

7.1

Gweddill y Ceisiadau

Remainder Applications

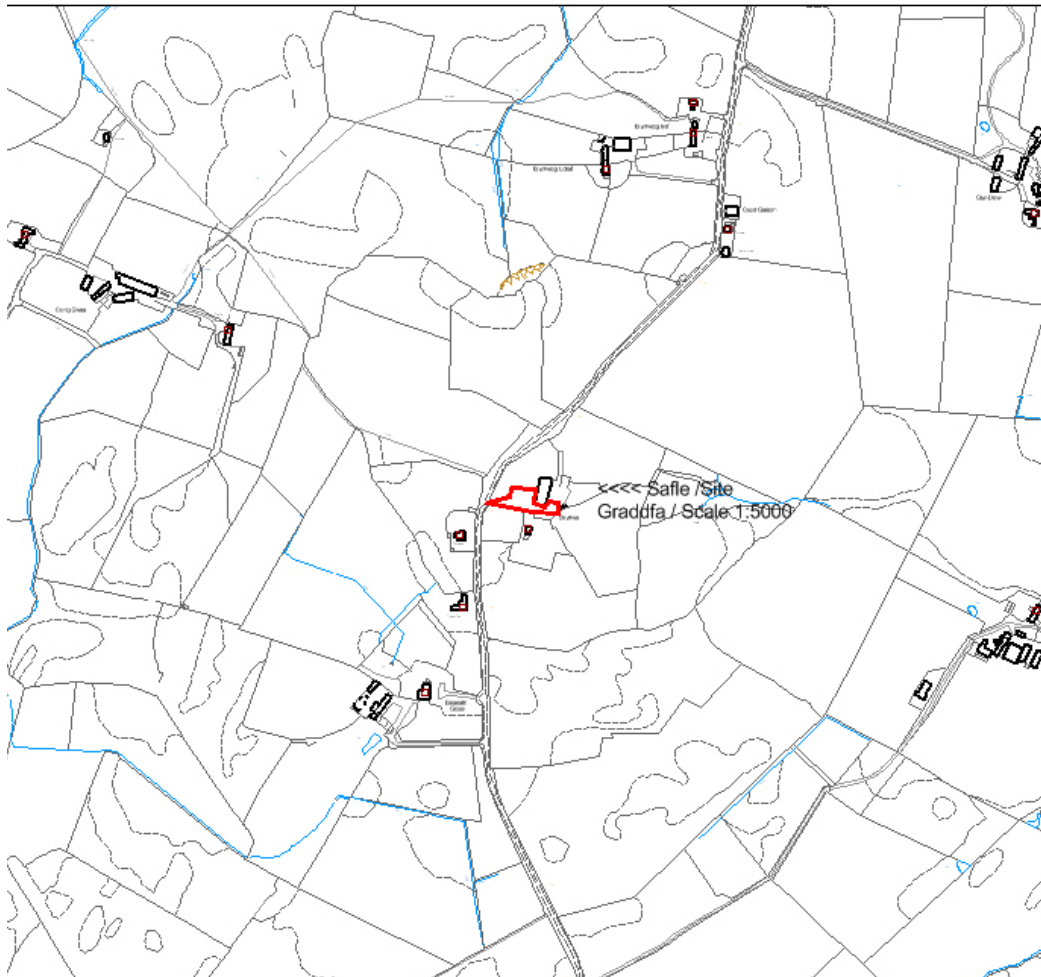
Rhif y Cais: **14C171H/ENF** Application Number

Ymgeisydd Applicant

**Mr & Mrs Peter Jones**

**Cais ôl-weithredol ar gyfer codi llety gwyliau newydd yn / Retrospective application for the erection of a new build holiday accommodation at**

**Stryttwn Farm, Ty'n Lon**



**Planning Committee: 02/03/2016**

**Report of Head of Planning Service (JBR)**

**Recommendation:**

Refuse.

**Reason for Reporting to Committee:**

At the request of the Local Member – Councillor Robert G Parry OBE.

At its meeting held on the 3<sup>rd</sup> February 2016 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

- The previous planning permission for the conversion of an existing stable into a residential dwelling of the same design and appearance is a significant material planning consideration which outweighs the policy objections outlined in the officer's report.
- The affect upon the environment would be no greater than would have been the case had the existing building been converted and extended as previously approved.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

**The previous planning permission for the conversion of an existing stable into a residential dwelling of the same design and appearance is a significant material planning consideration which outweighs the policy objections outlined in the officer's report.**

It is acknowledged and accepted that planning permission had previously been granted at the site; however that permission was granted on the basis that an existing building would be converted and extended. Development plan policies relating to conversions require that the building is structurally sound and capable of being converted without extensive rebuilding or extension tantamount to the erection of a new dwelling. Where this cannot be demonstrated, planning permission is not subsequently granted.

The application for the conversion of the stable was accompanied by a comprehensive structural survey the findings of which concluded that: *“The building requires only minor repairs and refurbishment to maintain long term viability. However the building is considered to be robustly constructed and is suitable for conversion into a single dwelling.”*

Planning permission was granted on the basis of the findings of the structural survey and in addition conditions were included on the permission that the development be carried out in accordance with those and other submitted details but also that any further structural alterations which may be required to be carried out to the building consequent upon the implementation of the permission, shall form the subject of an application which shall be submitted to and approved by the local planning authority before any work is commenced on such alterations.

It is therefore considered that the basis upon which the permission was granted was clear, furthermore conditions of the permission clearly set out what would be required in the event that there should be a change in the circumstances.

It was suggested by the applicant whom addressed the committee during the last meeting that upon commencing works on the building that it was not in fact structurally sound. Had this been identified in the structural survey, it is doubtful that permission would have been granted; in addition it raises questions as to the accuracy and integrity of the structural survey submitted with the application.

In addition and further to queries raised by members during the last meeting regarding the advice the applicant had received from officers, it can be confirmed that during initial inspections by a Building Control Officer that the applicant was in fact advised to contact the Planning Department to seek advice/permission for any variations to that which had been granted planning permission. It can be further confirmed that no such contact with the Planning Department was made. It is stressed that the onus to ensure that any necessary consents are in place for proposed works lies with the applicant.

Notwithstanding the above, and accepting the fact that permission had been granted on the site for the conversion of a building, that building no longer exists and therefore the policies and material planning considerations applicable to the current application for the retention and completion of the building for use as holiday accommodation are wholly different.

It is not therefore considered that the previous planning permission granted can be considered to be a material planning consideration of sufficient weight such that the policy objections to the current application can be disregarded. Although the final outcome will likely be visually identical to that which had been granted permission previously, there is a significant and material difference in planning terms in how this would be achieved.

**The affect upon the environment would be no greater than would have been the case had the existing building been converted and extended as previously approved.**

As stated in the report to the planning committee on the 3<sup>rd</sup> February 2016, it is acknowledged that the design and appearance of the proposed building would be visually identical to that which had previously been granted permission and that consequently there is no objection in terms of the design and appearance or impact of the proposal upon the environment.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and County Planning Act 1990 however, requires that planning decisions are made in accordance with the Development Plan unless material considerations indicate otherwise.

Analysis and assessment of the relevant development plan policies was provided in the committee

report dated 3rd February 2016 and it is confirmed that these, together with the local planning authority's objections thereto remain.

To summarise, the basis of the objection was that the proposal would lead to the creation of a new build holiday unit in an unsustainable location in the open countryside, unrelated to and far removed from any settlement or other facilities and amenities and would lead to users being reliant upon the use of private vehicles contrary to relevant local and national policies and guidance.

It is further considered that the granting of this permission would set a dangerous precedent which could lead to further applications for the rebuilding of outbuildings previously granted permission under conversion policies.

## **1. Conclusion**

It is not therefore considered that the reasons put forward are material planning considerations of such significance as to outweigh the policy objections, given the new build nature of the current application.

Furthermore it is considered that the granting of this permission would set a dangerous precedent which could lead to further applications for the rebuilding of outbuildings previously granted permission under conversion policies.

## **2. Recommendation**

To **refuse** the application for the reasons below:

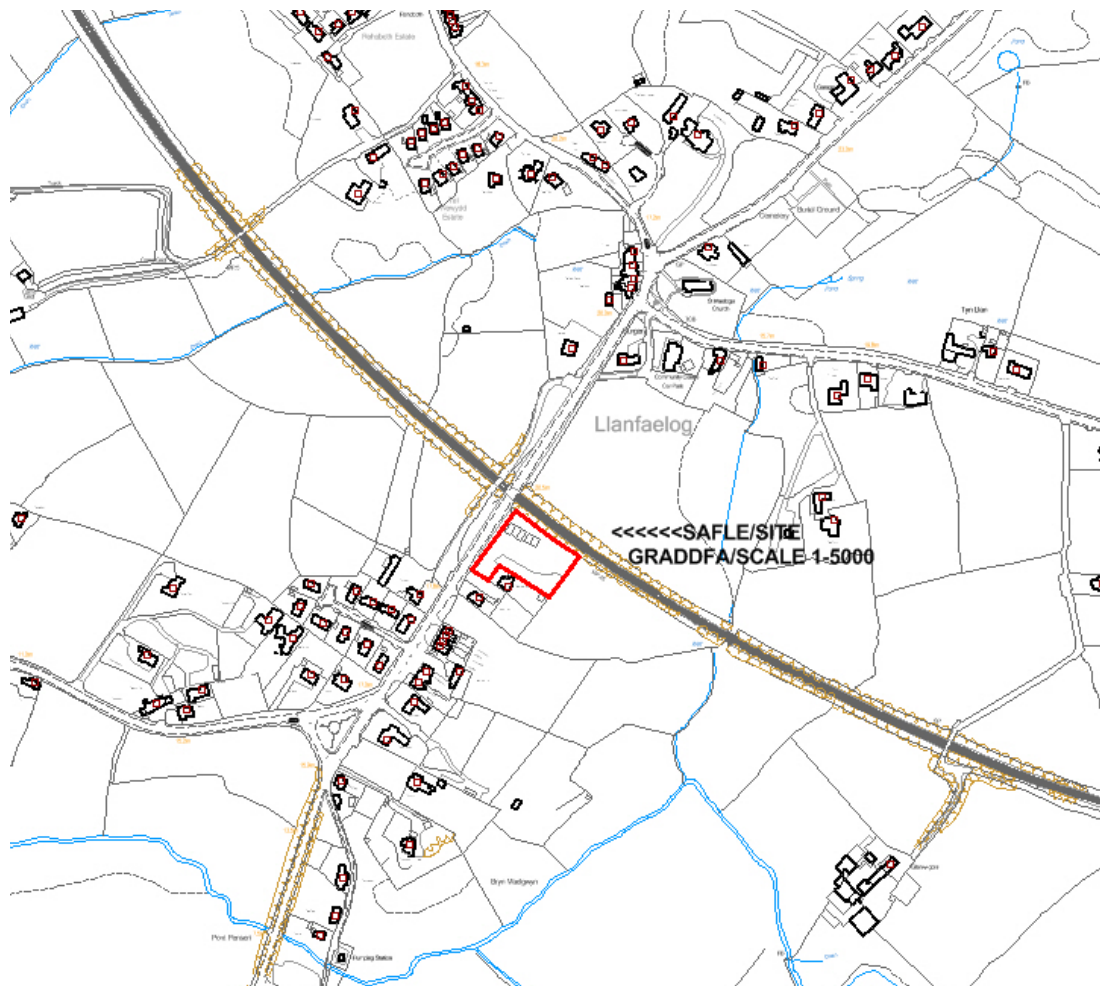
(01) The application site is located within a designated Special Landscape Area. The proposal would constitute the erection of a new holiday unit in the open countryside in an isolated rural location unrelated to and far removed from any settlement and/or other facilities and which is not justified as being part of an overall scheme which would add to tourism and recreation facilities in the area. This is contrary to policies 1, 8 and 31 of the Ynys Mon Local Plan, policies CH2 and D4 of the Gwynedd Structure Plan, policies GP1, TO2 and EN1 of the Stopped Unitary Development Plan, advice contained with Supplementary Planning Guidance: Holiday Accommodation and the sustainability principles and advice contained within Planning Policy Wales (Edition 8).

Rhif y Cais: **28C116U** Application Number

Ymgeisydd Applicant

Cais dan Adran 73A i ddiwygio cyn-amodau (05), (06), (11), (12), (13), (14), (15) ar penderfyniad apel cyfeirnod rhif APP\6805\A\07\2053627 er mwyn ganiatáu eu rhyddhau wedi i gwaith cychwyn ar y safle ynghyd a dileu amod (16) yn / Application under Section 73A to vary pre-conditions (05), (06), (11), (12), (13), (14), (15) on appeal decision reference no. APP\6805\A\07\2053627 so as to allow for their discharge following commencement of works on site together with the deletion of condition (16) at

**Ganolfan Arddio Maelog / Maelog Garden Centre, Llanfaelog**



**Planning Committee: 02/03/2016**

**Report of Head of Planning Service (JBR)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

At the request of the Local Member – Councillor Richard Dew.

At its meeting held on the 3<sup>rd</sup> February 2016 the Committee resolved to refuse the application contrary to officer recommendation. The recorded reasons being as follows:

- Consider that there is a demonstrable need for affordable housing in the locality and that the case put forward by the applicant does not outweigh this need.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

“Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution.”

Paragraph 4.6.12.2 requires that;

“The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised.”

This report will therefore give consideration to these matters;

**Consider that there is a demonstrable need for affordable housing in the locality and that the case put forward by the applicant does not outweigh this need.**

The local planning authority may support the deletion of affordable housing conditions where it can be demonstrated that a development requiring a provision of affordable housing is not viable.

A Viability Appraisal has been submitted as part of the application and the Council's Affordable Housing Advisor has been consulted as part of the application.

The Affordable Housing Advisor has confirmed that, based upon the information provided in the Viability Appraisal that it has been satisfactorily demonstrated that the development would not be viable if the requirement to provide 30% affordable housing remains.

The current state of the site in its partially completed condition has a very negative impact upon the area and it is considered highly likely that the development will not proceed if the requirement for 30% affordable housing remains, potentially resulting in the site remaining in its current state indefinitely.

The Local Planning Authority recognises and accepts the need for new housing developments to contribute to the provision of affordable housing, however in this particular case, it is not considered that retaining the affordable housing condition will in fact deliver the affordable housing since it has been demonstrated that the development is otherwise unviable.

It is therefore considered that, in this particular case, it has been demonstrated that the development is not viable and the deletion of the affordable housing condition will enable the development to proceed to completion and thereby eliminate the negative impact the current state of the site is having upon the area.

In assessing this application, regard has also been had to the fact that a significant contribution to the affordable housing needs of the area will be met by the completion in the next few months of 12 social rented homes in nearby Ty Croes. It is considered that this development will mitigate and offset the absence of affordable homes at the Maelog Garden Centre site.

The application is also seeking the variation of conditions 05, 06, 11, 12, 13, 14 and 15 of appeal decision reference APPL6805/A/07/2053627, although members resolved to refuse the application in its entirety, no reference has been made by members to this element of the application in their reasons for refusal, unless confirmed otherwise, it is therefore assumed that there is no objection in principle to the variation of these conditions.

## **1. Conclusion**

Having regard to all material facts and planning considerations it is considered that the variation of conditions 05, 06, 11, 12, 13, 14 and 15 is reasonable and acceptable.

It is further considered that it has been satisfactorily demonstrated that the development is not viable if the requirement to provide 30% affordable housing remains, consequently the deletion of the condition is considered acceptable and will enable the development to proceed to completion.

## **2. Recommendation**

To **permit** the application for the reasons below:

**(01) Within 3 months of the date of this permission samples of the roofing materials to be used in the development hereby approved shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance of the development

**(02) Within 3 months of the date of this permission samples or trade descriptions of the materials to be used on the external surfaces of the development hereby approved shall be submitted to and approved in writing with the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure a satisfactory appearance of the development

**(03) 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 their installation.**

Reason: In the interests of visual amenity.

**(04) The access shall be completed with a bitumen bound surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 metres back from the nearside edge of the A4080 before any dwelling is occupied.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(05) The access shall be constructed so that the gradient of the first 5 metres back from the nearside edge of the A4080 does not exceed 1 in 20.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(06) The estate road shall be kerbed and the carriageway and footways surfaced and lit before the last dwelling is occupied.**

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

**(07) Within 6 months of the date of this permission details of the measures to secure the future maintenance of the access and estate roads in accordance with details previously submitted to and approved in writing with the local planning authority.**

Reason: For the avoidance of doubt.

**(08) Within 3 months of the date of this permission a scheme for protecting the dwellings from noise shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied.**

Reason: In the interests of residential amenity

**(09) No further development shall take place until a scheme for the drainage of the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before any of the dwellings are occupied. The scheme to be submitted shall show foul drainage being connected to the public sewerage system.**

Reason: To ensure that the development is adequately drained.

**(10) Prior to the submission of the details required by Condition (09) above, an assessment shall be carried out into the potential for disposing of surface water by means of sustainable drainage systems (SuDS) in accordance with the principles set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment provided to the local planning authority. If the assessment demonstrates that there is potential for disposing of surface water by means of SuDS, the details submitted pursuant to Condition (09) above shall incorporate such provision. Where a SuDS scheme is to be implemented, the submitted details shall:**

- i) Provide information about the design storm period and intensity, the method employed to delay and control surface water discharged from the site and the measures to be taken to prevent pollution of the receiving groundwater and/or surface waters;**
- ii) Specify the responsibilities of each party for the implementation of the SuDS scheme,**



**together with a timetable for that implementation; and**  
**iii) Provided a management and maintenance plan for the lifetime of the development which 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 ensure that the development is adequately drained.

In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

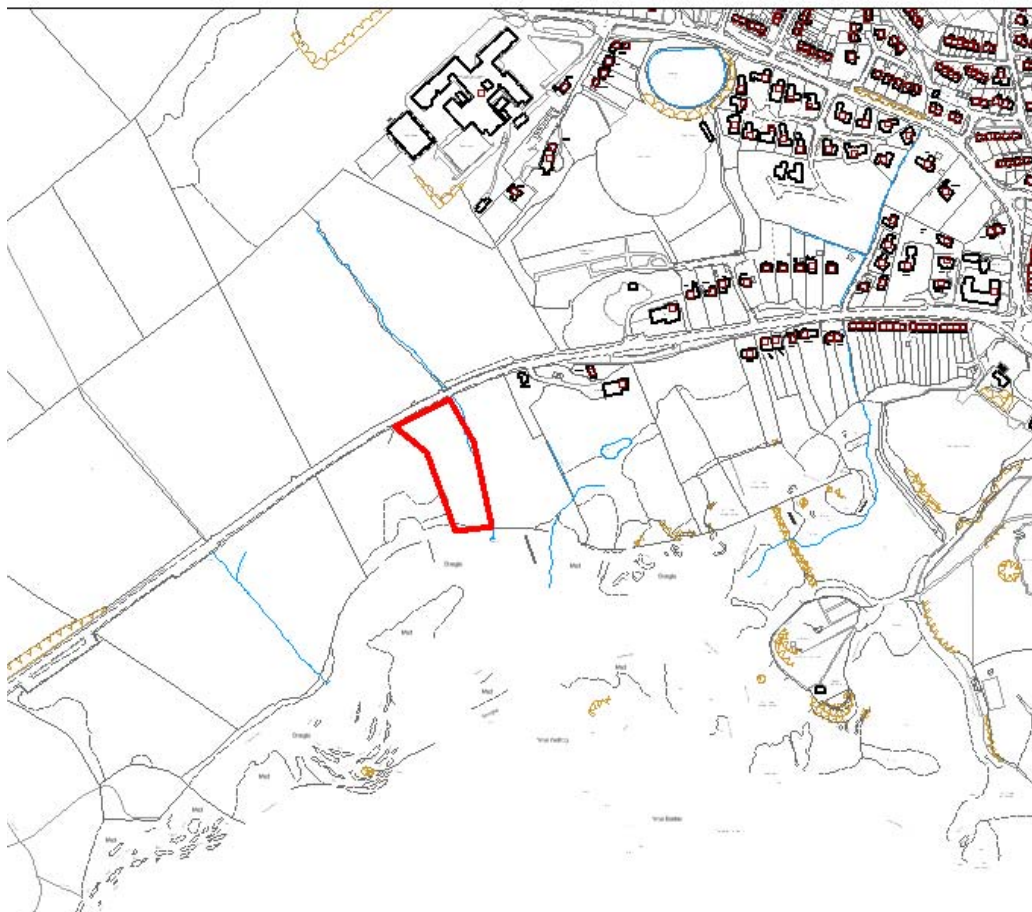
Rhif y Cais: **39C561/FR** Application Number

Ymgeisydd Applicant

**Mr George Ulrich**

**Cais llawn ar gyfer codi Canolfan Zorb ynghyd a chreu mynedfa i gerbydau a maes parcio ar dir yn / Full application for the erection of a Zorb Centre together with the construction of a vehicular access and car park on land at**

**The Lodge, Ffordd Caergybi / Holyhead Road, Porthaethwy / Menai Bridge**



## **Planning Committee: 02/03/2016**

### **Report of Head of Planning Service (GJ)**

#### **Recommendation:**

Permit

#### **Reason for Reporting to Committee:**

The application is presented to the Planning Committee on the request of the Vice Chairman and Local Member.

A site visit took place on the 17<sup>th</sup> February, 2016 and members are now aware of the site and its settings.

#### **1. Proposal and Site**

The application is a full application for the erection of a Zorb Centre together with the construction of a vehicular access and car park on land near The Lodge, Holyhead Road, Menai Bridge

The applicant seeks planning permission for works to facilitate the use of the land for a downhill zorbing centre. The activity involves rolling downhill inside a large transparent ball known as a zorb ball, having been harnessed inside. Planning permission is sought for the following works on the site to facilitate the used of the land for the zorbing facility:

- The erection of a reception cabin which consists of a container clad in timber. The roof will then cover the container and shelter with a grass roof.
- The formation of a 2 metre high bund to screen the main building
- The siting of the zorbing run and a catch cargo net to stop the zorbs
- Grass platform and timber stairs onto platform
- The erection of timber post and rail fence along the zorb run at a height of 1.2m
- Ecogrid facility for Car parking for 10 cars within the top end of the site
- Alterations to the existing access
- Installation of a treatment plant

The site is located within an Area of Outstanding Natural Beauty, within a sloping agricultural enclosure bordering the A5 at the edge of Menai Bridge and adjacent to the Menai Strait. The site is bordered on two sides by the Wales Coast Path linking Menai Bridge to Llanfairpwll.

#### **2. Key Issue(s)**

The key issue is whether the proposal complies with current policies, the effect on the Area of Outstanding Natural Beauty, the coast and whether the proposal will affect the amenities of surrounding properties.

#### **3. Main Policies**

##### **Ynys Mon Local Plan**

Policy 1 – General Policy

Policy 2 – New Jobs

Policy 5 – Design

Policy 17 - Recreation and Community Facilities  
Policy 14 – Recreation and Community Facilities  
Policy 26 – Car Parking  
Policy 30 – Area of Outstanding Natural Beauty  
Policy 36 – Development on the Coast  
Policy 42 – Design

#### **Gwynedd Structure Plan**

Policy B1 – Employment  
Policy B9 – Employment  
Policy CH1 – Tourism and Recreation  
Policy D1 - Environment  
Policy D4 – Location, Siting and Design  
Policy D5 – Environment  
Policy D9 - Environment  
Policy D29 - Design

#### **Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance  
Policy GP2 – Design  
Policy PO7 – Tourism  
Policy PO8a – Undeveloped Coast  
Policy EP4 – Other Employment Opportunities  
Policy TR10 – Parking Standards  
Policy TO1 – New Attractions and Extensions to Existing Attractions  
Policy TO11 – Sports + Leisure Facilities  
Policy EN2 – Areas of Outstanding Natural Beauty  
Policy EN8 – Development on the Coast

#### **4. Response to Consultation and Publicity**

**Llanfairpwll Community Council** – Concern on the effect on the Area of Outstanding Natural Beauty and the Coast.

**Menai Bridge Town Council** – Concerns on the effect on the Area of Outstanding Natural Beauty. Located in a sensitive location. Highway Concerns. Visual impact on the Coastal path

**Local Member (Cllr Meirion Jones)** – Call in request - Requested that the application is presented to the Planning + Orders Committee for consideration

**Local Member (Cllr Jim Evans)** – Concerns raised

**Local Member (Cllr Alun Mummery)** – No response at the time of writing the report.

**Drainage Section** – Standard Comments

**Welsh Water** – Conditional Approval recommended

**Natural Resources Wales** – No objection

**Environmental Health Section** – Standard Comments

**Economic Development** – Supports the application as it will add to the wider tourism offered on Anglesey

**North Wales Police** – Standard Comments

## **Highways Department – Conditional Approval**

**National Trust** – Concerns raised on landscape and visual impact and the effect on archaeology, ecology and cultural heritage

## **Coastal Path Officer – Comments on routing of path**

The proposal was advertised through the posting of a notice near the site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The application was also advertised in the local newspaper as the development is close to a public footpath. The latest date for the receipt of representations was the 10<sup>th</sup> February, 2016. At the time of writing the report 117 letters had been received objecting to the proposal and 28 letters had been received supporting the application.

The main reasons for objection as follows:-

- Impact on AONB and SSSI
- Increase in traffic and Road Safety
- The development would set a precedent for further development on the site
- Impact on Coastal Path
- The jobs and tourism created by the development would not be a sufficient increase in tourist money
- Impact of the development on ecological grounds and disturbance of wildlife on nearby land
- This is not the correct place
- Visual Impact
- Noise Pollution
- Effect from the Coast
- Flooding issues
- In the setting of Listed Buildings in the area

The main reasons for support as follows:-

- Economic benefits
- Minimally Intrusive
- The development will not damage tourism
- Will add tourism to the area
- Low impact
- Job creation

In response to the objections raised:-

- The Built Environment and Landscape Section has provided their comments and have confirmed that the proposal is acceptable with appropriate worded conditions.
- The Highways Department has confirmed that they are satisfied with the access arrangements with appropriate worded conditions
- The Biodiversity Officer and Natural Resources Wales have been consulted on the application and they do not object to the application on grounds of impact on ecology
- Natural Resources Wales have not objected to the proposal on grounds of Flood risk.
- The site is within the setting of other Listed Buildings, however the Built Environment section have not expressed concern that this development would have a negative impact on the setting of these Listed Buildings.
- The application has been presented on this particular site and we must therefore determine the application on this basis.

## **5. Relevant Planning History**

No relevant site history.

## **6. Main Planning Considerations**

### **Site**

The application is located outside the development boundary of Menai Bridge, located in an Area of Outstanding Natural Beauty, within a sloping agricultural enclosure bordering the A5 at the edge of Menai Bridge and adjacent to the Menai Strait. The site is bordered on two sides by the Wales Coast Path linking Menai Bridge to Llanfairpwll.

### **Proposal**

#### **Zorbing Run**

The Zorbing run measures approximately 195 metres in length and a 12 metres wide grassed corridor for the zorb ball to run down. A 1.2 metre high wooden post and rail fence will run down the slope. The existing hillside contours provide a drop of some 13 metres over the length of the zorbing run, which is suitable for zorbing without any alterations to the existing contours.

#### **Reception cabin**

The reception cabin is to be sited on the top end of the site. It will measure 12 metres long x 7.4 metres wide and 5.6 metres high at its highest point. It is to be clad in timber hit and miss boarding and covered with a grass roof.

#### **Launch Platform**

This comprises a grass launch platform with timber stairs leading to the platform.

#### **The Catch Zone**

This is located at the base of the zorbing run, It consists of a cargo net which will be 3.2m high.

#### **Bunding**

A 2 metre high earth bund will be constructed in front of the reception cabin in order to screen the cabin from the coast.

It is intended to operate the zorbing facility from April to October during hours of daylight. There are no requirements for floodlighting as zorbing is carried out within daylight hours.

The existing access will be altered and will comply with the visibility splay requirements of 2.4 metres x 120 metres in both directions. Car parking facilities for up to 10 cars will be provided and an eco-grid system will be used which will allow grass to grow through the grid sections without the need for earthworks which can be easily removed without any impact on the landscape.

#### **Highway Considerations**

Alterations will be carried out to the existing access and there will be parking facilities for 10 cars. The Highways Department has confirmed that they are satisfied with the development with appropriate worded conditions.

## Policy Considerations

### Ynys Mon Local Plan and Stopped Unitary Development Plan Policies

Policy 1 of the YMLP gives general policy guidance and outlines the material planning considerations to be taken into account in deliberations on planning applications. Similar guidance is given in general Policy GP1 of the Stopped UDP.

Policy 2 of the YMLP states that the council will support job creating projects within or on the edge of existing recognised settlements where they are of a scale and type compatible with the surrounding area, and accord with other policies of this plan. Similar guidance is given in Policy PO1 of the Stopped UDP.

Policy 30 of the YMLP states that the council will give priority to the protection and enhancement of the landscape when considering planning applications. This approach is reiterated in Policy EN2 of the Stopped UDP.

Policy 17 of the YMLP provides policy guidance on 'recreational and community facilities' and states that such schemes will be permitted where they:

- Increase the quality and range of facilities for local residents and visitors.
- Relieve pressure on more environmentally sensitive areas
- Increase public access to open areas which have recreational value

Policy T011 of the Stopped UDP states that 'Other new proposals for sports and leisure facilities, and the improvement and redevelopment of existing leisure centres and sports facilities, will be permitted in order to meet the leisure needs of residents and visitors provided the proposal does not cause significant harm to residential and visual amenity. Policy TO1 of the Stopped UDP states that 'Proposals to further develop existing or create new, tourist attractions will be permitted providing they do not cause significant harm to the environment'. Both these policies emphasise the need not to cause significant harm to visual amenities and the environment and should be important considerations in assessing whether the proposed development is acceptable in planning terms.

Planning Policy Wales (Edition 8 January, 2015)

Paragraph 7.1.1 (Economic Development) states:-

7.1.1 For planning purposes the Welsh Government defines economic development as development of land and buildings for activities that generate wealth, jobs and incomes. Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. The construction and energy sectors are also important to the economy and are sensitive to planning policies.

7.2.2 Local planning authorities are required to ensure that the economic benefits associated with a proposed development are understood and that these are given equal consideration with social and environmental issues in the decision-making process, and should recognise that there will be occasions when the economic benefits will outweigh social and environmental considerations.

Paragraph 11.1.4 (Tourism, Sports and Recreation) states:-

Tourism involves a wide range of activities, facilities and types of development throughout Wales. The planning system should encourage sustainable tourism in ways which enable it to contribute to

economic development, conservation, rural diversification, urban regeneration and social inclusion, recognising the needs of visitors and those of local communities. In addition to supporting the continued success of existing tourist areas, appropriate tourist-related commercial development in new destinations, including existing urban and industrial heritage areas, should be encouraged.

Paragraph 11.1.6 states:-

Much of the existing provision of facilities and accommodation for tourism occurs in urban locations, including historic and coastal towns. In some places there may be a need to limit new development to avoid damage to the environment (for example in undeveloped coastal areas), or to the amenity of residents and visitors. In others there will be scope to develop well-designed tourist facilities so as to help bring about regeneration, particularly of former industrial areas.

Paragraph 1.1.7 states:-

In rural areas, tourism-related development is an essential element in providing for a healthy, diverse, local and national economy. It can contribute to the provision and maintenance of facilities for local communities. Here too development should be sympathetic in nature and scale to the local environment and to the needs of visitors and the local community.

Paragraphs 5.3.5, 5.3.6 and 5.5.5 of the Planning Policy Wales 'Edition 8' January 2016 state that the primary objective in designating AONB's is the conservation and enhancement of their natural beauty. AONB's must be afforded the highest status of protection from inappropriate developments and great weight given to conserving and enhancing the natural beauty of the areas. Statutory designation does not necessarily prohibit development, but proposals for development must be carefully assessed for their effect on those natural heritage interests which the designation is intended to protect.

TAN 23 – Economic Development states

Technical Advice Note 23 provides advice on Economic Developments and giving weight to Economic Developments.

Paragraph 3.1.1 states:-

A wide range of economic activities may be sustainably accommodated in rural areas, and this is recognised in PPW and other TANs, in particular TAN 6 Planning for Sustainable Rural Communities. Broadband and other forms of technology infrastructure are particularly important to help support rural economies. TAN 6 also defines 'rural enterprise' for the purpose of determining rural enterprise dwellings, and amongst other things includes agriculture, forestry, tourism and leisure in that definition.

Paragraph 3.1.2 states:-

Sustainable development is essential to building strong rural economies and vibrant communities. In rural areas local planning authorities should use a sequential approach when identifying land for economic uses in development plans, and this approach is considered in more detail earlier in this TAN (sec 1.2.7). Less preferable locations may also be appropriate where the resulting benefits outweigh any adverse impacts of the development. In judging these benefits, authorities should have regard to the considerations set out previously in this TAN (sec 2.1.5) i.e. jobs accommodated, alternatives, and special merit.

The jobs created from this development will be 6 full time and 4 part time.



## **Visual Effects**

The site is within an Area of Outstanding Natural Beauty, in a sensitive area located adjacent to the Menai Straits.

Images in the supporting document indicate the site location in relation to views from both bridges and the two viewpoints along the A5. A combination of distance, intervening vegetation means that the effects from these 4 locations (in excess of 300 metres of the site), all regarded as High sensitivity would be Moderate/Slight and not significant. The site is visible from a short section of the footpath (400m distant) that circumnavigates Church Island. All the site is visible from here but only the major elements are likely to be highly visible with potential for substantial effects.

Within 250 metres, the site location is visible from the A5 and roadside footpath, with the boundary wall interrupting some vehicular views.

The site is visible from the Wales Coast Path at distances under 100 metres. Views are primarily out to the Straits and the bridges. Effects on view from a short section of the Coast Path in both directions are likely to be substantial. Their potential significance would be mitigated by the appearance of the development.

## **Landscape Effect**

The development occupies a relatively small area of land and the area of potential effects limited to 500 metres. The Area of Outstanding Natural Beauty is the primary receptor and a medium magnitude of landscape change would result in Moderate effects.

While the AONB is a landscape designation, its primary aim being to conserve and enhance natural beauty, the potential for adverse effects related to its visual quality, tranquillity, access and are highlighted above. The proposal should not have adverse effects on the access to the Wales Coast Path and effects on tranquillity would be restricted to the site.

## **Area of Outstanding Natural Beauty**

The application site is located within an Area of Outstanding Natural Beauty under the provisions of Policy 30 of the Ynys Mon Local Plan and D1 of the Gwynedd Structure Plan and Policies EN1 and EN2 of the Stopped Ynys Mon Unitary Development Plan.

Whilst acknowledging that in this instance a finely balanced judgement is required. It is also acknowledged that the proposal cannot be described as 'conserving or enhancing' the AONB in a visual sense, however the 'economic/tourism' benefits' carry significant weight. It is considered that the proposed application has been well integrated into the landscape and the effects on the landscape would be moderate. All buildings and structures are temporary which can be easily removed from the site and the long term impacts mitigated by a temporary 2 year permission which allows a re-assessment of the site to be made at a future date.

## **Effect on the amenities of adjacent residential properties**

The nearest property is approximately 75 metres away from the application site. It is not considered that the application will have a negative impact on the amenities of adjoining residential properties due to these distances.

## 7. Conclusion

Following considerations of the above it is considered that the development is acceptable in principle. The land is located in the open countryside which has not been identified for any particular use. The development would only be given a temporary permission for approximately 2 years so that we may monitor possible impacts on the environment/traffic generation etc.

It is considered that the development conforms with local and national policies.

## 8. Recommendation

### Permit

**(01) Permission is granted solely for the works proposed in the application to facilitate the use of the land as a zorbing facility and not for any other development on or use of the land**

Reason: To restrict the land to the use applied for and to safeguard the character and amenity of the area.

**(02) The consent is hereby given for a period of 2 years beginning with the date of this consent.**

**The building/works hereby approved shall be removed from the land by the 06/04/2018 and the land reinstated to its former condition by the 06/06/2018.**

Reason: For the avoidance of doubt.

**(03) The site shall only be used between the 1<sup>st</sup> April until 30<sup>th</sup> October between the hours of 9.00am – 8.00pm.**

Reason: For the avoidance of doubt.

**(04) The access shall be laid out and constructed strictly in accordance with the submitted 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 in the interests of road safety.

**(05) 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: To comply with the requirements of the Highway Authority in the interests of road safety.

**(06) The access shall be constructed with 2.4 metre by 120 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.**

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

**(07) 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 metres 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 in the interests of road safety.

**(08) 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 in the interests of road safety.

**(09) 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 in the interests of road safety.

**(10) The cargo net shall be removed from the site at the end of each day.**

Reason: In the interest of visual amenity

**(11) The proposed development site is crossed by a public rising main with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 5 metres either side of the centreline of the public sewer.**

Reason: To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

**(12) No mechanical apparatus or any form of noise generating vehicle shall be used to manouver the zorb balls.**

Reason: To protect the tranquillity of the area

**(13) The development permitted by this consent shall be carried out strictly in accordance with the plans submitted under planning application reference 39C561/FR.**

Reason: For the avoidance of doubt.

In addition the Head of Service be authorised to add to, remove or amend any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

## **9. Other Relevant Policies**

Technical Advice Note 12 – Design

Technical Advice Note 15 – Development and Flood Risk

Technical Advice Note 23 – Economic Development

SPG – Urban and Rural Environment

Planning Policy Wales 8<sup>th</sup> Edition