

7.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **14C135A** Application Number

Ymgeisydd Applicant

**Mr & Mrs R Gethin Crump
Afallon
Tyn Lon
Holyhead
Ynys Mon
LL65 3BJ**

Cais llawn ar gyfer codi annedd a modurdy preifat, chreu mynedfa newydd i gerbydau ynghyd a gosod tanc trin carthion ar dir ger

Full application for the erection of a dwelling and private garage, creation of a new vehicular access together with the installation of a package treatment plant on land adjacent to

Glasfryn, Tyn Lon



Planning Committee: 05/03/2014

Report of Head of Planning Service (NJ)

Recommendation:

Refuse

Reason for Reporting to Committee:

The application was submitted to the Planning and Orders Committee at the request of the Local Member, Cllr Bob Parry.

At its meeting held on 6th November 2013 the Planning and Orders Committee resolved to approve the application contrary to officer recommendation on the basis that the application complies with Policy PT2 in relation to housing in rural clusters and complies with Policy 50 of the Ynys Môn Local Plan.

At its meeting held on 6th December discussion of the reasons for approving the application contrary to officer recommendation was undertaken. It was resolved to defer consideration of the application in order to allow the Planning Officer to consult with the applicant regarding the provision of evidence of an affordable housing need.

That consultation has now been completed and additional information has been provided by the applicant.

1. Proposal and Site

The application is a full application for the erection of a detached two storey dwelling together with the construction of a new vehicular access. The site lies to the north west of the settlement of Llynfaes within a cluster of dwellings. The land forms part of the curtilage of the dwelling known as Glasfryn and lies fronting the B5109. A new access is proposed onto the existing track that serves the existing properties.

2. Key Issue(s)

The applications main issues are whether the proposal complies with current policies or whether any material circumstances exist which would justify departing from approved policies in this case; whether the proposal will affect the amenities of the neighbouring properties and whether the proposal will have a detrimental effect on highway safety.

3. Main Policies

Ynys Môn Local Plan

Policy 1 - General Policy

Policy 31 - Landscape

Policy 50 - Listed Settlement

Policy 53 - Housing in the Countryside

Gwynedd Structure Plan

Policy A2 - Housing Policy

D4 - Location, Siting and Design Policy

D28 - Design Policy

D29 - Design

Stopped Unitary Development Plan

Policy GP1 - Development Control Guidance

Policy GP2 - Design

Policy HP5 - Countryside Hamlets and Clusters Policy HP6 - Dwellings in the Open Countryside Policy EN1 - Landscape Character

Planning Policy Wales, 5th Edition (November 2012)

Interim Planning Policy - Housing in Rural Clusters (December, 2011)

Technical Advice Note 2 Planning and Affordable Housing

4. Response to Consultation and Publicity

Community Council - No response at the time of writing this report

Councillor Bob Parry - Call-in - The location of the dwelling is in a cluster and should be granted

Councillor Dylan Rees - No response at the time of writing this report

Councillor Nicola Roberts - No response at the time of writing this report

Welsh Water - Standard comments /informative

Natural Resource Wales - No response at the time of writing this report

Highways - Refuse

Drainage - Comments / informative

Footpath Officer - Standard comments / informative

Housing Service – The applicants are confirmed as complying with affordable housing needs policies; mortgage providers are not currently providing mortgages on self-build projects with affordable housing S106 agreements but are providing mortgages on the standard Anglesey S106 agreement; mortgages may be reintroduced in the future; the availability or otherwise of mortgages is not within the influence of the Council but is not an indication that the policy itself is ineffective.

The application was afforded three means of publicity. These were by the placing of a notice near the site, the serving of personal notifications on the owners of neighbouring properties together with a notice in the local press. Following the receipt of amended plans the publicity process was carried out twice. The latest date for the receipt of representations was the 13th November, 2013 and at the time of writing this report no letters of representation had been received at the department.

Supporting documentation has been submitted by the applicants including evidence of lack of mortgage availability offer to them where S106 restrictions are imposed and details in relation to the need for the dwelling. The applicants have been assessed by the Housing Service on the basis of information submitted to demonstrate affordable housing need.

5. Relevant Planning History

14C135 - Erection of a bungalow together with alterations to the existing access on part of OS enc 4775, Glasfryn, Bodwrog - Refused 04/08/97. One of the reasons for refusal was that the proposal would consolidate sporadic development unrelated to any village nucleus and as such would detrimentally affect the amenities and character of the area.

6. Main Planning Considerations

Policy Considerations: Policy 50 of the Ynys Môn Local Plan states that planning permission will normally be granted for single dwellings within or on the edge of the listed settlements. The application does not comply with Policy 50 as it is too far removed from the village. Policy HP5 of the stopped Unitary Development Plan states that single dwellings will be permitted on 'infill' sites, or other acceptable sites that are immediately adjacent to the developed part of a settlement. The site lies outside the developed part of the village and therefore does not comply with Policy 50.

In December 2011, the Council adopted the Interim Planning Policy - Housing in Rural Clusters. The application site lies within the settlement of West Llynfaes, which is included in the Policy's list of Rural Clusters. By definition, inclusion of the settlement within the Housing in Rural Clusters policy recognises and accepts that the area does not fall within the definition of Policy HP5.

Policy PT2 lists the criteria that must be met when considering planning applications, which are: i) Local community need for an affordable dwelling has been proven ii) The site is located between or adjacent to existing buildings that are shaded on the maps iii) The dwelling will need to successfully blend in with the

pattern of surrounding development in terms of its design, plot size, layout of the plot, its construction materials and any relevant design guides iv) The size of the property is appropriate to the affordable housing needs of the applicant v) The impact on the landscape is minimised by utilizing and retaining natural features and any other boundary features present on the application site

The applicants have been assessed in accordance with affordable housing policy criteria and are considered to be in need of affordable housing. Details have been provided of why a dwelling available in the locality at an affordable price is unsuitable and justification provided for the size of dwelling proposed in the application.

The applicants have provided evidence that self-build mortgages are not readily available currently for affordable dwellings where S106 legal agreements are in place.

The application made is for full planning permission for a dwelling as an exception under the Housing in Rural Clusters Policy PT2 but without the 'affordable housing' restriction attached.

The Housing Service consultation reply confirms that the current difficulties in obtaining mortgages with a S106 attached are for self-build mortgages of this description. Lenders are providing mortgages on standard S106 agreements in relation to affordable housing. The principle difference between the two types of S106 is that in accordance with TAN 2 guidance (paragraph 10.14 states that "Rural exception sites are not appropriate for market housing. It is unacceptable to include clauses in planning obligations which would enable lenders of private finance to dispose of property on the open market as a last resort if a borrower were to get into financial difficulties") exception site policies (such as would be approved in accordance with policy PT2) do not contain a mortgagee in possession clause whereas in relation to affordable housing as part of general policy provision on housing estate development for example, the mortgage provider has generally the first charge on the property and can dispose of it on the open market in accordance with the strict terms of the S106 where no qualifying purchaser exists. The Housing Service consultation reply indicates that there may be a change in policy by some mortgage providers in future.

Case law on the use of planning conditions (Merritt v Secretary of State for the Environment, Transport and the Regions and another - [2000] 3 PLR 125) may be indirectly relevant in this case. The particular case centred on the use of a Grampian condition in relation to access arrangements and whether there was a reasonable prospect of the required action being performed within the lifetime of the development such that its implementation could be secured. The judgement considered that

"...there is no absolute rule that the existence of difficulties, even if apparently insuperable, must necessarily lead to a refusal of planning permission for a desirable development. A would-be developer may be faced with difficulties of many different kinds, in the way of site assembly or securing the discharge of restricted covenants. If he considered that it is in his interests to secure planning permission notwithstanding the existence of such difficulties, it is not for the planning authority to refuse it simply on their view of how serious the difficulties were..."

It may be similarly considered that the apparent current difficulties in obtaining a self-build mortgage may in fact be overcome during the lifetime of this development should it be approved in accordance with Policy PT2 subject to a s106 agreement. The application made is for full planning permission which if granted would allow 5 years to implement the planning permission and it may be the case that the policies of financial institutions in relation to exception site self-build funding may have been reviewed within that time.

The supporting information however makes clear that the applicant is asking the Authority to approve the application as an affordable dwelling under Policy PT2 but without restriction as to its occupancy as an affordable dwelling – that is, it be effectively approved as an open market dwelling.

The applicants comply with the affordable housing policies and the justification for the dwelling is considered acceptable. Policy PT2 supports affordable dwellings. It was developed as an interim policy to support the need for affordable dwellings in rural communities. The approval of an open market dwelling subverts the purpose of the policy and will set a precedent for others. It is not considered that the current difficulties in obtaining self-build mortgages should justify approval of an open market dwelling in this case. Should the Committee consider that Policy PT2 is ineffective, as is suggested by the applicant, it is respectfully suggested that further consideration should be given to the policy, rather than that it be set aside as an when applications are made, in order that equal consideration within a policy framework is given to all applicants.

Effect on amenities of neighbouring properties - There is ample space within the site to accommodate the dwelling, provision of parking and turning area and private amenity area without affecting the amenities currently enjoyed by the occupants of the surrounding properties.

Highway Considerations: The Committee is respectfully reminded that the Highway Authority has recommended that the application be refused as the visibility onto the public highway from the access serving the site is substandard. The visibility achieved is half of what is advised under current guidance. The increase in the use of the substandard access for residential users could be detrimental to road safety.

7. Conclusion

The applicants have been assessed as being in affordable housing need and justification has been provided for the dwelling in this respect. The proposal therefore meets Policy PT2 requirements.

However, the application is made for approval of an affordable dwelling but without a mechanism to secure its continued affordability in accordance with Policy PT2. No justification exists for departing from Policy PT2 requirements.

The Highway Authority raises objections to the access to the site.

8. Recommendation

Refuse

(01) The local planning authority considers that the visibility onto the public highway from the access serving the site is substandard and the increase in the use of the access could be detrimental to road safety. The proposal therefore conflicts with Policy 1 of the Ynys Môn Local Plan and Policy GP1 of the stopped Unitary Development Plan.

(02) The proposal is for the erection of an open market dwelling Policy PT2 of the Interim Planning Policy: Housing in Rural Clusters.

7.2

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **46C263M** Application Number

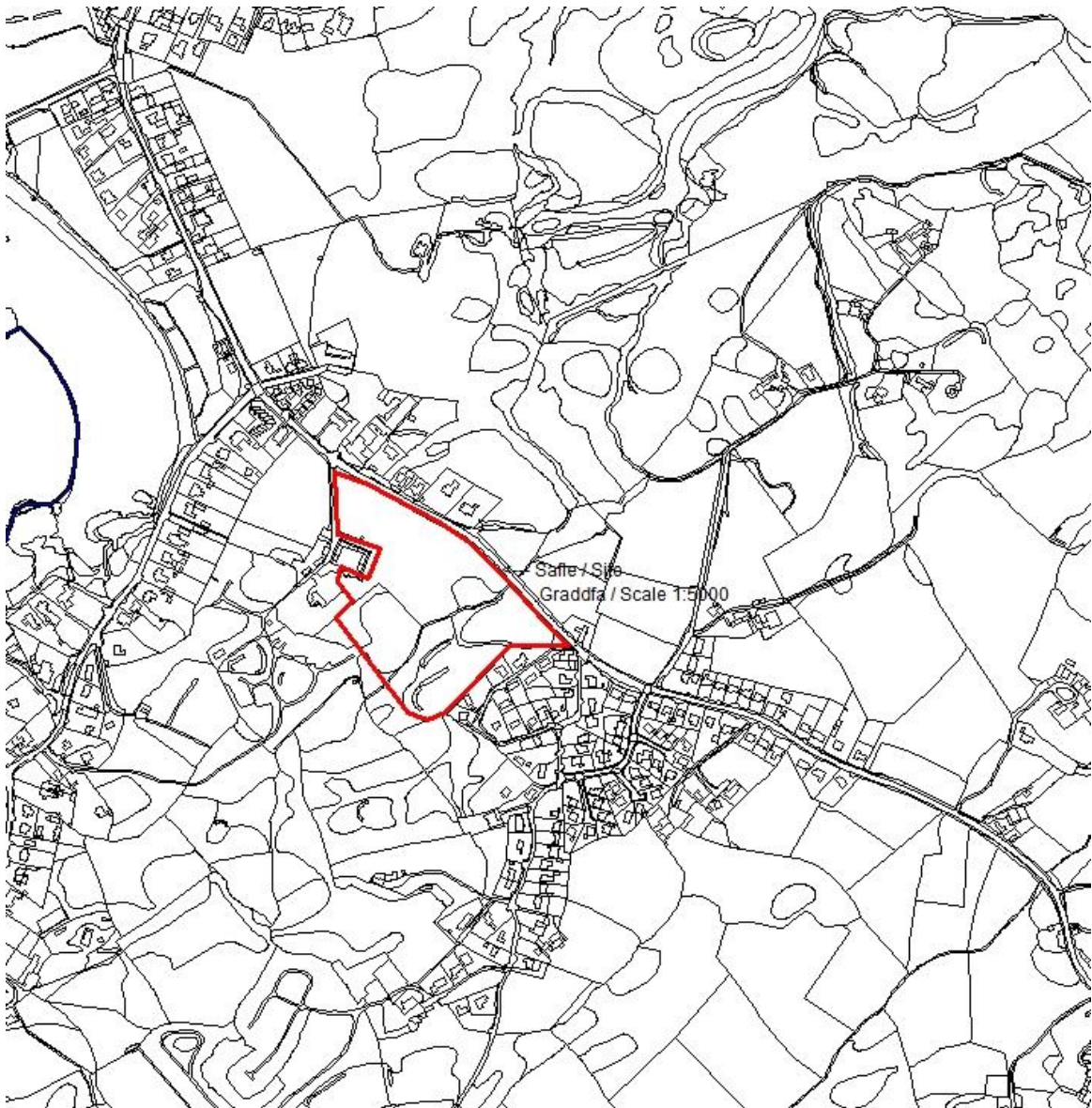
Ymgeisydd Applicant

**Mr Stephen Parry
c/o RGR Partnership
1st Floor NatWest Bank Building
Glanhwfa Road
Llangefni
LL77 7EN**

Cais llawn ar gyfer lleoli 11 caban coed ar gyfer pwrpas gwyliau, creu mynedfa newydd a thirlunio yn

Full application for the siting of 11 log cabins for holiday purposes, construction of a new access and landscaping at

Tyn Towyn Caravan Park, Lon St. Ffraid, Trearddur Bay



Planning Committee: 05/03/2014

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

A late request was made by the Local Member (Cllr D R Thomas) for the application to be determined by the Planning and Orders Committee. As Members had not had the benefit of formal training at that time which would have made them aware of appropriate time limits for reply, the late request was accepted.

At its meeting held on 5th February 2014 the Planning and Orders Committee resolved to defer consideration of the application in order to allow a site visit to take place. The site was visited on 19th February.

1. Proposal and Site

The site is located off the B4545 Lon St Ffraid and comprises currently undeveloped land located to the north-east of the Ty'n Towyn caravan park. The application is for the erection of 11 log cabins, a new access road and landscaping works.

2. Key Issue(s)

Effects on visual and residential amenity and highway safety.

3. Main Policies

Gwynedd Structure Plan

Policy B1: Employment Generating Developments

Policy CH1: Recreation and Tourist Development

Policy CH2: High Quality Holiday Accommodation

Policy D3: Landscape Conservation Areas

Policy D4: Location, Siting and Design

Policy D9: Environmentally Sensitive Areas

Policy D29: Standard of Design

Policy D31: Open Spaces

Policy D32: Landscaping

Policy FF12: Car Parking Standards

Ynys Mon Local Plan

Policy 1: General Policy

Policy 5: Design

Policy 8: Holiday Accommodation

Policy 26: Car Parking

Policy 31: Special Landscape Area

Policy 32: Landscape

Policy 34: Nature Conservation

Policy 35: Nature Conservation

Policy 42: Design

Stopped Unitary Development Plan

Policy GP1: General Policy

Policy GP2: Design

Policy TR10: Parking Standards

Policy TO1: New Attractions and Extensions to Existing Attractions

Policy TO2: Holiday Accommodation

Policy TO10: Recreational Routes

Policy EN1: Landscape Character

Policy EN4: Biodiversity

Policy SG4: Foul Sewage Disposal

Policy SG6: Surface Water Run-Off

Supplementary Planning Guidance: Design Guide
Supplementary Planning Guidance: Holiday Accommodation

Planning Policy Wales Edition 5

TAN 5: Nature Conservation

TAN 12: Design

TAN 13: Tourism

TAN 18: Transport

4. Response to Consultation and Publicity

Local Member (Cllr D R Thomas): Requests Committee determination due to concerns raised at Community Council about the new access road onto Lon St Ffraid and traffic safety issues. The previous application had planning gain for the community – will this new application bring a benefit to the community? The development should have some conditions – i.e. planning gain as there was a previous proposal for a larger development – once the road is in place there may be further applications.

Although the majority of people welcome tourism investment there is concern regarding loss of open space. It is noted that the developer has just received planning permission to change a condition on holiday cottages which would allow him to sell the units as residential accommodation.

Local Member (Cllr T LL Hughes): Confirmed that he agreed with the comments made by Cllr D R Thomas.

Community Council: object due to loss of green area; concerns that the infrastructure will be unable to cope; the buildings are not considered sympathetic to the local built environment; there are concerns regarding access.

Highways Section: No observations at the time of writing although there was no objection to the same access arrangement in relation to a previous application which was for the erection of 51 log cabins.

Ecological Advisor: Further information required supported by appropriate survey work regarding the presence of protected species. Additional report submitted and conditions proposed.

Natural Resources Wales: objection to the issuing of consent until further survey work is undertaken in relation to potential for the site to support Great Crested Newts. Conditions suggested in relation to drainage and flood risk.

Dwr Cymru-Welsh Water –No reply to consultation

Public Response to Consultation: 30 letters of objection have been received to date. Further neighbour notification has been undertaken since receipt of an ecology report, with the expiry date for receipt of representations being set as 5th February 2014. Objections as currently submitted are based on:

Visual and landscape impacts;

Increase in anti-social behaviour;

Traffic generation and conflicts;

Not enough infrastructure to support further development;

No demonstrable need for the development;

Proposal is part of a wider scheme for the site;

Increased urbanisation for example, through artificial lighting at night;

Flood risk;

Caravans are currently hidden from view but this development will be visible;

Proposal will detract from the current attractiveness of the area;

No need for the development – saturation point already reached;

Effects on residential amenity,

Noise pollution,

Light pollution,

Increased litter, crime and anti-social behaviour;

Damaging effects on protected species and natural habitat;

Design not in keeping with the area;

Proportionality – the scheme is too big and unsympathetic to the local built environment;
Doesn't comply with relevant policies;
Dangerous access in an accident hotspot;
Application is made for personal gain by the applicant.

Issues in relation to landscape impacts, habitat, residential and general amenity impacts, road traffic and highway safety concerns will be addressed further in the report. It should be noted that Planning Policy Wales advises that "the planning system does not exist to protect the private interests of one person against the activities of another". Whether a development is proposed for personal profit or for some wider altruistic purpose is not material – each application must, in accordance with the Planning Acts and PPW advice be considered on its planning merits, taking into account material considerations.

5. Relevant Planning History

46C224: Removal of the 50 static caravans and their replacement with 50 purpose built holiday chalets at Ty'n Towyn Caravan Park, Trearddur Bay – refused 17/2/92 Appeal Allowed 13/8/92

46C263B Conversion of outbuildings into holiday accommodation at Ty'n Towyn Caravan Park, Trearddur Bay – approved 23/5/97

46C263C Conversion of outbuildings into holiday units and one residential unit at Ty'n Towyn Caravan Park, Trearddur Bay – approved 2/9/99

46C263D Full plans to allow 7 extra static caravans and the siting of 3 log cabins at Ty'n Towyn Caravan Park, Trearddur Bay – withdrawn 8/3/07

46C263E/ECON Full plans for a development consisting of 55 log cabins which are to be constructed in 5 phases together with the closure of the existing access from Ravenspoint Road and the construction of a new vehicular and pedestrian access onto Lon St Ffraid – withdrawn 8/2/08

46C263F/SCO Environmental scoping opinion for log cabin development at Ty'n Towyn, Trearddur Bay 7/11/06

46C263H/EIA application for 51 log cabins and new access – approved by the Planning and Orders Committee subject to a s106 agreement but withdrawn by the applicant in November 2011.

6. Main Planning Considerations

Principle of the Development: Development Plan policies allow the creation of holiday accommodation and the enhancement of tourism facilities. Development Plan policies also seek protection of the landscape and local amenities. The proposal must be weighed against all relevant planning policies in order to consider whether it is acceptable. The vast majority of objections to the scheme cite landscape impacts, traffic and highway safety concerns and amenity impacts. Many cite the personal gain for the applicant which they consider is pursued at the expense of the wider community. Development plan policies however allow developments to take place. Other policies seek protection of natural assets. A balanced view must be struck in reaching a determination on the application.

The site is located on currently undeveloped land between housing development centred on Lon Cre Crist and the main village itself at Ravenspoint Road. Currently when viewed from the B4545 only glimpses of the roofs of some caravans are discernible on the site. The site is characterised by undulating topography made up of rocky outcrops. Site levels of the B4545 are slightly lower than the road.

A new access road is proposed opposite the dwelling known as Graig Eithin, the first dwelling on the right on entering the village from the south. Either side of this access landscaped earth bunds are proposed in order to screen development from the road. The 11 log cabins are placed in groups within the site and apart from localised re-siting and reorientation, occupy the same positions as the units previously approved as part of application 46C263H/EIA which was for a total of 51 cabins. The units are shown as single storey with a ridge height of approximately 4.7m and a similar footprint and external appearance in general to the previously approved scheme (although the previously approved application units had a loft room and measured just over 5m in ridge height). The proposal takes advantage of site levels and topography to screen the development from public vistas. A children's play area is proposed for the site itself near the entrance to replace the play area to be lost as part of the proposal. The site will be served by access roads to the cabins only and no connection between these roads and the caravan site beyond at either Bagnol or

Ty'n Towyn is indicated. A recent application to retain unauthorised tracks on part of the wider site has been approved under reference 46C161U but these tracks terminate beyond the current application site. Low level lighting is proposed which will be controlled through condition.

Policy Considerations and Landscape & Amenity Impact: Structure Plan policies do not support the creation of new static caravan sites and only support an increase in numbers on existing sites subject to criteria. The scheme as submitted is for log cabins which fall outside the definition of static caravan and are therefore assessed against policies which allow high quality holiday accommodation. Policy 8 of the Local Plan allows development of such units in particular where they form part of an integral scheme which adds to tourism and recreation facilities in the area.

This undeveloped area outside the settlement boundary is designated a Special Landscape Area in the Ynys Mon Local Plan, Policy 31 of which states that proposals for development in such areas are expected to have particular regard to the special character of their surroundings. In considering the landscape impact of the proposal, the Council will need to be satisfied that the development can be fitted into its surroundings without unacceptable harm to the general landscape character, before planning permission is granted.

Policy EN1 of the stopped UDP states that development will be required to fit into its surroundings without significant harm to the Landscape Character Areas. Both policies set a limit – they cite **unacceptable** harm or **significant** harm. A proposal is therefore not necessarily considered unacceptable under these policies if there is minimal harm or any harm can be adequately mitigated. Stopped UDP Landscape Character Area 1 refers to Holy Island where character is strongly defined by underlying geology. Trearddur Bay is described as reflecting the development of tourism with hotel and caravan parks. Key aims are to improve settlement edges and transport corridors and maintain and conserve habitat areas for example.

The application site is located on the main link into Trearddur Bay from Four Mile Bridge and Valley. It is a major transport link, particularly in the high season. The scheme provides for a new access point centrally located within a landscaped bund development designed to reflect natural topography in the area which will be set back from the roadside edge but which will run parallel with it. The bund is designed to screen the majority of the development from public view. TAN 13 Tourism advises in paragraph 13 that “the demand for sites has concentrated on the most popular holiday areas, particularly on the coast, although there is increasing demand inland. New and extended sites should be effectively screened, and planned so as not to be visually intrusive. Sites should not as a rule be allowed immediately by the sea, but should be set back a short distance inland where they are not visible from or along the coast”. The scheme, as stated, makes use of the existing topography to create a pocket of development but some glimpses of the site will be seen as currently.

Concerns have been expressed by objectors about visual impacts but also in relation to proposed users of the site and noise and amenity effects including alleged anti-social behaviour and increased crime from the proposed users of the site, noise and disturbance from users and amenity affects from increased lighting together with lack of infrastructure capacity. Concerns are also expressed about the appropriateness of the design. It should be noted that planning policy and guidance allows the development of holiday chalets. The log cabins are for holiday occupation. They do not reflect designs found in residential properties within the village. They are sited within a static and touring caravan environment, from which they take their design cue, rather than immediately amongst dwellings and their occupation is to be controlled through condition as holiday units only. Given landscaping and topography, they will not be visually read with more traditional dwelling designs. An appeal in 1992 allowed the development of 50 holiday chalets on the site designed as terraces of bungalows with the Inspector confident that they would not become permanent residences if controlled through an appropriate occupancy condition. The log cabins proposed, although permanent buildings, are more akin to purpose built holiday accommodation than the terraced bungalows allowed on appeal on this same site.

Conditions proposed to control the development include controls over occupation to ensure holiday use only, controls over lighting, fencing and hardstanding details, controls over external colour application to the cabins, and the requirement for a management regime for the site to include landscape maintenance to ensure that the development can be adequately assimilated.

Habitat: The site has a number of breeding bird species, and important vegetation habitat types (semi-improved grassland, marshy grassland, rocky outcrops, scrub, standing water) as well as potential for badgers and reptiles but no rare or nationally rare species are present. Scrub areas are of significance in the Biodiversity Action Plan.

The predicted impacts are loss of habitat and disturbance (both during construction and during use by visitors). The development would lead to loss of areas of semi-improved grassland which has fairly low conservation interest. Loss of some scrub areas will occur on the edges of main blocks but this will not result in the break up of blocks. Loss of grassland will lead to a reduction in badger foraging habitat. Longer term use by visitors will impact through disturbance. Some loss of bird breeding habitat will occur. None of these losses however are gauged to be significant in a local or regional context.

In mitigation, it is suggested that clearance works should only take place outside the bird-breeding season and in the presence of a qualified ecologist in order to identify any currently unknown impacts. Protected habitat is to be fenced and conditions are proposed e.g. in relation to site compounds and the storage of materials to avoid sensitive areas. The screen mounds proposed could provide additional habitat. Management of the remainder of the site will retain areas of foraging eg for badgers and chough. In addition, as part of a S106 agreement, other land in the applicant's ownership which is not part of the existing caravan sites or part of the application site itself can be suitably managed in order to maintain their habitat value.

Traffic Impacts: The previous application for 51 log cabins was supported by a transport assessment prepared by highways consultants and incorporated into the Environmental Statement. The Highway Authority did not object to the application. This proposal is for a total number of 11 cabins only and it is not anticipated that any objection on highways grounds will be raised.

Economic Impacts: The developer suggests that 1 full time and 2 part time posts will be created as a result of the development. Concerns are expressed by objectors that there are no economic benefits to the scheme the developer himself as being the only beneficiary of the proposals. The scheme does not bring with it extensive employment opportunities. Nonetheless, additional tourists are likely to contribute to the immediate local economy. Concern was previously expressed that Trearddur has no appropriate facilities for tourists, in particular since the Sea Shanty cafe was demolished. Concerns regarding lack of local facilities are raised again in relation to this application. However, planning policy supports the principle of the development of facilities within village settlements eg the Seacroft Hotel has recently been refurbished and an application has been made for a new café.

Wider Community Benefits: The Local Planning Authority has previously (as part of the application for 51 log cabins) discussed wider community benefits with the applicant and agent. The current application is for a much reduced scheme. Guidance on S106 agreements (Circular 13/97 Planning Obligations) states that such obligations must meet strict tests and that they are:

- Necessary;
- Relevant to planning;
- Directly related to the proposed development;
- Fairly and reasonably related in scale to the proposed development;
- Reasonable in all other respects.

The ecology reports submitted recommend conditions and mitigation strategies to deal with any potential effects of the development on ecological interests. A Management Plan for the development site is also suggested. It is proposed that through a S106 agreement a habitat management plan for the remainder of land in the applicant's ownership for the wider benefit of wildlife in the area over and above that offered within the application site can be achieved.

In addition, it is understood that the developer has agreed in principle a financial contribution towards the cost of construction of a pedestrian footway on Ravenspoint Road, the exact details of which are currently under discussion.

7. Conclusion

Planning policy context allows this type of development subject to criteria. The scheme is considerably opposed by Trearddur Bay residents but the volume of public concern is not of itself sufficient to influence the determination of the application. A previous larger scheme on the same site was approved. Subject to conditions and a S106 agreement, the scheme is considered to be acceptable.

8. Recommendation

To **permit** the development subject to a S106 agreement (to deliver habitat management on the remainder

of land in the applicant's ownership for the wider benefit of wildlife in the area over and above that offered within the application site and a financial contribution towards the provision of a pedestrian footway on Ravenspoint Road) and conditions :

(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) No development shall commence until full details of internal access roads and their levels, surfacing materials and drainage have been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in accordance with the approved details unless the local planning authority gives its prior written consent to any variation. No new access roads or additional tracks shall be constructed without the express consent of the local planning authority.

Reason: To ensure an acceptable appearance of the development and to protect habitat.

(03) No development shall commence until details of hard standings and parking areas for each log cabin has been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in accordance with the approved details unless the local planning authority gives its prior written consent to any variation. No additional hard standings, patios or parking areas shall be constructed without the express consent of the local planning authority.

Reason: To ensure an acceptable appearance of the development, in the interests of amenity and to protect habitat

(04) No development shall take place until full details of any fencing or walling proposed to define log cabin areas or otherwise proposed within the site has been submitted to and approved in writing by the local planning authority. Such walling / fencing shall be designed and located so as to allow unrestricted access to badgers at all times.

Reason: To ensure an acceptable appearance of the development, in the interests of amenity and to protect habitat.

(05) No development shall commence until full details of lighting for the site including any external lighting proposed for individual cabins has been submitted to and approved in writing by the local planning authority. The scheme shall be designed in accordance with the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005 (or as may be amended or superseded). The scheme shall thereafter proceed in accordance with the approved details unless the local planning authority gives its prior written consent to any variation. No additional lighting shall be installed without the express consent of the local planning authority.

Reason: To ensure an acceptable appearance of the development, in the interests of amenity and to protect habitat.

(06) The access onto Lon St Ffraid shall be constructed strictly in accordance with the submitted plan (BM2626-A3-04) submitted 16/07/2013. No other development permitted by this consent shall be commenced until the access is completed in accordance with the approved details and made available for use.

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

(07) No log cabin shall be erected on the site until samples or catalogues of external finishing materials specifying the final application of colour to the cabins has been submitted to and approved in writing by the local planning authority. No application of a different colour shall be applied to any log cabin without the prior written approval of the local planning authority.

Reason: To ensure the satisfactory appearance of the development.

(08) Occupation of the log cabins hereby approved shall be for holiday use only. A register of lettings demonstrating the permanent residential address of users of the site shall be maintained and

shall be made available for inspection by the local planning authority at all times.

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

(09) No habitat clearance shall take place within the bird breeding season (1st March to 31st July inclusive). Any habitat or vegetation clearance outside these dates shall take place under the direct supervision of a qualified ecologist who shall submit and deliver appropriate mitigation in accordance with a scheme to be submitted to and approved in writing by the local planning authority should protected species be found to be present.

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

(10) No development shall commence until a management plan for the management of habitats and protected species during construction operations (to include protective fencing to exclude construction and other traffic from sensitive habitat areas, details and locations of site compounds and the storage of materials including maximum amounts stockpiled for each phase, mitigation where protected species are found to be present during clearance works and safeguarding of safe access to protected species to foraging areas, paths, latrines and setts during construction) and post-construction management and maintenance of existing and created habitats for each phase of the development including the long term management of the site post-construction.

Reason: To safeguard any protected species which may be present on the site and to secure the long term protection and enhancement of habitat and protected species on the site.

(11) Landscaping works shall take place in overall accordance with the landscape masterplan attached to drawing number BM2626-A1-02A No development in the erection of any of the log cabins hereby approved shall take place until the landscaping of the earth bunds each side of the proposed new access has been completed and measures have been put in place, as submitted to and agreed in writing with the planning authority prior to planting, for its protection during construction works. The remainder of the landscaping works shall take place in the first planting season following completion of the development or the first occupation of the cabins, whichever is the sooner. The maintenance of the landscaping works shall thereafter take place in accordance with agreed details in the management plan required to be approved under condition 13 above.

Reason: To ensure that the development is suitably screened and assimilated into the wider landscape in the interests of amenity.

9. Other Relevant Policies

Biodiversity Action Plan

TAN 15 Development and Flood Risk