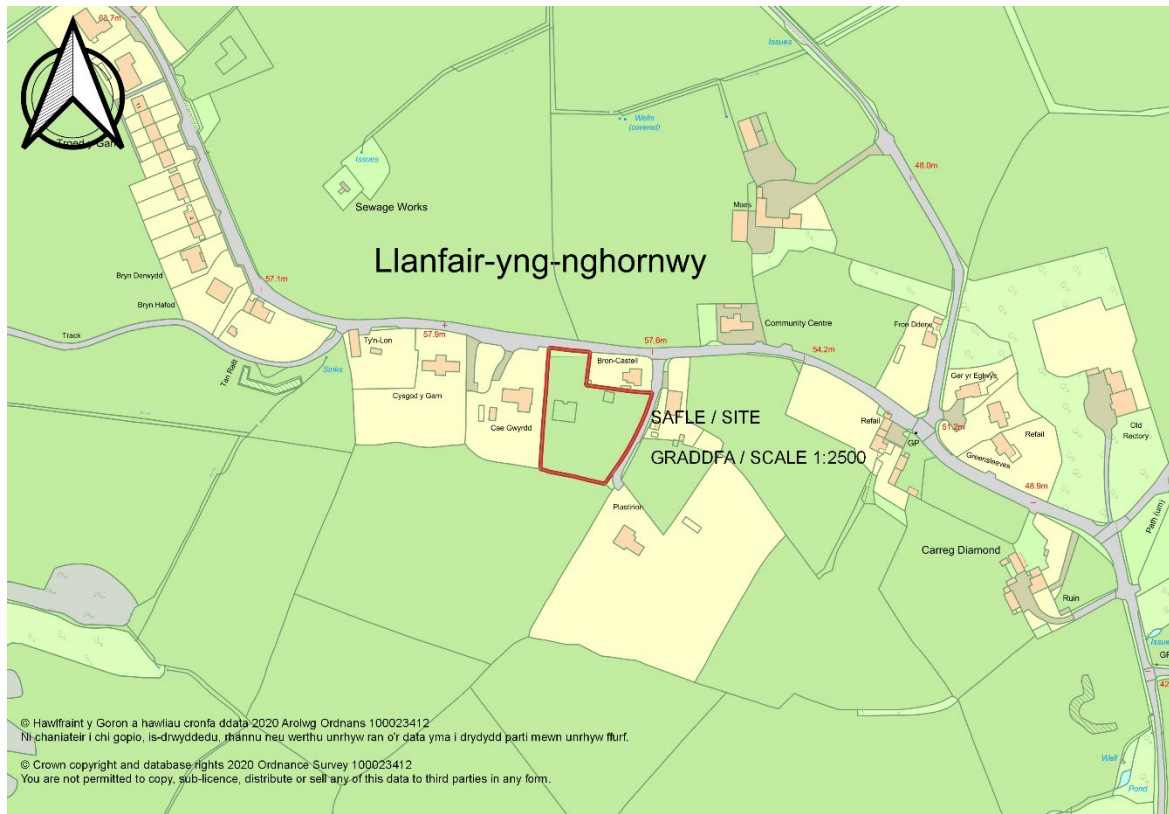


Application Reference: FPL/2021/10

Applicant: Paul & Elen Pritchard

Description: Retrospective application for the erection of a garage on land adjacent to

Site Address: Bron Castell, Llanfair-yng-nghornwy



Report of Head of Regulation and Economic Development Service (Owain Hughes)

Recommendation: Permit

Reason for Reporting to Committee

The application has been called in by Councillor Llinos Medi Huws due to concerns by the local community on the garage's scale, location and design.

Proposal and Site

The application submitted is a retrospective planning application for the retention of the erected garage which has not been built in accordance with the approved planning application 18C225B.

The site lies within Llanfair-yng-nghornwy hamlet to the rear of Bron Castell dwelling. The dwelling approved under planning application 18C225B is currently under construction. The site also lies within the Area of Outstanding Natural Beauty.

Key Issues

The key issues is whether the proposed development impacts the surrounding amenities and whether the development impacts the Area of Outstanding Natural Beauty.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February, 2021)

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

Response to Consultation and Publicity

Consultee	Response
Cynghorydd John Griffith	No response
Cynghorydd Kenneth P. Hughes	No response
Cynghorydd Llinos Medi Huws	Referred to Committee
Cyngor Cymuned Cylch-y-Garn Community Council	Objection

The application was publicised by serving of personal notifications on the owners of neighbouring properties. 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.

Their main concerns were:

- Scale of the garage is too large
- Overlooking from the window
- Loss of sunlight
- Noise impact
- Out of character to the surrounding amenities
- Privacy impact of Bron Castell

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

Relevant Planning History

18C225 - Full Planning - Cais llawn i godi annedd newydd, chreu mynedfa ynghyd a gosod paced trin carthffosiaeth ar dir ger / Full application for the erection of a dwelling, the creation of an access together with the installation of a package treatment plant on land adjacent t - Bron Castell, Llanfairynghornwy

18C225A/SCR - Screening Opinion - Cais barn sgrinio i godi annedd newydd, chreu mynedfa ynghyd a gosod paced trin carthffosiaeth ar dir ger / Screening opinion application for the erection of a dwelling, the creation of an access together with the installation of a package treatment plan - Bron Castell, Llanfairynghornwy

18C225B - Full Planning - Cais llawn i godi annedd newydd, chreu mynedfa ynghyd a gosod paced trin carthffosiaeth ar dir ger / Full application for the erection of a dwelling, the creation of an access together with the installation of a package treatment plant on land adjacent to - Bron Castell, Llanfairynghornwy

18C225C/SCR - Screening Opinion - Barn sgrinio ar gyfer codi annedd ar dir ger / Screening opinion for the erection of a dwelling on land adjacent to - Bron Castell, Llanfairynghornwy

18C225D/DIS - Discharge of Conditions - Cais i ryddhau amod (02) (Cynllun Rheoli Traffig) o ganiatâd cynllunio 18C225B ar dir ger / Application to discharge condition (02) (Traffic Management Scheme) of planning permission 18C225B on land adjacent to - Bron Castell, Llanfairynghornwy

Main Planning Considerations

The proposed development is for the retention of a garage which is currently under construction at the land to the rear of Bron Castell, Llanfairynghornwy.

The original position of the garage was granted under planning reference 18C225B on the 04/05/2017.

Under the above planning approval, the external dimensions of the garage were 6.4 metres by 6.4 metres with a height to the ridge of 5 metres. The distance from the garage to the boundary of Bron Castell which is the nearest residential property measures 1.5 metres.

The application was submitted as a result of the Enforcement Sections intervention following the receipt of a complaint with respect to the amended siting of the garage. Following an investigation it was noted that the position of the garage had been amended such that its position was 10 metres further back from its approved location. Furthermore, the dimensions had also changed such that it measured 6.8 metres by 6.8 metres within the curtilage. The garage is now positioned 10 metres back from the approved site. In addition to this, the scale of the garage is now different.

The garage under construction now measures 6.8 metres by 6.8 metres (representing an increase of 0.4m in both length and breadth) with an increase in ridge height of 0.9m to 5.9 metres. The distance to the boundary of Bron Castell has also been increased by 0.3m to 1.8 metres.

In terms of appearance the garage also now includes a ground floor window on the Northern side, a 1st floor window on the front elevation (Western side) and two skylights on the southern aspect roof plane.

In considering this proposal, it should be emphasised that the principle of a private garage on site has previously been granted as part of planning application 18C225B. The applicants have confirmed that the amended siting was required for functional reasons given the difficulties posed by ground levels on site as well as for practical reasons in terms of providing better turning, manoeuvring and parking area within the curtilage of the property.

In response to the objections raised in terms of scale it is acknowledged that the dimensions of the garage have been increased by 0.4 metres in both width and length with an increase in ridge height of 0.9m. It is not however considered that the scale of these changes is such that it should warrant the refusal of the application.

As stated within previous sections of this report the principle of the garage has already been granted. It is not considered that the new fenestration will have an adverse impact in terms of overlooking. The window on the Northern side will be installed with obscured glazing. In addition, a condition will also be placed on any permission granted to ensure that the window will also be non-opening. The skylight on the southern side will overlook the applicants' garden. The new window on the Western side will look out onto the applicant's front drive and turning area with oblique views towards Bron Castell.

It is acknowledged that the current position of the garage has been set back by 10 metres on an elevated parcel of ground which lies parallel to and above Bron Castell. However, it is not considered that the

proposed garage will overshadow Bron Castell or its curtilage to such a degree so as to warrant a refusal. It is acknowledged that the southernmost part of the garden at Bron Castell which is currently utilised as a hardstanding will be subject to a certain degree of shadowing during the day, however this in itself is not sufficient reason to refuse the application. The majority of the garden which serves Bron Castell which includes its lawned area on the Northern side will not be impacted upon.

It is not considered that the proposal looks out of character. The proposal is generally reflective of that which has previously been granted approval on the site. It is acknowledged that the garage can be seen from various points given its amended siting which lies at a level which is higher than its originally approved position. However this is set against the backdrop of the main dwelling house which serves to mitigate the visual impact.

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 adversely upon the character of the designated landscape nor upon the amenities of neighbouring properties to such a degree as to warrant its refusal. It is acknowledged that there have been objections raised to the proposal. Whilst these objections have been given detailed consideration as part of the Authority's assessment of matters it is not considered that the objections raised are sufficient reasons in themselves to justify the refusal of the application. It is considered that suitable conditions can be imposed upon the development to ensure its acceptability in land use planning terms.

Conclusion

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

Recommendation

(01) 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 and Proposed Site Plan**
- **Proposed Elevation and Floor Plan**

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

(02) The garage shall be used solely for purposes incidental to the enjoyment of the dwelling house as illustrated on the submitted plans, and for no commercial or business use.

Reason: To ensure that inappropriate uses do not take place in the locality

(03) The window highlighted in blue on the plan attached to this permission (Proposed Garage Plan) shall be obscure glazed and non opening and shall not be glazed or re-glazed other than with obscure glass.

Reason: In the interest of amenity.

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 3, AMG 1

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/2021/1

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 separate plots within Site B 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 non 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
Cyfoeth Naturiol Cymru / Natural Resources Wales	Concerns regarding bat connectivity
YGC (Ymgynhoriaeth Gwynedd Consultancy)	No Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No Objection
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Response
Ymgynghorydd Tirwedd / Landscape Advisor	No Objection
Llywodraeth Cymru (Priffyrdd/Highways)	No Comments

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 Permitted 25/02/2021

MAO/2020/16 - 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 Coleg Menai, Llangefni - Permitted 30/12/2020

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 relate to the full planning permission whilst conditions 18 -44 relate 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 are currently being considered which relate 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 separately 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 relate conditions to relevant plots and allow certain plots to progress at separate times to other plots.

A similar application was granted in 2020 under planning reference MAO/2020/16 to vary the wording of conditions 18, 21, 22, 23, 28, 29, 33, 35, 36, 40, 41 and 42 relating to planning permission 34C304K/1/EIA/ECON.

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:

(24) Alternative habitats (Bat boxes) shall be installed in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority and thereafter implemented in full in accordance with the approved details throughout the lifetime of the development.

Reason: In the interests of preserving the wildlife of the site.

Proposed change in order to include reference to relevant plots

Alternative habitats (Bat boxes) shall be installed in accordance with a scheme to be submitted to and approved in writing with the Local Planning Authority prior to the occupation of any of the dwellinghouses and thereafter implemented in full in accordance with the approved details throughout the lifetime of the development of the relevant Plot on which such bat boxes are to be installed.

Condition 27:

A Woodland Management Plan outlining the way woodland is to be managed, covering matters such as *aims*, list of *operations* to be performed, *timetable*, and provision for *review*. Operations may include thinning of planted trees, removal of guards and ties, removal of dead/ diseased limbs, actions to encourage particular wildlife species, and provision of control of invasive species and other actions, as appropriate. (to consider the entire site) shall accompany any full or reserved matters application and shall be approved in writing by the Local Planning Authority prior to commencement of development and thereafter implemented in full throughout the lifetime of the development.

Reason: In the interests of amenity.

Proposed change in order to include reference to relevant plots

No development shall commence until a Woodland Management Plan outlining the way woodland is to be managed, covering matters such as *aims*, list of *operations* to be performed, *timetable*, and provision for *review*. Operations may include thinning of planted trees, removal of guards and ties, removal of dead/ diseased limbs, actions to encourage particular wildlife species, and provision of control of invasive species and other actions, The Woodland Management Plan shall accompany any full or reserved matters application for Plot 4 and shall be approved in writing by the Local Planning Authority prior to commencement of development on Plot 4 pursuant to the relevant reserved matters approval and thereafter implemented in full throughout the lifetime of the development on Plot 4.

Condition 34:

Before any development commences, details shall be submitted to and approved by the Local Planning Authority in connection with the following reserved matters:

- i) Full details of the means of access to the site.
- ii) The proposed road layouts, extent and position of vehicle turning facilities, car parking facilities and delivery & loading and unloading facilities.
- iii) A scheme for surface water drainage and means of disposal including the position of gullies, chambers and outfalls, with pipe diameters and design data.
- iv) A scheme for street and outdoor lighting.

Reason: In the interests of amenity and highway safety.

Proposed change in order to include reference to relevant plots:

Before any development commences on a Plot, details shall be submitted to and approved by the Local Planning Authority in connection with the following reserved matters relating to that plot:

- i) Full details of the means of access to the site.
- ii) The proposed road layouts, extent and position of vehicle turning facilities, car parking facilities and delivery & loading and unloading facilities.
- iii) A scheme for surface water drainage and means of disposal including the position of gullies, chambers and outfalls, with pipe diameters and design data.
- iv) A scheme for street and outdoor lighting.

Condition 37:

No development shall commence on Sites 2 – 5, as shown on Drawing No. CS087795-CAP-XX-00-DR-L-0001 Rev P1 – Site Location Plan, until a drainage scheme has been submitted to and agreed in writing

by the Local Planning Authority. The scheme shall demonstrate how each site will be effectively drained to the public sewerage system and how the foul flows will eventually drain to:

i) The 150 mm combined sewer at manhole reference number SH46746801 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

or

ii) Another point of connection on the public sewerage system is identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the local planning authority. Thereafter the connection shall be made in accordance with the recommended connection options following the implementation of any necessary improvements to the sewerage network as may be identified by the hydraulic modelling assessment.

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.

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 to include reference to relevant plots

No development shall commence on Plots 2 – 5, as shown on Drawing No. CS087795-CAP-XX-00-DR-L-0001 Rev P1 – Site Location Plan, until a drainage scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate how each Plot will be effectively drained to the public sewerage system and how the foul flows will eventually drain to:

i) The 150 mm combined sewer at manhole reference number SH46746801 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

or

ii) Another point of connection on the public sewerage system is identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the local planning authority. Thereafter the connection shall be made in accordance with the recommended connection options following the implementation of any necessary improvements to the sewerage network as may be identified by the hydraulic modelling assessment.

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.

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. Natural Resources for Wales, Local Highway Authority and the Authority's Ecologist and Landscape specialists have raised no objection. Natural Resources for Wales initially raised concerns regarding protected species, however, information was submitted demonstrating how impact on bat connectivity and foraging would be avoided. 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

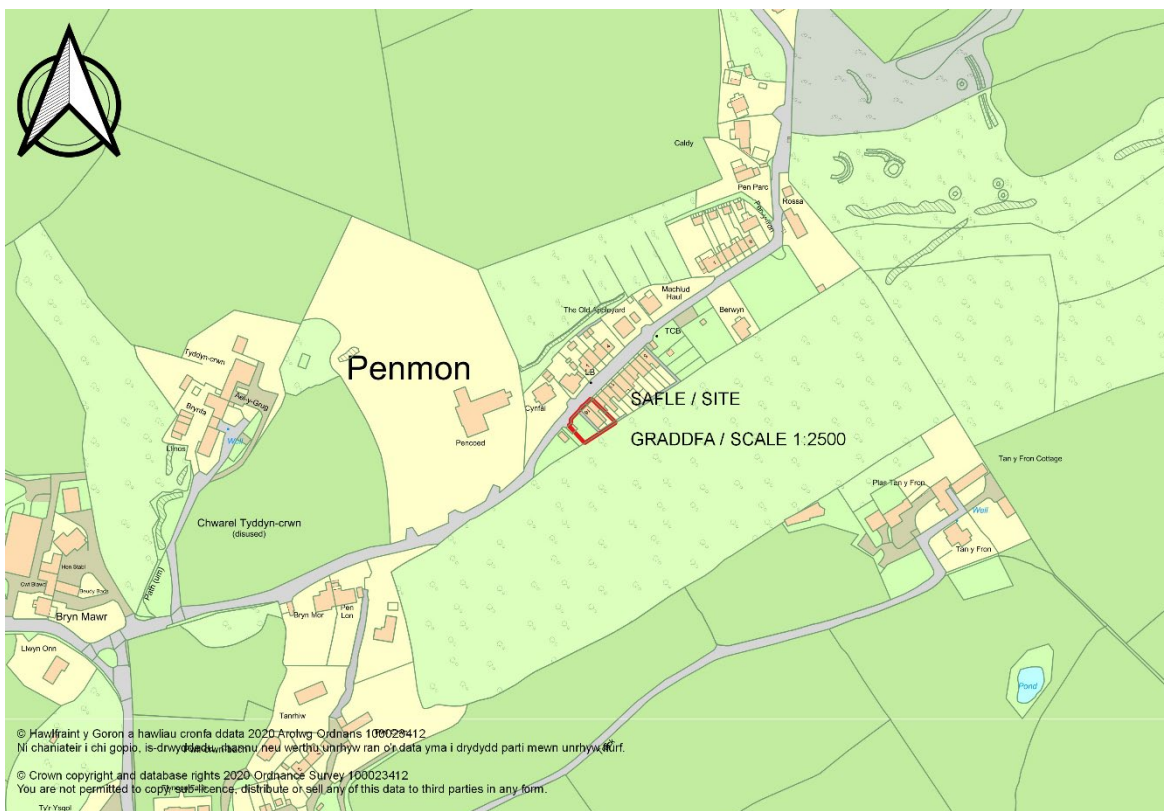
It is considered that the proposed amendments are considered to be non-material amendments.

Application Reference: MAH/2021/2

Applicant: Trystan Evans

Description: Minor amendments to scheme previously approved under planning permission FPL/2019/300 so as to amend the design at

Site Address: 15 Coedwig Terrace, Penmon



Report of Head of Regulation and Economic Development Service (Sion Hughes)

Recommendation: Permit

Reason for Reporting to Committee

The application is made by the Council Housing department on Council owned land.

Proposal and Site

The minor amendment application is made for change to the window arrangements to the rear of the property which will result in a wider opening for the patio doors.

The site is located in the rural cluster village of Penmon, forming part of Coedwig terrace with both properties adjoining and 16 Coedwig Terrace being the end of terrace property. It is also within the

Anglesey Coastal Area of Outstanding Natural Beauty. The dwellings are two storeys which currently include single storey flat roof extensions to the rear which are accompanied by small garden areas. The site is bound to the front by the highway and is bordered to the rear by a restored ancient woodland.

Key Issues

The key issues of the application are as follows:

- Design
- Impacts upon residential amenity

Policies

Joint Local Development Plan Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Llangoed Community Council	No response
Cynghorydd Carwyn Jones	No response
Cynghorydd Alun Roberts	No response

No publicity was carried out as part of the application as it is not a statutory requirement and no neighbouring properties will be impacted by the change.

Relevant Planning History

FPL/2019/300 - Cais llawn ar gyfer addasu ac ehangu ynghyd a creu man parcio newydd yn / Full application for alterations and extensions together with creation of new parking area at - 15/16 Coedwig Terrace, Penmon - [object Object] - Caniatáu / Permit

Main Planning Considerations

Design

From a design point of view, it is not considered that the proposed minor amendment would create impact different to that of the original consent. The larger proposed opening will not be viewable from public viewpoints and it is not considered that it would harm the appearance and character of the dwellings or of the terrace.

Impact Upon Residential Amenity

The patio doors will face the open countryside to the rear of the terrace and therefore it is not considered that the amenities of any surrounding properties would be impacted as a result of the minor amendment.

Conclusion

The scheme will comply with all relevant policies of the Anglesey and Gwynedd Joint Local Development Plan and the Authority Supplementary Planning Guidance Design guide whilst not creating any impacts different to the original consent. It is therefore considered that the application is justified in its recommendation for approval.

Application Reference: FPL/2020/191

Applicant: ALAN & EIRA THOMAS

Description: Full application for the erection of a dwelling together with the construction of a vehicular access on land at

Site Address: Rallt Gwta, Newborough, Llanfairpwllgwyngyll



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application has been called to the planning committee by a local member and the application site also encompassed council owned land.

Proposal and Site

The application site is located within the settlement of Newborough. This part of the settlement to the south west of the A4080 is located within the Area of Outstanding Natural Beauty "AONB". The application site is located in close proximity to the centre of the village and would be accessed via Church Street and then vehicular access would then be via Tan Roft.

The application site comprises the rear garden of the applicant's existing residential property at Rallt Gwta which is orientated obliquely from the proposed development. There is a caravan and two containers present on the applicant's land. To the north there are existing residential properties facing Church Street which are elevated above the application site and have their rear elevations facing. There is a retaining wall along the northern boundary. There is an existing property adjacent to the south part of which immediately abuts the boundary between the properties.

This is a full planning application for a two storey 3 bedroom general market house.

Key Issues

- Principle of the Development
- Highway & Sustainability Considerations
- High Quality Development
- Residential Amenity
- AONB

Policies

Joint Local Development Plan

Anglesey and Gwynedd Joint Local Development Plan (2017)

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PS 17: Settlement Strategy

TAI 3: Housing in Service Villages

TAI 8: Appropriate Housing Mix

PS 19: Conserving and where appropriate Enhancing the Natural Environment

PS 19: Conserving and where appropriate Enhancing the Natural Environment

AMG 1: 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

AMG 6: Protecting Sites of Regional or Local Significance

Planning Policy Wales Edition 11 "PPW"

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

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

SPG Parking Standards, 2008.

SPG Design in the Urban and Rural Built Environment, 2008 "SPG Design Guide"

Supplementary Planning Guidance Housing Mix (October 2018)

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

Anglesey AONB Management Plan 2015-2020 "AONB Management Plan"

Response to Consultation and Publicity

Cynghorydd Peter Rogers: No observations received.

Cynghorydd Bryan Owen: Called the application to the planning committee to ensure that the proposal complies with relevant policies. It will also give the applicant the opportunity to speak at the committee.

Cyngor Cymuned Rhosyr Community Council: No observations received.

Iechyd yr Amgylchedd / Environmental Health: Considerations in relation to working hours and rock breaking described.

Dwr Cymru Welsh Water: Having assessed the proposed site plan, we note foul flows are proposed to connect into an unknown pipe and surface water flows are proposed to discharge into a soakaway system. In the absence of clarity regarding the foul point of connection, we would kindly request that if you are minded to grant planning consent for the above development that a planning condition is attached requiring details of this.

Adain Dechnegol (Draenio) / Technical Section (Drainage): No observations received.

Cyfoeth Naturiol Cymru / Natural Resources Wales: Landscape: The development site lies within the Ynys Mon Area of Outstanding Natural Beauty (AONB) where the primary objective is the conservation and enhancement of natural beauty. NRW do not consider the proposal will have a significant effect on the landscape. Protected Species: We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

Priffyrdd a Trafnidiaeth / Highways and Transportation: Conditional permission.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Bat boxes and instruction has been added to the elevation plans for the south east gable and this is acceptable. In association with the proposed landscaping this fulfils requirements under the Environment Act Wales. Informatives recommended as regards protected species and nesting birds.

Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer: No observations received.

Ymgynghorydd Tirwedd / Landscape Advisor: Matters of building design and scale are not fully considered here. The site is residential in character and it is considered that further similar development would not affect natural beauty, AONB features or special qualities related to landscape. Materials such as wood are preferred for cladding materials due to their natural weathering abilities. However, in a residential context where a site is within a less rural context without evident natural beauty, modern materials would be acceptable where colours and finishes are appropriate to the context. In this case a slate grey colour or similar may be more appropriate than the wood effect illustrated in the elevation plans. No natural features such as trees or hedges would be affected or removed. Some landscaping is proposed on the Proposed Site Plan but is unsuitable to be taken forward as an agreed scheme in the area available for planting.

Public Rights of Way Officer: No comment.

Joint Planning Policy Unit: Policy considerations are listed and it is also confirmed that the indicative supply level for Newborough over the Plan period is 40 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.). During the period of 2011 to 2020, a total of 17 units have been completed in Newborough (4 on allocated sites and 13 on windfall sites). The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2020 stood at 12 units (8 on allocated sites and 4 on windfall sites) means that at present there is capacity within the indicative supply for the settlement of Newborough. In light of the above mentioned figures under criterion (1b) of Policy PS 1 currently there is no need for a Welsh language statement to support the application.

Housing Strategy Comments awaited at the time of writing.

The planning application has been advertised on two occasions and that latest notification of the additional information submitted period expired on the 24.12.20. Three objections have been received on the following grounds:

Initially Submitted Proposals

- One objection explains that as a matter of principle that they would not object as a matter of principle to reasonable and appropriate development.
- Status of the existing static caravans and containers is unclear.
- Small size of the plot (and the resultant plot of the existing dwelling at Rallt Gwta) compared to surrounding properties would be at odds with the local character.
- The distances are below those required in the SPG Design Guide and significantly to the rear of the proposed dwelling where 9.1m minimum length is required.
- The planning application contains no details of existing and proposed ground or finished floor levels.
- The height, length and appearance of that part of the dwelling facing the properties to the north is considered dominant and overbearing, and results in an unacceptable loss of amenity and outlook from properties to the north.
- Extensive use of cedar cladding is not sympathetic to the AONB.
- There are significant failings in respect of the level of detail and design having regard to TAN 12.
- Proposal conflicts with PPW, PCYFF 2 and PCYFF 3 as it does not protect amenity, complement or enhance the character of the site through its siting appearance, scale, height, massing and elevation treatment nor respects context.

Additional Information

- The proposal remains silent on the container within the grounds of Rallt Gwta.
- The revised plans still show that the proposed and existing plot at Rallt Gwta would be considerably smaller than the wider character of the locality.
- The floor level of Rallt Gwta would be 2.43m higher than that of the proposed dwelling. This would trigger the proximity of development section in the SPG Design Guide notwithstanding that the existing property is at an angle. This can only be mitigated by increasing the distance and moving the proposed dwelling forward but this would result harm to the character and appearance of the street frontage.

One of the representations received explains that the water mains runs through the application site and will need re-routing or ensuring that there is no damage to it. Also that a 1.8m high fence would block the right of light through two small windows. If these matters could be addressed then the writer would support the proposal.

At the time of writing amended plan showing a public footpath on the frontage of the application at Tan Rofft are awaited and will be re-advertised.

Relevant Planning History

No material planning history.

Main Planning Considerations

Principle of the Development

Policy PS 17 states that housing development will be distributed in accord with the settlement strategy based on a settlement's level of service provision, function and size (population) and subject to its environmental, social and infrastructure capacity to accommodate development. Newborough is identified as a Service Village under the provisions of Policy TAI 3 of the JLDP and this policy permits housing within the settlement on suitable allocated and windfall sites.

The application site is located on windfall site within the settlement boundary of Newborough as defined under the provisions of policy PCYFF 1. The JPPU's comments state that there is capacity within the indicative supply for the settlement. In light of this the JPPU explain that under criterion (1b) of Policy PS 1 currently there is no need for a Welsh language statement to support the application.

Policy TAI 8 of the JLDP states that the council will work with partners to promote sustainable mixed communities by ensuring that all new residential developments contributes to improving the balance of housing and meets the identified need of the whole community by adherence to the listed criteria. The Supplementary Planning Guidance Housing Mix (October 2008) provides detailed guidance in this regard. Justification for the housing mix, comprising a 3 bedroom two storey detached dwelling has been provided as part of the submission and the comments of the council's Housing Service are awaited at the time of writing.

To ensure the sustainable use of housing land policies PCYFF 2 and TAI 8 a minimum housing density of 30 units per hectare is required for residential development unless there are local circumstances or site constraints that dictate a lower density. The development subject to this planning application does not attain this minimum density and the local circumstances and site constraints are considered further in the report below.

Highway & Sustainability Considerations

The application site can be regarded as being in a relatively sustainable location in Anglesey's rural context. The application site is in close proximity to the centre of the village and lit pavements are available to provide safe pedestrian access to the centre. There are a number of retail facilities present at the centre of the village in addition to a new primary school nearby which. Public transport facilities are available with regular bus services available to higher order settlements at Bangor and Llangefni.

No objections are raised by the council's Highways Section subject to the conditions recommended which include a requirement for a pedestrian footway along the frontage of the application site with the public highway. Members are advised that the pedestrian footway encompasses council owned land comprising a highway verge but the Highways Section are content for it to be developed as a public footpath. Amended plan encompassing this area and showing a footpath are being publicised at the time of writing.

High Quality Development

It is material to consider the relationship of the development with its surroundings having regard to the relevant policies in the JLDP. Policy PCYFF 2: Development Criteria and PCYFF 3: Design and Place Shaping, and PCYFF 4: Design and Landscaping are the primary Considerations in assessing the proposal from this aspect. National planning policies in PPW and TAN 12 are also material.

The application site is located in close proximity to the centre of the village and would be accessed via Church Street and then vehicular access would then be via Tan Roff. In this locality the urban vernacular is varied including terraced type properties, bungalows and larger dwellings on the periphery of the settlement. The proposal is made for a two storey house with a slated roofs and this would not be out of character in this varied context where similar dwellings also exist.

Residential Amenity

The council's SPG Design Guide provides guidance on acceptable distances on various elevations to the boundaries and adjacent properties. The distances provided in this guidance are intended to prevent excessive overlooking between dwellings and into private garden areas and to provide an adequate outlook from windows. Objections have been received on the basis that the rear elevation of the proposed dwelling would be too close to that of applicant's property at Rallt Gwta given that the existing property is elevated above the proposed dwelling. Further that the two storey gable would have an unacceptable

impact on the amenities of properties to the north by virtue of being oppressive and having an unacceptable impact on the outlook of these properties. On the basis that the rear elevation of the proposed dwelling is secondary aspect as shown on the plans the proposed dwelling is considered compliant with the guidance distances in the SPG Design Guide. Similarly the distances from the side elevation of the proposed dwelling to the boundary and the existing residential dwellings to the north. On this basis it is not considered that the proposal would result in the impacts on amenity described in the objections. The objections received also query the status of the existing caravan and containers on the site which are in close proximity to the boundaries. These would be removed as part of any planning permission granted and this can be attributed positive weight in terms of both the residential amenity of properties adjacent but also the amenities of the wider area and the AONB considered below.

Objection has been received that a 1.8 metre fence would block light into two windows of an adjacent property. This is not a matter which would lead to a refusal on this basis. There are also separate legislative provisions in relation to the loss of light.

AONB

The application site is located in part of the settlement to the south west of the A4080 is located within the Area of Outstanding Natural Beauty "AONB". Paragraph 5.3.5 of PPW states that the primary objective of designating AONB'S is the conservation and enhancement of their natural beauty and that development management decisions should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well-being of the areas. There is also a statutory requirement to have regard to the provisions of the AONB Management Plan. NRW are the statutory consultee in relation to the AONB and they do not consider the proposal will have a significant effect on the landscape. Similarly in the council's Landscape Adviser considers that in this built up context within the AONB that further similar development would not affect natural beauty, AONB features or special qualities related to landscape. Given the comments of the landscape officer on the appropriateness of some the plans species shown on the plans a landscaping condition has been recommended to secure an enhancement in the AONB. The use of more indigenous plant species would also have a positive impact in terms of biodiversity and align with the council's duties under the Environment Act Wales. Taking all these matters together it is considered that the proposal is compliant with policy and statutory provisions in relation to the AONB.

Conclusion

Having regard to the development plan and all other material considerations the proposal is considered acceptable. The material considerations include the objections received which have been assessed and do not lead to a recommendation of refusal. Amended plans are still being publicised in relation to the pedestrian footway at the frontage of the development and delegated powers are being requested to approve the planning application at the end of this period.

Recommendation

That delegated powers are granted to approve the planning application upon the expire of the publicity period on the 15.04.21 and no representations being received which raise any new matters.

Thereafter that planning permission is granted subject to the completion of a legal agreement requiring the removal and cessation of uses in connection with the existing caravan and containers on the site.

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

(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 2775:20:01A

Existing Site Plan 2783:20:02a

Proposed Site Plan 2783:20:03c

As Proposed 2783:20:5

Construction Traffic Management Plan Details Russell Hughes Cyf

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

(03) The means of enclosure (including walls and fencing) shown on the plans hereby approved shall be constructed or erected prior to the occupation of the dwelling(s) to which they relate and shall thereafter be retained in the lifetime of the development hereby approved and any replacement means of enclosure shall be to an equivalent specification.

Reason To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to protect the amenities of the area.

(04) No development shall take place until a scheme of landscaping and tree planting for the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented not later than the first planting season after the occupation of the buildings or completion of the development, whichever is the sooner.

Reason: In the interest of the visual amenities of the locality, the Area of Outstanding Natural Beauty and to secure an ecological enhancement.

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

Reason: In the interest of the visual amenities of the locality, the Area of Outstanding Natural Beauty and to secure an ecological enhancement.

(06) A new pedestrian footway shall be constructed along the whole frontage of the application site adjacent the public highway. No development shall commence until full details of the pedestrian footway have been submitted to and approved by the Local Planning Authority. The pedestrian footway must be completed in accordance with the details which may be approved in writing under the provisions of this planning condition prior to the occupation of the dwelling hereby approved.

Reason To enable safe movement of pedestrians from the development.

(07) The access shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

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

(08) The access shall be constructed with its gradient not exceeding 1 in 20 for the first 5 meters back from the nearside edge of the adjoining carriageway.

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

(09) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 metre above the level of the adjoining road carriageway along the whole length of the site's boundary with the adjoining highway and nothing exceeding this height erected within 2 metres of the said wall/hedge/fence or any new boundary.

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

(10) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the highway before the use hereby permitted is commenced.

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

(11) 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: 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.

(12) No surface water from the development shall discharge onto the public highway.

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

(13) No development shall commence until a foul water drainage scheme for the development hereby approved has been submitted to and approved in writing by the local planning authority. The foul water drainage scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the details as may be approved under the provisions of this condition prior to the occupation of the development.

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.

Ni fydd yr Awdurdod Prifffyrdd yn gyfrifol am unrhyw ddŵr wyneb ffordd sy'n dod i mewn i'r safle o ganlyniad i'r datblygiad.

The Highway Authority shall not be responsible for any road surface water entering the site as the result of the development.

Ei gyfrifoldeb ef fydd unrhyw addasiadau, preswyllo a / neu amddiffyn unrhyw wasanaethau statudol ar y briffordd a'u cyflawni ar ei draul ei hun.

Any adjustments, re-siting and/or protection of any statutory services in the highway shall be his responsibility and carried out at his own expense.

Rhaid i'r Awdurdod Prifffyrdd, eu Asiantau neu Contractwr cymeradwy arall gyflawni'r draffordd a / neu'r groesfan sy'n ofynnol mewn cysylltiad â'r datblygiad hwn cyn i'r mynediad gael ei ddefnyddio a'i gwblhau cyn dechrau'r defnydd.

The footway and/or verge crossing required in connection with this development shall be carried out at his expense by the Highway Authority, their Agents or other approved Contractor before the access is brought into use and completed before the use is commenced.

Os yw'n dewis cyflawni'r gwaith ei hun /, dylid cynghori'r Ymgeisydd i wneud cais ysgrifenedig i'r Cyfarwyddwr Corfforaethol Priffyrdd, Trafnidiaeth ac Eiddo am y caniatâd angenrheidiol, fel sy'n ofynnol o dan Adran 171 Deddf Priffyrdd, 1980 i gwneud gwaith o fewn y briffordd ar gyfer ffurfio'r droedffordd a / neu'r groesfan ymylon.

If he/she chooses to carry out the work himself/, the Applicant should be advised to apply in writing to the Corporate Director of Highways, Transportation and Property for the necessary consent, as required under Section 171 of the Highways Act, 1980 to carry out work within the highway for the formation of the footway and/or verge crossing.

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.