

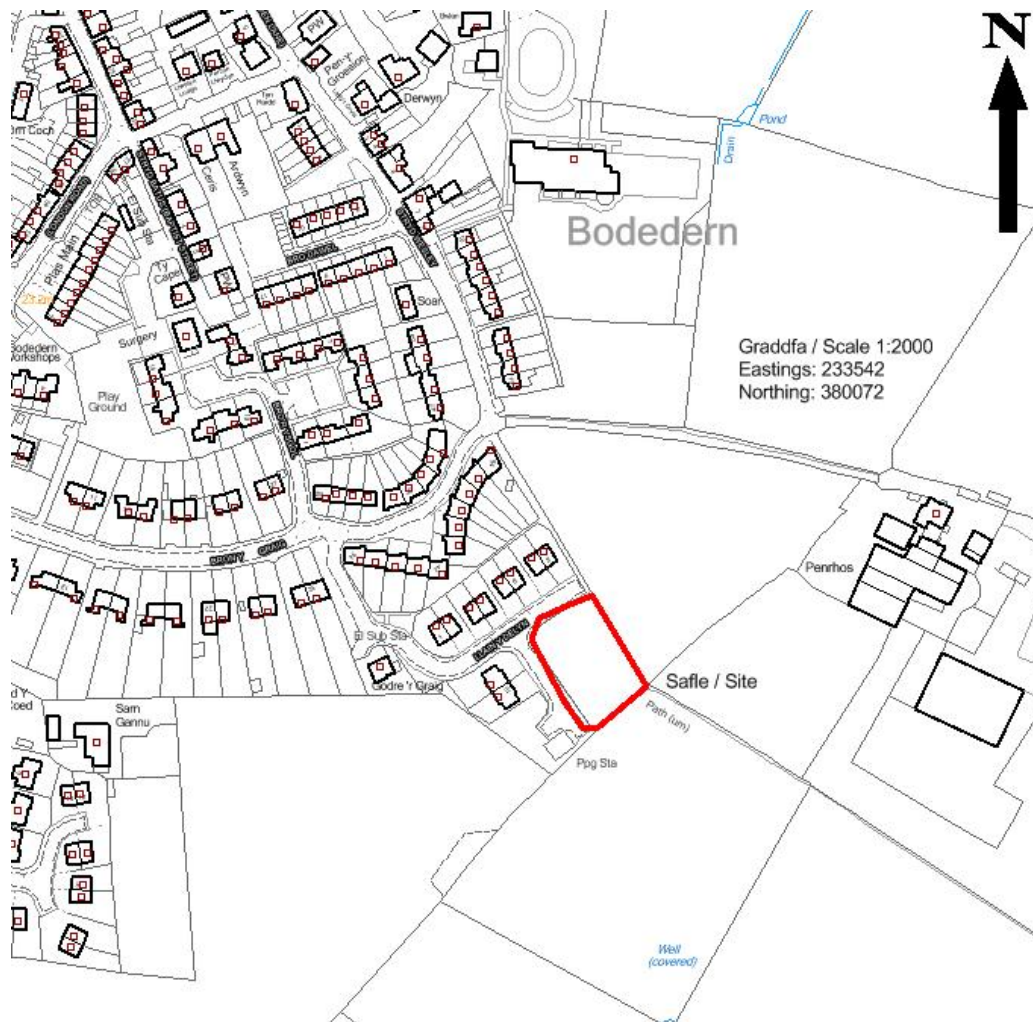
Rhif y Cais: 13C141B Application Number

Ymgeisydd Applicant

Grwp Cynefin

Cais llawn i godi 3 bar o anheddau un talcen ar dir yn / Full application for the erection of 3 pairs of semi-detached dwellings on land at

Llain y Delyn, Bodedern



Planning Committee: 02/07/2014

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The site is allocated under Policy 14 and Policy 38 of the Ynys Môn Local Plan for environmental improvements under allocation FF21 (land adjacent to Bron Y Graig allocated for a Bowling Green). The application constitutes a departure from this allocation.

1. Proposal and Site

The application is made for the erection of 3 pairs of semi-detached dwellings on a vacant parcel of land forming an earth bund from spoil arising from the development of the adjoining housing estate.

The dwellings reflect the design and materials of the existing estate and are located backing onto a public footpath and open fields to the rear.

2. Key Issue(s)

Compliance with development plan policies

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 52- Exception Sites

Gwynedd Structure Plan

Policy A2 – Housing Land

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP7 – Affordable Housing

Planning Policy Wales (Edition 6)

Technical Advice Note 2 – Planning and Affordable Housing

Technical Advice Note 12 – Design

Technical Advice Note 22 – Planning for Sustainable Buildings

4. Response to Consultation and Publicity

Community Council – no response at the time of writing

Local Members – no response at the time of writing

Highway Authority – suggested conditions

Drainage Section – details are satisfactory

Dŵr Cymru-Welsh Water - no response at the time of writing

Rural Housing Enabler – Local housing need in the area. The scheme is included within the Housing Service affordable housing development programme and is funded by the Welsh Government's Revenue Grant and is supported by the Housing Service.

Footpaths Officer – no response at the time of writing

JPPU – no response at the time of writing

Response to Publicity

Publicity was undertaken by means of personal notification, site notices and press advert with the expiry date for representations being 30th May 2014. No representations were received.

5. Relevant Planning History

13C141: Full application for the erection of 22 dwellings together with the construction of a new vehicular access and the removal of hedges on land adjacent to Bron y Graig, Bodedern – Withdrawn 11/01/06

13C141: Full application for the erection of 10 dwellings together with the construction of a new vehicular access on land adjacent to Bron y Graig, Bodedern – Approved 10/4/2008

6. Main Planning Considerations

Principle of Development: The site is located within the development boundary of Bodedern under the Ynys Mon Local Plan and allocated under Policy 14 and Policy 38 for Recreation and Community Facilities, specifically the creation of a bowling green. The site is located outside the development boundary of the stopped Unitary Development Plan. As the Ynys Mon Local Plan constitutes, with the Gwynedd Structure Plan, the 'development plan' for the purposes of Section 54a of the Town and Country Planning Act 1990 (now Section 38 of the Planning and Compulsory Purchase Act 2004), the proposal to develop housing on the site has to be advertised as a departure from Local Plan policies which specifically allocates the site for Recreation and Community Facilities. The allocation has not been taken up since the Plan was adopted in 1996. The stopped UDP does not constitute the development plan but has been adopted for development control purposes. The site is located outside the development boundary of the stopped UDP and the allocation for recreational use has been deleted from this document, reflecting the changing priorities in terms of a development framework. The proposal is a departure from the Local Plan and is located outside the UDP boundary and is therefore considered as an exception site for 100% affordable housing.

In accordance with the advice contained within Planning Policy Wales, the Council has devised its settlement strategy in the now stopped UDP to balance social, economic and environmental needs within a sustainable framework. The release of small housing sites, within or adjoining existing rural settlements, for the provision of affordable housing to meet local needs, which would not otherwise be

allocated in the development plan, is an exception to the policies for general housing provision and must be fully justified. The affordable housing provided on such sites should meet the needs of local people in perpetuity and such sites must meet all the criteria against which a housing development would be judged.

Policy A8 of the Gwynedd Structure Plan, Policy 52 of the Ynys Mon Local Plan and Policy HP7 of the stopped UDP all allow the release of land in addition to that available to meet the general housing demand for affordable housing in appropriate locations. The site is located to the rear of the Council housing estate at Bron y Graig with suitable access available. It is located on a vacant parcel of land forming part of the Llain y Delyn exception site approved in 2008.

Need for the Development: In order to consider the principle of an exception site, it must be demonstrated that there is a local need for affordable housing which cannot be met by:

Houses for sale or rent;

Alterations or improvements to existing buildings;

Existing planning permissions;

The allocations for housing made under planning policy.

An Assessment of Housing Need has been submitted in support of the application which sets out the need for affordable housing within the village and which the scheme is targeted at meeting.

Design and Amenity Issues: The dwellings themselves are acceptable in design terms and reflect the theme of the existing estate in terms of finishes and places to live that are safe and attractive. The layout now proposed produces an attractive environment with integrated planting to soften the scheme. The proposal is unlikely to have significant effects on the amenities of adjoining occupiers as they are well separated from the previous phase of development, across the estate road from a pair of semi-detached properties and gable-on to others. The public footpath running across the rear of the site is protected as part of the scheme.

Technical Issues: Consultees are satisfied with the submitted details subject to conditions.

7. Conclusion

The site can comfortably accommodate the development as proposed. The scheme meets an acknowledged need for affordable housing in the village and closely reflects the existing phase of development at Llain y Delyn.

8. Recommendation

To **permit** the application subject to conditions and subject to a section 106 agreement on the provision of affordable housing:

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

Reason: In the interests of residential amenity

(03) 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 clear of the highway for the safety and convenience of the highway user.

(04) 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.

(05) 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.

(06) 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.

(07) No development shall commence until a management and maintenance plan for the drainage scheme for the lifetime of the development including arrangements for adoption by any public authority or statutory undertaker or other arrangements to secure the operation of the scheme has been submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the approved details.

Reason: To ensure that the site is adequately drained

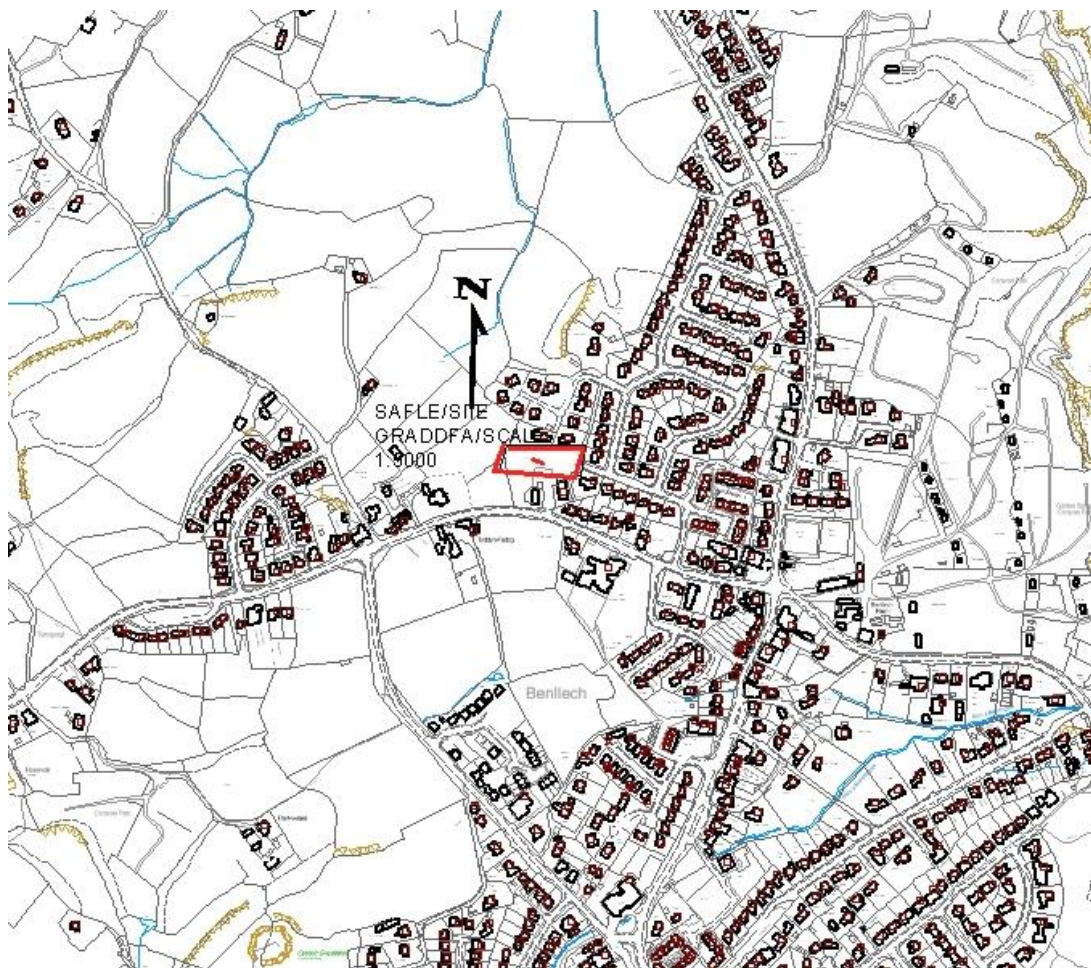
Rhif y Cais: 30C759 Application Number

Ymgeisydd Applicant

Mr & Mrs K M Jones

Cais llawn i godi annedd newydd ar dir ger / Full application for the erection of a new dwelling on land adjacent to

Fairacre, Benllech



Planning Committee: 02/07/2014

Report of Head of Planning Service (MTD)

Recommendation:

Permit

Reason for Reporting to Committee:

This is a departure application for which the recommendation is permit.

1. Proposal and Site

The site is located off the B5108 opposite the Benllech fire station and was previously used as the Benllech Fairground. Two residential properties lie between the site and the B5108 and to the north is the Swn Y Don estate.

The site lies adjoins but is outside the defined settlement and is located within the AONB.

It is proposed to build a two storey dwelling with access onto the B5108.

2. Key Issue(s)

Principle of development

Will there be harm to amenity

Highways considerations

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General

Policy 30 - Landscape

Policy 42 – Design

Policy 48 Housing Development Criteria

Policy 49- Defined settlements

Policy 53 – Housing in the Countryside

Gwynedd Structure Plan

Policy A6 – Dwellings in the Countryside

Policy D1 - Protection of the Environment

Policy D4 – Location, Siting and Design

Policy D29 – Standard of Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN2 – AONB

Policy HP3 - New Housing Development - Main and Secondary Centres

Policy HP6 – Dwellings in the Open Countryside

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

Local members - No comment

Community Council - Approve

NRW - No objection

Welsh Water - Conditions

Highways - Conditions

5. Relevant Planning History

None

6. Main Planning Considerations

Principle of Development

Section 70(2) of the Town and Country Planning Act 1990 requires that Local Planning Authorities;

“In dealing with such an application (planning) the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations”

The authority is required to have regard to all considerations which are material to the application and to be material they must be planning considerations.

Whilst it is acknowledged that the site lies outside the settlement boundary it is considered that other material considerations should be taken into account in this instance.

In terms of its location it is adjoining the settlement boundary with development immediately on its north and east boundaries. To the south is the B5108. To the west a new house has been constructed. With the granting of permission for this new house the site has essentially become “enclosed” The change to the built form in this location has given rise to a set of circumstances whereby the proposal can be considered as an acceptable in fill.

Furthermore, the site was previously used as a fair ground and as such can be considered “brown field” and even its use as part of the garden on the existing properties puts it in the classification of “Previously developed land”

Planning Policy Wales (Feb 2014) states in 4.9.1;

“Previously developed land (or Brownfield) should wherever possible, be used in preference to greenfield sites

4.9.2 goes on to state;

“Many previously developed sites in built up areas may be considered suitable for development because their reuse will promote sustainability objectives. This includes sites:

In and around existing settlements where there is vacant or under-used land, commercial property or housing”

In addition to the above it is considered that the site is in a sustainable location with easy access to shops and amenities by foot or public transport.

Amenity Issues

It is considered that the proposed dwelling is located so as to minimize impact on the amenities of nearby occupiers and it is not considered that there will be undue harm to the amenities of nearby residents.

Additionally given the form of the surrounding development it is not considered that the visual impact is unacceptable. Given that this is an AONB the requirements for development in such areas is adhered to.

Highways

The highways Authority have been consulted and raise no objection to the scheme.

7. Conclusion

Although the application is a departure from local planning policies, it is considered that there are extenuating circumstances in this case which warrants approval. The proposals comply with the principles laid out in Planning Policy Wales and it is further considered that this is a sustainable location.

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 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: In the interests of highway safety

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

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

(07) 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.

(08) 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.

(09) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of amenity

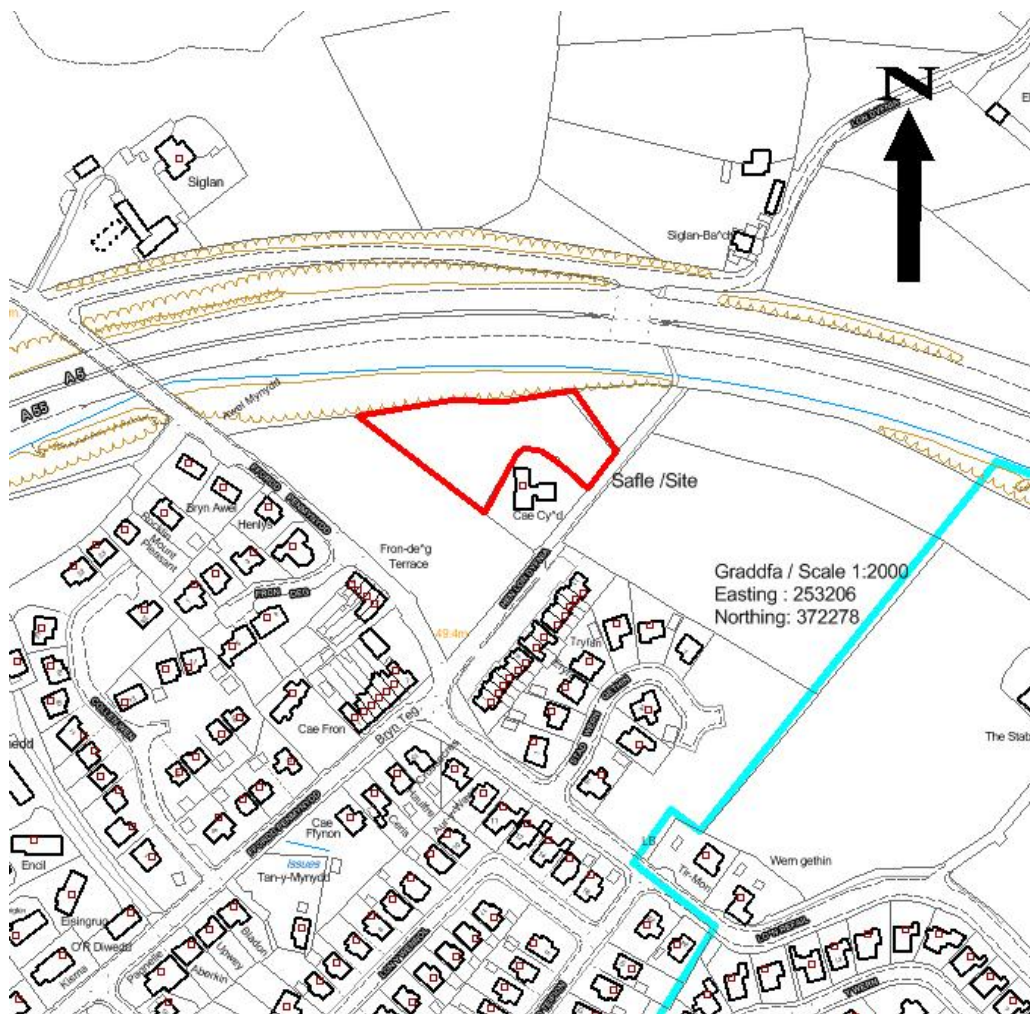
Rhif y Cais: 31C134E Application Number

Ymgeisydd Applicant

Roberts Construction Ltd

Cais llawn ar gyfer codi 5 annedd ynghyd a chreu mynedfa i gerbydau ar dir ger / Full application for the erection of 5 dwellings together with the construction of a vehicular access on land adjacent to

Cae Cyd, Llanfairpwll



Planning Committee: 02/07/2014

Report of Head of Planning Service (SCR)

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 Stopped Unitary Development Plan.

1. Proposal and Site

The site comprises of a small irregular parcel of rough grazing land close to the A55 expressway. The site partially surrounds an existing dwelling known as Cae Cyd and has a limited frontage onto Lon Dyfnia.

Access will be taken directly from Lon Dyfnia and thereafter onto Lon Penmynydd.

The application is a full application for the erection of 5 detached two storey dwellings together with the construction of a new vehicular access.

2. Key Issue(s)

The applications key issues are whether the proposal is acceptable in terms of policy, whether the design of the properties is acceptable and will the proposal have an adverse effect on the surrounding area or on the amenities of nearby residential properties or have an adverse effect on highway safety.

3. Main Policies

Ynys Mon Local Plan

Policy 1: General Policy

Policy 26: Car Parking

Policy 31: Landscape

Policy 42: Design

Policy 48; Housing Development Criteria

Policy 49: Defined Settlements

Policy 52: Exception Sites

Gwynedd Structure Plan

Policy A3: Housing

Policy D3: Environment

Policy D4: Environment

Policy FF12: Transport

Stopped Unitary Development Plan

Policy GP1: General Policy

Policy GP2: Design
Policy TR10: Parking Standards
Policy EN1: Landscape Character
Policy HP2: Housing Density
Policy HP3: Main and Secondary Centres.

Policy SG4: Foul Sewage Disposal
Policy SG6: Surface Water Run Off

Planning Policy Wales (6th Edition, February 2014)

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

Technical Advice Note 12: Design

4. Response to Consultation and Publicity

Local Member - J Evans – No response to date

Local Member – M Jones – No response to date

Local Member – A W Mummery – No response to date

Community Council – No response to date

Welsh Water – No response to date

Highways Authority – No response to date

Drainage – Requested further information

Environmental Health – No response to date

Response from members of the public

The application was afforded three means of publicity. These were by the posting of a notice near the site, the serving of personal notifications on the occupiers of the neighbouring properties and the publication of a notice in the local press. The latest date for the receipt of representations was the 12th June, 2014 and at the time of writing this report no representations has been received at the department.

5. Relevant Planning History

31C134 – Erection of a bungalow and garage on land Cae Cyd, Llanfairpwll – Withdrawn 27/11/90

31C134A – Erection of a bungalow on plot 1 off Lon Dyfnia, Penmynydd Road, Llanfairpwll – Refused 19/12/91

31C134B – Outline application for residential development at Cae Cyd, Llanfairpwll – Approved 06/09/07

31C134C – Full application for the erection of three bungalows together with the construction of a

vehicular and pedestrian access on land adjacent to Cae Cyd, Llanfairpwll – Approved 20/11/12

31C134D - Outline application with all matters reserved for the erection of 5 dwellings together with the construction of a new vehicular access on land adjacent to Cae Cyd, Llanfairpwll. Approved – 14/05/14

Site history of neighbouring land

31C170 – Outline application for residential development consisting of the erection of 24 houses for first time buyers on part of OS enc no 1426, Frondeg Terrace, Penmynydd Road, Llanfairpwll – non determination - Appeal Dismissed 01/11/94

31C170A – Outline application for residential development on OS enc cno 1426, Ffordd Penmynydd, Llanfairpwll – Approved 05/02/07 – Section 106 Agreement – 01/02/07 (30% Affordable Homes)

31C170B/DA – Detailed application for the erection of 11 dwellings to include 6, 3 bedrooms semi-detached dwellings, 4, 3 bedrooms dwellings with attached garage and one detached 4 bedroom dwelling together with the construction of a new access road, the construction of a vehicular access from Lôn Hen Dyfnia and the construction of a vehicular access from Lôn Penmynydd on OS enc no 1427, Ffordd Penmynydd, Llanfairpwll – Approved 09/02/10

31C170C – Erection of a dwelling together with the formation of a new pedestrian and vehicular access on part of OS enc no 1429, Ffordd Penmynydd, Llanfairpwll – Approved 30/11/10

6. Main Planning Considerations

Principle of Development – Llanfairpwll is identified as a Defined Settlement under Policy 49 of the Ynys Môn Local Plan and as a Secondary Centre under Policy HP3 of the stopped Unitary Development Plan. Policy 49 of the Ynys Môn Local Plan states that new houses will be granted on sites allocated for housing or on other sites within the Development Boundary. This is re-iterated in Policy HP3 of the stopped Unitary Development Plan.

The site lies outside the development boundary of the Ynys Môn Local Plan; however, it lies within the boundary of the stopped Unitary Development Plan.

Although the stopped Unitary Development Plan has not been fully adopted, due to the stage reached in its preparation it is a material consideration that can be given significant weight in dealing with current applications.

Due to the site being located within the stopped Unitary Development Plan boundary the proposal can be supported on policy grounds.

The principle of development has been established by the granting of the outline planning permission for 5 units under planning permission 31C134D and this application closely reflects the plans approved therein.

Design – The scale and design of the proposed dwellings are similar to those found in the settlement of Llanfairpwll. There is ample space within the site to accommodate the proposal without resulting in the overdevelopment of the site to the detriment of the existing properties or surrounding area.

Effect on neighbouring properties – The dwellings have been positioned and orientated carefully within the site in order to safeguard the amenities of the neighbouring properties.

The dwelling nearest to Cae Cyd is located approximately 4 metres away from the rear window of the living room serving an annexe. However this window is only one of three windows that provides light to the room. Although not fully compliant with the guidance contained within Supplementary Planning Guidance - Guidance Note 8: Proximity of Development, it is not considered in this instance that the proposal will harm the amenities currently enjoyed by the occupants of the dwelling as the two other windows look out to the garden area of Cae Cyd. At present there are high conifer trees located within the garden and run along the majority of the boundary of Cae Cyd with the application site and it is not considered that the erection of a dwelling on land immediately next to Cae Cyd will result in more over-shadowing than is currently experienced.

In addition, as part of the proposal a 1.8 metre high timber, hit and miss fence, is to be erected along the boundary of Cae Cyd and the proposed dwelling which will ensure that the amenities currently enjoyed by the occupants of the dwelling will not be detrimentally affected by the proposal.

The existing planting along the north western boundary of the site will be retained which will safeguard the amenities of the existing dwelling and those that have been granted permission under planning permission reference 31C170A, but are yet to be constructed.

Impact on surrounding area – The A55 expressway creates a clear physical and visual barrier between the settlement and the open countryside beyond. The proposal does not therefore give the impression of intruding into the open countryside and by reason of the sense of enclosure created by the A55 can be considered as a reasonable extension to the settlement. Existing screening within the site shall be retained and acoustic fencing is proposed along the boundary of the site with the adjoining A55 carriageway. There is a mixture of house types in the locality and the erection of five detached two storey units will not appear out of character with the surrounding area.

Highways – At the time of writing this report no response had been received from the Highway Authority. However it is noted that the proposed new access to the site is identical to the access that was approved under planning application reference 31C134B and that considered under application 31C134D and no objections were raised at that time.

7. Conclusion

Whilst the proposal is contrary to policy 53 of the Ynys Mon Local Plan and policy A6 of the Gwynedd Structure Plan, the proposal is acceptable under the provision of policy HP3 of the Stopped Unitary Development Plan.

There is ample space within the site to accommodate the proposal without resulting in the over-development of the site. The erection of five dwellings on the site will not detrimentally affect the amenities of the occupants of neighbouring properties, or have a detrimental impact on the surrounding area or on highway safety. The scale and design of the properties is similar to those found in the locality.

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 sample of the facing bricks proposed to be used in the construction of the dwellings shall be submitted to and approved in writing by the local planning authority before any development commences or as otherwise may be agreed in writing.

Reason: In the interests of visual amenity.

(03) 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.

(04) 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.

(05) 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.

(06) The development hereby permitted shall be carried out in strict conformity with the details shown on the submitted plans and contained in the form of application and in any other documents accompanying such application, unless conditions of this permission stipulate otherwise.

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