

Application Reference: MAO/2020/29

Applicant: B I Jones, D P Jones & N Jones

Description: Minor amendments to scheme previously approved under planning permission FPL/2020/73 so as to amend design and remove condition (08)(drainage in relation to highways)at

Site Address: Parciau, Llanddaniel



### Report of Head of Regulation and Economic Development Service (John Williams)

Recommendation: Permit

### Reason for Reporting to Committee

Applicants work in the Planning Service. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the constitution.

### Proposal and Site

As can be seen from the site's relevant planning history below, planning permission for alterations and extensions including annex together with extension to the curtilage at Parciau was originally permitted in March 2020. A subsequent application, for alterations and extensions including annex together with the extension of the curtilage and the creation of an agricultural access was permitted in August 2020.

This application seeks further minor amendments to the development permitted by FPL/2020/73 principally by amending the glazing to the study on the ground floor front elevation by bringing it in line with the front elevation whereas the previously approved drawing shows the glazing recessed. Also, rather than a bi-folding door arrangement, the glazing is changed to a more conventional window design with a single glazed door opening. Additionally, the application seeks to remove condition 8 of the development permitted under planning reference FPL/2020/73. The condition reads as follows:

*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.*

The site is located on the outskirts of the village of Llanddaniel Fab and is the last of a “row” of large, detached dwellings set in open countryside and alongside the road which leads north-eastwards from the village to Star Crossroads. The property subject to the application is of two storeys, finished to render with slate roof and an attached double garage clad in stone.

The property stands in a lawned garden with a substantial hardstanding area to the front to accommodate vehicle parking and turning. The front boundary of the site is provided by a stone wall with a post and rail fence providing the boundary to the field adjoining the site to the north east. Planning permission FPL/2020/73 allows for the property’s extension to the north east in addition to an extension of the curtilage in the same direction.

### **Key Issues**

The application’s key issues are whether the removal of condition 8 would compromise highway safety and whether the minor amendments would result in unacceptable amenity impacts.

### **Policies**

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

Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 4: Design and Landscaping

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

<b>Consultee</b>	<b>Response</b>
Priffyrdd a Trafnidiaeth / Highways and Transportation	The amendments shown in the application are acceptable from a Highways point of view and there is no objection to the deletion of condition (08).

The application was publicised by means of neighbour notification letters and displaying a site notice. The latest date for the receipt of observations is 11 February 2021.

### **Relevant Planning History**

21C162 - Outline application with some matters reserved for the erection of two dwellings together with full details of the access in lieu of the lawful use of land as a Coal Yard granted under full planning application reference A/2792 at Parciau, Llanddaniel - Refused 01/02/2016

FPL/2020/3 – Full application for alterations and extensions including annex together with extension to curtilage at Parciau, Llanddaniel – Permitted 04/03/2020

FPL/2020/73 - Full application for alterations and extensions including annex together with extension of curtilage and the creation of an agricultural access – Permitted 07/08/2020

## **Main Planning Considerations**

### **Location and Design**

Policy PCYFF3: Design and Place Shaping states that proposals are expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context. It continues that proposals must complement and enhance the character and appearance of the site in terms of siting, appearance, scale, height, massing and elevation treatment. The previous proposals were considered to comply with these policy requirements and it is further considered that the minor amendments proposed by this submission would not change this conclusion.

### **Landscaping**

Policy PCYFF4: Design and Landscaping states that all proposals should integrate into their surroundings, and proposals that fail to show how landscaping has been considered from the outset as part of the design proposals will be refused. A planting specification was included in the documents supporting planning application FPL/2020/73. The permission resulting from the application includes a requirement that the planting scheme proposed is carried out in accordance with the detail provided. This application does not seek to amend this requirement.

### **Effect on amenities of neighbouring properties**

Consideration of the initial applications submitted for the extension of Parciau concluded that, given the position of the extension relative to other residential properties in the locality, no harm would result to the amenities currently enjoyed by the occupants of those properties either in the immediate or wider neighbourhood. The minor amendments proposed by this application would have no greater impact on the amenity of neighbouring properties and are therefore considered acceptable.

### **Highways**

In responding to the consultation on this application, the Highways Service confirmed that the amendments shown are acceptable from a highways point of view and there is no objection to the deletion of condition (08). In justifying this stance, it was confirmed that there was no need for the imposition of the condition given the unlikely risk that surface water from the site would be discharged onto the highway. Additionally, it was confirmed that the provisions of section 184 of the Highways Act would enable the Highway Authority to manage any such discharge.

### **Conclusion**

Having considered the above and all other material considerations it is recommended that the application be permitted.

### **Recommendation**

Permit the application to amend the drawings and documents listed in condition 3 and delete condition 8 of planning permission FPL/2020/73.

Amend condition (03) to make reference to include the following drawings:

Proposed Elevations 1749-A3-05-A

Proposed Elevations 1749-A3-06

Proposed Ground Floor Plan 1749-A3-07  
Proposed Foundation and Drainage Plan 1749-A3-07-A  
Proposed First Floor Plan 1749-A3-08  
Proposed 3D View 1749-A3-09  
Proposed 3D View 1749-A3-12  
1749-A3-14-A – Proposed Ground Floor General Arrangement Plan  
Sectional Drawing 1749-A3-16 (x2)  
Floor Joist Layout 1749-A3-18  
Agricultural Access Detail 1749-A3-20-A (x2)  
Planting Specification

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

Application Reference: VAR/2020/74

Applicant: T.W + Y Owen

**Description:** Cais o dan Adran 73 i ddiwygio amod (06) o ganiatâd cynllunio rhif 45C83E (newid defnydd y gweithdy presennol i dri annedd) er mwyn ychwanegu 2 porth yn / Application under Section 73 for the variation of condition (06) of planning permission reference 45C83E (conversion of the existing workshop into three dwellings) so as to allow the addition of 2 porches at

**Site Address:** Tre Wen, Pen Lôn, Newborough



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application is a departure from the development plan which the Local Planning Authority are minded to approve. The applicant is related to a relevant officer. The application has been scrutinised by the Council's Monitoring Officer.

**Proposal and Site**

The application site is occupied by a brick and clad building measuring 18m x 9.5m approximately on plan and with a ridge height of just over 6m, which currently houses a joinery business. Planning permission 45C83E granted permission to convert the workshop into three dwellings, two on the ground floor and a

single unit on the first floor with external access. Garden, bin storage and parking areas are provided as part of the proposal whilst the existing access will be utilised for the development. Foul drainage will connect into the existing public sewerage system.

### **Key Issues**

- Compliance with current planning policies in relation to conversion and impacts on the designated Area of Outstanding Natural Beauty as well as amenity impacts.
  - Fall-back
  - Design
  - Highway Impacts
  - Ecology
  - AONB
- Amenity impacts

### **Policies**

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

TRA 2: Parking Standards

PS 5: Sustainable Development

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

AMG 5: Local Biodiversity Conservation

PS 19: Conserving and Where Appropriate Enhancing the Natural Environment

PS 20: Preserving and where appropriate enhancing heritage asset

AMG1: Area of Outstanding Natural Beauty Management Plans

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

AMG 5: Local Biodiversity Conservation

Planning Policy Wales Edition 9 (2016) "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) 18: Transport (2007) "TAN 18"

Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017) "TAN 20"

'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance (SPG) (adopted July 2019)

Isle of Anglesey Council AONB Management Plan 2015-2020

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

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Content with the amended plans which show bird boxes on the proposed elevations.

Heritage Adviser: Observations awaited at the time of writing.

Cyngor Bro Rhosyr Community Council: Observations awaited at the time of writing.

Cynghorydd Bryan Owen: Observations awaited at the time of writing.

Cynghorydd Peter Rogers: Observations awaited at the time of writing.

Highways: Observations awaited at the time of writing.

Natural Resources Wales: No observations at the time of writing

The planning application has been advertised as a departure from the development plan with individual notification letters, site notice and an advert was published in the press. The notification period will expire on the 18/02/21.

### **Relevant Planning History**

45C83 Erection of a joinery workshop together with the formation of a vehicular access at Trewen, Penlon, Newborough – Refused 7-9-88

45C83A Erection of a workshop at Tre Wen, Penlon, Newborough – approved 2-8-89 Section 52

45C83B Erection of a shed for the storage of machinery at Tre Wen, Penlon – approved 4-2-2010

45C83C/DEL Application under Section 73 for the removal of condition (05) (workshop shall be used for the benefit of Mr T.W.Owen and when no longer required by him shall be used for the purposes of agriculture) from planning permission reference 45C83A (erection of a workshop)– approved 4/6/2015

45C83D/SCR Screening opinion for the conversion of the existing workshop into three dwellings on land– EIA not required 24/02/16

45C83E - Full application for conversion of the existing workshop into three dwellings Permitted 06/04/2016

45C83F/DIS - Application to discharge condition (05) (details of windows and stairs) of planning permission 45C83E (change of use of carpenter's workshop into 3 dwellings Condition discharged 20/03/2017.

SCR/2021/6 Screening opinion under Section 73 for the variation of condition (06) of planning permission reference 45C83E (conversion of the existing workshop into three dwellings) so as to allow the addition of 2 porches EIA Not required 27.01.21.

### **Main Planning Considerations**

**Compliance development plan policies in relation to the conversion of existing buildings in the countryside to a residential use** The building subject to this application is located in the countryside under the provisions of PCYFF 1 of the JLDP. Under the former development plan the conversion of existing buildings in the countryside to a residential use such as that being applied for was permitted subject to the listed criteria. The JLDP was adopted on 31.07.17 and superseded the former development plan. Under the provisions of policy TAI 7 (Conversion of Traditional Buildings in the Open Countryside to a Residential Use) of the JLDP the conversion of existing buildings to residential purposes is only permitted where evidence is provided that an employment use of the building is not viable and then only for affordable housing purposes or as a subordinate element in a wider scheme. The planning application subject to this report does not comply with any of these requirements and has therefore been advertised as a departure from the current development plan comprising the JLDP but there is a fall-back as described below.

**Fall-back** Planning permission 45C83E is extant and the applicant has until 12/04/2021 to implement this planning permission this is the fall-back position.

**Design** The proposed porches align with the character and form of the building to be converted in accord with the plans approved under planning permission 45C83E introducing only a very minor external alteration. The site is set within a large curtilage within which there is ample room for parking and amenity space provision.

Highway Impacts The site is served by an existing access. It is not considered that the conversion would lead to a significant increase in traffic or other highway issues but comments of the highway authority are awaited at the time of writing.

**Ecology** The council's Ecological and Environmental Advisor is content with the planning application which now includes bird nesting boxes.

**AONB** Paragraph 5.3.5 of PPW explains that the primary objective of designating AONB's is the conservation and enhancement of their natural beauty. Development Management decisions affecting AONB's should favour conservation of natural beauty, although it will be appropriate to have regard to the economic and social well-being of the areas.

The site is located to the rear of a handful of dwellings forming part of the hamlet of Pen Lon which is situated within the designated AONB. The site is well screened and enclosed and it is not considered that unacceptable impacts will occur to the designated landscape.

There is a statutory requirement for the LPA to have regard to the AONB purposes. Regard has been taken of these statutory requirements in terms of the use of appropriate external materials.

**Amenity impacts** The building is located to the rear of existing housing. There is ample space within the site to accommodate the proposal without harm to existing amenities. Distances and boundary treatments are such that overlooking and loss of privacy are unlikely to occur.

## **Conclusion**

Given the fall-back that there is an extant planning permission the proposal is acceptable subject to the planning conditions listed notwithstanding the fact the proposal is a departure from policy TAI 7. The planning conditions recommended limit the permission to no longer than that granted under planning permission 45C83E.

## **Recommendation**

That delegated powers are granted to approve the planning application following the expiry of the notification period on the 18.02.21 and the receipt of all material consultee responses:

(01) The development hereby permitted shall be begun before the 12/04/2021.

Reason: Planning permission is granted on the basis that there is an extant planning permission only.

(02) The development shall proceed in accordance with the following documents and plans, as amended by the conditions imposed:

Proposed Block Plan January 2016

Detailed Block Plan January 2016

Roof Plan Identifying Location of 8 no Rooflights January 2016

Proposed Ground Floor Plan January 2016

Proposed First Floor Plan January 2016

Approved and modified elevations with proposed external porches and bat and bird boxes December 2020

Proposed Details of external porches December 2020

Approved and modified elevation with proposed external porches December 2020

Plan of Staircase (approved under discharge of condition under reference 45C83F/DIS)

Elevation of PVC-U Window to Gable Wall (approved under discharge of condition under reference 45C83F/DIS)

Section Through PVC-U Window to Gable Elevation Drawing Number 7 (approved under discharge of condition under reference 45C83F/DIS)



Visual Protected Species Survey Alison Johnson Ecology June 2015  
Structural Engineer's Report received 3/2/16  
Access Statement received 3/2/16

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

(03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting this Order) the development permitted by Classes A, B, C, D, E and F Part 1 of Schedule 2 are hereby excluded.

Reason In the interests of amenity.

(04) The car parking accommodation shall be made available for use before the dwellings hereby approved are occupied.

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.