

Planning Committee: 02/03/2016

Report of Head of Planning Service (DFJ)

Recommendation:

Members are requested to note the content of the report.

Background:

Section 3.5.3.14 of the Council's Constitution sets out those functions delegated to the Head of Service (Planning and Public Protection). Paragraph 3.5.14.5 of this section lists these exceptions and sub section (vi) states that;

'(vi) applications including Lawful Development Certificate applications submitted by serving Members of the Council or Officer of the Council who may be seen to be involved in processing and / or determination of planning applications (i.e. staff employed in the Planning Service, Chief Executive, Deputy Chief Executive, Senior Leadership Team, Heads of Service and other Officers who regularly have an input into the planning system – e.g. highways and drainage, legal, environmental health, housing officers, economic development or their close relatives (defined as spouses / partners, parents, children, brothers and sisters)(or a close friend of a serving councillor or such officer)).'

It then goes on to clarify that;

'This provision of this paragraph shall not apply to such applications as are deemed to be departure applications. Those departure applications may be refused by Officers under delegated powers and then subject to a full written report to the next meeting of the Committee so as to ensure the transparency and accountability of the decision taken. Where officers wish to approve such a departure application then that approval must be granted by the Committee'

The application the subject of this report is an outline application for the erection of two dwellings on land adjoining Parciau, Llanddaniel has been deemed by officers to be a departure application. The notice of decision was issued under delegated powers on the 1st February 2016. In accordance with the above requirement relevant extracts from the officers delegated report is reproduced below:

Applications Main Planning Issues:

The main issues in this case are whether the proposed development is justified in its rural location, and the effect of the proposal on the character and appearance of the area, with particular reference to its designation as a Special Landscape Area (SLA) and policies designed to control the provision of housing and protect the open character of the countryside.

The application site consists of part of an agricultural field that lies approximately 500m outside the settlement boundary of Llanddaniel Fab, in open countryside adjacent to a two storey dwelling at Parciau. It lies alongside an unclassified road that heads north east from the village of Llanddaniel towards Star crossroads and the A55. There is sporadic development of single dwellings and small groups of houses along the length of this road which given its distance from the settlement is considered to lie in open countryside.

Policy 53 of the Ynys Mon Local Plan (LP) and Policy HP6 of the stopped Ynys Mon Unitary Development Plan (UDP) says that new dwellings will only be permitted in open countryside subject to a number of exclusions, none of which apply in this case as no evidence has been submitted to

demonstrate that the proposal is justified in connection with a rural enterprise. For this reasons, the proposed development would effectively equate to dwellings in the countryside which do not seek justification under the terms of the listed exclusions.

The development plan and the stopped Ynys Mon Unitary Development Plan do allow for residential development within listed village boundaries and identified settlements but for the reasons explained above this is not considered to be the case here.

The proposed site is elevated and prominent in the landscape and as an undeveloped field enclosure has an affinity to the surrounding agricultural land. The construction of two dwellings at this site would have an urbanising effect that would erode this character undermining its rurality. This would significantly harm character of the area by extending ribbon development in a rural setting, disrupting the open character thereby causing material harm to the surrounding landscape. For these reasons it is considered that the development would represent an undesirable incursion into the open countryside and Special Landscape Area (SLA).

Overall the proposal would result in sporadic development in an area of open countryside. The proposed dwellings would be in a prominent position, widely visible from surrounding countryside and would be out of character with the countryside of which it is a part.

Furthermore, it is also considered that the proposal would establish a precedent for, incremental, ribbon development along the unclassified road leading from Llanddaniel Fab to Star.

New houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled and require special justification. Matters raised by the applicant such as those contained within the Planning and Highway Statements (including the applicability of Policy 50, 5 year housing supply, the provisions within PPW and the 'fall-back' position) have been taken into account but are not considered to override the harm identified.

Based on the foregoing analysis, it is concluded that the proposed development would represent unjustified dwellings in a countryside location that would cause material harm to the character and appearance of the surrounding area, including the designated SLA. As such the development would be in conflict with Policy A6 of the Gwynedd Structure Plan, Policy 53 of the LP and Policy HP6 of the stopped UDP, which all relate to proposals for new dwellings in a countryside location. Moreover, it would be contrary to Policy D3 and 29 of the SP, Policies 1 and 31 of the LP and EN1 of the stopped UDP which relate to landscape character, and Policy GP1 of the stopped UDP which aims to safeguard and enhance the integrity and/ or continuity of the environment.

8. Recommendation

Refusal

(01) The Local Planning Authority consider that the proposal would amount to the erection of new dwellings in the countryside for which no long term need is known to exist for the purposes of a rural enterprise; the development would therefore be contrary to the approved Policy A6 of the Gwynedd Structure Plan, Policy 53 of the Ynys Mon Local Plan, Policy HP6 of the Unitary Development Plan (Stopped 2005) and advice contained within Planning Policy Wales.

(02) The proposal would constitute development unrelated to any settlement boundary or village nucleus which would result in an intrusive incongruous feature to the detriment of the character and amenities of the area which is designated a Special landscape Area. This would be contrary to the

provisions of Policies 1 and 31 of the Ynys Mon Local Plan, D3 and D29 of the Gwynedd Structure Plan and Policies GP1 and EN1 of the Unitary Development Plan (Stopped 2005).