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Ceisiadau'n Tynnu'n Groes

Departure Applications

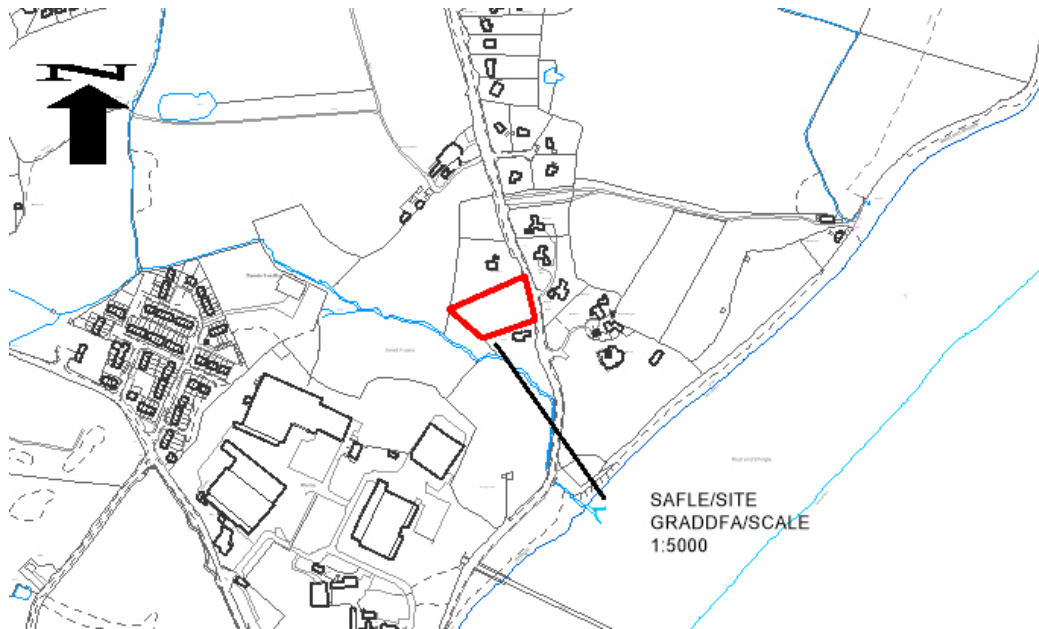
Rhif y Cais: **12C161J** Application Number

Ymgeisydd Applicant

Mr & Mrs Simpson

Cais llawn ar gyfer codi annedd a modurdy ynghyd a creu mynedfa i gerbydau ar dir yn / Full application for the erection of a dwelling and garage together with the construction of a vehicular access on land at

Fair Linden, Llanfaes



Planning Committee: 06/06/2018

Report of Head of Regulation and Economic Development Service (MTD)

Recommendation:

Permit

Reason for Reporting to Committee:

This application represents a departure from plan policy with the recommendation being one of approval.

1. Proposal and Site

This application has been made to change the design of the previously approved dwelling the planning permission for which is extant.

The proposed dwelling will be 2 storey with 3 bedrooms. There will be a detached double garage.

The site is located adjacent to the property "Fair Linden" alongside the B5109 between Beaumaris and Llanfaes. It is vacant and comprises a former curtilage area between Fair Linden to the north and Jaina to the south.

There are existing mature trees and hedges on the site.

2. Key Issue(s)

Are the proposals acceptable in this sensitive location and a betterment over what has previously been approved and which is the "Fall back" position.

3. Main Policies

Strategic Policy PS 5 Sustainable development
PCYFF 1 Development Boundaries
PCYFF 3 Design and Place Shaping
PCYFF 4 Design and Landscaping
AMG 1 Area of Outstanding Natural Beauty Management Plans
AMG 3 Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character.

Technical Advice Note 12 Design
Technical Advice Note 18 Transport

SPG Design Guide for the Urban and Rural Environment.

4. Response to Consultation and Publicity

Beaumaris Town Council state;

1. The development of a two storey building on the site would constitute over development and is out of keeping with neighbouring properties. The properties in the area are single storey bungalows.
2. There are several mature trees on the site and alongside the road adjacent to the proposed entrance. Councillors were of the opinion that these trees will be threatened by the development. One particular roadside oak tree on the northern side of the proposed entrance appears to be at clear risk of a subsequent application for removal on the grounds of improving visibility.
3. The entrance to the property is on a bend of a busy road. Cars frequently pass at high speed - the limit is 40mph. The double white lines are an indication that visibility for drivers is impaired. Councillors feel that the entrance will be hazardous.

The Town Council recommends that the application should be refused.

Local Members

Cllr L Davies No comments

Cllr C Jones No comments

Cllr A Roberts No comments

NRW No objection

Highways Conditions

1 letter has been received points raised include;

The building is not in keeping with the character of the location
Concerns regarding drainage and if water will drain to adjacent property

5. Relevant Planning History

12C161D Outline application for the erection of a dwelling approved 25/11/2010

12C161E/VAR Variation of condition 2 from planning permission 12C161D to allow a further 3 years to submit reserved matters application approved 04/11/2013

12C161H Full application for the erection of a dwelling approved 26/09/2016

12C161K/SCR Screening opinion for above no EIA required 02/05/2018

6. Main Planning Considerations

Whilst it is acknowledged that following the adoption of the Joint Local Development Plan in July 2017 the site now lies outside any recognized settlement and the proposal represents a departure from Development Plan policy. Planning permission was in fact granted for a 2 storey dwelling here in 2016.

That planning permission was granted, as at that time with the Ynys Mon Local Plan and Gwynedd Structure Plan forming the Development Plan, it was considered that the site formed part of the settlement of Llanfaes which was a village where single open market dwellings could be approved. It was also an acceptable infill between 2 properties Fair Linden and Jaina. Furthermore, it was also determined that the dwelling proposed was acceptable in this location when considering its impact on this Area of Outstanding Natural Beauty.

The planning permission for this dwelling is extant until 2021 and can be lawfully implemented.

Given this scenario, the main consideration here is whether the current proposals represent an improvement over that which could lawfully be built.

The current proposal offers significant improvements over that which has planning permission. The scale and massing have been substantially reduced and a more traditional design is now exhibited. Furthermore, the dwelling will now be located further away from the boundary with Jaina reducing the impact on that property.

Whilst the relationship with the nearby dwelling was considered acceptable along with the design and size, the changes are considered to be an improvement and lessen the impact of a dwelling in this position.

The reduced footprint and position of the dwelling ensures that there is no increased impact of the trees on the site and the Authority's Tree Specialist has confirmed acceptance of the scheme.

The visibility splays previously required are also proposed as part of the current scheme and the Highways Authority have confirmed that the proposals are acceptable.

7. Conclusion

The current scheme offers improvements over that which already has planning permission and as such there are overriding reasons why this departure from Development Plan policy can be approved.

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

(02) 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.

(03) 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.

(04) 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.

(05) 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.

(06) 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.

(07) 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.

(08) No development shall commence until the written approval of the local planning authority has been obtained in relation to a full comprehensive traffic management scheme including:

- i. The parking of vehicles for site operatives and visitors**
- ii. Loading and unloading of plant and materials**
- iii. Storage of plant and materials used in constructing the development**
- iv. Wheel washing facilities (if appropriate)**
- v. Hours and days of operation and the management and operation of construction and delivery vehicles.**

The works shall be carried out strictly in accordance with the approved details.

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

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

The proposals shall be carried out in conformity with the below plans

Proposed layout A-03-02 dated 9/4/18
Proposed garage A-03-04 dated 9/4/18
Proposed elevations A-03-03 dated 9/4/18
Site layout(full) A-03-05 dated 16/4/18
Arboricultural impact assessment 4/2018

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.