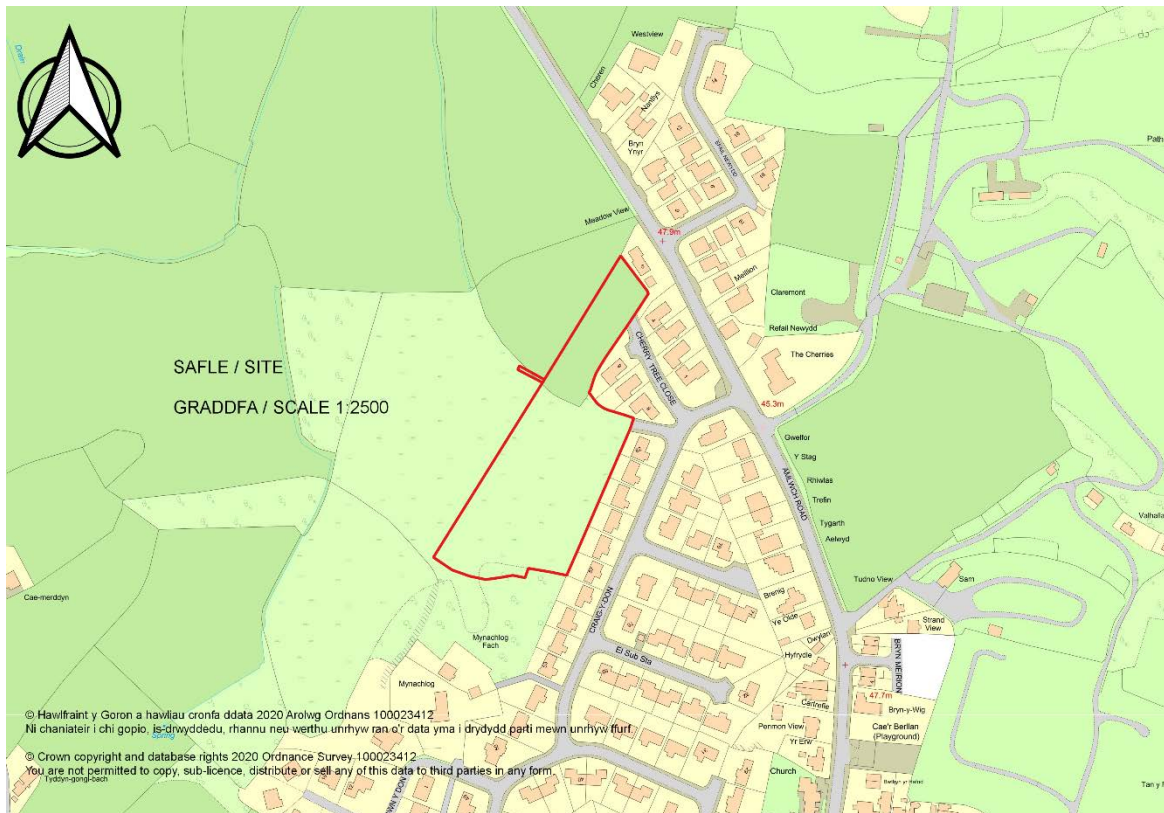


Application Reference: FPL/2019/217

Applicant: Mr Dylan Davies

Description: Full planning application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land adjacent to

Site Address: Craig y Don Estate & Cherry Tree Close, Benllech



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

Recommendation: Permit

Reason for Reporting to Committee

The application has been called into the Planning and Orders Committee for determination by Local Members Ieuan Williams and Margaret Roberts.

Proposal and Site

The application is submitted for the construction of 17 affordable dwellings together associated developments. The application site will be accessed from two new separate vehicular accesses from Cherry Tree Close and Craig y Don Estates. The application also entails 3 number of agricultural accesses and the construction of a pumping station. The application has been amended on several

occasions. The main amendment was the reduction of the number of units from 29 to 17 dwellings. The latest amendments include additional landscaping at the boundary and reduction of agricultural accesses.

The application site is approximately 1.08 hectares with a Local Wildlife Site. The land is within the Area of Outstanding Natural Beauty (AONB) and lies immediately adjacent to the settlement boundary of Benllech as identified within the Joint Local Development Plan (JLDP).

The access from the Craig y Don estate will serve 16 dwellings whilst the access from Cherry Tree Close will serve the remaining dwelling. The proposed development will include new estate roads to serve the proposed dwellinghouses. The proposed dwellinghouses will be located across the site varying from 2, 3 and 4 bedroom single and two storey units. The majority of the dwellinghouses are semi-detached properties whilst some are detached units. The proposed development also includes a mixture of single and two storey dwellinghouses. All dwellings are provided with designated parking and private amenity spaces. As part of the proposed development amenity land will be allocated across two separate areas. The pumping station is located to the western part of the site.

The application site is surrounded by residential properties to the north, east and south. Grassland is located to the west and south. The topography of the land is generally level with a slight depression in the centre of the site. The application site is predominately surrounded by hedgerows.

Key Issues

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, character and amenity of the area, Area of Outstanding Natural Beauty (AONB), Designated Wildlife site and highway safety.

Policies

Joint Local Development Plan

Policy TAI 15: Affordable Housing Threshold & Distribution
Policy TAI 16: Exception Sites
Policy TAI 4: Housing in Local, Rural & Coastal Villages
Policy PCYFF 2: Development Criteria
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 6: Water Conservation
Policy PCYFF 5: Carbon Management
Policy ISA 2: Community Facilities
Policy ISA 5: Provision of Open Spaces in New Housing Developments
Strategic Policy PS 2: Infrastructure and Developer Contributions
Policy ISA 1: Infrastructure Provision
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
Policy AMG 5: Local Biodiversity Conservation

Response to Consultation and Publicity

Consultee	Response
-----------	----------

Gwasanaeth Addysg / Education Service	The Lifelong Learning Department of Anglesey Council have confirmed that no commuted sum is required in this instance.
Iechyd yr Amgylchedd / Environmental Health	Conditional Approval
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	General comments made with respect to policies contained within the Joint Local Development Plan (JLDP).
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Conditional Approval
Cynghorydd Vaughan Hughes	No Response
Cynghorydd Ieuan Williams	Referred the application to the Planning and Orders Committee. The Local Member considered the proposed development does not comply with national or local planning policies. The proposed development would put an increased pressure upon local schools and existing highway network. The Local Member also considers that the proposed development should be subject to an EIA and as such raises concerns that the proposed development will have a negative impact upon the AONB and Local Wildlife Site.
Cynghorydd Margaret Murley Roberts	Referred the application to the Planning and Orders Committee. Concerns that the application site is located outside the development boundary and an increased pressure upon schools, parking etc
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	Concerns regarding over development, number of units being proposed and inadequate access and substantial traffic within the area.
Dwr Cymru/Welsh Water	Conditional Approval
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Legal Agreement required to accommodate the mitigation and enhancement measures proposed to the designated Wildlife Site.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditions proposed to mitigate the impact upon the AONB
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional approval recommended.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval
Draenio Gwynedd / Gwynedd Drainage	No Objection
Strategol Tai / Housing Strategy	There is a demand for the affordable units being proposed which has been confirmed within a housing needs survey.
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	Application should be considered in line with AONB Management Plan and Policy AMG 1 of the JLDP. Questioned whether other sites have been

	considered for the proposed development. Concern that further encroachment is made into the AONB if the application is approved.
--	---

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The publicity process has been undertaken on three occasions. The latest date for the receipt of any representation was the 24/09/2020. At the time of writing this report, 23 representations had been received at the department. The points are summarised below:

- ☐ Concerns with respect to planning policy and the land is situated outside the development boundary.
- ☐ Concerns regarding school capacity and local infrastructure.
- ☐ Concerns regarding highways safety, access, parking places and increased traffic.
- ☐ Concerns regarding disruption during the construction phase.
- ☐ Concerns regarding flooding.
- ☐ Concerns regarding ecology.
- ☐ Concerns regarding Area of Outstanding Natural Beauty (AONB).
- ☐ Concerns regarding impact upon amenity of existing nearby residents.
- ☐ Concerns regarding Welsh Language.

In response to the points raised the Local Planning Authority responds as follows:

- ☐ An assessment with respect to the location of the site and planning policy is outlined within the main core of the report.
- ☐ The impact upon the existing infrastructure including the local school has been assessed as part of the application. This is elaborated upon within main core of the report.
- ☐ The Local Highways Authority have assessed the application and raised no object to the application.
- ☐ Conditions will be attached as part of the application to mitigate and minimise nuisance to nearby properties and road users during the construction phase.
- ☐ Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work. 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 and Natural Resources for Wales have assessed the application and raised no objection.
- ☐ An Ecology Appraisal has been submitted as part of the application. The Authority's ecologist together with Natural Resources for Wales have assessed the application and are satisfied with the proposed development subject to conditions and legal agreement.
- ☐ The impact upon the AONB is assessed within the main core of the report
- ☐ The impact upon the amenities of nearby residential properties have been assessed as part of the application. This is elaborated upon within the main core of the report.
- ☐ A Welsh Language Impact Assessment has been submitted as part of the application. It is considered the impact upon the Welsh Language will be comparatively low.

Relevant Planning History

SCR/2019/46 - Screening opinion for the erection of 29 affordable dwellings, construction of two new vehicular and 4 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land – EIA Not Required 23/08/2019

Main Planning Considerations

The site is located immediately adjacent to the development boundary of Benllech. In terms of the principle of housing development, the development boundary is considered under policy TAI 16 of the Joint Local Development Plan (JLDP). In accordance with this Policy all units would have to be affordable housing that meets a defined local need. The policy states:

“Where it is demonstrated that there is a proven local need for affordable housing (as defined in the Glossary of Terms) that cannot reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing, as an exception, proposals for 100% affordable housing schemes on sites immediately adjacent to development boundaries that form a reasonable extension to the settlement will be granted. Proposals must be for a small scale development, which are proportionate to the size of the settlement, unless it can be clearly demonstrated that there is a demonstrable requirement for a larger site, with priority, where it is appropriate, given to suitable previously developed land.”

The application site is located towards the northern part of the Benllech. The north west part of the development boundary is staggered with no distinctive pattern to the boundary. The application site is considered a reasonable extension to the settlement since the site would only extend the built form towards the current extent of the development boundary around the property of Mynachlog Bach which lies to the South West of the application site. It is considered that the site will not unacceptably intrude and encroach further into the countryside than the general existing form of development. The application site is considered proportionate to size of the settlement of Benllech, which is classed as a Local Service Centre with the JLDP, the second highest tier settlement category of Anglesey.

Policy TAI 16 also states that, if local need has been proven, as an exception to the usual housing policies, schemes for a 100% affordable housing could be suitable on such a site as long as the units cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing. It has to be ensured that all the units are affordable and that there is a local need for them.

The indicative supply for Benllech (including a slippage allowance of 10%) was for 90 units over the plan period. In the period 2011 to 2020 a total of 109 units have been completed within Benllech with a further 36 units in the landbank at April 2020 all of these units are on windfall sites (this 36 units includes the recently approved application (FPL/2019/204) to build 27 affordable dwellings at Ponc y Rhedyn in Benllech). This means that Benllech has achieved its windfall provision.

The Plan's Monitoring Framework will consider the number of units that are completed annually in order to determine if the Plan is achieving the housing requirement. Annual monitoring will also allow the Councils to determine what type of sites will supply housing i.e designation or windfall sites. The focus will be on the units completed rather than permissions. As well as this, the Monitoring Framework will try to assess if the Plan's Settlement Strategy is being achieved. This indicator looks at housing consents. Policy PS 17 in the Plan states that 22% of the Plan's housing growth will be located within the Local Service Centres. The indicative growth level (including 10% slippage) for Local Service Centres is 1754 units. 665 units were completed between 2011 and 2019 in all Local Service Centres and that 518 were in the land bank. This means that there is a current shortfall of 571 units. Currently, therefore, the approval of this site can be supported by the expected provision within the Local Service Centres category.

In terms of meeting a 'local need', the same definition applies as what is stipulated for the proposed affordable unit located within the boundary. The definition of who can live in these units are therefore very specific. Whilst it is noted in the information submitted with the planning application that all the units will be managed by Clwyd Alun Housing Association, it has been confirmed by the Housing Service there is a need for the units being proposed. The assessment includes a Housing Needs Survey and the consideration of other planning applications, including the proposal for the erection of 27 affordable dwellings at Ponc Y Rhedyn, Benllech. The Housing Service have confirmed there is a need for the affordable units being proposed at both application sites. The Housing Service has also confirmed, outside Benllech there is a large demand for social and affordable housing in the Lligwy Electoral Ward.

The proposal is therefore appropriate in terms of the fact that all the units proposed on the part of the site outside the boundary are affordable. It is also necessary to establish there is a genuine need for these units and that this cannot be met within the boundary of Benllech as noted in Policy TAI 16. If the need for

these units have not been suitably justified, the proposal, in terms of the units located outside the development boundary, would be contrary to JLDP as it would provide new houses in the countryside without the relevant justification.

As such, Policy TAI 16 states the requirement to demonstrate that affordable housing to meet a proven local need cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing.

The applicant together with the policy, housing and property section have provided comments with respect to whether or not affordable housing cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary.

The allocated housing site (T32) within Benllech would provide 12 residential units and would provide 4 number of affordable units. The site is owned by the Local Authority and there are no immediate plans to develop the site within the immediate future. It is therefore considered that the allocated housing site will not be delivered in a reasonable timescale. In addition, it considered that Topic Paper 6: Urban Capacity Study (February 2015) has not identified significant development opportunities with the settlement boundary of Benllech. The agent has also provided information confirming that there are no dwellinghouses within Benllech that could be considered as being at an affordable price. The Housing Section have confirmed this point.

It is considered there are only limited opportunities to meet any identified need in the settlement within a reasonable timescale. An application for 6 residential apartments has recently been refused which would have provided 2 affordable units. In light of this evidence and the lack of previous affordable units being delivered within the settlement the policy and housing section are of the opinion that the exception site will help to meet an identified need.

With respect to the viability and deliverability of the site, it is considered that the site is on the 'Reserve and Potential' list of the Council's Program Delivery Plan (PDP). The Housing Service also proposed to fund the proposed development through a Social Housing Grant within the next 5 years. It is therefore considered there is a high element of certainty that this site will be brought forward within a reasonable timescale and consideration has been given towards its viability.

Candidate Site

The application site was offered as a candidate site under the Anglesey and Gwynedd Joint Local Development Plan for residential development (reference number SP146). The purpose of the candidate sites was to identify suitable site as housing allocations within the Plan. The comments made by the planning policy unit relating to the site (included within Topic Paper 1B: Assessing the Candidate Sites (March 2016)) raised issues with respect to highway safety, surface water issues, that the site is located within the AONB and is situated on Grade 3 Agricultural Land. All these issues will be assessed later within the report.

The topic paper also suggest that since the land is located within the AONB, other sites were available as a housing allocation. Policy TAI 16 does not require consideration of other potential exception sites on locations immediately adjacent to the settlement boundary only for possible alternative sites within the boundary. As previously noted, it not considered that the allocated site will be delivered in a reasonable timescale.

Policy TAI 8 – Appropriate Housing Mix

The proposed development offers a mixture of single and two storey dwellinghouses which can accommodate various number of bedrooms and occupants. Policy TAI 8 '*Appropriate Housing Mix*' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community.

Regard is given to the Local Housing Market Assessment (LHMA), Council Housing Register and Tai Teg Register to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market. The Housing Service have confirmed that the housing mix being proposed is acceptable.

Policy PS 1 – Welsh Language and Culture

Given that the application is a large scale housing development (defined as 5 or more units within Local Service Centres in the Maintaining and Creating Distinctive and Sustainable Communities' SPG) on an unexpected windfall site then a Welsh Language Impact Assessment is required in line with policy PS1 of the JLDP. It is noted that such an assessment has been submitted with the application which concludes that the impact upon the Welsh Language will be comparatively low.

Policy ISA 5 – Provision of Open Spaces in New Housing Developments

As this is a development of 17 dwelling houses it triggers Policy ISA 5, which states that: *"New housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, will be expected to provide suitable provision of open spaces in accordance with the Fields in Trust (FiT) benchmark standards of 2.4 hectares per 1000 population."*

The Open Spaces in New Residential Developments Supplementary Planning Guidance (SPG) (March 2019) states that the benchmark standard proposed by the FiT consists of a minimum 2.4 hectares per 1000 population.

The Open Space Assessment undertaken by the Joint Planning Policy Service identified a shortfall of open space in all of the above categories. As part of the application the applicant is providing 645m² public open space which more than meets the informal play space element of the FiT categories but does not propose to place any play equipment on the site.

Policy ISA5 does acknowledge that in some circumstances on site provision may not be feasible. In such cases, the Council will seek to negotiate a planning obligation under Section 106 of the Town and Country Planning Act 1990. This obligation enables developers to make a contribution towards the provision of suitable off site play space in lieu of direct provision within the development site where there are identifiable and appropriate opportunities for providing new play space.

The calculation of costs is based on (i) FiT standards (which identify a level of provision per 1,000 population), and (ii) likely basic costs for the provision of open space provision.

New Provision from new development:

- ☐ Outdoor Sport = 564.16m²
- ☐ Children's Informal Play Space = no financial contribution required as this is being provided on site
- ☐ Children's Equipped Play Space = 88.16m²

Therefore, based on costs for provision the commuted sum required are highlighted:

- ☐ Outdoor Sport = £6595.03
- ☐ Children Equipped Play Space = £3349.20
- ☐ Total Contribution = £9944.23

Infrastructure Policy

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development consideration is given to the capacity within local schools to accommodate the anticipated number of children on the site. It is also important to consider the effect of the proposed development on the capacity of local schools. The cumulative impact of other developments in the schools' catchment areas

is also taken into account when assessing whether an education contribution should be made. The Lifelong Learning Department of Anglesey Council have confirmed that no commuted sum is required in this instance.

Agricultural Land

The proposed site lies on Grade 3b Agricultural Land which is classified as moderate quality'. Criterion 6 of Strategic Policy PS6 (Alleviating and Adapting to the Effects of Climate Change) notes that proposals must give full consideration to protecting the best and most versatile agricultural land. Best and most versatile (BMV) agricultural land is defined in Planning Policy Wales as Grades 1, 2 and 3a, this is excellent to good quality land which is able to best deliver the food and non-food crops. Since this site lies on Grade 3b land criterion 6 of Policy PS 6 is not applicable with this application.

Character of the area:

At its core, one of the most fundamental consideration is whether this residential development is acceptable in respect of its design and layout is whether it can comply with the provisions of the JLDP and whether there are any other material considerations which must be taken into account. Policy PCYFF2, PCYFF3 and PCYFF4 are the primary consideration in assisting the proposal from this aspect.

The development is located adjoining the settlement of Benllech. Within this context, achieving the correct design and appearance is important and it is noted that a mixture of development are located within the vicinity. These include a mixture of single and two storey dwelling of various designs.

The proposed dwellings are considered acceptable in terms of their impact on the townscape which will acceptably integrate into the surrounding area. The proposed development includes a mixture of detached and semi-detached properties includes single and two storey dwellinghouses. It is considered that the proposed development will not harm the character of the area and reflect the relatively dense residential pattern of development within the immediate locality.

Effect upon the amenities of neighbouring properties:

The impact of the proposal, in particular upon the amenity of nearby land users should be considered in accordance with the criteria as set out in Policy PCYFF2 of the JLDP. Specific consideration should be given to subsection 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupier of local residence or other land and property users.

Regard has been given in terms of overlooking / loss of privacy and the effect on the outlook of adjacent residential properties. As previously noted, the application will be served from the Craig y Don and Cherry Tree Close residential estates. Existing dwellinghouses are located along the northern and eastern boundary. Dwellinghouses are also located to the south, however agricultural land is located between these existing units and the application site. No significant difference in level is proposed as part of the development.

Plots 11, 12 , 13, 14, 15, 16 and 17 all adjoin the eastern boundary and therefore careful consideration is given to the amenities of the dwellinghouses located at Craig Y Don.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) requires a distance of 2.5 meters between dwellinghouses and boundaries. All of these dwellinghouses exceeds this distance, the shortest distance between plot 17 and the nearest exiting dwellinghouse being approximately 11 meters.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) SPG also requires a distance of 15 meters between secondary windows. The nearest proposed secondary window to an existing secondary window is at a distance of approximately 22 meters. This exceeds the guidance

distance. In addition, a 1.8 high fence is proposed along the eastern boundary which will further aid against the impact upon the amenity of neighbouring properties.

Plot 1 also adjoins the eastern boundary and therefore careful consideration is given to the amenities of the dwellinghouses located at the Cherry Tree Close Estate. There is a distance of approximately 19 meters between the closest exiting dwelling at Cherry Tree Close and the dwellinghouse at Plot 1.

A bedroom window is located on the eastern elevation of Plot 1 which is approximately 23 meters from the nearest dwelling house. A maximum distance of 15 meters is required within the SPG between secondary windows. The dwelling house is in compliance with guidance distances within the SPG. In addition, a 1.8 meter high green screen fence will be located along the eastern boundary.

Dwellinghouses are also located to the north and south part of the application. However, given the ample distance between the proposed units and the existing dwellinghouses together with position of an open space and agricultural land between the units, it is not considered the proposed development will have an unacceptable impact upon the amenities of those properties.

It is not considered that the proposed development will have a detrimental impact upon the nearby dwellinghouses or future occupants of the proposed affordable units. Conditions will be attached to any permission to including measures to mitigate against the impact during the construction phase.

Local Highways Authority:

The application site will be accessed the application from the both the Craig y Don and Cherry Tree Close residential estates. Estate roads will be constructed at the application site to serve the proposed dwellinghouses.

The Local Highways Authority have assessed the application and are satisfied with the proposed development subject to conditions which are proposed as part of their recommendation.

Drainage:

Indicative drainage plans and a drainage strategy has been submitted as part of the application.

The proposed development will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work. Notwithstanding the SAB approval, a condition will also be attached to any planning permission to ensure that the proposed development will be made satisfactory in term of drainage and its impact upon the Wildlife Site.

Ecology:

The application site is located within a designated Local Wildfie Site, Cors Efail Newydd. The Cors Efail Newydd Wildlife Site was identified by North Wales Wildlife Trust and later formally designated as a local designation as part of the JLDP being classes as a '*naturalness*'. A preliminary Ecological Appraisal has been submitted with the application.

Policy AMG 6 of the JLDP ensures that proposals that are likely to cause direct or indirect significant harm to Wildlife Sites will be refused, unless it can be proven that there is an overriding social, environmental and/or economic need for the development, and that there is no other suitable site that would avoid having a detrimental impact on sites of local nature conservation value or local geological importance. If a development is granted, it will be necessary to ensure that here are appropriate mitigation measured in place.

The Wildlife Site is approximately 57,959 square meters. The part of the application site which is located within the Wildlife Site is 7,847 metres square, approximately 13.5%.

The wildlife site is not currently being managed, and as such losing quality. Following undertaking surveys of the land, some areas of the Local Wildlife Site which will be lost to the proposed development were found of being lesser ecological interest and the likelihood of any rare species in this area is certainly low. The remaining part of the Wildlife Site is more of a marshy grassland with more potential than the area of land subject to the application.

The Local Authority have no power available to enforce any retention or management of the site and as such the Wildlife Site may continue to deteriorate without any intervention. Although a relatively small proportion of the wildlife Site will be lost as part of the residential development, significant mitigation and enhancement measures in terms of management action and prescriptions for the lifetime of the development are being proposed which are suitable to form the basis of long term Conservation Plan. These measures include managing willows, conservation grazing and effective monitoring by vegetation surveys and reports.

As previously noted there is an identified need in Benllech for affordable dwellinghouses with no alternative sites within the development boundary which can be delivered in a reasonable timescale to address the need. Given due weight to this fact together with the mitigation and enhancement measures being proposed which will improve the un managed Wildlife Site, on balance it is considered there is an overriding social need for the proposed development. In addition, surface water from the proposed development will be directed in a controlled rate to an existing watercourse within the Wildlife Site. This will increase the wetness of the Wildlife Site which would be favourable to the ecological status of the site. There are currently no other sites for similar development therefore it is considered there is no other suitable available site that would avoid having a detrimental impact on sites of local nature conservation value or local geological importance.

Although outline management measures have been submitted, a full and comprehensive management plan to ensure appropriate mitigation and enhancement measures will be secured through a legal agreement to ensure that the works are carried out throughout the lifetime of the development.

Area of Outstanding Natural Beauty (AONB):

The application is located within the designated AONB. Policy AMG 1 of the JLDP ensures that proposal within or affecting the setting and / or significant views into and out of the AONB must, whether appropriate, have regard to the AONB Management Plan.

The primary objective for designating AONBs is to conserve and enhance the natural beauty of the landscape. It is crucial that any development schemes that affect the AONB or its setting favours the safeguarding of an area's natural beauty.

Policy PS 19 states that the Council will manage development so as to conserve and where appropriate enhance the Plan area's distinctive natural environment, countryside and coastline, and proposals that have a significant adverse effect on them will be refused unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area in question.

As the site lies adjacent to the settlement with limited views from public viewpoints and where views are available, the propose development would be seen in the context of existing dwellings. Consequently it is considered that there would be a neutral effect on natural beauty as perceived from the main highway and Public Rights of Way (PRoW), conserving this characteristic of the AONB in relation to these views. A short portion of low hedgerow will be removed and although it provides limited screening, it will be replaced in a suitable landscaping scheme.

It is considered there would be neutral effects on natural beauty from the proposal due to the lower sensitivity of the inward views - screening off-site would be unaffected. It is considered that appropriate details of the externally visible elevations and landscaping on the boundary (secured through conditions) would ensure greater conformity with AONB requirements.

The AONB is currently bounded by residential curtilages. The existing dwellings are predominantly white in colour, whilst the proposed dwelling are a darker colour. It is considered that the darker colour of brick, windows and door included within the new proposed dwelling could provide a better and more sympathetic edge of the settlement in comparison to the existing form of development. It is also considered that adequate landscaping of the boundary will aid mitigate against the proposed development and provide an improved and enhance new defined boundary between the built form of development and the open countryside. It is considered that the new boundary will create a clear definitive edge around the new development which will make it tougher to encroach further into the AONB.

Other matters:

Consultees including Gwynedd Archaeological, Drainage / Welsh Water, Natural Resources for Wales, Environmental Health have all provided comments with respect to the proposed development. Conditions will be attached to the permission accordingly.

Conclusion

The application is acceptable in policy terms and will provide affordable housing within Benllech. Although the application is located within a Wildlife Site and the Area of Outstanding Natural Beauty, on balance and given due consideration to the mitigation and enhancement measures being proposed it is considered that the proposed development is acceptable and will deliver an identified need of affordable dwellinghouses in Benllech which cannot be delivered on other sites within the development boundary.

The details with respect to highway matters have been assessed and considered acceptable. Given due consideration to distances between existing properties and the character of the area, the proposal is considered acceptable subject to conditions and will not detrimental harm the amenities currently enjoyed by the occupants of the surrounding properties or future occupiers to such a degree as to warrant refusal of the application.

Recommendation

Permit the application subject to conditions and a section 106 agreement to include the affordable housing, ecological enhancement measures and contribution towards open space.

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

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

(02) 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 18-226-SP-01 Rev B**
- ☐ **Gable Elevation – 4B6P-404 Rev C**
- ☐ **Gable Elevation – 4B6P-403 Rev B**
- ☐ **Rear Elevation – 4B6P-402 Rev B**
- ☐ **Front Elevation – 4B6P-401 Rev C**
- ☐ **First Floor Plan – 4B6P-202 Rev B**
- ☐ **Ground Floor Plan – 4b6p-201 Rev B**

- ☐ Roof Plan – 4B6P-203 Rev C
- ☐ First Floor Plan – 4B6P-102 Rev B
- ☐ Ground Floor Plan – 4B6P-101 Rev B
- ☐ Gable Elevation 2 – 3B5P-404 Rev C
- ☐ Gable Elevation 3B5P-403 Rev C
- ☐ Rear Elevation – 3B5P-402 Rev C
- ☐ Front Elevation – 3B5P-401 Rev C
- ☐ First Floor – 3B5P-202 Rev C
- ☐ Ground Floor – 3B5P-201 Rev C
- ☐ Roof Plan – 3B5P-203 Rev C
- ☐ First Floor – 3B5P-102 Rev C
- ☐ Ground Floor – 3b5p-101 Rev C
- ☐ Gable Elevation 2 – 3B5PDC-404 Rev B
- ☐ Gable Elevation – 3B5PDC-403 Rev A
- ☐ Rear Elevation – 3B5PDC-402 Rev B
- ☐ Front Elevation – 3B5PDC-401 Rev A
- ☐ First Floor Plan– 3B5PDC-202 – Rev B
- ☐ Ground Floor Plan – 3B5PDC-201 – Rev B
- ☐ Roof Plan – 3B5DC-103 Rev B
- ☐ First Floor Plan - 3B5PDC-102 Rev B
- ☐ Ground Floor Plan 3B5PDC-101 Rev B
- ☐ Side Elevation – 3B5PB-404 Rev B
- ☐ Rear Elevation – 3B5PB-403 – Rev B
- ☐ Side Elevation – 3B5PB-402 Rev A
- ☐ Front Elevation – 3B5PB-401 Rev B
- ☐ Ground Floor Plan – 3B5PB-201 Rev A
- ☐ Roof Plan – 3B5PB-102 Rev B
- ☐ Ground Floor Plan – 3B5PB-101 Rev B
- ☐ Gable Elevation – 2B4P-404 Rev C
- ☐ Gable Elevation – 2B4P-403 Rev C
- ☐ Rear Elevation – 2B4P-402 Rev B
- ☐ Front Elevation – 2B4P-401 Rev B
- ☐ First Floor Plan – 2B4P-202 Rev C
- ☐ Ground Floor Plan – 2B4P-201 Rev C
- ☐ Roof Plan – 2B4P-103 Rev C
- ☐ First Floor Plan – 2B4P-102 Rev C
- ☐ Ground Floor Plan – 2B4P-101 Rev C
- ☐ Proposed Site Layout Overall Masterplan – 18C226-SP03-1 Rev F
- ☐ Proposed Site Layout – 18-226-SP03-2 Rev F
- ☐ Proposed Site Layout (Sheet 2) – 18-226-SP03-3 – Rev F
- ☐ Proposed Site Layout Landscape and External Works – Sheet 1 – 18-226-SP04-1 Rev E
- ☐ Proposed Site Layout Landscape and External Works – Sheet 2 – 18-226-SP03-3 Rev E

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

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

Reason: In the interest of residential amenity

(04) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To prevent pollution to the water environment.

(05) Prior to the construction of the dwellings hereby approved details of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: to ensure better integration of the proposal on the AONB boundary as required in PCYFF 3, PCYFF 4 and AMG 1

(06) All planting in the approved details of landscaping (contained in Landscape and External Works plans 18-226-SP03-3 Revision E and 18-226-SP04-1 Revision E) shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: to ensure establishment of planting proposed on the AONB boundary as required in PCYFF 4 and AMG 1

(07) No development shall commence until full details for reasonable avoidance measures (RAMS) for various protected species as outlined with the Preliminary Ecological Appraisal (Etive Ecology Ltd) is submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be completed in accordance with the approved detail.

Reason: In the interest of protected species.

(08) a) No development (including 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 shall be carried out and all archaeological work completed in strict accordance with the approved details.

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

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

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

(09) The proposed 1.8 meter-high fence as and as delineated on the submitted plan (dawning reference – Proposed Site Layout 18-226-SP03-2 Rev F & 18-226-SP03-3 – Rev F) shall be erected before the units hereby approved are occupied. The fencing shall not be removed at any time. If the fencing needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position.

Reason: In the interest of residential amenity

(10) The access shall be laid out and constructed strictly in accordance with the submitted plan before any of the dwellings are occupied and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

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

(11) The estate road(s) and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey' (copies of this document are available free on request from the local planning authority).

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

(12) 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 work on the application site whichever is the sooner.

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

(13) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.

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

(14) No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted and approved in writing by the local planning authority. The management and maintenance plan for the lifetime of the development shall include the arrangements to secure the operation of the scheme throughout its lifetime.

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

(15) No development shall commence until plans are submitted and approved by the Planning Authority showing details of the following:

- o longitudinal and cross sections through the estate roads showing the proposed road levels relative to the existing ground levels and proposed garage floor levels.
- o the surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.
- o the location and the type of street lighting furniture.

The development shall thereafter be carried out in accordance with the approved detail.

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

(16) No surface water from the within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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

(17) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include;

- (i) The routing to and from the site of construction vehicles, plant and deliveries.**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- (v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vii) The arrangements for loading and unloading and the storage of plant and materials;**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

The construction of the development shall be completed in accordance with the approved plan.

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

(18) 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, include an assessment of the potential to dispose of surface and land water by sustainable means and a maintenance and management plan for the sustainable drainage scheme and its impact upon the Cors Efail Newydd, Local Wildlife Site. 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.

(19) 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, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of 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.

Applicant: Head of Highways, Waste and Property

Site Address: Newborough Primary School, Newborough



Recommendation: Permission Required

The application is submitted by the council on council owned land.

The application is made for the demolition of the former Newborough Primary School school which is now closed. There are existing residential properties in close proximity to the south and west.

The application is accompanied by a construction phase health and safety plan which provides details of demolition including asbestos removal.

Key Issues

The acceptability of the method of demolition and any proposed restoration of the site.

Policies

Joint Local Development Plan

Anglesey and Gwynedd Joint Local Development Plan

PCYFF2 Development Criteria

PCYFF3 Design and Place Shaping

AMG 5 Local Biodiversity Conservation

Circular 31/95 Planning Controls over Demolition

Technical Advice Note 5 Nature Conservation and Planning

Response to Consultation and Publicity

Cynghorydd Peter Rogers: No observations at the time of writing.

Cynghorydd Bryan Owen: No observations at the time of writing.

Prifffyrdd a Trafnidiaeth / Highways and Transportation: No observations at the time of writing.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: No observations at the time of writing.

Iechyd yr Amgylchedd / Environmental Health: No observations at the time of writing.

Cyngor Bro Rhosyr Community Council: No observations at the time of writing.

Relevant Planning History

No material planning history.

Main Planning Considerations

The application is made under the Town and Country Planning (General Permitted Development) Order 1995 "Order" for the demolition of the buildings described earlier in this report. Under the Order the demolition of buildings does not require planning permission (termed permitted development) subject to the developer first applying to the Local Planning to confirm whether their prior approval is required in respect of the method of demolition and any restoration of the site. Under this process the Local Planning Authority are afforded a 28 day period to confirm whether their prior approval will be required for the method of demolition and the restoration of the site. If prior approval of any of these details is required the Local Planning Authority then have 8 weeks from the receipt of the required details of demolition or restoration if they are acceptable. The 28 day period for this application will expire before the date of the October Planning Committee and a recommendation on whether prior approval is required will thus need to be issued before the matter is considered by the planning committee taking into account comments of consultees which are awaited at the time of writing.

Conclusion

An update on whether the prior approval the method of demolition and any restoration of the site. Given that the application is not for instance accompanied by an ecological survey it is anticipated that prior approval will be required.

Recommendation

That the prior approval of the Local Planning Authority will be required.

A separate consent will also be required by the council's Building Control department in respect of the demolition of the buildings.

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.

Applicant: Ms Stephanie Booth

Site Address: Ty'n Ffordd, Elim



Reason for Reporting to Committee

Proposal and Site

Key Issues

The key planning issues are whether the proposed development complies with the relevant planning policies and whether the proposed development may effect any neighbouring properties and the Dark Skies.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 2: Development Criteria

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 10, December 2018)

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

Response to Consultation and Publicity

Consultee	Response
Swyddog Llwybrau Troed / Footpaths Officer	No comments
Cynghorydd John Griffith	Call in.
Cynghorydd Kenneth P. Hughes	No response
Cynghorydd Llinos Medi Huws	No response
Cyngor Cymuned Tref Alaw Community Council	Comments - there is no impact assessment on light pollution created by the installation on the wider area / community. The impact assessment should review the potential for light pollution in an otherwise non lit area and specifically the impact this may have upon ecology and wildlife in the area. What provision will be put in place to safeguard the facility to ensure that it is for private use only.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments - Use of lights would have to be conditioned to be restricted to November - end February only.
Iechyd yr Amgylchedd / Environmental Health	No observations following additional information. Conditions should be imposed on the decision notice to ensure that the proposed lighting will not impact any residential properties.
Ymgynghorydd Treftadaeth / Heritage Advisor	The proposal would not significantly impact on the nearby Listed Building or its setting.
Ymgynghorydd Tirwedd / Landscape Advisor	The proposal does not have any effects in relation to landscape focused policies PCYFF 4 and AMG 3

The application was publicised by the placing of a notice near the site, the serving of personal notifications on the owners of neighbouring properties and placing an advert in the local newspaper due to a public footpath in the vicinity. The latest date for the receipt of representations was the 08/07/2020. At the time of writing this report, the department had received a number of representations from neighbouring residents. One of these properties later on withdrew their objections.

Their main concerns were:

- Light Pollution
- Noise Impact
- Loss of Privacy
- Proposal would impact the surrounding natural beauty
- Impact on the Dark Skies
- Time restrictions
- Impact on home values
- Increase in traffic

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

Relevant Planning History

47C151 - Cais llawn ar gyfer codi stablau ar dir yn / Full application for erection of stable block on land at Tyn Ffordd, Elim, Llanddeusant. Approved 05/12/2016.

47C151A - Cais llawn ar gyfer creu manege i defnydd preifat yn unig ar dir yn / Full application for the construction of a manege for private use only on land at Ty'n Ffordd, Elim, Llanddeusant - Approved 26/10/2017

Main Planning Considerations

The proposed development is for the erection of six 5 metre floodlights to the existing manege at Ty'n Ffordd, Elim, Llanddeusant. The existing manege was granted under planning reference 47C151A and during a site visit which was conducted on the 23/10/2017 - this manege was in place and in use.

The purpose of the proposed floodlights is to enable the continued use of the manege during the Winter . It must be emphasised that the manege will continue to be used as a private facility at all times and not for any commercial use whatsoever. Condition (02) of planning application 47C151A refers to this. It must be noted that the application currently under consideration only relates to the erection of 6 floodlights. This application has been presented in light of the fact that the previous application for the manege contained a specific condition which stated that no external lighting should be used for the manege.

With respect to concerns expressed in terms of increased traffic to the site, this application relates to the erection of 6 floodlights only - the use of the manege remains private therefore it is not considered that the proposed development will create any additional increase in traffic volume.

Similarly, with respect to noise pollution the current application relates to the erection of 6 floodlights for a private facility which has already been granted consent. It is not considered that the proposal will have any adverse impact in terms of noise pollution. Concerns with respect to house values are noted but are not considered material to the determination of the current application.

The Authority's Landscape Advisor has been consulted on the proposal and a summary of the response has been provided within Section 3.0 of the report. These comments raise no concerns with respect to the impact which the proposal might have in terms of effects upon the surrounding landscape in terms of planning policies PCYFF 4 and AMG 3 of the Anglesey and Gwynedd Joint Local Development Plan.

In response to comments received from the Public Protection Departments Environmental Health Section the applicant provided additional details which illustrated the LUX plans for the manege as well as the area outside the manege. Upon receiving this information the Environmental Health Section stated that they had 'No Observations'.

The Environmental Health Section confirmed that they cannot refuse the scheme - but rather mitigate the impact of the lighting in order to prevent any potential issues that may arise once the floodlights are in place and operational. Conditions will be imposed on this decision to ensure that the development will not cause light pollution to nearby residential properties or result in any loss of privacy.

The Ecological Advisor raised comments with respect to time restrictions stating that the light shall be used from November to end February in order to minimise any potential impact to surrounding wildlife. This will be conditioned within the decision notice. With respect to hours of operation, suitable conditions will be imposed to ensure that there will be no adverse impact to nearby residential properties and their occupiers. Additional conditions will also be imposed to the decision notice to ensure that the floodlights shall only be used when the manège is in use and shall be turned off when not in use. The hours the floodlight can be used are between 17.00 until 20.00hrs.

In terms of the concerns raised with respect to Dark Skies, the following comments were received:

The area of Elim due to its rural remoteness and low population is a very desirable area to view and appreciate dark skies and therefore any intrusive and obtrusive night lighting will have an adverse effect on the quality of the dark sky. There is also the potential adverse impact on wildlife to consider when installing and operating lighting. If the proposed development is granted planning permission, the following needs to be taken into account to offer as much protection to the dark sky as possible:

1) The lighting should be positioned in a way that they are facing down thus causing minimal light spillage.

2) A Planning condition that the lighting for the manège should be turned off when not in use.

In line with the above, a further condition will be imposed on the decision notice to ensure that the floodlights will at all times point towards the manège with measures implemented to prevent overspill.

On balance, it is considered that the proposed development complies with the relevant planning policies. It is not considered that the proposed development will impact upon surrounding amenities nor any neighbouring properties to such a degree as to warrant a refusal. It is acknowledged that there are objections to the proposal. These objections have been given detailed consideration as part of the Authority's assessment of matters. However, following further consultation it is considered that suitable conditions can be imposed upon the development to ensure that the proposal can be made acceptable from a land use planning perspective having regard to residential amenity as well as the character of the locality, landscape and ecological issues together with all other material planning considerations.

Conclusion

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

Recommendation

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

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

(02) Prior to the commencement of any works for the erection of the floodlights, a 2 metre featherboard fence shall be erected shown along the line marked A-B on the location plan dated 04/04/2018 on the application file. The 2 metre fence shall thereafter be retained for the lifetime of the development. Any replacement fence shall be of the same height and materials and in the same location as that shown A-B on the location plan dated 04/04/20218

Reason: In the interests of amenity

(03) The floodlights shall only be illuminated when the ménage is in use between the 1st of November to 28th of February and between the hours of 17.00 and 20.00 only and at no other times or dates. If the ménage is not used during these hours, the floodlights shall be turned off.

Reason: In the interest of residential and wildlife amenity

(04) Notwithstanding the details and information contained and submitted under planning reference 47C151B, the proposed floodlighting shall be installed and maintained so that the floodlights are shrouded to direct the light emitted downwards so that no light spills outwards and upwards. If the floodlighting needs to be replaced/changed for whatever reason the replacement floodlights shall be of the same height, type, specification and in the same location as those they replace.

Reason: In order to protect the amenities of the neighbouring properties and surrounding landscape

(05) The proposed lighting system shall be installed as per the lighting design report, as submitted for the proposal, Ref RD19001MB dated 18.01.19, and that at no time shall light intrusion into windows of any neighbouring residence, exceed the Light intrusion into windows light limit, of 5 Ev (lux) vertical illuminance, which is the lighting design standard guidance provided by the Institute of Lighting Engineers Environmental Zone 2.

Reason: In the interest of residential amenity.

(06) 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 Dated 04/04/2018**
- **Elevation Plan**
- **Report APS 20/20 Lighting Solutions Dated 29/01/2020**
- **Details of Cree CFL Series**
- **Design and Access Statement**
- **Report Fitzgerald LUX plan: Project Number RD19001MB Dated 18/01/2019**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF2, PCYFF 3

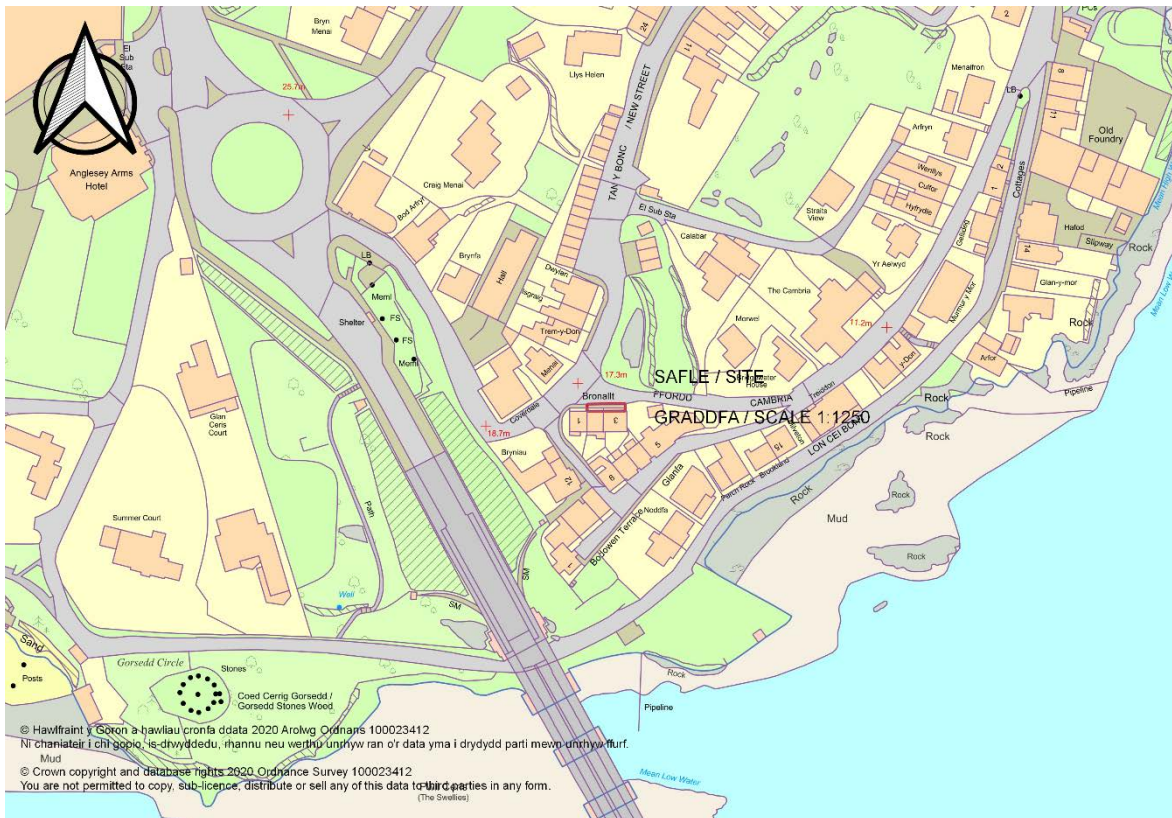
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/92

Applicant: Mr M Altab

Description: Full application for the creation of 2 parking spaces at

Site Address: 3 Bronallt, Cambria Road, Menai Bridge



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the Local Member, Councillor Robin Wyn Williams.

Proposal and Site

The proposal involves the formation of 2 parking spaces located to the front of 3 Bronallt, Cambria Road, Menai Bridge.

The application site is located at the western end of Cambria Road within the development boundary of the Local Service Centre of Menai Bridge and within the designated Conservation Area.

Key Issues

The key issues are whether the development is in compliance with local and national planning policies and whether it is acceptable in terms of highway safety and impact upon the character and appearance of the designated conservation area.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 1: Development Boundaries

Planning Policy Wales (Edition 10, December 2018)

Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

Policy AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Robin Wyn Williams	Request that the application be referred to the Planning and Orders Committee for determination and objection on the grounds that it will set a precedent for similar developments in the area where parking is a problem. There is local concern regarding the loss of a large section of the pavement fronting Bronallt and the creation of 'private' parking spaces.
Cynghorydd Meirion Jones	No response at the time of writing the report.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No ecological comments.
Cynghorydd Alun Wyn Mummery	No response at the time of writing the report.
Cyngor Tref Porthaethwy / Menai Bridge Town Council	Strong objection to the removal of pavement thus forcing people to walk on the highway. It will also set a precedent for similar developments in the area.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	The highways Authority has no objection to this proposal in principal. The existing footway cannot be extended and therefore any pedestrians using this footway are forced to step out onto the highway in any instance to carry on walking. Having the footway in this location and no parking area is resulting in vehicles being parked adjacent the footway causing additional hazards on the highway as the vehicles are parked along the junction causing vehicles travelling along the highway to manoeuvre around them in an unsatisfactory manner with reduced visibility. The proposal will create space for 2 parked vehicles to be removed from the highway and therefore create a safer space for vehicles to pass with greater forward visibility.

Ymgynghorydd Treftadaeth / Heritage Advisor	The existing boundary walls appear to be in poor condition and are of low architectural or historic interest. Consequently, as the walls do not appear to make a significant contribution to the character and appearance of the Conservation Area their removal may provide an opportunity to enhance the Conservation Area.
---	---

The application was afforded two means of publicity. These were the posting of personal notification letters on the occupiers of the neighbouring properties and the publication of an advert in the local press. The latest date for the receipt of representations was the 10/09/2020. At the time of writing this report, 10 representations had been received and the main points are summarised below:

- The footpath exists for the safety of pedestrians and its removal would force pedestrians to walk in the road to pass / Assessment of the acceptability of the proposal is included in the main planning considerations section below.
- Although traffic speeds are generally low, traffic approaching from the bridge do so around a blind bend. / Noted, however the section of pavement nearest the junction and bend to the front of 1 Bronallt is to remain.
- It is claimed that traffic parked on the road outside 3 Bronallt means that there is only a narrow gap left for vehicles exiting Cambria Road, this is not the case and there is sufficient width. / Assessment of the acceptability of the proposal is included in the main planning considerations section below.
- No notification of the application has been displayed in the area / The application has been publicised in accordance with statutory requirements.
- The front gardens of the property are narrow, entry to the properties will be obstructed by parked cars.
- If allowed, it will set a precedent for similar proposals elsewhere. / Assessment of the acceptability of the proposal is included in the main planning considerations section below.
- It has been implied that the pavement is in disputed ownership, if this is the case how can there be grounds for a planning application / Ownership of the pavement is unknown, not in dispute. In any case issues relating to ownership are not material to the assessment and determination of planning applications provided that statutory requirements have been met. In this case the applicant/agent has provided the appropriate ownership certificate and placed an advertisement in the press.

Relevant Planning History

FPL/2019/101 - Full application for the subdivision of the existing dwelling into two dwellings together alterations and extensions which includes balconies at - 3 Bronallt, Porthaethwy/Menai Bridge - Permit 03/10/2019

VAR/2020/34 - Application under Section 73a for the variation of condition (04) (Approved Plans) of planning permission reference FPL/2019/101 (Subdivision of dwelling) so as to form an inclined parapet to the front elevation of the existing flat roof in lieu of the gable extension previously approved at 3 Bronallt, Porthaethwy/Menai Bridge - Permit 25/08/2020

Main Planning Considerations

The application is submitted for the creation of 2 parking spaces to the front of 3 Bronallt, Cambria Road, Menai Bridge.

Policy PCYFF 1 of the Joint Local Development Plan states that proposals within development boundaries will be approved in accordance with other policies and proposals of the plan, national planning policies and other material planning considerations.

The application site is located within the development boundary of the Local Service Centre of Menai Bridge and therefore accords with the provisions of policy PCYFF 1.

Policy PCYFF 2 requires that proposals demonstrate compliance with relevant development plan policies and national planning policy and guidance.

There is no off-street parking associated with the property and vehicles currently park on the highway to the front of the dwellings.

The provision of the parking area is acceptable in principle and it is therefore a question of whether the proposal is acceptable in relation to highway considerations and impacts upon the character and appearance of the designated Conservation Area.

The highways department have been consulted on the proposal and have raised no objection noting that the existing footway cannot be extended and that pedestrians are therefore forced to step out onto the highway to continue walking. They further note that the presence of the footway in this location with no dedicated parking provision means that vehicles are parked on the highway adjacent to the footway causing additional hazards on the highway as vehicles are parked along the junction between Cambria Road and New Street causing vehicles travelling along the highway to manoeuvre around them in an unsatisfactory manner with reduced visibility.

The proposal will to create space for 2 parked vehicles to be removed from the highway and therefore create an overall safer space for vehicles to pass with greater forward visibility.

The highways department have also highlighted that notwithstanding that the footway is not within the ownership of the local authority it is nevertheless adopted by the highway authority and consequently if permission is granted the applicant will need to apply the Welsh Government for a Stopping Up Order under Section 247 of the Town and Country Planning Act 1990. When an order has been made and the rights of the highway abolished, the land will return to the owner, whoever that may be. If no owner can be recognised, it will more than likely transfer under '*ad medium filum*'. The *ad medium filum* rule is a rebuttable boundary presumption that an owner of land which abuts either a public or private highway, or a non-tidal river or stream also owns the soil of a highway, or the bed of a river or stream, up to the centre or mid point.

The objections to the loss of a section of the footway are noted, however this is a relatively short section of isolated footway and is in fact the only section of pedestrian footway along the entire length of Cambria Road. Traffic speeds in the area are low, particularly on the approach to the junction and it is not considered that its loss will give rise to a significantly increased risk to pedestrian or highway safety.

Concerns have also been raised that the proposal will set a precedent for similar applications in the area where private, off street parking at a premium, nevertheless applications must be assessed and determined on their own merits.

A response has also been received from the Conservation Officer whom has commented that the existing boundary walls appeared to be in a poor condition and are of a low architectural or historic interest. Consequently, they do not make a significant contribution to the character and appearance of the designated Conservation Area and that their removal may provide an opportunity to enhance the Conservation Area. The proposal is therefore considered to accord with the provisions of policies PS20 and AT1 of the JLDP.

Conclusion

The proposal is considered to be acceptable and it is not considered that the proposal will have a detrimental impact upon pedestrian or highway safety or upon the character and appearance of the designated Conservation Area.

Recommendation

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

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

(02) The car parking accommodation shall be completed in full accordance with the details as shown on drawing reference OBS-2018-057-PD001 before the use hereby permitted is commenced and thereafter retained solely for those purposes.

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:

- **Proposed Parking Drawing: OBS-2018-057-PD001**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF1, PCYFF2, PS20, AT1

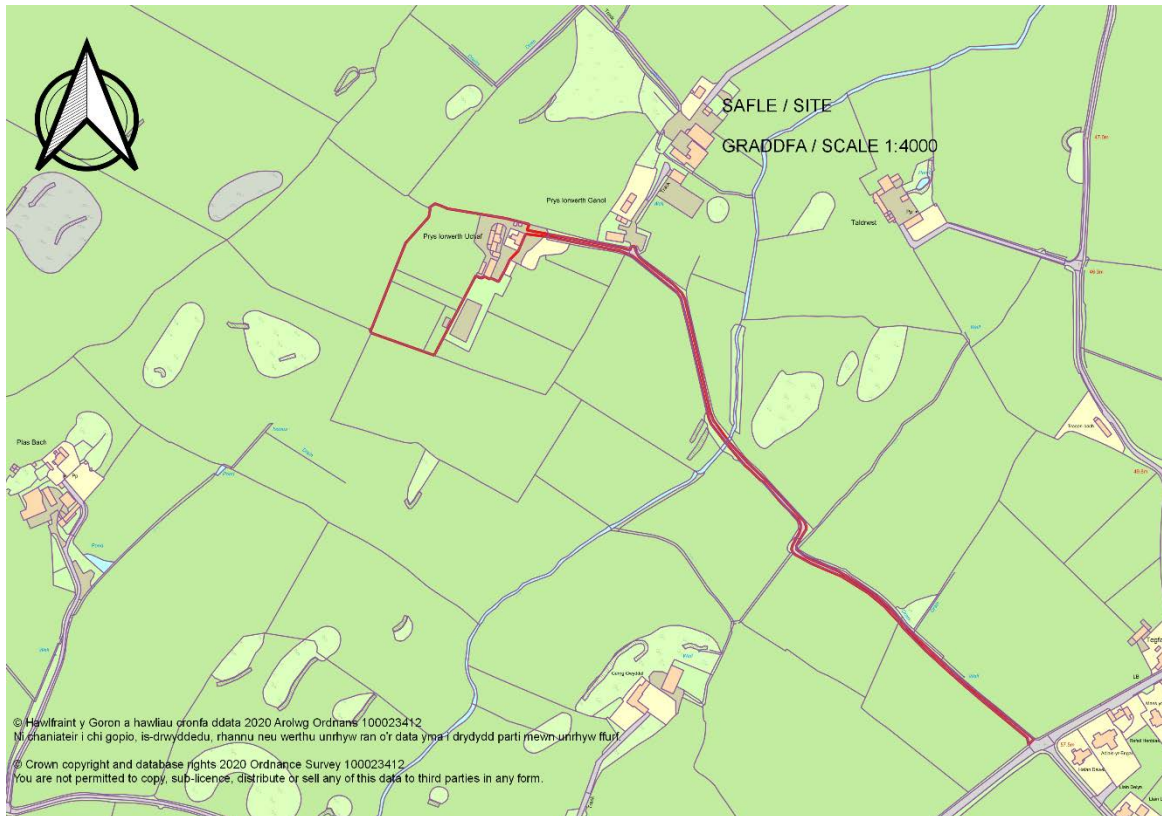
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/45

Applicant: Mr & Mrs Hogan

Description: Full application to increase the number of touring caravans (an extra 23) from 15 to 38 on the site at

Site Address: Talli Ho, Prys Iorwerth Uchaf, Bethel, Bodorgan



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application has been called into the planning committee for consideration by the Chair on the request of the Local Member due to local concern.

Proposal and Site

This is a full planning application to increase the number of touring caravans from 15 to 38 together with the erection of a new toilet block and landscaping works at Talli Ho, Bodorgan.

The application site is located in an open countryside location. It benefits from an extant planning permission for a 15 pitch caravan site approved under planning application 36C279C.

Key Issues

The key issues are:-

- Policy Considerations
- Highway Considerations
- Landscape
- Affect on the amenities of adjacent residential properties.

Policies

Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

PCYFF4 – Design and Landscaping

PS14 – The Visitor Economy

TWR5 – Touring Caravan, camping and temporary alternative camping accommodation

AMG2 – Special Landscape Area

PS19 – Conserving and where appropriate enhancing the natural environment

AMG5 – Local Biodiversity Conservation

PS4 – Sustainable transport, development and accessibility

TRA4 – Managing Transport Impacts

SPG – Holiday Accommodation (2007)

SPG – Tourism Accommodation and Facilities (not yet adopted)

Planning Policy Wales Chapter 5:

Technical Advice Note 13: Tourism

Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	Comments
Cynghorydd Nicola Roberts	Call in to the Planning Committee due to local concern.
Ymgynghorydd Ecolgol ac Amgylcheddol / Ecological and Environmental Advisor	No objection
YGC (Ymgynhoriaeth Gwynedd Consultancy)	No response
Cyfoeth Naturiol Cymru / Natural Resources Wales	Standard Comments
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection; however, requested a travel plan for the development.
Cyngor Cymuned Llangristiolus Community Council	Objection due to increased traffic on the road. Enough visitors in the area which is putting pressure on resources, health etc especially over the last few months. There is another caravan site 'Y Fronydd' and increasing the numbers would have a negative impact on the area visually and cultural. Cars speed on the B4422 and the increase in caravans turning down the road would increase the risk of accidents.

Cynghorydd Dafydd Roberts	Requested that the application be called into the planning committee due to local concerns.
Cynghorydd Eric Wyn Jones	No response

Neighbouring properties were notified in writing of the development. The expiry date for receiving representations was the 15/07/2020. At the time of writing the report 3 letters of objection had been received.

- Narrow road and not adequate to serve an increase of traffic
- Opening Hours of horse business
- Noise levels
- The property is for sale
- No details of spacing between caravans
- No provisions for signage
- Surface water not addressed
- Chemical disposal closets not demonstrated
- The proposal will have a negative impact on our business

In response to the objections raised:

- The highways department has confirmed that they are satisfied with the development providing the applicant provides a travel plan.
- The planning application made is for an increase in numbers on the seasonal caravan site.
- It is not considered that noise levels will be increased to such a degree to warrant refusing the planning application.
- It is not a planning consideration that the site is for sale
- Spacings of the caravans are shown on the proposed site plan and there will be a requirement for them to comply with Environmental Health Spacings.
- No signs are proposed with the planning application.
- No hard surfaces are proposed as part of the planning application; therefore, there will be no impact upon surface water.
- Toilet facilities are provided with the planning application and there will be a requirement for the applicant to comply with Environmental Health Standards.
- Consideration cannot be given to competition from other caravan sites nearby as this is not a planning consideration.

Relevant Planning History

36C279 - Conversion of outbuilding at Prys Iorweth Uchaf, Bodorgan- Approved 2/4/08

36C279A - Conversion of outbuilding into two holiday units at Prys Iorweth – Approved 16/3/11

36C279B – Alterations and Extensions at Prys Iorweth Uchaf – Approved 23/3/12

36C279C - Full Planning - Cais llawn ar gyfer newid defnydd safle clwb carafanau a gweryslla o 5 llain carafan i 15 llain caravan tymhorol ar dir yn / Full application for the change of use of a 5 pitch caravan and camping club camp site to a 15 pitch seasonal caravan site on lan - Talli-Ho, Prys Iorweth, Cerrigceinwen, Bodorgan – Approved 7/11/16

36C279D/DIS - Discharge of Conditions - Cais i ryddhau amodau (03) (tirlunio) a (04) (cynllun teithio o ganiatâd cynllunio 36C279C yn / Application to discharge conditions (03) (landscaping) and (04) (travel plan) from planning permission 36C279C at - Talli-Ho, Prys Iorweth Uchaf, Bodorgan – Discharged 23/5/17

Main Planning Considerations

The Proposal

The application is to increase 15 seasonal pitches to 38 seasonal pitches from March to October. The location is in a fairly sheltered position on the site, screened to some extent from roads with some longer distance views possible.

Policy

Chapter 5 of Planning Policy Wales recognises that a wide range of activities, facilities and types of development is vital to economic prosperity and job creation and that tourism can be a catalyst for regeneration, improvement of the built environment and environmental protection. It recognises that in rural areas, tourism-related development is an essential element in providing for a healthy and diverse economy.

Technical Advice Note 13: Tourism (1997) is relevant and also TAN 6: Planning for Sustainable Communities (2010) contains advice such as the location of development.

The overarching strategic policy for tourism in the JLDP is Policy PS14: The Visitor Economy. There are a number of considerations that are relevant to the majority of proposals for extensions to tourism facilities and holiday accommodation. These include high quality development in terms of design, layout and appearance. The primary consideration will be the overall quality of the proposal against policies of the JLDP.

Policy PCYFF2 states that development proposals should not have an adverse impact upon the health, safety or amenity of the local community.

Policy PCYFF3 states that proposals will be expected to take into account the natural, historic and built environment context and contributes to the creation of attractive, sustainable places, and,

Policy PCYFF4 which states that proposals should integrate into their surroundings. Proposals that fail to show appropriate to the nature, scale and location of the proposed development how landscaping has been considered from the outset will be refused.

Policy TWR5 provides the primary policy framework for the provision of extension of existing sites and considerations of the policy is the type of units, landscape and highway considerations, periods of operation, ancillary facilities, excessive use of hardstanding and man-made features. The type of units covered by this policy includes touring caravans, motorhomes, campervans, etc. There will be a requirement for an amenity block as many forms of units do not contain facilities such as toilets and showers.

Paragraph 6.1.2 of the SPG states that temporary alternative camping units have less impacts on the landscape than permanent alternative camping accommodation and can be removed when not in use.

Main Considerations

The application site has planning permission for 15 seasonal pitches for touring caravans. The proposal is to increase the number of seasonal pitches from 15 to 38 together with the erection of a new toilet block. The application site is enclosed by existing trees and hedges.

The application site is not being increased as part of this planning application and the land used for the 38 touring caravans matches the area of land granted planning permission under the previous planning application.

Having considered the proposal, against current policies and guidance it is considered that the planning application complies with relevant policies for the following reasons:-

- ☐ The application site area is not increased from that originally approved under planning application 36C279C.
- ☐ It is not considered that the application site is obtrusive and a landscaping scheme has been submitted with the planning application which will further screen the application site from the most prominent locations.
- ☐ There will be no physical connection to the ground as there will be no concrete bases, roads or tracks as part of the application,
- ☐ The new toilet block is not located in an obtrusive location and is screened by existing outbuildings, trees and hedges
- ☐ It is considered that the development is high quality in terms of design, layout and appearance.

Landscape Considerations

Landscape character, natural and built conservation features, setting, the availability of views, site layout and screening are important considerations in assessing tourism proposals. The JLDP policies state that new developments should be located in an unobtrusive location. An unobtrusive location is defined in the plan as one which is well screened by existing landscape features and/or where units can be readily assimilated into the landscape without the need for excessive man made features.

Policy PCYFF4: Design and Landscaping states that all proposals should integrate into their surroundings. Proposals that fail to show how landscaping has been considered from the outset as part of the design proposal will be refused.

The application site is surrounded by mature trees and hedges; however, the applicant has agreed to plant further trees and hedges on the South and South East boundary; this will ensure that the further improvements is made to the landscaping of the site and provides biodiversity enhancement.

Special Landscape Area

The application site is located within a Special Landscape Area. Policy AMG2 of the JLDP states that proposals within SLA's need to ensure that there is no significant adverse detrimental impact on the landscape and development should aim to maintain, enhance or ensure the recognised character and qualities.

It is not considered that the proposal will have a significant adverse detrimental impact upon the SLA and further landscaping proposals will be undertaken as part of the planning application.

Biodiversity.

Section 6, part 1 of the Environmental (Wales) Act 2016 states that a public authority must seek to maintain and enhance biodiversity. The aim of Policy AMG5 is to ensure protection and improvements to local biodiversity. Further landscaping work is proposed to the South and South East boundary of the site, this will play its part in biodiversity enhancement as required under policy AMG5.

Highways

The Highways Authority has confirmed that the road network leading up to the site is good and the proposal will not generate a significant increase of use of the existing road network. The vehicular access has good visibility in both directions and they confirm that they have no objection.

However they have recommended that the applicant provide a Travel Plan to manage vehicles arriving and departing the site to avoid additional conflicts at the access to the public highway as the access is too narrow for two vehicles to pass each other.

No travel plan has been received with the planning application; however, there is a condition requiring the applicant to provide a Travel Plan prior to any further caravans being placed on the land.

Affect on Neighbouring Properties

Policy PCYFF2 of the Joint Local Development plan states that development proposals should not have an adverse impact upon the health, safety or amenity of the local community. The nearest property is known as Plas Iorweth Ganol. The neighbouring property is located approx. 143m away from the application site. As this is an existing caravan site and bearing in mind that the area of the land is not increasing from that previously approved it is not considered that the proposal will have undue impact upon their amenity in this case.

Conclusion

In summary the proposal to increase 15 seasonal caravan pitches to 38 seasonal caravan pitches aligns with material policies and is acceptable having weighted the material considerations described in the report.

Recommendation

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

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

(02) All planting in the approved details of landscaping (contained in plan reference TH-01 Proposed Landscape Scheme August 2020) shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.

Reason: In order that the proposal integrates into its surroundings as per requirements of PCYFF 4.

(03) No development shall take place until a travel plan for the development has been submitted to and approved in writing by the local planning authority. The site shall be operated in accordance with the approved document for the lifetime of the development.

Reason: In the interests of highway safety.

(04) The site shall be used for the siting of no more than 38 touring caravans (to include motorhomes) between 1st March and 31st October in any year. No tented camping shall be permitted on the site.

Reason: To define the scope of this permission

(05) 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
- Proposed Landscaping Scheme Received 4/9/20

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

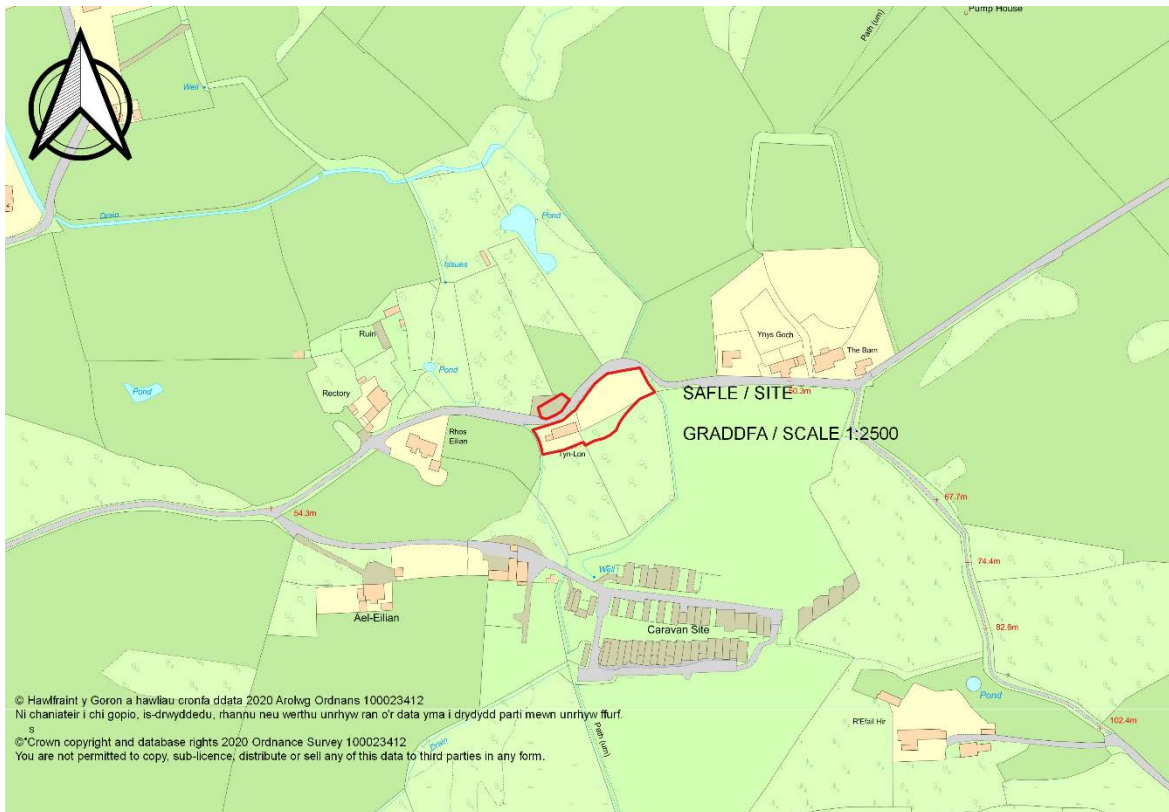
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: HHP/2020/168

Applicant: Mr & Mrs C.C.King

Description: Full application for the demolition of the outbuilding and erection of an annexe at

Site Address: Tyn Lon, Llaneilian



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the Local Member - Councillor Richard Owain Jones.

Proposal and Site

The application is made for the demolition of an existing dutch barn and erection of detached annexe.

The application site is located in the open countryside along a single track highway which terminates at a farm and is within a designated Area of Outstanding Natural Beauty.

Key Issues

The key issues is whether the proposal complies with relevant local and national planning policies and whether the proposal is acceptable in terms of design and impact upon the character and appearance of the designated area.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Planning Policy Wales (Edition 10, December 2018)

Technical Advice Note 12: Design (2016)

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

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Griffiths	No response at the time of writing the report.
Cynghorydd Aled Morris Jones	No response at the time of writing the report.
Cynghorydd Richard Owain Jones	Request that the application be referred to the Planning and Orders Committee for determination.
Cyngor Cymuned Llanelian Community Council	There are concerns in relation to the size of the annexe, that there is no family purposes and that it would be independent of the existing dwelling.
Ymgynghorydd Tirwedd / Landscape Advisor	No response at the time of writing the report.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments on the submitted Bat Survey Report and recommending that the precautionary actions be followed.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No response at the time of writing the report.
Ymgynghoriadau Cynllunio YGC	No response at the time of writing the report.
Dwr Cymru Welsh Water	Comments/advice
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection / advice.

The application has been publicised through the posting of personal notification letters on the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 27/08/2020. At the time of writing this report no representations had been received.

Relevant Planning History

24C227 - Alterations and extensions at Tyn Lon, Llanelian - Granted 26.10.04

24C227A - Demolition, alterations and extensions to Tyn Lon, Llanelian - Granted 25.10.10

24C277C - Amended plans for alterations and extensions to Tyn Lon, Llanelian - Granted 12.07.11

Main Planning Considerations

The application site is located in the open countryside outside any defined development boundary and in a designated Area of Outstanding Natural Beauty.

The proposal involves the demolition of the existing dutch barn and the erection of a detached self-contained annexe.

There is no specific development plan policy relating to annexes and the application therefore falls to be considered under generic policies relating to design etc.

The proposed new annexe, whilst detached from the main dwelling is located in close proximity to the main dwelling and will share the same access parking and garden area. The scale of the annexe is considered to be acceptable and is subservient to the existing dwelling, it is also considered to be acceptable in terms of its design which is in keeping with the character and appearance of the existing dwelling on accordance with policy PCYFF3 of the Joint Local Development Plan. Any permission granted will be subject to a condition that it is only used as an annexe incidental to the existing dwelling.

It is not considered that the proposal will give rise to detrimental effects on natural beauty, AONB features or special qualities and therefore accords with policy AMG 1 of the Joint Local Development Plan.

The existing building to be demolished has been subject to a Bat Survey Report which accompanies the application. Although no evidence of bats were found, the report make a number of recommendations and these will be conditioned to be followed in any approval.

Conclusion

The proposal is considered to be acceptable subject to conditions.

Recommendation

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

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

(02) The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling. At no time shall it be otherwise occupied, let, leased, sold or disposed of.

Reason: To define the scope of this permission.

(03) The development hereby approved shall be carried out in accordance with the Mitigation and Recommendations detailed in section 7.0 of the Bat Survey Report by Ecological Assessment by Enfys Ecology dated 12/12/2019.

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

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

- **Location Plan**
- **Proposed Plans: 03:16:19**
- **Bat Survey Report, Enfys Ecology dated 12.12.2019**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF2, PCYFF2, AMG1.

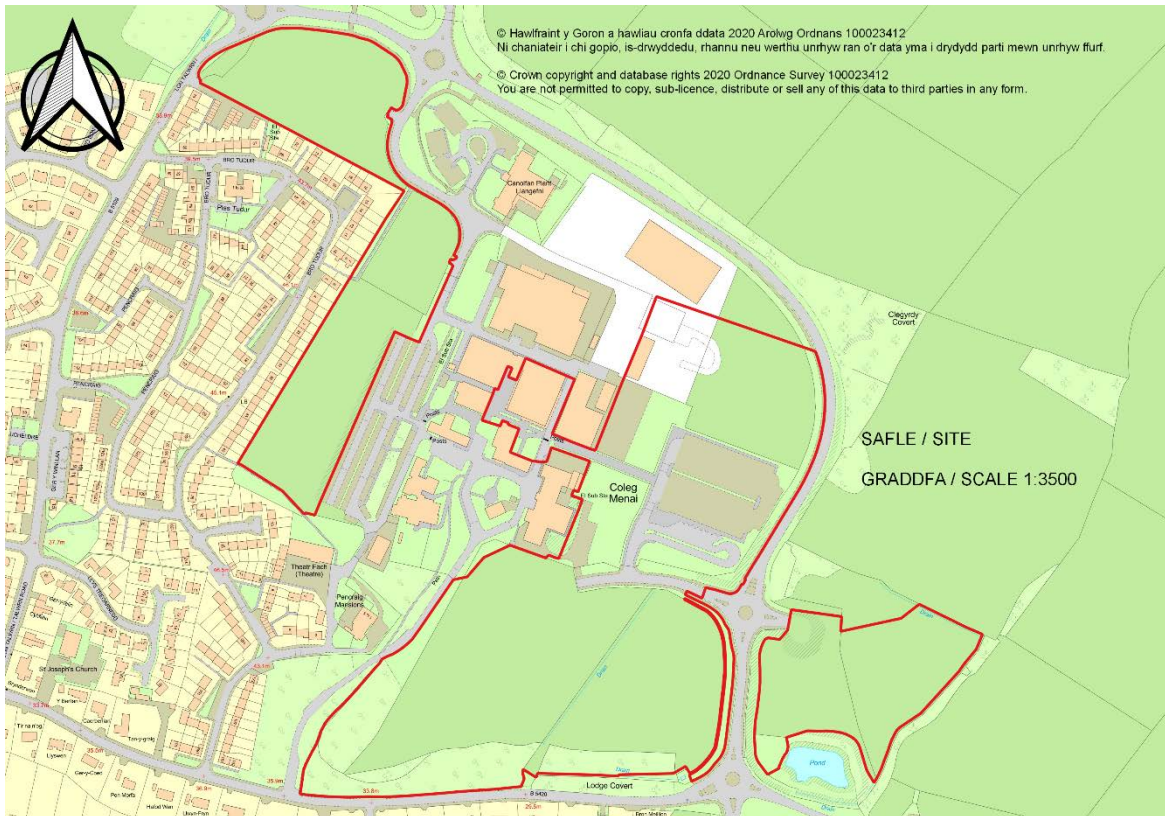
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: MAO/2020/16

Applicant: Grwp Llandrillio-Menai

Description: Minor amendments to scheme previously approved under planning permission 34C304K/1/EIA/ECON so as to allow development to commence on plot 2 on land at

Site Address: Coleg Menai, Llangefni



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

Recommendation: Permit

Reason for Reporting to Committee

Application 34C304K/1/EIA/ECON was subject to an Environmental Impact Assessment and determined by the Planning and Orders Committee

Proposal and Site

The application is submitted under section 96A which seeks non material amendments to some conditions in relation to the outline consent in order to allow certain plots to progress at separate times to other plots.

The outline permission was granted under planning permission 34C304K/1/EIA/ECON was a hybrid planning application. The outline aspect of the permission included 153 dwellings, a hotel and food and

beverage facility along with associated parking and works. That part of the site which was granted outline permission was identified as 'Site B' and included five separate plots as part of the masterplan.

Key Issues

Whether or not the proposed amendments to the conditions can be considered as a no material minor amendment.

Policies

Joint Local Development Plan

Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 2: Infrastructure and Developer Contributions
Strategic Policy PS 1: Welsh Language and Culture
Policy ISA 1: Infrastructure Provision
Policy ISA 5: Provision of Open Spaces in New Housing Developments
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Policy PCYFF 2: Development Criteria
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 6: Water Conservation
Policy PCYFF 5: Carbon Management
Policy TAI 1: Housing in Sub-Regional Centre & Urban Service Centres
Policy TAI 8: Appropriate Housing Mix
Policy TAI 15: Affordable Housing Threshold & Distribution

Response to Consultation and Publicity

Consultee	Response
Dwr Cymru Welsh Water	No Objection
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No Comments
Strategol Tai / Housing Strategy	No Objection
Ymgynghorydd Ecolol ac Amgylcheddol / Ecological and Environmental Advisor	No Objection
Ymgynghorydd Tirwedd / Landscape Advisor	No Objection
Iechyd yr Amgylchedd / Environmental Health	No Repsonse
Llywodraeth Cymru (Priffyrdd/Highways)	No Response

Relevant Planning History

34C304 - Erection of a new agricultural building at – Granted 08/04/93

34C304A - Change of use of land from agricultural to a playing field and car park at – Granted 06/05/94

34C304B - Erection of a manure and slurry store on land at – Granted 15/09/94

34C304C - Extensions to create a boiler room at – Granted 20/01/95

34C304D - Erection of an extension on to the existing workshop at - Granted 06/06/96

34C304E - Erection of new farm buildings along with alterations to the existing buildings at – Granted 06/03/97

34C304F - Construction of a new teaching building along with alterations and improvements to the access road serving the site at - Granted 05/12/96

34C304G - Re location of the 3 greenhouses along with the erection of a new potting shed / store at – Granted 03/02/96

34C304H - Retention of the 6 mobile classrooms on land at – Granted 06/06/97

34C304J - Erection of a food technology unit together with associated car parking on land at – Granted 23/03/01

34C304K - Erection of new farm buildings together with the re-siting of an existing farm building on land at – Granted 13/07/99

34C304L - Erection of an extension on the existing brickwork workshop at – Granted 04/08/99

34C304M - Removal of existing temporary building and the erection of 2 temporary classrooms at – Granted 14/06/00

34C304N - Extension to the food technology unit at - Granted 23/03/01

34C304P - Demolition of the existing buildings and erection of a two storey teaching unit with associated car parking facilities at – Granted 24/04/02

34C304R -Alterations and Extensions to engineering workshop at – Granted 06/11/02

34C304T - Extension to the existing engineering workshop at – Granted 08/10/03

34C304W - Erection of an aluminium glazed extension to form lobby at – Granted 09/02/07

34C304X - Extension to car park at – Granted 01/08/08

34C304Y - Construction of a new Education Facility building to provide specialist energy and Fabrication Skills together with the removal of existing temporary tent structure - Granted 23/02/09

34C304Z - Demolition of three existing buildings, erection of a two storey extension to the Energy and Fabrication Centre together with an extension to the car park – Granted 16/06/10

34C304A/1 - Erection of a temporary modular building to provide training facility – Granted 14/09/11

34C304B/1 - Erection of a two storey extension to the food technology centre - Granted 11/04/12

34C304C/1/SCR - Screening opinion for the provision of heavy plant track ways, construction of hard standing areas, the erection of a security fence around the vehicle storage and the construction of a designated area for fire training equipment – EIA Not Required 07/12/12

34C304D/1 Full application for the provision of heavy plant track ways, construction of hard standing areas, the erection of a security fence around the vehicle storage and the construction of a designated area for fire training equipment – Granted 14/12/13

34C304E/1/RE - Full application for the erection of one 5.5kw wind turbine with a maximum mast height of up to 9m, rotor diameter of up to 3.1m, swept area of up to 16 metre square and a maximum upright vertical tip height of up to 15.24m – Approved 30/03/2016

34C304F/1/ECON - Extension to the existing campus comprising of the erection of three; three-storey units with 250 no associated car parking, a separate unit comprising of a gym and fitness studio with 60 no associated car parking together with an all-weather outside football pitch, and sustainable drainage system with all matters reserved- Approved 27/10/15

34C304G/1/SCR - Screening opinion for the an extension to the existing campus comprising of the erection of three; three-storey units with 250 no associated car parking, a separate unit comprising of a gym and fitness studio with 60 no associated car parking together with an all-weather outside football pitch, and sustainable drainage system with all matters reserved – 26/10/15 EIA Not Required

34C304H/1 - Application for a prior notification of proposed demolition at Coleg Menai, Llangefni – Permitted Development 16/10/2015

34C304J/1 - Full application for the construction of an educational facility to block 3 at coleg Menai, Llangefni Permitted 24/02/2016

34C304K/1/EIA/ECON - Hybrid application applying for full planning permission for the creation of a new engineering centre, car parking, children's play area and associated works and applying for outline planning permission with some matters reserved for a residential development of 153 dwellings, a hotel and food and beverage facility along with associated car parking and works on land at Coleg Menai, Llangefni Permitted 25/07/2017

34C304L/1 - Full application for alterations and extensions together with the erection of an external storage at Coleg Menai, Llangefni Permitted 13/06/2017

34C304M/1 - Full application to retain the training modular building and compound for a further 5 years and change of use from Class B1 (offices) to an Alternative Emergency Control Centre (AECC) as a Sui Generis use at Coleg Menai, Llangefni Permitted 27/10/2017

34C304N/1/DIS - Application to discharge condition (07) (Landscaping) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304P/1/DIS - Application to discharge condition (05) (Construction Environmental Management Plan) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 24/09/2018

34C304Q/1/DIS - Application to discharge condition (15)(a) (Programme of Archaeological work) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304R/1/DIS - Application to discharge conditions (02)(Planting Strategy) and (03)(Biosecurity Risk Assessment) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 29/03/2018

34C304T/1/DIS - Application to discharge condition (13) (Surface Water) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304U/1/DIS - Application to discharge condition (08) (Lighting) of planning permission
34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304V/1/DIS - Application to discharge condition (10)(Drainage Scheme) of planning permission
34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304W/1/DIS - Application to discharge condition (09)(Fencing, walling and other enclosure details) of planning permission 34C304K/1/EIA/ECON on land at Coleg Menai, Llangefni Condition Discharged 26/01/2018

34C304X/1 - Full application for alterations and extensions to include food laboratory accommodation and storage building at Coleg Menai, Llangefni. Permitted 26/03/2018.

34C304Y/1 - Full application for the temporary siting of one portacabin and retention of one portacabin at Coleg Menai, Llangefni – Permitted 22/05/2018

34C304Z/1/ECON - Full application for the erection of six buildings, the change of use of field into a heavy plant training area together with the creation of a new car park at Coleg Menai, Ffordd y Coleg, Llangefni – Permitted 25/07/2018

34C304A/2 - Full application for the erection of a workshop at Coleg Menai, Llangefni – Returned to Applicant 07/10/2019

34C304B/2/SCR - Screening opinion for the erection of six buildings, the change of use of field into a heavy plant training area together with the creation of a new car park at Coleg Menai, Ffordd y Coleg, Llangefni EIA not Required 09/07/2018

SCR/2020/39 - Screening opinion for the erection of a further education sports hall, creation of coach parking within existing car park and associated landscaping on land at Coleg Menai, Ffordd y Coleg, Llangefni EIA not Required 11/08/2020

RM/2020/10 - Application for reserved matters for the erection of 60 dwellings together with associated development on land at Coleg Menai, Llangefni Not yet determined

RM/2020/11 – Application for reserved matters for the erection of 91 dwellings together with associated development on land at Coleg Menai, Llangefni Not yet determined

FPL/2020/162 - Full application for the erection of a further education sports hall, creation of coach parking within existing car park and associated landscaping on land at Coleg Menai, Llangefni Not yet determined

Main Planning Considerations

A Hybrid application for full planning permission for the creation of a new engineering centre, car parking, children's play area and associated works and applying for outline planning permission with some matters reserved for a residential development of 153 dwellings, a hotel and food and beverage facility along with associated car parking and works on land at Coleg Menai, Ffordd y Coleg, Llangefni was approved under planning permission reference 34C304K/1/EIA/ECON on the 25/07/2017.

The application as accompanied by an Environmental Statement which informs the proposals including landscape and visual impact, ecology and Nature Conservation, Cultural Heritage and Archaeology.

The part of the site which relates to the outline permission was identified within the masterplan as 'Site B' which was separated into five plots as summarised below:

- Plot 1 – Residential Housing, parking and play area
- Plots 2 Affordable Housing

- Plot 3 – Affordable Housing
- Plot 4 - Residential Housing
- Plot 5 Hotel and food and beverage facility

Conditions 1-17 of planning permission 34C304K/1/EIA/ECON relates to the full planning permission whilst conditions 18 -44 relates to the outline consent.

The new engineering centre of the full planning permission has been completed, whilst matters relating to the outline consent remain outstanding. However, two separate reserved matters have been submitted and currently being considered which relates to the residential aspect of the outline consent.

The wording of the conditions attached to permission 34C304K/1/EIA/ECON links all the plots within Site B, restricting the ability of certain plots to progress in advance of / or at different time to other plots. Since the granting of the permission, plots are now co-owned and therefore developers want to commence works at various times. The current section 96A application therefore seeks non material amendments to some conditions in relation to the outline consent in order to allow certain plots to progress at separate times to other plots.

The Welsh Government have published "Planning Guidance: Approving Non-material amendments to an Existing Planning Permission" which is helpful in setting out the "starting point" in determining what may be deemed as being "non-material". It states:

"2.6 In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. When assessing and determining whether or not a proposed change would qualify as non-material amendment, local planning authorities may wish to consider the following tests:

- (a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved scheme; and
- (a) (ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- (b) would the interests of any third party or body be disadvantaged in planning terms; or
- (c) would the proposed change conflict with national or development plan policies?

2.7 The tests are considered a 'starting point' for local planning authorities in their consideration of non-material amendments. There may be other considerations that will identify if a proposed amendments is non-material depending on the circumstances of each case.

As previously stated, the application seeks to amendments to some condition in order to allow certain plots to progress at separate times. Each condition being varied are outlined below together with what is being proposed:

Condition 18:

The approval of the Council shall be obtained before any development is commenced to the following reserved matters viz. the layout, scale, appearance of the buildings and the landscaping of the site subject to this outline planning permission. ("Site B")

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

Proposed change in order to include reference to each plot within "Site B":

The approval of the Council shall be obtained before any development is commenced to the following reserved matters viz. the layout, scale, appearance of the buildings and the landscaping. Reserved matters shall be submitted on plots 1-5 of the site subject to this outline planning permission. ("Site B")

Condition 21:

Prior to the commencement of work on the car park a strategy ("the Planting Strategy") for "Site B" shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that planting connectivity ("Planting connectivity " means; A line, or lines, of continuous/ near continuous planting which allow and facilitate the free movement of wildlife species (such as red squirrel) along the corridor, normally between (or close to) areas of favourable habitat, and also facilitate spread of woodland ground flora over longer timeframes, thereby enabling greater overall ecological sustainability and viability in a given area.) will be adequately maintained. The Planting Strategy shall include; the corridor to be retained/established, the planting required with species composition to be undertaken and lighting specifications to be utilized along this corridor and adjacent areas where light spill may affect the corridor, and a management and maintenance plan ensuring that the Planting Strategy is thereafter implemented in full in accordance with the approved details throughout the lifetime of the development.

Reason: To protect any protected species.

Proposed change in order to include reference to each plot within "Site B":

Prior to the commencement of work on the car park a strategy ("the Planting Strategy") for plots 1-5 within "Site B" shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that planting connectivity ("Planting connectivity " means; A line, or lines, of continuous/ near continuous planting which allow and facilitate the free movement of wildlife species (such as red squirrel) along the corridor, normally between (or close to) areas of favourable habitat, and also facilitate spread of woodland ground flora over longer timeframes, thereby enabling greater overall ecological sustainability and viability in a given area.) will be adequately maintained. The Planting Strategy shall include; the corridor to be retained/established, the planting required with species composition to be undertaken and lighting specifications to be utilized along this corridor and adjacent areas where light spill may affect the corridor, and a management and maintenance plan ensuring that the Planting Strategy is thereafter implemented in full on each plot in accordance with the approved details throughout the lifetime of the development.

Condition 22:

Prior to the commencement of work on the Car Park a Biosecurity Risk Assessment ("the Assessment") shall be submitted to and approved in writing by the Local Planning Authority. The Assessment as approved shall be implemented during the course of the development in accordance with a timetable within the Assessment and shall include a management and maintenance plan ensuring that the Assessment as approved is thereafter implemented in full throughout the lifetime of the development.

Reason: To protect the wildlife present.

Proposed change in order to include reference to each plot within "Site B":

Prior to the commencement of work within plots 1-5 of "Site B" a Biosecurity Risk Assessment ("the Assessment") for each plots shall be submitted to and approved in writing by the Local Planning Authority. The Assessment as approved shall be implemented during the course of the development in accordance with a timetable within the Assessment and shall include a management and maintenance plan ensuring that the Assessment as approved is thereafter implemented in full throughout the lifetime of the development.

Condition 23:

Prior to the commencement of any works a Construction Environmental Management Plan (including a Construction Travel Plan) ("the Plan") shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include the following matters and the times and duration for when such steps shall be operative:

- Protective measures to trees and shrubs

- Signage for the construction traffic, pedestrians and other users of the site,
- Controls on the arrival and departure times for the construction vehicles;
- Piling methods (if employed)
- Earthworks;
- Hoardings to the site,
- Hours of working,
- Details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated
- Waste management and disposal and material re use,
- Prevention of mud / debris being deposited on public highway;
- Protection of the amenities of nearby residential occupiers
- Materials storage; and hazardous material storage and removal.
- Emergency Containment Procedures
- The routing to and from the site of construction vehicles, plant and deliveries
- The parking of vehicles for site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials
- Wheel washing facilities where appropriate
- A system for the management of complaints from local residents

The developer shall ensure that the requirements of the approved plan shall be adhered to throughout the construction of the development.

Reason: To ensure the construction environment is not harmful to the amenities or wildlife of the locality.

Proposed change in order to include reference to each plot within "Site B":

Prior to the commencement of any works within Plots 1-5 of "Site B" a Construction Environmental Management Plan (including a Construction Travel Plan) ("the Plan") on each plot shall be submitted to and approved in writing by the Local Planning Authority. The Plans shall include the following matters and the times and duration for when such steps shall be operative:

- Protective measures to trees and shrubs
- Signage for the construction traffic, pedestrians and other users of the site,
- Controls on the arrival and departure times for the construction vehicles;
- Piling methods (if employed)
- Earthworks;
- Hoardings to the site,
- Hours of working,
- Details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated
- Waste management and disposal and material re use,
- Prevention of mud / debris being deposited on public highway;
- Protection of the amenities of nearby residential occupiers
- Materials storage; and hazardous material storage and removal.
- Emergency Containment Procedures
- The routing to and from the site of construction vehicles, plant and deliveries
- The parking of vehicles for site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials
- Wheel washing facilities where appropriate
- A system for the management of complaints from local residents

The developer shall ensure that the requirements of the approved plan shall be adhered to throughout the construction of the development.

Condition 28:

With the exception of those identified in the Tree Retention & Removal Plan (drawing number CS087795-CAP-XX-00-DR-L-0011 Rev P3 dated 13.12.2016) the prior agreement of the local planning authority in

writing shall be obtained before any trees or hedges on "Site B" subject to this full planning permission or on the boundaries of the site are lopped, topped or felled, and if any such trees or hedges are felled they shall be replaced in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority at the same time as obtaining the prior agreement.

Reason: the interests of amenity.

Proposed change in order to include reference to each plot within "Site B":

With the exception of those identified in the Tree Retention & Removal Plan (drawing number CS087795-CAP-XX-00-DR-L-0011 Rev P3 dated 13.12.2016) the prior agreement of the local planning authority in writing shall be obtained before any trees or hedges on plots 1-5 within "Site B" subject to this full planning permission or on the boundaries of the site are lopped, topped or felled, and if any such trees or hedges are felled they shall be replaced in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority at the same time as obtaining the prior agreement.

Reason: the interests of amenity.

Condition 29:

The site ("Site B") shall be landscaped and trees and shrubs shall be planted in accordance with a scheme to be agreed in writing with the local planning authority before any development work is commenced on the site. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained throughout the lifetime of the development and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation.

Reason: In the interests of amenity.

Proposed change in order to include reference to each plot within "Site B" and details to be approved before any works is commenced on each plot rather than the whole site:

Plots 1-5 within "Site B" shall be landscaped and trees and shrubs shall be planted in accordance with a scheme to be agreed in writing with the local planning authority on each plot before any development work is commenced on each plots. This planting and landscaping work shall be carried out in full to the satisfaction of the local planning authority during the first planting season on each plot following the occupation of the building(s) or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained throughout the lifetime of the development and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation.

Condition 33:

The commencement of the Development shall not take place until a Travel Plan has been submitted to, approved in writing by and deposited with the Council. The Plan shall set out proposals to positively encourage visitors, staff and contractors to travel to and from the Site by alternative means of travel to single occupancy private car, set out a timetable for implementation and a programme and methodology for monitoring and review. The approved Plan shall be implemented in accordance with the approved timetable.

Reason: To encourage travel to and from the Site by more sustainable means than single occupancy cars.

Proposed change in order to include reference to each plot within "Site B" and details to be approved before any works is commenced on each plot rather than the whole site:

The commencement on plots 1-5 within "Site B" of the Development shall not take place until a Travel Plan has been submitted to, approved in writing on each plot by and deposited with the Council. The Plan shall set out proposals to positively encourage visitors, staff and contractors to travel to and from the Site by alternative means of travel to single occupancy private car, set out a timetable for implementation and a programme and methodology for monitoring and review. The approved Plan shall be implemented on each site in accordance with the approved timetable.

Condition 35:

No development shall commence until measures are in place to secure the future maintenance of the roads and drainage in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To comply with the requirements of the Highway Authority, in the interests of safety and amenity to ensure there is safe and convenient access to the various parts of the development site

Proposed change in order to include reference to each plot within "Site B" and details to be approved before any works is commenced on each plot rather than the whole site:

No development shall commence until measures are in place to secure the future maintenance of the roads and drainage in accordance with details to be submitted to and approved in writing by the local planning authority on plots 1-5 within "Site B".

Condition 36:

No development shall commence until a drainage scheme for Site 1 of the development, as identified on Drawing No. CS087795-CAP-XX-00-DR-L-0001 Rev P1 – Site Location Plan, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that foul flows only from no more than 23 dwellings shall discharge to the public sewer in Lon Talwrn between manhole reference number SH46767151 and SH46767152, as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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

Proposed change in order that development is not commenced on site 1 until details are submitted.

Development on site 1 shall not commence until a drainage scheme for Site 1 of the development, as identified on Drawing No. CS087795-CAP-XX-00-DR-L-0001 Rev P1 – Site Location Plan, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that foul flows only from no more than 23 dwellings shall discharge to the public sewer in Lon Talwrn between manhole reference number SH46767151 and SH46767152, as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

Condition 38:

The agreed drainage scheme for each site shall be delivered in full and remain in operation for the duration of the use of any part of the development prior to the occupation of any building hereby approved.

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.

Proposed change in order that to allow each site to operate on their own merits with their own drainage schemes being implemented separately.

The agreed drainage scheme for each site shall be delivered in full and remain in operation for the duration of the use of each site prior to the occupation of any building hereby approved.

Condition 39:

The proposed development site is crossed by a 400mm public rising main and a 150mm public combined sewer with their approximate position being marked on the attached Statutory Public Sewer Record. Their position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the 150mm public combined sewer and 4 metres either side of the centreline of the 400mm public rising main.

Reason: To protect the integrity of the public sewers and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Proposed change only to induce plot 4 in which the public main is crossing the application site:

The proposed development site is crossed by a 400mm public rising main and a 150mm public combined sewer with their approximate position being marked on the attached Statutory Public Sewer Record. Their position shall be accurately located and marked out on Plot 4 of "Site B" before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the 150mm public combined sewer and 4 metres either side of the centreline of the 400mm public rising main.

Condition 40:

The proposed development site is crossed by trunk/distribution watermains with their approximate position being marked on the attached plan. Their position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public watermains.

Reason: To protect the integrity of the public sewers and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Proposed change only to induce plot 4 in which the trunk / distribution watermains is crossing the application site:

Plot 4 of "Site B" is crossed by trunk/distribution watermains with their approximate position being marked on the attached plan. Their position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public watermains.

Condition 41:

No surface water from within the curtilage of the development site ("Site B") shall discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved in writing by the Local Planning Authority. No building, car park or access road hereby approved shall be brought into use until the approved scheme has been implemented in full in accordance with the approved details.

Reason: To ensure the site is adequately drained without detriment to the adjoining highway.

Proposed change to include reference to each plot and details approved to each plot rather than the whole site. Approved scheme for each plot to be implemented in full prior to the use of individual plot rather than whole site:

No surface water from within the curtilage of Plots 1-5 within "Site B" shall discharge onto the county highway. No development shall commence on each plot until full design details for the drainage of the site have been submitted to and approved in writing by the Local Planning Authority. No building, car park or access road hereby approved shall be brought into use on each plot until the approved scheme has been implemented in full in accordance with the approved details.

Condition 42:

a) No development (including 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 shall be carried out and all archaeological work completed in strict accordance with the approved details.

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

Reasons:

1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2016 and Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

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).

Proposed change to include reference to each plot with exception of plots 2 and 3 which required no further works. Gwynedd Archaeological Planning Service have raised no objection.

a) No development of plots 2 and 3 (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work for plots 2 and 3 has been submitted to and approved in writing by the Local Planning Authority. The development at plots 2 and 3 shall be carried out and all archaeological work completed in strict accordance with the approved details.

b) A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within twelve months of the completion of the archaeological fieldwork or completion of the development at plots 2 and 3, whichever is the sooner.

It is not anticipated that the proposed amendments will be great enough to cause an impact different to that caused by the original approved scheme. It is not considered that the impact would result in a detrimental impact either visually or in terms of local amenity.

Consultations relating to the conditions being amended have been undertaken as part of the application. Welsh Water, Gwynedd Archaeological Planning Service, Natural Resources for Wales, and the Authority's Ecologist have raised no objection. It is not considered that third party or body would be disadvantaged in planning terms or conflict with national or development plan policies.

Having considered the above and all other material considerations my recommendation is that the proposed amendments are deemed to be non-material and therefore be approved under Section 96A of the Town and Country Planning Act 1990. This decision should

Conclusion

It is considered that the proposed amendments are considered to be non-material amendments.

Recommendation

To grant permission based on the recommended conditions detailed in the report above.

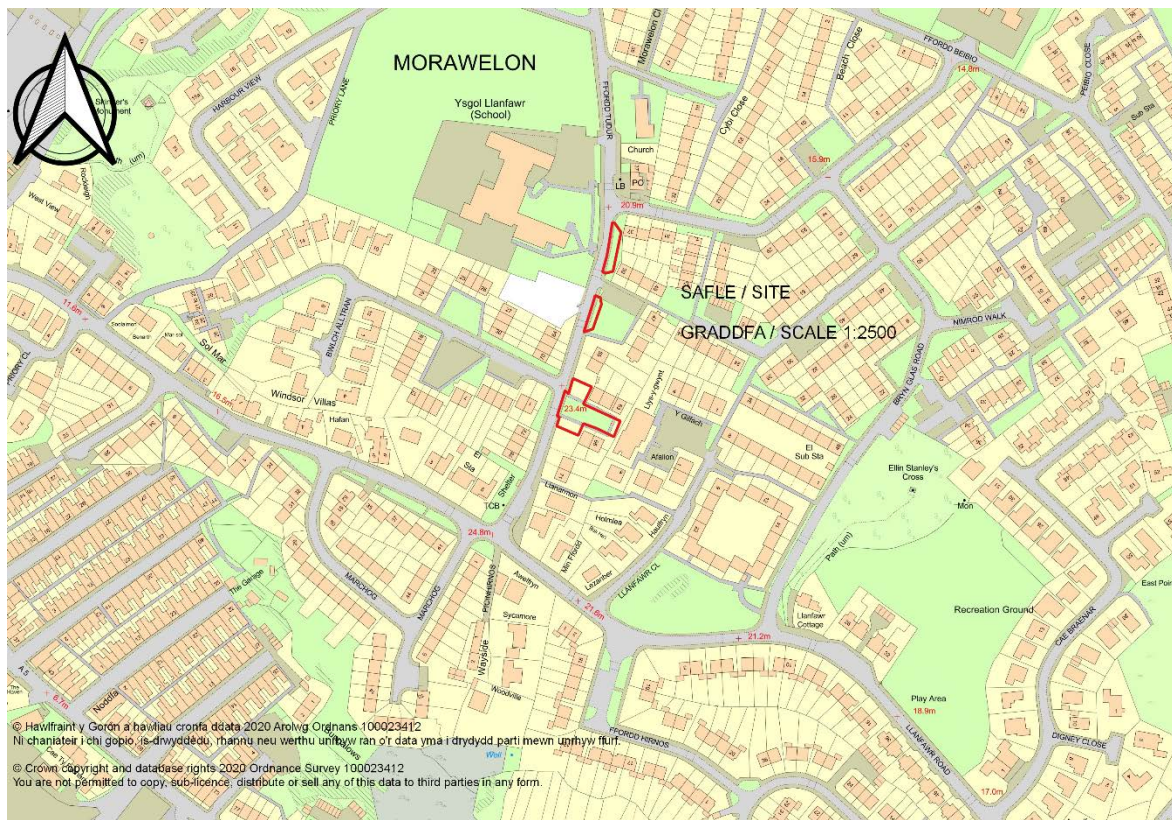
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/105

Applicant: Housing Development Manager

Description: Full application for the construction of additional parking bays at

Site Address: Ffordd Tudur, Holyhead



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application is presented to the planning committee as the planning application has been submitted by the Housing Department and on Council owned land.

Proposal and Site

The proposal involves creating a total of 21 new parking spaces at Ffordd Tudur, Holyhead.

Key Issues

- Policy Considerations
- Highway Considerations

- Impact upon adjacent residential properties

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
Policy ISA 4: Safeguarding Existing Open Space
Policy TRA 2: Parking Standards

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Glyn Haynes	No objection
Cynghorydd Robert Llewelyn Jones	No response
Cyngor Tref Caergybi / Holyhead Town Council	No objection
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Ymgynghoriadau Cynllunio YGC	Standard SuDS advice

Neighbouring properties were notified in writing of the development. The expiry date to receive representations expire on the 8th October. At the time of writing the report no representations had been received.

Relevant Planning History

None

Main Planning Considerations

Policy Considerations

Policy ISA4 ‘Safeguarding Existing Open Space’ states that proposals that will lead to the loss of existing open space including any associated facilities which has significant recreational, amenity or wildlife value will be refused unless they conform with the criteria of the policy.

An assessment has been made on the 3no parcels of land in question has any significant recreational, amenity or wildlife value. It is not considered that the proposal has any wildlife value. Neither the The Town Council nor the Local Members have any objections to the application which may reflect that the sites have little amenity or recreational value. No objections have been received from nearby households adjacent to the site which also reflects that there is no significant amenity value for those households. An assessment has been made on existing open space provisions in the locality (600m from the application site) and there is clearly a surplus of informal play provision within the locality.

Policy PCYFF2: Development Criteria states that planning permission will be refused where the proposed development would have unacceptable adverse impact on the health, safety or amenity of local residents, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisance.

Consideration has been given to the impact of the car parking facilities located in close proximity of nearby residential properties. A fence will be erected on the boundary of the car parking spaces near 61-65 Ffordd Tudur to mitigate any light spill from the cars parking close by.

Policy TRA2: Parking Standards states that parking provision for all modes of transport should be in accordance with the Council's Parking Standards. In line with Planning Policy Wales and Technical Advice Note 18: Transport, the demand for parking spaces for cars should be managed and the parking provision for other modes of transport, such as cycling, should be encouraged.

Parking is very problematic in the area, the locals have requested further parking be made available. It is considered that providing additional car parking spaces will improve the highway network and reduce the number of cars parked on the roadside.

Highway Considerations

Parking is very problematic in the area, the locals have requested further parking be made available. It is considered that providing additional car parking spaces will improve the highway network and reduce the number of cars parked on the roadside. It is considered that the proposal is acceptable and the Highway Authority has confirmed that they are satisfied with the development.

Impact upon adjacent residential properties

Consideration has been given to the impact of the proposal upon the amenity of adjacent residential properties. A balanced judgement has been made on the effect of the car parking spaces upon neighbouring properties and the demanding need for additional parking spaces in the area.

The applicant has agreed to erect a 900mm high wall on the boundary near 61-65 Ffordd Tudur to mitigate possible light pollution from car headlights. There may be some general disturbance from opening and closing car doors; however, the need for additional car parking spaces is much greater than the effects upon adjacent residential properties. The car parking area will serve existing residents and will be an improvement to the congested highway. No objection letters have been received from neighbouring properties.

Conclusion

There is a demanding need for additional parking spaces in this area and it is not considered that the 3no parcels of land in question has any significant recreational, amenity or wildlife value. The proposal will not have a negative impact upon the amenities of adjacent residential properties enough to warrant refusing the planning application. A 900mm high wall has been proposed to the boundary of the site to mitigate any light spill from car headlights shining into windows of existing houses. It is therefore considered that the proposal complies with all relevant policies referred to in the main body of the report.

Recommendation

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

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

(03) The boundary wall as shown on drawing number 0007 S1 Revision 01 shall be erected prior to the commencement of use of the car park hereby approved.

Reason: In the interest of residential amenity.

(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.

- **Proposed Mitigation - 0007 S1 Revision 01 received 15/9/20**
- **Location Plan - 0001 S0 P01.1**
- **Overall Site Plan - 0004 S1 Revision 01**
- **Site Locations Plan - 0005 S1 Revision 01**
- **Highway Detail - 0006 S1 Revision 01**
- **Proposed Parking Layout Option 1 - 0001 S0 P01.1**

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

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.