

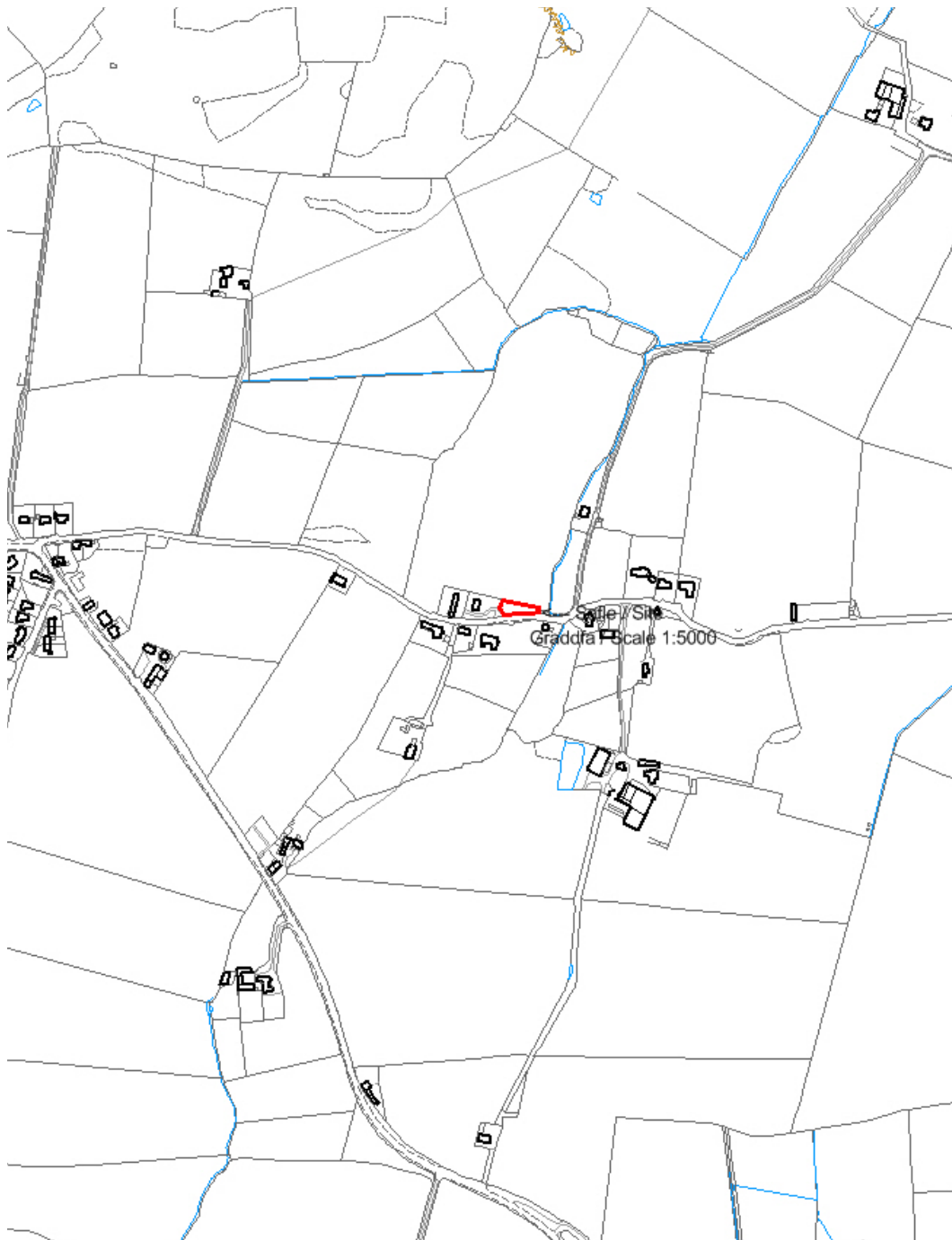
Rhif y Cais: 25C163C Application Number

Ymgeisydd Applicant

Mr & Mrs Hulme

Cais amlinellol gyda rhai materion wedi ei gadw'n ol i godi un annedd ar dir ger / Outline application with some matters reserved for the erection of one dwelling on land near

Tyddyn Waen Barn, Bachau



Planning Committee: 04/062014

Report of Head of Planning Service (DO)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is presented to the Committee as an application which is contrary to the adopted Ynys Môn Local Plan but that can be supported under the provisions of the stopped Unitary Development Plan.

1. Proposal and Site

The application site is a parcel of land adjoining Tyddyn Waen Barns in the small hamlet of Bachau near Llanerchymedd.

The application is for outline planning permission with some matters reserved for the erection of a dwelling together with the creation of a new vehicular access.

2. Key Issue(s)

The key issues is whether the proposal is acceptable in terms of policy together with the effect on the amenities of neighbouring properties.

3. Main Policies

Ynys Mon Local Plan

1 – General Policy

48 – Housing development Criteria

53 – Housing in the Countryside

Gwynedd Structure Plan

A6 – New Dwellings in the Open Countryside

D4 – Location, Setting and Design.

Stopped Unitary Development Plan

GP1 – Development Control Guidance

HP5 – Countryside, Hamlets and Clusters.

Planning Policy Wales (6th Edition) February 2014

TAN 12: Design

4. Response to Consultation and Publicity

Cllr J Griffith – No response at time of writing the report.

Cllr K P Hughes - No response at time of writing the report.

Cllr LI M Huws - No response at time of writing the report.

Welsh Water - Comments

Highways - Conditions

Drainage – Comments

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

5. Relevant Planning History

25C163 – Conversion of barn into a residential dwelling. Approved 17/12/2004

25C163A – Erection of a 1m high fence along the driveway. Approved 15/11/2005.

25C163B – Erection of a shed. Approved 20/12/2007.

6. Main Planning Considerations

Principle of Development

The application site is considered as being in the countryside under the provisions of the Ynys Mon Local Plan, however it is identified as a Countryside Hamlet and Cluster under policy HP5 of the Stopped Unitary Development Plan.

On the 1st of December 2005 the County Council voted to implement the transitional arrangements set out in the LDP Wales Regulations and to 'stop work' on the Ynys Mon Unitary Development Plan (UDP). The deposit of the 2001, as amended by the inspector's report, will be a material consideration in decision making on planning applications.

Having regard to the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 determination of planning applications need to accord with the provisions of the development plan unless material considerations indicate otherwise.

The Stopped Unitary Development Plan remains a material consideration in view of the advance stage reached in the Unitary Development Plan adoption process and since it has been subject to scrutiny at Public Enquiry and supported in the Inspectors Report 2004.

The principle of development is therefore accepted as the proposal is acceptable under the provisions of policy HP5 of the Stopped Unitary Development Planning this is a material consideration of significant weight.

The proposal also complies with the principles of paragraph 9.3.2 of the Planning Policy Wales 6th Edition 2014 which states that sensitive infilling of small gaps within small groups of housing, or minor extensions to groups may be acceptable.

Impact on the Surroundings.

The proposal is located within an area designated as a Special Landscape Area under the provisions of Policy 31 of the Ynys Mon Local Plan, D3 of the Gwynedd Structure Plan and EN1 of the Stopped Unitary Development Plan. It is not considered that the proposal would harm the character or appearance of the special landscape area.

In landscape terms it is considered that the proposal forms an acceptable infill that does not cause detriment to the wider landscape setting.

The proposal is acceptable in broad landscape terms and is well integrated with its immediate surroundings.

Highways and Drainage

The Highways Department have raised no objection to the proposed development, and have recommended a number of conditions.

The agent has amended the block plan following a discussion with the Drainage Section, at the time of writing the report the Drainage section have not responded.

7. Conclusion

Whilst the proposal is contrary to Policy 53 contained within the Ynys Mon Local Plan and policy A6 of the Gwynedd Structure Plan, the proposal is acceptable under the provisions of policy HP5 of the Stopped Unitary Development Plan.

8. Recommendation

Permit

(01) The approval of the Council shall be obtained before any development is commenced to the following reserved matters viz. the layout, scale, appearance of the building, thereto and the landscaping of the site.

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

(02) The development to which this permission relates shall be begun not later than whichever is the later of the following dates namely: - (a) the expiration of five years from the date of this permission or (b) the expiration of two years from the final approval of the said reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

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

(03) Application for approval of the reserved matters hereinbefore referred to shall be made not later than the expiration of three years beginning with the date of this permission.

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

(04) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

Reason: To ensure that the development is in the interests of amenity.

(05) No other part of the development shall begin until visibility splays have been provided at the easterly side of the access between a point 2.4 meters along the center line of the access measured from the edge of carriageway and a point 50.0 meters along the edge of the carriageway measured from the intersection of the center line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 1 meter in height above the nearside channel level of the carriageway.

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

(06) No other part of the development shall begin until visibility splays have been provided at the westerly side of the access between a point 2.4 meters along the center line of the access measured from the edge of carriageway and a point 80.0 meters along the edge of the carriageway measured from the intersection of the center line of the access. The area contained within the splays shall be kept free of any obstruction exceeding 1 meter in height above the nearside channel level of the carriageway.

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

(07) 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: To comply with the requirements of the Highway Authority.

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

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

(09) The access shall be completed with a bitumen surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 meters from the nearside edge of the County Highway with the surface water drainage system completed and in working order before the use hereby permitted is commenced.

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

(10) 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 comply with the requirements of the Highway Authority.

(11) The turning area shall be completed in full accordance with the details as submitted before the dwelling is occupied and thereafter retained solely for those purposes.

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

(12) No surface water from within the curtilage of the site to discharge onto the county Highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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

(13) The dwelling 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.

(14) Construction of the dwelling 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.

(15) Prior to the occupation of the dwelling 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.

Informative

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

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

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.

If he/she chooses to carry out the work himself/herself, the applicant should be advised to apply in writing to the Corporate Director of Sustainable Development 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.

9. Other Relevant Policies

Ynys Mon Local Plan

31 – Landscape

42 – Design

Gwynedd Structure Plan

D3 – Landscape Conservation Area

D28 – Natural Slates

D29 – Design

D32 – Landscaping

Stopped Unitary Development Plan

GP2 – Design

TR10 – Parking Standards

EN1 – Landscaping Character

10.2

Ceisiadau'n Tynnu'n Groes

Departure Applications

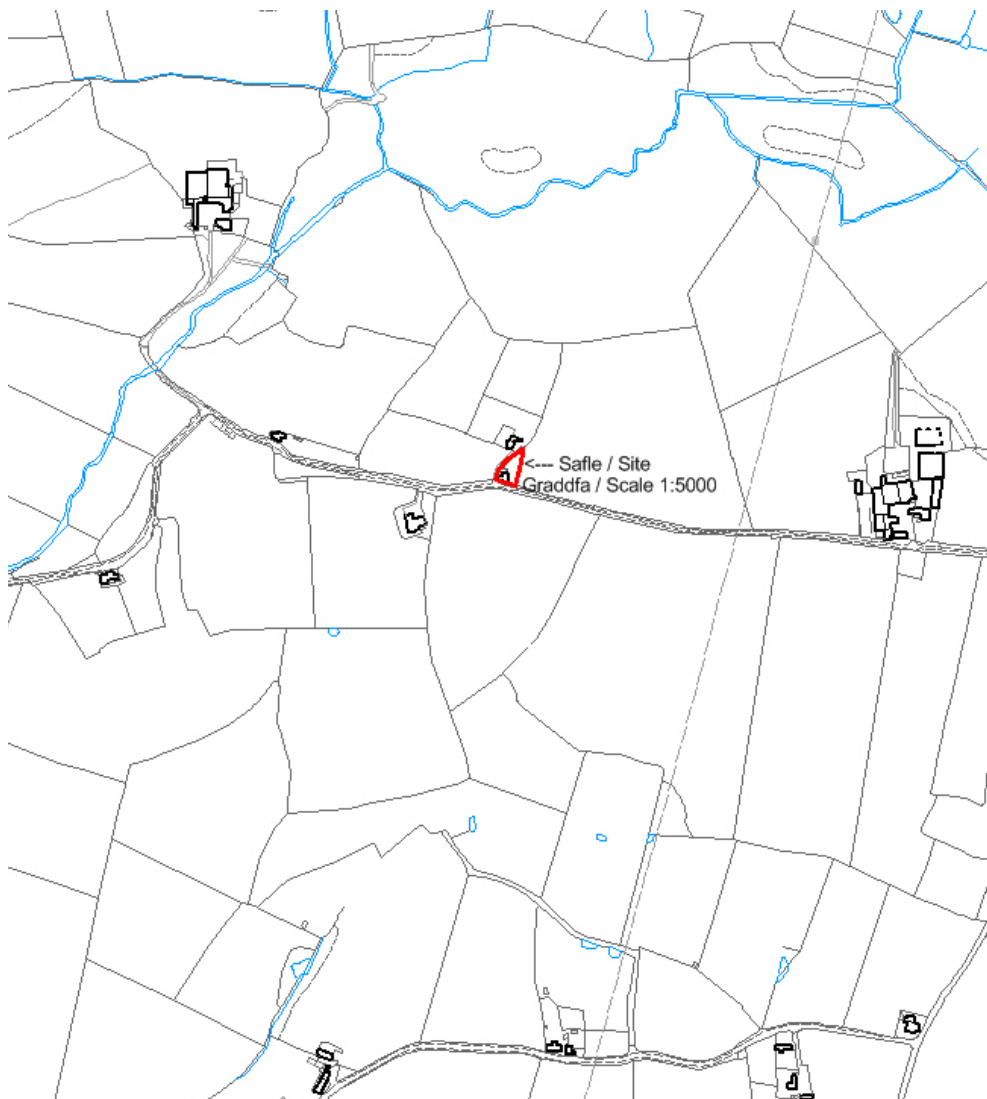
Rhif y Cais: 27C102 Application Number

Ymgeisydd Applicant

Mr Christopher Winbolt

Cais llawn ar gyfer dymchwel yr annedd presennol sydd wedi'w ddifrodi â tân a chodi annedd yn ei le yn / Full application for the demolition of the fire damaged dwelling together with the erection of a replacement dwelling at

Penrhos, Llanfachraeth



Planning Committee: 04/06/2014

Report of Head of Planning Service (AMG)

Recommendation:

Permit

Reason for Reporting to Committee:

The proposal is to replace an extensively fire damaged property which raises policy issues.

Therefore, the application is a departure from the Ynys Môn Local Plan which officers are minded to approve.

1. Proposal and Site

The site is located within the parish of Llanfachraeth and is sited along the road which leads from the A5025 towards Llanddeusant.

The proposal entails the demolition of the fire damaged dwelling together with the erection of a replacement dwelling at Penrhos, Llanfachraeth.

2. Key Issue(s)

The key issues to consider are whether the extenuating circumstances of the case warrant approval given that the proposal conflicts housing policies and effect on the amenities of the neighbouring properties.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General

Policy 31 - Landscape

Policy 42 – Design

Policy 53 – Housing in the Countryside

Policy 54 – Replacement Dwellings

Gwynedd Structure Plan

Policy A6 – Dwellings in the Countryside

Policy D4 – Location, Siting and Design

Policy D29 – Standard of Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN1 – Landscape Character

Policy HP6 – Dwellings in the Open Countryside

Policy HP9 – Rural Replacement Dwellings

Planning Policy Wales, Edition 6, February 2014

Technical Advice Note 12: Design

Technical Advice Note 22: Sustainable Buildings

Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment

4. Response to Consultation and Publicity

Councillor John Griffith – No response received at time of writing the report.

Councillor Kenneth Hughes – No response received at time of writing the report.

Councillor Llinos Huws - No response received at time of writing the report.

Community Council – No objection.

Welsh Water – Comments

Highways – Recommended conditional approval.

Drainage – Comments

Public Consultation – The application was afforded three means of publicity. These were the posting of a site notice near the site, the serving of personal notifications on the occupants of the neighbouring properties together with a notice in the local newspaper. The latest date for the receipt of representations was the 15th May 2014. At the time of writing this report no representations had been received at the department.

5. Relevant Planning History

None

6. Main Planning Considerations

Circumstances of the case – The proposal entails the demolition of the fire damaged dwelling together with the erection of a replacement dwelling. The existing dwelling was subject to a catastrophic fire in January 2014. The property has significantly been affected by a storm, with lightning having hit the property, causing severe fire which has resulted in the total loss of the attic accommodation and the roof. The external appearance of the replacement dwelling will be a reflection of the existing dwelling as it is being built on a like-for-like basis. The site is not located within any settlement identified in the Ynys Môn Local Plan. Policy 53 of the Ynys Môn Local Plan states that on land in the open countryside the Council will refuse permission for new dwellings except where all of the listed criteria are satisfied. However, as there is an existing dwelling on site albeit fire damaged in January 2014 and uninhabitable it is considered that there are extenuating circumstances in this case which warrants approval.

Effect on the amenities of the neighbouring properties - It is not considered that the proposal will have a detrimental effect on the amenities currently enjoyed by the occupants of the neighbouring properties. The proposal entails the erection of a replacement dwelling on a like-for-like basis with that of the existing fire damaged dwelling. The proposal complies with the guidance contained within Guidance Note 8: Proximity of Development of the Council's Supplementary Planning Guidance

7. Conclusion

Although the application is a departure from both local and national planning policies, it is considered that there are extenuating circumstances in this case which warrants approval.

8. Recommendation

Permit

(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) The dwelling 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.

(03) Construction of the dwelling 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.

(04) Prior to the occupation of the dwelling 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.

(05) 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 county road carriageway along the whole length of the sites boundary with the adjoining highway and nothing exceeding this height (with the exception of the dwelling hereby approved) erected within 2 metre of the said wall.

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

(06) No surface water from within the curtilage of the site to discharge onto the county Highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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

(07) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 09/04/2014 and 14/05/2014 under planning application reference 27C102.

Reason: For the avoidance of doubt.