

7.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **14C47R/ENF** Application Number

Ymgeisydd Applicant

**Mr Richard Burns**

**Cais ôl-weithredol ar gyfer codi porth car yn / Retrospective application for the erection of a carport at**

**19 Cae Bach Aur, Bodffordd**



**Planning Committee: 06/06/2018**

**Report of Head of Regulation and Economic Development Service (JBR)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

At the request of the Local Member – Councillor Dylan Rees.

At its meeting held on the 2<sup>nd</sup> May 2018 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

- The development is contrary to Policy PCYFF3 of the Ynys Mon & Gwynedd Joint Local Development Plan by virtue of its design, appearance and impact upon the character and amenities of the area.

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 development is contrary to Policy PCYFF3 of the Ynys Mon & Gwynedd Joint Local Development Plan by virtue of its design, appearance and impact upon the character and amenities of the area.**

The application is submitted retrospectively for the erection of a car port on the front of the property.

Policy PCYFF 3 of the JLDP which relates to Design and Place Shaping requires that developments demonstrate a high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places.

Developments are required to conform with the listed criteria where relevant and which include that development complement and enhance the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment.

The car port is constructed primarily of timber with brick built pillars on one side and roofed with box profile sheets and is considered to be of a high standard in terms of design and build quality.

It is therefore considered to be acceptable in terms of its design in accordance with policy PCYFF3. Therefore, the main issue in this case is whether or not the development is acceptable by virtue of

the fact that it is located on the front of the property in terms of its visual impact upon the character, appearance and amenities of the area.

By virtue of the fact that the property is located on a cul-de-sac, the visual impact of the development is therefore limited to its immediate vicinity with little impact upon the character and visual amenities of the wider area.

Whilst it may not be considered that the development either complements or enhances the character and appearance of the site, it would be necessary to demonstrate that the development gives rise to a significant detrimental impact upon the area such that refusal of the application could be justified.

On balance, it is not considered that the development, having limited visual impact has an impact of such detriment that refusal of the application could be warranted.

### **1. Conclusion**

The development is considered to be acceptable and it is not considered that the development gives rise to a significant detrimental impact upon the character and amenities of the area or nearby residential occupiers.

### **2. Recommendation**

#### **Permit**

**(01) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 14C47R/ENF and listed below:**

<b>Drawing number</b>	<b>Date Received</b>	<b>Plan Description</b>
	<b>10/01/2018</b>	<b>Location Plan (1:2500)</b>
	<b>10/01/2018</b>	<b>Location Plan (1:1250)</b>
	<b>10/01/2018</b>	<b>10 x various photographs denoting dimensions</b>

Reason: For the avoidance of doubt.

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.

### **3. Other Matters**

At the meeting of the 2<sup>nd</sup> May, Members also queried an existing garage on the site. Analysis of the planning history reveals that planning permission had been granted for the retention of a timber building in this location in 2010.

In 2012, an application was submitted for its replacement with the building which currently exists on the site, the application was however returned undetermined as information required to validate the application had not been received.

The existing garage does not therefore benefit from planning permission and consequently the owner has therefore been duly advised to make a retrospective application for the garage or alternatively an application for Lawful Development Certificate if it can be proven that the development was carried out 4 or more years ago such that it would now be immune for enforcement action in any event.

7.2

Gweddill y Ceisiadau

Remainder Applications

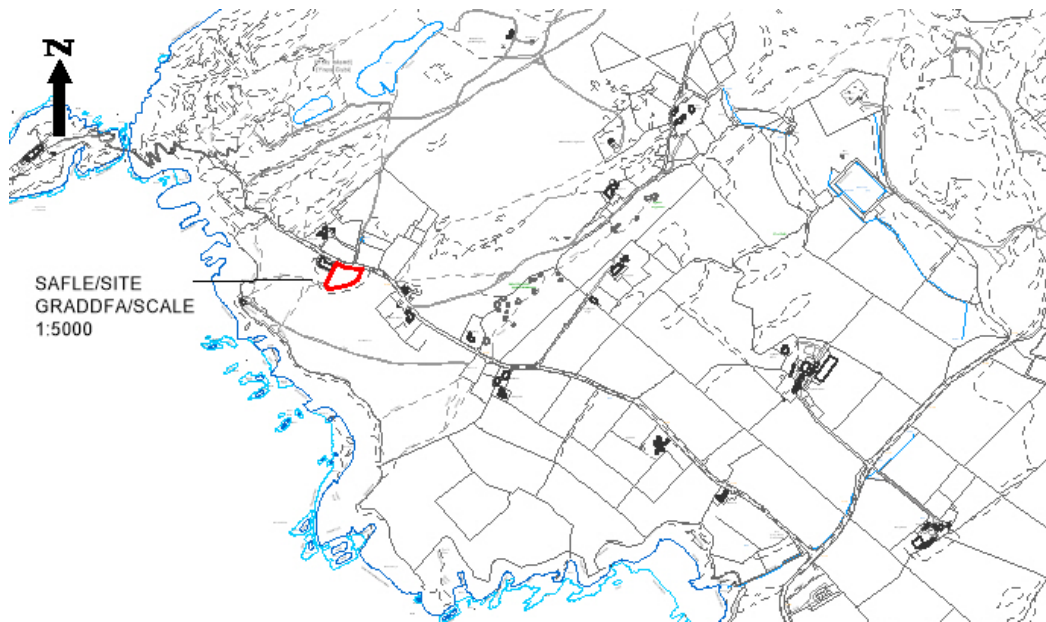
Rhif y Cais: **46C88K/AD** Application Number

Ymgeisydd Applicant

**Ms Tove Hubbard**

**Cais i leoli dau arwydd heb eu goleuo ynghyd a gosod dau fesurydd parcio yn / Application for the siting of two non-illuminated signs together with the installation of two car parking meters at**

**Canolfan Ymwelwyr RSPB Visitor Centre, Ffordd South Stack Road, Caergybi/Holyhead**



**Planning Committee: 06/06/2018**

**Report of Head of Regulation and Economic Development Service (GJ)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application has been called into the planning committee by two local members, Cllr Trefor Lloyd Hughes and Cllr Dafydd Rhys Thomas due to concerns that motorists will park on the highway and that there is no pedestrian walkway available on the road.

At its meeting held on the 2nd May, 2018 the planning committee resolved to refuse the planning application contrary to officers' recommendation.

The reasons given for recommending refusal of the planning application was as follows:

- The application is unacceptable due to the negative effects of traffic parking on the road which has no footway and which could lead to health and safety issues.
- The negative impacts of preventing a number of visitors from enjoying this special area free of charge

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;

1. The application entails installation of a parking meter and erection of associated signage. The principle of charging for parking and the amount charged are not planning considerations. Concern is expressed that allowing the development will lead to unacceptable traffic and highway safety impacts. It is clear however that the area is frequently congested already. The Highway Authority does not object to the application. There are other means of managing traffic on the highway.
2. The erection of signage and the installation of a parking meter, which is the development under consideration, will have no impact on visitor choice. The principle of charging for parking is not a planning consideration and whilst the members are concerned that prohibitive charges will reduce visitor choice in terms of affordability to visit the area, that in itself is not a planning matter carrying significant weight.

It has been shown above that the reasons for refusal given my members are not clear cut and cannot be weighted to such an extent that a refusal of this application could be soundly defended at an appeal.

## 1. 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: For the avoidance of doubt

**(02) The sign shall not be illuminated by intermittent or flashing lights.**

Reason: In the interest of amenity and highway safety.

**(03) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) and document(s) submitted below:**

Date Received	Plan Description	Plan Reference
20/2/18	Location Plan	A-03-03 Rev 01
20/2/18	Main car park meter locations	A-03-05 Rev 01
15/1/18	Proposed Car Park Charge fees and info	A-03-09
15/1/18	Main Visitor Centre Topo Survey	A-03-01
	Sprite Parking Meter Drawing	A-03-08

**under planning application reference 46C88K/AD.**

Reason: For the avoidance of doubt.

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.

7.3

Gweddill y Ceisiadau

Remainder Applications

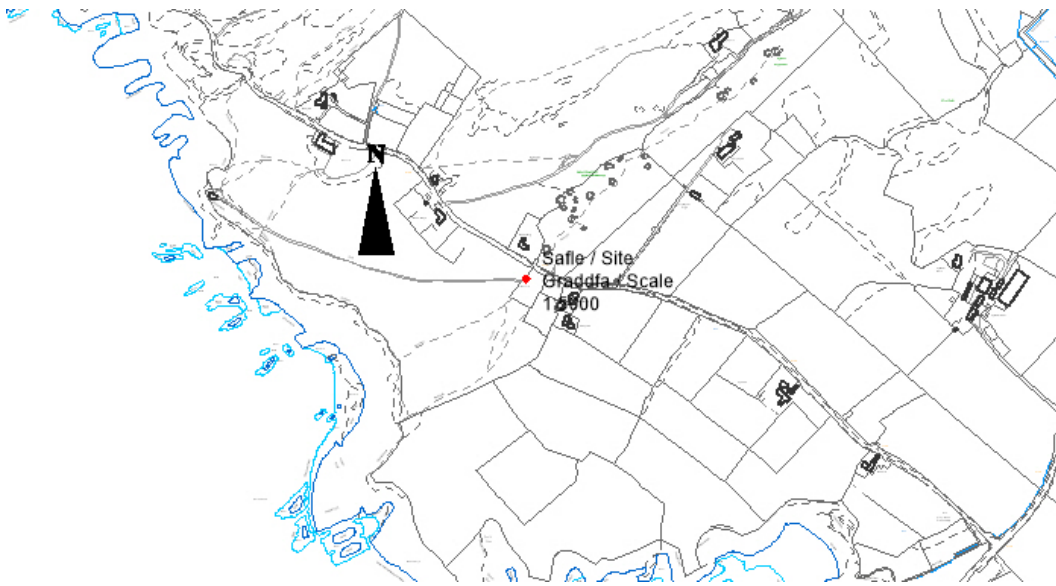
Rhif y Cais: **46C612A/AD** Application Number

Ymgeisydd Applicant

**Mr Samuel Yates**

**Cais i leoli arwydd heb ei oleuo ynghyd â gosod mesurydd parcio ym maes parcio /  
Application for the siting of a non-illuminated sign together with the installation of a car  
parking meter at cark park**

**Ellin's Tower, Ynys Lawd/South Stack**



**Planning Committee: 06/06/2018**

**Report of Head of Regulation and Economic Development Service (OWH)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application has been called into the planning committee by a local member Cllr Trefor Lloyd Hughes due to concerns that motorists will park on the highway and that there is no pedestrian walkway available on the road.

At its meeting held on the 2nd May, 2018 the planning committee resolved to refuse the planning application contrary to officers' recommendation.

The reasons given for recommending refusal of the planning application was as follows:

- The application is unacceptable due to the negative effects of traffic parking on the road which has no footway and which could lead to health and safety issues.
- The negative impacts of preventing a number of visitors from enjoying this special area free of charge

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;

1. The application entails installation of a parking meter and erection of associated signage. The principle of charging for parking and the amount charged are not planning considerations. Concern is expressed that allowing the development will lead to unacceptable traffic and highway safety impacts. It is clear however that the area is frequently congested already. The Highway Authority does not object to the application. There are other means of managing traffic on the highway.
2. The erection of signage and the installation of a parking meter, which is the development under consideration, will have no impact on visitor choice. The principle of charging for parking is not a planning consideration and whilst the members are concerned that prohibitive charges will reduce visitor choice in terms of affordability to visit the area, that in itself is not a planning matter carrying significant weight.



It has been shown above that the reasons for refusal given my members are not clear cut and cannot be weighted to such an extent that a refusal of this application could be soundly defended at an appeal.

## 1. 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: For the avoidance of doubt

**(02) The sign shall not be illuminated by intermittent or flashing lights.**

Reason: In the interest of amenity and highway safety.

**(03) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) and document(s) submitted below:**

Plan Reference	Plan Description	Date Received
A-03-04	Location Plan	19/02/2018
A-03-06	Site Plan	19/02/2018
-	Planning Statement	19/02/2018
-	Sprite Parking Meter Information	19/02/2018
A-03-08	Sprite Parking Meter Drawing	19/02/2018
A-03-09	Proposed Car Park Charge fees and Information Plan	19/02/2018

**under planning application reference 46C612A/AD.**

Reason: For the avoidance of doubt.

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.

7.4

Gweddill y Ceisiadau

Remainder Applications

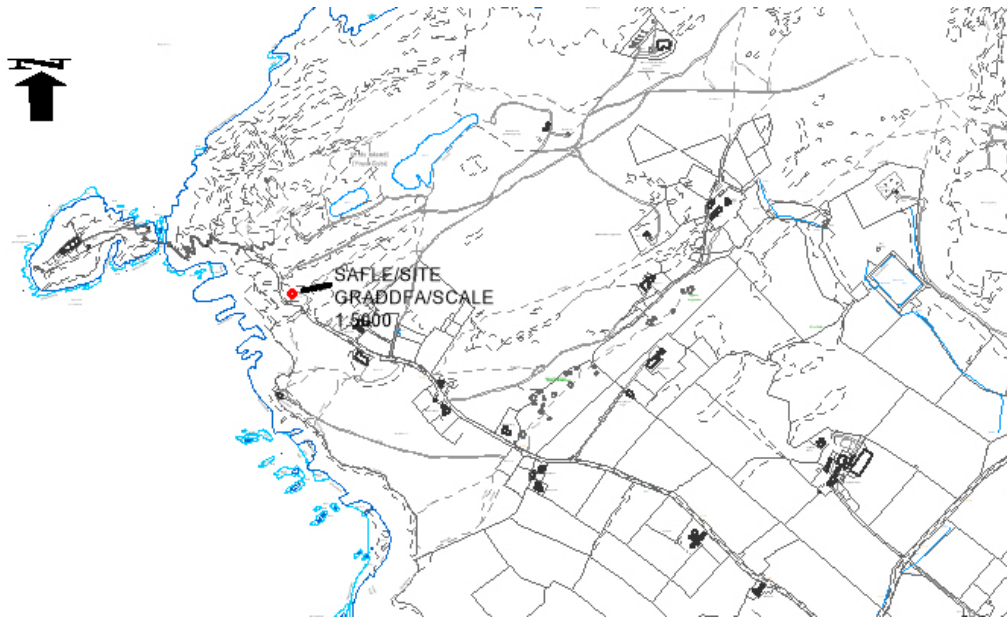
Rhif y Cais: **46C615/AD** Application Number

Ymgeisydd Applicant

**Mrs Laura Kudelska**

**Cais i leoli arwydd heb ei oleuo ynghyd â gosod mesurydd parcio ym maes parcio uwchben y / Application for the siting of a non-illuminated sign together with the installation of car parking meter at the car park above the**

**Canolfan Ymwelwyr/Visitor Centre, Ynys Lawd/South Stack, Caergybi/Holyhead**



## **Planning Committee: 06/06/2018**

### **Report of Head of Regulation and Economic Development Service (GJ)**

#### **Recommendation:**

Permit

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

The planning application has been reported to the Planning Committee as the development is on Council owned land and has been called in by Councillors Trefor Lloyd Hughes and Dafydd Rhys Thomas.

At its meeting held on the 4<sup>th</sup> April, 2018 committee members recommended that a site visit should take place. The site visit took place on the 16<sup>th</sup> May and the members are now aware of the site and its settings.

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

This is a full application for the siting of 1 non-illuminated sign and 1 car parking meter at the car park above the Visitor Centre, South Stack, Holyhead.

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

The applications key issue is whether the signs and parking meters complies with relevant planning policies and whether the proposal would preserve or enhance the Area of Outstanding Natural Beauty.

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

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

PS20 - Preserving and Where Appropriate Enhancing Heritage Assets

AMG1 - Area of Outstanding Natural Beauty

PS1 – Welsh Language and Culture

#### **Planning Policy Wales (9<sup>th</sup> Edition)**

#### **Technical Advice Note 12: Design**

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

##### **Local Member (Cllr Trefor Lloyd Hughes)**

Call in request - Placing meters at this location will create parking problems on the narrow road as visitors will not use the site. Parking on the road will create congestion.

##### **Local Member (Cllr Dafydd Rhys Thomas) –**

Concerns raised as to the affect of parking charges on road safety.

##### **Local Member (Cllr John Arwel Roberts) –**

No response at the time of writing the report.

**Community Council** - Objection as it will have a detrimental impact on residents.

**Highways** – No objection

#### **Response to Publicity**

The application was afforded two means of publicity. These were by the posting of a notice near the site and serving of personal notification letters on the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 22<sup>nd</sup> March, 2018 and at the time of writing this report, two letters of objection had been received.

The main reasons for objection being as follows:-

The proposed application will cause people to park on the narrow road and cause danger to walkers and cyclists. Parking on the roadside makes access to residential properties a struggle.

In response to the objection raised:

The decision as to whether to charge customers to park in the existing car park is not a planning matter. The development in this instance is the erection of parking meters and signage. The result of the decision to charge for parking may consequently lead to on-street parking but this is a matter for the Highway Authority to consider under The Highway Act.

## **5. Relevant Planning History**

46C88 -Conversion of dwelling into two self-contained flats, the ground floor flat to form a granny flat at Southstack Kitchens, Southstack, Holyhead – Refused 04/02/1987

46C88A - Conversion of dwelling into first floor flat with new stairway and ground floor "granny flat" at ~ Southstack Kitchens, Southstack, Holyhead – Approved 16/04/1987

46C88B - Alterations and extensions to create a ticket office and an extension to the restaurant at Southstack Kitchens, Southstack, Holyhead – Approved 08/10/1996

46C88C/SCR - Screening opinion for demolition of the existing buildings, erection of a visitor centre, cafe, retail area on the ground floor, 10 holiday apartments on the first & second floor, changes to the parking facilities and installation of a private treatment plant at South Stack Café, Southstack, Holyhead - EIA not required - 17/09/2008

46C88D -Full application for demolition of the existing buildings, erection of a visitor centre, cafe and retail area on the ground floor, 10 holiday apartments on the first & second floors, changes to the parking facilities and installation of a private treatment plant at South Stack Café, Southstack, Holyhead – Withdrawn 17/06/2010

46C88E – Full application for the installation of solar photovoltaic panels on the roof of RSPB Reserve, South Stack, Holyhead. Approved on 15/08/2012.

46C88F - Full application for the creation of a playground and nature pond at RSPB, South Stack, Holyhead. Approved 09/09/2016.

46C88G - Full application for the provision of temporary accommodation for staff welfare facilities and storage for the existing cafe and shop for an 18 month period - Granted 20/12/2017.

46C88H/SCR - Screening opinion for the provision of temporary accommodation for staff welfare facilities and storage for the existing cafe and shop for an 18 month period at RSPB, South Stack Road, Holyhead. EIA is not required 05/12/2017.

## **6. Main Planning Considerations**

The proposal entails the installation of 1 non-illuminated sign and 1 parking meter at the RSPB car park, South Stack Road, Holyhead.

The proposed signs are non-illuminated and measure 420mm x 594mm placed on a 1.7m high pole. The signs are bilingual and provide details of parking charges.

The parking meter measures 1.8m high x 325mm wide x 400mm long.

### **Area of Outstanding Natural Beauty**

The site is located within the Anglesey Area of Outstanding Natural Beauty (AONB). Policy AMG1 of the Joint Local Development Plan states that proposals within or affecting the setting of the AONB shall have regard to the AONB Management Plan.

The AONB Management Plan states 'The management of AONB's requires an understanding of the different components that combine to make each AONB distinctive and nationally important. Resources are the distinctive features and special qualities of the area, which define the AONB's character. The maintenance of these resources is central to the sustainability of the AONB.'

### **7. Conclusion**

The proposed development is considered acceptable to the Local Planning Authority. Consequently, the recommendation is one of approval subject to conditions.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

### **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: For the avoidance of doubt

**(02) The sign shall not be illuminated by intermittent or flashing lights.**

Reason: In the interest of amenity and highway safety.

**(03) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) and document(s) submitted below:**

<b>Date Received</b>	<b>Plan Description</b>
<b>26/2/18</b>	<b>Location Plan</b>
<b>26/2/18</b>	<b>Parking Meter</b>
<b>26/2/18</b>	<b>Proposed Signs</b>

**under planning application reference 46C615/AD.**

Reason: For the avoidance of doubt.

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.

7.5

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **49C333A/FR** Application Number

Ymgeisydd Applicant

**Mr Brendan Creeney**

**Cais llawn i newid defnydd y capel gwag i annedd ynghyd ag addasu a codi balconi ar y llawr cyntaf yn / Full application for change of use of disused chapel into a dwelling together with alterations and the construction of a first floor balcony at**

**Capel Hermon, Field Street, Y Fali/Valley**



**Planning Committee: 06/06/2018**

**Report of Head of Regulation and Economic Development Service (GJ)**

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

The application has been called into the planning committee by both local members, Cllr Richard Dew and Cllr Gwilym O Jones.

At its meeting held on the 2<sup>nd</sup> May, 2018 committee members recommended that a site visit should take place. The site visit took place on the 16<sup>th</sup> May and the members are now aware of the site and its settings.

**1. Proposal and Site**

This is a full application for the change of use of disused chapel into a dwelling together with alterations and the construction of a first floor balcony at Capel Hermon, Field Street, Valley.

**2. Key Issue(s)**

The key issue is whether the proposal complies with Technical Advice Note 15: Development and Flood Risk and whether the development would affect the amenities of the surrounding properties.

**3. Main Policies**

**Joint Local Development Plan**

TAI 2 – Housing in Local Service Centres

PCYFF2 – Development Criteria

**Technical Advice Note 12: Design**

**Technical Advice Note 15: Development and Flood Risk**

**Supplementary Planning Guidance: Design for the Urban and Rural Built Environment**

**4. Response to Consultation and Publicity**

**Community Council** – Support the application.

**Local Member (Cllr Richard Dew)** – A request that the application is considered by the Planning and Orders Committee.

**Local Member (Gwilym O Jones)** – A request that the application is considered by the Planning and Orders Committee.

**Drainage Section** – No response at the time of writing the report.

**Natural Resources Wales** – The application site is within a C2 Flood Zone and is classed as highly vulnerable development. The development is therefore contrary to Planning Policy advice.

**Highways Department** – Conditional Approval.

**Welsh Water** – Conditional Approval.

**Gwynedd Archaeological Planning Service** – The building is of local historic interest, if planning permission is granted, it is recommended that a condition is included to ensure appropriate recording is undertaken.

Site notices have been placed near the site and neighbouring properties were notified by letter. The expiry date for receiving representations is the 2<sup>nd</sup> May 2018. At the time of writing the report, no letters were received. However, as part of the application, the applicant has submitted 5 letters supporting the proposal, 1 further letter in support of the application has since been received, the letters state:

- One neighbour states that they have lived next door but one to the chapel from 1968 for approx. 5 years and they cannot recall any flooding in the area.
- Mr G Williams can only recall flooding in the area back in 2014. He believes that the only reason it happened was that the drainage system at the Bull Hotel failed a few days before the flood. This resulted in all the surface water and sewerage from the whole of the property owned by the Bull Hotel flooding into the drainage system on Field Street. The flood was clearly due to the lack of maintenance by both Anglesey County Council and The Bull Hotel, This being the case Capel Hermon of Field Street should not be considered to be at risk of flooding, the drainage system has been updated and diverted onto the main road.
- T Norris states that he was brought up in the area and cannot remember any extreme flooding in the area. The only recall is the railway sidings flooding slightly on the Valley side on rare occasions. The only other occasion was in October 2014 due to torrential rain and poorly serviced drains.
- Ann Owen states that she lived in Field Street in the 70s and 80s, which was not flooded. The only time it has flooded was due to poorly serviced drains.
- Liz Griffiths states that she lives in Field Street and her insurance company covers her for flooding. She states that the insurance company would not cover her if they thought there was a likelihood of a flood threat.

## 5. Relevant Planning History

49C333/FR - Full application for change of use of disused chapel into a dwelling together with alterations and the construction of a first floor balcony at Capel Hermon, Valley – Refused 27/10/17

## 6. Main Planning Considerations

The site is identified as being in a C2 Flood Zone.

TAN 15 – Development and Flood Risk

The tests of TAN 15:

Paragraph 6.2 of TAN 15 New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted.

Highly vulnerable development is classed as being: **all residential premises** (including hotels and caravan parks), public buildings (e.g. schools, libraries, leisure centres), especially vulnerable industrial development (e.g. power stations, chemical plants, incinerators), and waste disposal sites.

This application is for the conversion of a disused chapel into a dwelling; therefore, it is classed as highly vulnerable development, which cannot be supported.

All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-



- (i) Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement;

**or**

- (ii) Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;

**and**

- (iii) It concurs with the aims of Planning Policy Wales and meets the definition of previously developed land (PPW fig 2);

**and**

- (iv) The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

Paragraph 7.4 of TAN 15 states that before deciding whether a development can take place an assessment, which examines the likely mechanisms that cause the flooding, and the consequences on the development on those floods, must be undertaken, which is appropriate to the size and scale of the proposed development.

A Flood Risk Assessment has not been provided with this planning application.

**Policy Context** – Valley is defined as a Local Service Centre under Policy TAI 2 of the Joint Local Development Plan (JLDP). The application site is situated within the development boundary of the settlement.

The application site lies entirely within zone C2. Residential Development within a C2 flood zone is classed as highly vulnerable development which cannot be supported under the provisions of TAN 15.

All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location.

It is considered that the proposal meets the requirements of paragraph 6.2 (i) of TAN 15.

As previously developed land it also meets the requirements of paragraph 6.2 (iii) of TAN 15.

However, the tests do not apply to this development as it is highly vulnerable development which should not be located in a C2 flood area. Only other, lower risk developments are assessed against paragraph 6.2 tests.

No Flood Consequence Assessment has been provided with the current planning application.

The proposal is therefore contrary to TAN 15: Development and Flood Risk and therefore conflicts with Policy PCYFF 2 of the JLDP.

### **Affect on amenities of surrounding properties**

The change of use of the building into a residential dwelling will not harm the amenities of the surrounding properties.

The proposal includes the construction of first floor balcony area to the rear of the building. There is a distance of more than 35 metres between the proposed balcony and the rear garden of the

properties on Carna Terrace. The balcony would protrude further out than the rear of the neighbouring properties and therefore would not directly overlook the rear of the properties and a condition could be imposed on the permission that screening be provided along the boundary of the balcony in order to ensure that the amenities of the immediate neighbouring properties would be safeguarded.

Neighbouring properties have been notified of the development. The expiry date to receive representations being 2<sup>nd</sup> May, 2018. At the time of writing the report no objections were received; however, 6 letters of support has been received with respect to the planning application, the comments raised has been outlined in the report. It is not considered that the proposal will have a negative impact upon neighbouring properties.

## **7. Conclusion**

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

In accordance with TAN 15, the development category is regarded as a highly vulnerable development which cannot be permitted within zone C2.

## **8. Recommendation**

### **Refuse**

(01) The application is for a residential development located within zone C2, as defined by the Development Advice Maps referred to under Technical Advice Note 15 'Development and Flood Risk' (July 2004). The proposal is therefore contrary to Policy PCYFF 2 of the Gwynedd and Anglesey Joint Local Development Plan and Technical Advice Note 15 – Development and Flood Risk (July 2004).