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Materion Eraill

Other Matters

Rhif y Cais: **42C231** Application Number

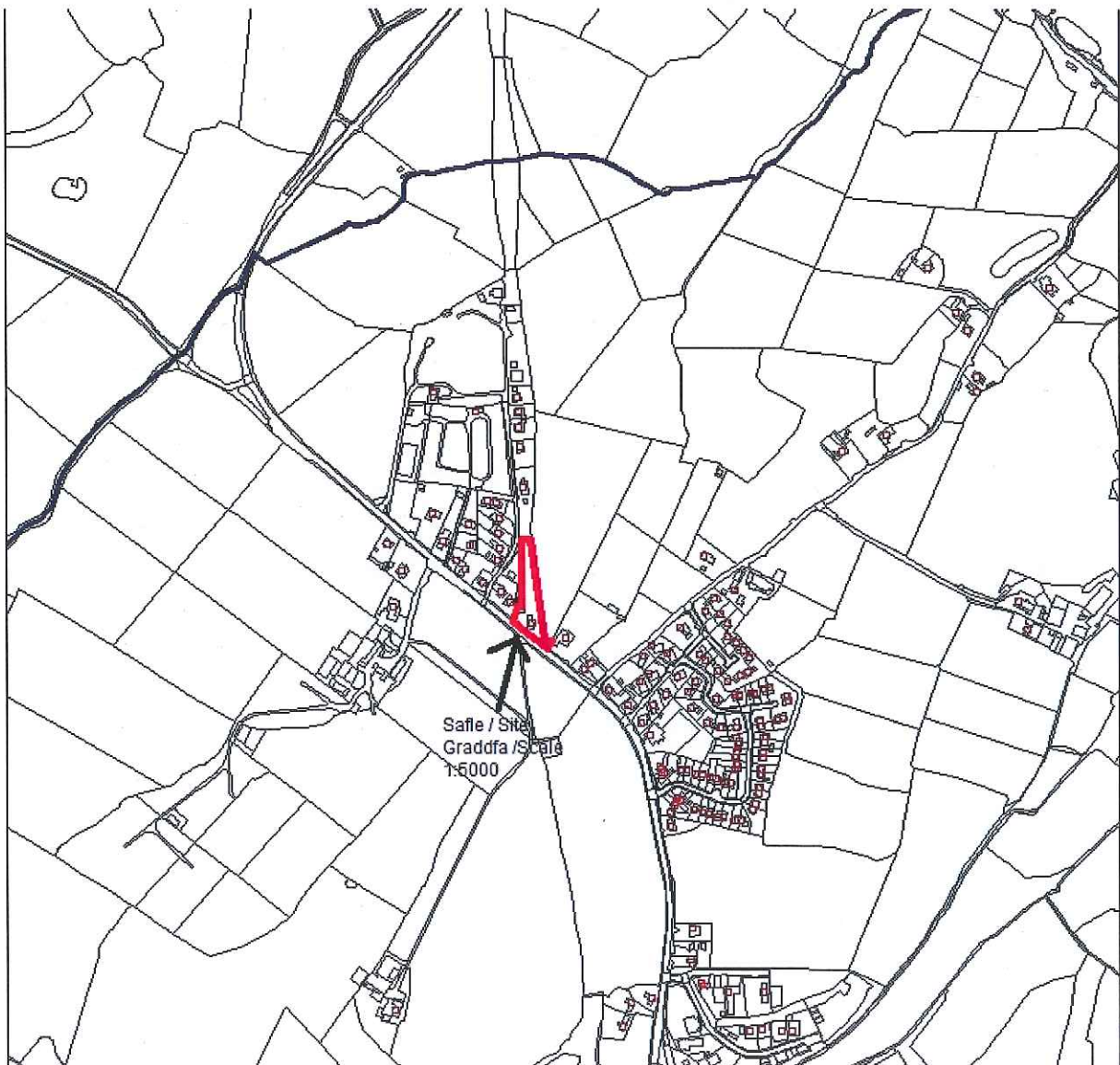
Ymgeisydd Applicant

**Foremost Estates UK
c/o J.S Allan Architect
3 Stad Castellor
Cemaes Bay
Ynys Mon
LL67 0NP**

Cais llawn i godi 13 annedd newydd ynghyd a creu mynedfa newydd ar dir yn

Full application for the erection of 13 new dwellings together with creation of a new access on land at

The Sidings, Pentraeth



Planning Committee: 02/10/2013

Report of Head of Planning Service (MTD)

Recommendation:

Permit

Reason for Reporting to Committee:

This application is a departure from Local Plan Policy but can be permitted under the Unitary Development Plan.

Members have visited the site

It was resolved to approve the application at the last Committee meeting following the expiry of the neighbourhood notifications and subject to no additional matters being raised in any correspondence being received. Due to further letters being received it is considered that the application should again be presented to allow for all points raised to be included in this report

1. Proposal and Site

The site comprises a railway sidings off the A5025 due to the site being at a lower level than the land surrounding extensive infilling will be required.

It is proposed to construct 13 houses with access onto the A5025.

Due to the size of the development a number of affordable units will need to be provided. This will be the subject of a S106 agreement.

Negotiations are taking place at present in respect of affordable units it is proposed that 2 units will be sold at 85% of market value and that the remainder will be sold through the Tai Teg scheme.

2. Key Issue(s)

Is the principle of the proposal acceptable

Highways issues

Drainage issues

Is the proposal acceptable in amenity terms

3. Main Policies

Gwynedd Structure Plan

Policy A3: Housing

Policy A6: Housing in the Countryside

Policy D1: AONB

Policy D4: Environment

Policy FF12: Transport

Ynys Môn Local Plan

Policy 1: General Policy

Policy 26: Car Parking

Policy 30: Landscape

Policy 32: Landscape

Policy 42: Design

Policy 48: Housing Development Criteria

Policy 49: Defined Settlements

Policy 51: Large Sites

Stopped Unitary Development Plan

Policy GP1: General Policy

Policy GP2: Design
Policy TR10: Parking Standards
Policy EN2 AONB
Policy HP2: Housing Density
Policy HP3: New Housing Development
Policy SG4: Foul Sewage Disposal
Policy SG6: Surface Water Run Off
Policy HP7: Affordable Housing

Planning Policy Wales Edition 5 (November 2012)

SPG: Design Guide for the Urban and Rural Environment.

4. Response to Consultation and Publicity

Local Member - No comments

Community Council - Not against affordable housing but site not suitable to bring up children
There are too many houses and they are too small
Access is poor and unsafe

Welsh Water - Conditions

Natural Resources Wales - No objection and condition

Highways - Conditions

Environmental Health - Comments and condition recommended

33 letters have been received, including one with 24 signatures and another with 12 comments made include;

Vehicles using the lane would be dangerous access should be via main road not lane;

Helens Crescent should not be used for construction traffic this would be detrimental to the road surfaces;
This is an unadopted road and this would be damaged;
The infill would generate dust and disturbance;

Where is the hardcore from?

The 3 properties at the end would be tempted to use the access onto the lane. Should these not be developed then this area could be used as the access;

Concerns over noise and disturbance from heavy vehicles;

Insufficient parking may be parking on Helens Crescent;

What is the intended use of the remaining land to the rear;

If the proposals are not compliant with policies how can it be approved

There are many houses for rent and sale in the area has a housing survey been carried out

Correct procedures have not been carried out

The developer does not own all the land

The application should be refused as the developer has not complied with the land ownership issue

The legal Services Manager said that if the applicant does not own all the land and has not served notices then the application may not be valid

There are covenants covering the land restricting development

This is an AONB and should be protected from inappropriate development

Construction vehicles will destroy the private road

The Development Plan says new dwellings in the open countryside will only be permitted in exceptional circumstances this application conflicts with policies

This is overdevelopment density too high

Is there a need for an estate of affordable dwellings

Where are the builders going to park if on main road could cause visibility problems

How is refuse to be collected

The development is not inkeeping

Campsites nearby could be affected

There would be visibility problems

Would school cope with extra children
There is a historic bridge which should be preserved
Not enough parking
Helens Crescent too narrow and vibrations may cause damage
There are bats roosting here
Social housing will detract from house values
In addition a petition has been received containing 68 signatures, The petition states:

"...it would result in significant increase in noise, traffic, relocation of the bus shelter, destruction of old railway bridge bricks and further drainage problems this area already suffers from and the creation of another access on an already extremely busy main road".

5. Relevant Planning History

30C674: Erection of 8 dwellings - approved 18/04/11

42C231A/SCR: No Environmental Impact Assessment required

6. Main Planning Considerations

Whilst a departure from Local Plan policies the application can be supported under policy HP3 of the Unitary Development Plan. This was recognized when the previous application was approved.

The details as submitted here are acceptable to the Councils Highways Engineers, subject to conditions and also the matter of drainage is again acceptable in principle. Conditions relating to both these technical issues are listed in the recommendation section.

Given the layout proposed and with the existing form of development in mind, it is not considered that there will be harm to visual or residential amenity.

It should also be noted that this area of "previously developed land" could potentially be used for a more unneighbourly use which would impact both visual and residential amenities. This must also be recognized when assessing the impact of this part of the Area of Outstanding Natural Beauty. In respect of this given that the dwellings will be located near other dwellings and will be viewed in relation to them it is considered that the proposals will meet the policy requirements in respect thereof.

With this previous use in mind and that the scheme will be providing an element of affordable housing it is considered that the density is acceptable with adequate amenity space and parking being provided. Indeed higher densities are encouraged where appropriate in Planning Policy Wales.

In respect of the numbers of houses available in Pentraeth the figures supplied by the Joint Planning Policy Unit indicate that granting this permission will not lead to an overprovision of housing development for the settlement of Pentraeth.

There is much concern over the use of the adjacent private lane by construction traffic. The applicant claims a right of way over this and whether this can be used lawfully is a matter between the relevant parties. However, to impose control on vehicular movements a condition requiring that a Traffic Management Plan be submitted to the Local Planning Authority prior to the commencement of works has been imposed.

As requested details concerning land ownership rights of way and covenants information has been submitted by the applicant and from another interested party Mr Riley Walsh. These documents have been included in the planning file for Members assessment.

In respect of land ownership the applicant has submitted an amended plan which alters the redline showing this, this plan has been publicised. There would however appear to be an area of land in dispute to the front of the existing building which Mr Riley Walsh indicates in his submissions.

As members requested this information it is urged that these documents are studied as they contain legal papers which will inform of the situation.

7. Conclusion

The proposals can be supported in policy terms and the form of the development is considered acceptable in this location.

Details are acceptable to the Council Highways Engineers

8. Recommendation

Permit subject to the signing of a S 106 agreement securing the inclusion of a number of units as being of an affordable type.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

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

(02) Full details of all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the Local Planning Authority before any work on the site is commenced, unless otherwise agreed in writing with the Local Planning Authority. Such works shall be erected following completion of the building(s) or the completion of the development, whichever is the sooner.

Reason: In the interests of amenity.

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

Reason: In the interests of amenity.

(04) Prior to the commencement of works full drainage details to include design calculations shall be submitted to the Local Planning Authority for its written approval

Reason: To ensure the site is adequately drained

(05) If during development, contamination not previously identified and found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Given the location of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remedied.

(06) No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority

Reason: To ensure that effective drainage facilities are provided from the development and that no adverse impact occurs to the environment or the existing public sewerage system.

(07) Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(08) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

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

(09) Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

(10) No development shall commence until a scheme for the relocation of the bus stop has been submitted to and approved in writing by the Local Planning Authority the approved scheme shall be completed before any works on site commence.

Reason: To comply with the requirements of the Highway Authority.

(11) The access shall be laid out and constructed strictly in accordance with the submitted plan No: SP02 received on the 28th March, 2013 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: To comply with the requirements of the Highway Authority.

(12) The vehicle driveways shall be constructed with its gradient not exceeding 1 in 20 for the first 5 metres back from the nearside edge of the adjoining footway.

Reason: To comply with the requirements of the Highway Authority.

(13) The access shall be completed with a bitumen surface for the first 5 metres from the nearside edge of the County Highway with the surface water drainage system completed and in perfect working order before the use hereby permitted is commenced.

Reason: To comply with the requirements of the Highway Authority.

(14) All conditions relating to the access to the County Highway to be complied with before the remainder of the development is commenced.

Reason: To comply with the requirements of the Highway Authority.

(15) Before any development commences, plans shall be submitted and approved by the Planning Authority in consultation with the Highway Authority showing details of the following reserved matters:

(a) the proposed road layout and typical construction details based on ground investigation information to verify its adequacy.

(b) longitudinal and cross sections through the estate roads showing the proposed road levels relative to the existing ground levels and proposed garage floor levels.

(c) the extent and position of vehicle turning facilities.

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

Reason: To comply with the requirements of the Highway Authority.

(16) The estate road(s) shall be completed to a base course finish with the surface water drainage system complete and in perfect working order before any work is commenced on the dwellings which it serves.

Reason: To comply with the requirements of the Highway Authority.

(17) No surface water from within the curtilage of the site to discharge onto the County Highway. The drainage of the highway at the access along the frontage to be carried out to the requirements of the Highway Authority before any work on the remainder of the development is commenced.

Reason: To comply with the requirements of the Highway Authority.

(18) The car parking accommodation shall be completed to the satisfaction of the Local Planning Authority before the use hereby permitted is commenced.

Reason: To comply with the requirements of the Highway Authority.

(19) No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted such details should be approved in writing with the Local Planning Authority

Reason: To comply with the requirements of the Highway Authority.

(20) Unless otherwise agreed a road management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority for its written approval this shall include the arrangements for adoption by any public authority or statutory undertaker or other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To comply with the requirements of the Highway Authority.

(21) No development shall commence until a traffic management scheme detailing all vehicular movements for the duration of the construction of the proposed has been submitted to and approved in writing by the Local Planning Authority

Reason: To comply with the requirements of the Highway Authority.

(22) No development shall commence until samples or trade descriptions of all materials to be used on external surfaces have been submitted to and approved in writing by the Local Planning Authority

Reason: In the interests of amenity.

(23) The dwellings hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credits under category 'Ene 1 – Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3). The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To mitigate the causes of climate change and ensure resilience against the predicted future climate changes.

(24) Construction of the dwellings hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credits under 'Ene 1 – Dwelling Emission Rate', has been achieved for the dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3).

Reason: To mitigate the causes of climate change and ensure resilience against the predicted future climate changes.

(25) Prior to the occupation of the dwellings hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credits under 'Ene 1 – Dwelling Emission Rate', has been achieved for the dwelling in accordance with requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3).

Reason: To mitigate the causes of climate change and ensure resilience against the predicted future climate changes.

Rhif y Cais: **47LPA969B/CC** Application Number

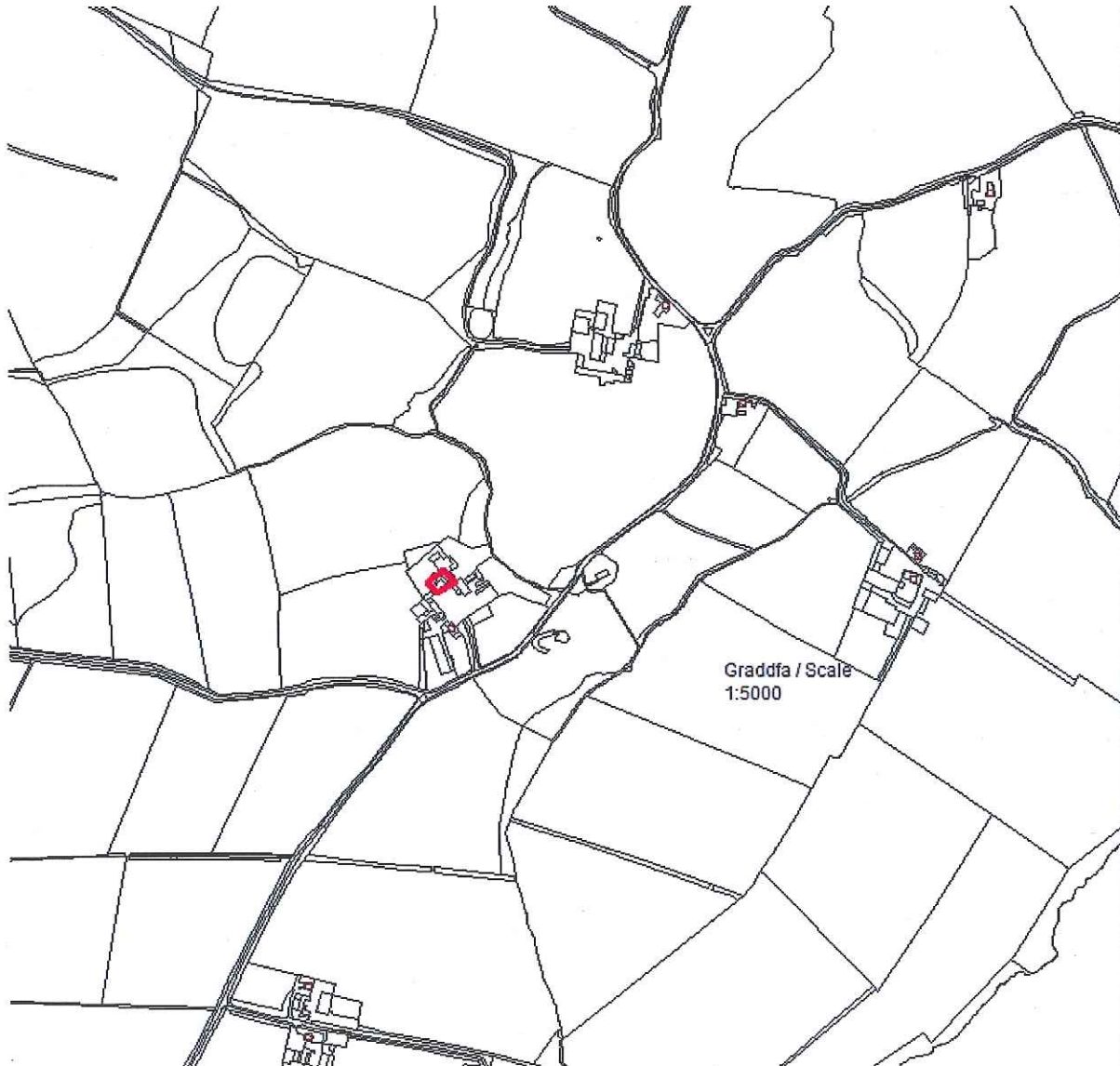
Ymgeisydd Applicant

**Thomas Hughes
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Ynys Mon
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Rhybydd o friad i ddymchwel cyn annedd (Bryn Eglwys) yn

Prior notification for the demolition of former dwelling (Bryn Eglwys) at

Llwyn yr Arth, Llanbabo



Planning Committee: 02/10/2013

Report of Head of Planning Service (OWH)

It was determined that prior approval of the Local Planning Authority was not required for the above development and that it constituted permitted development.

The matter is therefore reported for information purposes only.

