

Application Reference: FPL/2020/154

Applicant: Cyngor Sir Ynys Mon

Description: Full application for the erection of a steel staircase and viewing platform on the north east tower at

Site Address: Eglwys St. Cybi Church, Caergybi / Holyhead



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application is submitted by the Isle of Anglesey County Council.

**Proposal and Site**

The planning application relates to the north eastern tower at St Cybi's Church yard. St Cybi's Church is a grade 1 listed medieval church. The tower and walls comprise part of a former Roman Fort which are designated as a Scheduled Ancient Monument "SAM". The application site is within the Holyhead conservation area.

The proposal entails the installation of a freestanding corten steel (this is weathering steel which is burnt orange in colour) staircase and platform. The purpose is to allow visitors to view the Roman fort and the wider area. There will also be alterations to the existing metal gate at the entrance and mesh will be installed to prevent littering of the base of the tower.

### **Key Issues**

- Impact on the SAM
- Impact on Listed Building and Settings
- Impact on the Conservation Area
- Relationship with its Surroundings

### **Policies**

#### **Joint Local Development Plan**

Anglesey and Gwynedd Joint Local Development Plan (2017)

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

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

AMG 5: Local Biodiversity Conservation

PS 19: Conserving and where appropriate Enhancing the Natural Environment

PS 20: Preserving and Where Appropriate Enhancing Heritage Assets

AT 1 Conservation areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens.

Planning Policy Wales Edition 10 "PPW"

Technical Advice Note 5 Nature Conservation and Planning (2009) "TAN 5"

Technical Advice Note (TAN) 12: Design (2016) "TAN 12"

Technical Advice Note (TAN) 13: Tourism (1997) "TAN 13"

Technical Advice Note (TAN) 24: The Historic Environment (2017) "TAN 24"

IOCC Design Guide for the urban and Rural Environment (2008) "SPG Design Guide"

### **Response to Consultation and Publicity**

Cyfoeth Naturiol Cymru / Natural Resources Wales: No objections. Noted that there is no information on protected species and assume that this has been screened out. Informatives recommended as regards waste.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: The works (including any vegetation clearance) should avoid harm/ disturbance to nesting birds, and be carried out following appropriate checks, or done September-mid February to avoid the nesting season. This advice is in view of protection of active nests in law. Works should also be mindful of possible presence of other wildlife such as amphibians.

Cynghorydd Glyn Haynes: No observations received.

Cynghorydd Robert Llewelyn Jones: No observations received.

Cyngor Tref Caergybi / Holyhead Town Council: No objection.

Ymgynghorydd Treftadaeth / Heritage Advisor: The proposed works are contained within the tower which forms part of the grade I listed Walls of upper churchyard (Cadw LB Ref 5415 and SAM Ref AN031). The proposed development has been carefully designed so as to allow a clearance between the staircase/platform and the tower walls thus significantly reducing any possibility of damage to the Nationally important Roman tower. The proposals also provide a public benefit by ensuring safe public access to a National Monument.

In my opinion, the proposals would not have an adverse impact on the setting of any of the adjacent listed buildings that include:

St Cybi's Church (Grade I)  
Capel y Bedd (Grade II)  
Lower Churchyard Walls and Gateway (Grade II)  
Stanley House (Grade II)  
The Captain's Table (Grade II)

Additionally, as the proposals are contained within the Tower, they would not have an adverse impact on the character and appearance of the Conservation Area or views into or out of it.

In my opinion, the proposals adhere to the criteria of JLDP Policies PS 20 and AT1.

Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service: There is the potential for archaeological impact. The staircase is a freestanding structure that the application documents state has a 75mm clearance from all surfaces of the tower. This is commendable as it likely avoids any harmful impact on the fabric of the structure itself. The only contact point for the structure is four padded stilts that sit atop the base. The avoidance of ground-disturbing works in this instance is ideal as it prevents any disturbance of surviving sub-surface archaeology.

Any archaeological evaluation or mitigation will come under scheduled monument consent, and therefore falls outside the remit of GAPS. Any such works are to be determined and monitored by Cadw. Despite this, our recommendation would be that a) any clearance works required in order to install the staircase should be monitored by an archaeological contractor, and b) prior to the installation of the staircase a full and proper record should be made of the tower – preferably using an enhanced technique such as laser scanning. Both will ensure that the tower is safeguarded against any alterations to the tower that occur (even indirectly) over the span of the staircase's installation or usage.

Cadw Consultations: We have no objections to the proposed development on the scheduled monument listed in our assessment of the application below. The proposed works are inside the northeast tower which is part of scheduled monument AN031 Roman Wall Surrounding St Cybi's Churchyard. All of the works will be inside the boundaries of the scheduled monument and therefore scheduled monument consent will be required for this development and an application for this has been submitted. In principle Cadw does not object to this development and the positive determination of this application: However as the proposed works are entirely inside the boundaries of the scheduled monument there is no need for any conditions to protect the archaeological resource to be attached to any consent that is granted to this application as they will duplicate ones attached to the scheduled monument consent (see the advice given in section 3.6 of Welsh Government Circular 016 2014 Use of Conditions).

The planning application was advertised with individual notification letters and press notice was published given that the planning application is in a conservation area. The publicity period expired on 07.10.20 and no observations have been received at the time of writing.

### **Relevant Planning History**

No material planning history.

## **Main Planning Considerations**

**Introduction** The purpose of this proposal is to provide access to a SAM and as per the comments of the council's Conservation Officer this provides a public benefit which can be attributed positive weight in the assessment of this planning application. Additionally the north west towers is located close to the town centre and it is considered that the facility is considered appropriate in this context as it would increase the range of destinations available in and around the centre of Holyhead. It is also located close to public transport facilities and there is a public car park immediately adjacent. For these reasons it is considered that the proposal aligns with national guidance which broadly encourages proposals which enhance the vitality and viability of town centres and sustainable development.

**Setting of the Scheduled Ancient Monument's "SAM's" & Archaeology** When considering development proposals that affect scheduled monuments or other nationally important archaeological remains, there should be a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains. The council's Heritage Adviser confirms that the development has been carefully designed to reduce the possibility of damage to the SAM, additionally the proposals provide safe public access to the SAM.

CADW are the statutory consultee and confirm that they have no objections to the proposal and on this basis it is considered that the policy requirements are met.

GAPS make recommendations as regard archaeological excavations but as explained in CADW's comments as the proposed works are entirely inside the boundaries of the SAM there is no need for any conditions as this would duplicate ones attached to any scheduled monument consent granted.

**Listed Buildings and Settings** The north east tower is a SAM and a Listed Building and it is understood that Listed Building Consent will not be required as scheduled monument consent takes precedence. Nevertheless in determining this planning application it is material that

PPW states that that there is a general presumption in favour of the preservation of a listed building and its setting, further for development proposals affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building and its setting. The council's Heritage Adviser does not consider that proposal will likely damage the listed building or have an adverse impact on the setting of any of the adjacent listed buildings and on this basis the policy and statutory requirements in relation to listed buildings are considered to be met.

**Conservation Area** The proposal subject to the enquiry is located within the Holyhead Conservation Area. In determining planning applications there is a general presumption in favour of the preservation or enhancement of the character or appearance of a conservation or its setting in statutory and policy terms. The council's Heritage Adviser advises that the proposal is largely contained within the tower and as such it would not have an adverse impact on the character and appearance of the Conservation Area or views into or out of it, on this basis the policy and statutory requirements in relation to conservations areas are considered to be met.

**Relationship with its Surroundings** Policies PCYFF 2 (Development Criteria) and PCYFF 3 (Design and Place Shaping) are material in assessing the relationship of the development with its surroundings and in relation to adjacent land used. The viewing platform would afford some views towards the rear of 4 and 3 Land's End. These properties abut the north eastern tower but at a significantly lower level on Victoria Road. Views of the rear of these properties are already available from the car park above and at the rear (Swift Square).

Number 4 Land's End is a three storey residential property which a dormer at second floor level. The rear amenity area is very limited and provides access to the rear of the properties as opposed to being garden or amenity area. The proximity, significant height difference and the angle of any views available from the platform towards these dwellings means that overlooking of the rear of these properties will be limited.

Given these considerations it is not considered that the proposal would unacceptably impact the residential amenities of occupants of these dwellings.

## **Conclusion**

The proposal is considered to meet the policy and statutory requirements for the heritage designations as well as being a positive, appropriate and sustainable development in this edge of town centre location.

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

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

## **Recommendation**

That planning permission is GRANTED subject to the following planning conditions:

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: PCYFF 2, PCYFF 3, AMG 3, AMG 5, PS 19, PS 20, AT 1.

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

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

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

(Location Plan) Promap V2 100022432

General Arrangement As Existing 012220 CCE V1 XX 40:40:01 C 20 0001 S0 04

General Arrangement As Proposed 012220 CCE V1 XX 40:40:01 C 20 0002 S0 05

Typical Details 012220 CCE V1 XX 40:40:01 C 20 0003 S0 06

Heritage Impact Assessment (July 2020) Cadnant

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.