the development.

(19) No surface water from the development shall discharge onto the public highway. No development shall commence until full design details for the surface water drainage of the development have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved scheme has been implemented and is fully operational.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the development.

(20) No development shall commence until plans have been submitted to and approved in writing by the local planning authority showing full specifications of the following:

- longitudinal and cross section through the service road showing the proposed road levels relative to the existing and proposed ground levels.
- the surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.
- the location and the type of highway street lighting furniture.

The development hereby approved shall be completed in accord with details to be approved under the provisions of this planning condition.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the development.

(21) The estate road(s) and its access shall be designed and constructed in accordance with 'Residential Road Adoption requirements, Anglesey' (Copy enclosed with this decision notice).

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the development.

(22) The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the development.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the development.

23) 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 construction of the development hereby approved 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 CTMP.

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

(24) The dwelling(s) hereby approved shall not be occupied until the car parking space(s) for those dwelling(s) have been completed. The car parking spaces(s) shall be retained for these purposes in the lifetime of the development hereby approved.

Reason: To ensure that the development does not result in any road / parking problems.

(25) No development shall commence until a Traffic Regulation Order "TRO" for a one way street requiring that vehicles only travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road has been secured by the Local Highway Authority.

Reason To mitigate the additional traffic generated by the proposed development which would be detrimental to the free flow of traffic and road safety.

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: PS 1, ISA 1, ISA 5, PS 4, TRA 2, TRA 4, PS 5, PS 6, PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, PCYFF 6, TAI 1, TAI 8, TAI 15, AMG 1, AMG 3, AMG 5, PS 19, PS 20, AT 4.

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.