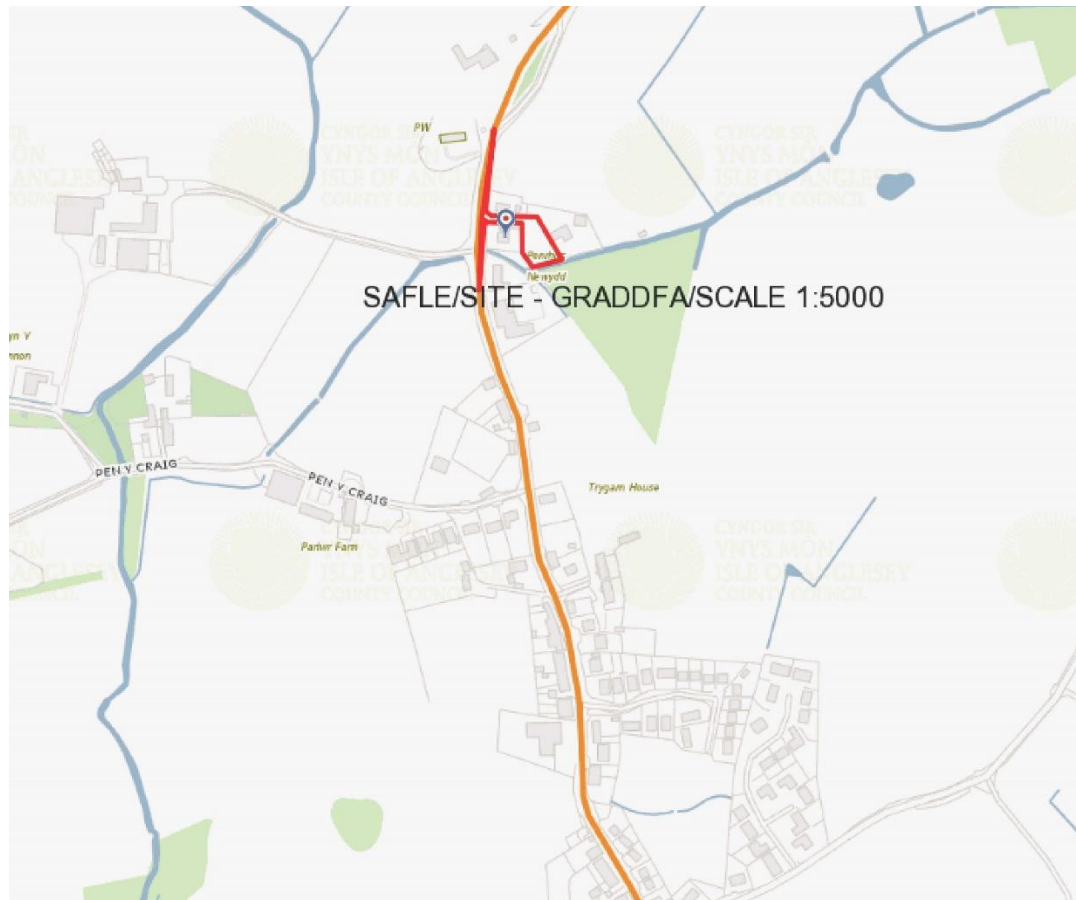


**Application Reference:** OP/2018/1

**Applicant:** Mr Gareth Lloyd

**Description:** Cais amlinellol ar gyfer codi annedd sydd yn cynnwys manylion llawn am y fynedfa i gerbydau a llunwedd ar dir ger / Outline Application for the erection of a dwelling together with full details of the vehicular access and layout on land adjacent to

**Site Address:** Penrhos Newydd, Llanfachraeth



**Report of Head of Regulation and Economic Development Service (David Pryce Jones)**

**Recommendation:** Caniatáu / Permitted

**Reason for Reporting to Committee**

The planning application is called to the planning committee by the local member.

**Proposal and Site**

The application site comprises part of the garden area of the applicant's property and there is an existing static caravan currently present. To the south of the application site there is a stream which runs under the A5025 to the west. To the west of the application site there are three residential properties the nearest of which is Pant Glas. To west of the A5025 the land forms part of the Area of Outstanding Natural Beauty.

This is an outline planning application made for a single dwelling with the access and layout included for considerations as part of the outline planning application. Scale had been included as part of outline but this was subsequently withdrawn, minimum and maximum parameters are instead provided with the footprint shown on the layout plan showing the maximum width and lengths permissible under this permission. These minimum and maximum parameters show that the part of the development nearest Pant Glas would be single storey only.

Vehicular access to the development would be via an existing private access which is shared between the applicant's existing property and an existing residential property called Fronwen. This access runs along the front elevation of Fronwen and past the side elevation of Pant Glas. The private access then exits onto the A5025 at a point where there is a layby and footpath present, both forming part of the public highway. The car parking and turning area for the proposed dwelling would be at the rear of Pant Glas and there is an existing conifer hedge and 1.8 metre close boarded fence along this rear boundary. Planting is proposed along the stream on the applicant's land to the west between Pant Glas and Pen y Bont.

### **Key Issues**

- Principle of Residential Development
- Highway Safety Considerations
- Relationship of the Development with Surrounding Land Uses
- Residential Amenity

### **Policies**

#### **Joint Local Development Plan**

Strategic Policy PS 1: Welsh Language and Culture  
Strategic Policy PS 2: Infrastructure and Developer Contributions  
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
Strategic Policy PS 16: Housing Provision  
Strategic Policy PS 17: Settlement Strategy  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 4: Design and Landscaping  
Policy TAI 3: Housing in Service Villages  
Policy TAI 8: Appropriate Housing Mix  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
Planning Policy Wales (Edition 10, December 2018)  
Technical Advice Note 12: Design (2016)  
Technical Advice Note 18: Transport (2007)  
Supplementary Planning Guidance: Parking Standards (2008)  
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)  
Supplementary Planning Guidance - Housing Mix (October 2018)

## Response to Consultation and Publicity

**Cynghorydd John Griffith:** No observations received.

**Cynghorydd Kenneth P. Hughes:** Called the application to the planning committee on highway grounds relating to the visibility at the access.

**Cynghorydd Llinos Medi Huws:** No observations received.

**Cyngor Cymuned Llanfachraeth Community Council:** Leave as original why ask again when it was previously rejected. Not required.

**Pennaeth y Gwasanaeth - Prifffyrdd / Head of Service - Highways:** Conditional permission.

**Adain Dechnegol (Draenio) / Technical Section (Drainage):** Confirmed that the Local Lead Flood Authority have previously received concerns regarding the condition and the amount of vegetation in the channel of the ordinary watercourse adjacent to the proposed development site. Arrangements were subsequently made with the Area Highway Engineer for the culverted section of the watercourse, beneath the A5025 advice was provided regarding riparian owners responsibilities under the Land Drainage Act 1991 so that these concerns could be raised with the relevant land owner.

**Dwr Cymru Welsh Water:** Conditional permission.

**Cyfoeth Naturiol Cymru / Natural Resources Wales:**

**Flooding** - The maps accompanying TAN 15 indicate that the site is within zone A which is deemed to be at little or no flood risk, however, the photographs submitted appear to show the ordinary watercourse flooding the application site and encroaching towards the existing caravan on the site. As the watercourse is minor and not a main river it has not been modelled for fluvial flooding and it may be appropriate for the Lead Local Flood Authority to advise on this local flood risk issue.

**Foul Drainage** – Advise consult Welsh Water on the capacity.

**Landscape** – Advise consult the council's Landscape Officer.

**Pollution Prevention** – Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with GPP5 and PPG6: "Works in, near or over Watercourses" and "Working at Construction and Demolition Sites".

**Ecological and Environmental Adviser** – More planting is shown which is welcome having regard to the council's duty under the Environment Wales Act (2016) and can be covered by a planning condition. An informative is recommended as regards checking for bird nests in clearing any vegetation in the bird nesting season.

**Landscape Adviser** – Considers the proposal would be compliant with the listed policies and the AONB Management Plan and would conserve Area of Outstanding Natural Beauty "AONB" natural beauty and special qualities related to landscape.

**Fire Service** – Comments awaited at the time of writing.

**Joint Planning Policy Unit** – Relevant planning policy consideration are listed notably in relation to TAI 4 and TAI 8. It is explained that the indicative provision for Llanfachraeth over the Plan period is 27 units (which, includes a 10% 'slippage allowance', which means that the calculation has taken account of potential unforeseen circumstances that could influence delivery of housing due to, e.g. land ownership issues, infrastructure constraints, etc.). The Plan anticipates that all of these will be provided on windfall sites. In the period 2011 to 2017 a total of 3 units have been completed in Llanfachraeth. The land bank, i.e. sites with existing planning consent, at April 2016 stood at 6 units. This means that at present there is capacity within the indicative provision for the settlement of Llanfachraeth.

**Housing** – Comments awaited at the time of writing.

The planning application was advertised by way of site notices and individual letters to adjacent properties; the latest date for making representations was the 29.03.19, four representations were received objecting to the planning application on the following grounds at the time of writing:

- Previous applications have been refused on highway grounds.
- Static caravan on the site is rented out for holiday purposes no planning permission for this.
- Location plan identifies properties incorrectly.

- Highways considerations are described relating to the volume, type, speed of traffic using the road, accident history, likely increase in usage as a result of the development of Wylfa Newydd; it is contended that the actual visibility splays available at the proposed vehicular entrance with the A5025 are below that shown on the submitted plans (being 52 m in the Cemaes direction and 77m in the Valley direction). It is contended that the only way of gaining visibility is to edge on to the carriageway.
  - Loss of privacy by virtue of being too close to the objector's property.
  - Overlooking.
  - Located on green belt.
  - No need/demand for housing.
  - Located on a flood plain; the stream has flooded in the past and photographs are provided, the development will exacerbate the situation.
  - Animals and habitats in the stream which will be affected by the development.
  - Overloading of foul sewers and Welsh Water are unable to repair. Additionally there is an overspill pipe which leads from the stream to the sewer which overloads the sewer- by implication the foul sewer can backflow to the stream.
  - Located within/adjacent to an AONB.
  - Overdevelopment.
  - The following is referred to on the basis that the Isle of Anglesey County Council have a duty of care: Donoghue v Stevenson 1932, Kane v New Forest District Council 2001, European Convention on Human Rights such as Article 1 of the First Protocol and Article 8.
  - There is a watercourse adjacent.
  - There are trees adjacent to the watercourse.
  - Boundary fencing has been erected in advance of the planning application.
- There should have been discussion with all the neighbours as regards the planning application.

### **Relevant Planning History**

27C107 - Outline application for the erection of a dwelling with all matters reserved on land adjacent to - Penrhos Newydd, Llanfachraeth Refused 14.08.15.

27C107A - Outline application for the erection of a dormer bungalow together with full details of the vehicular access - Penrhos Newydd, Llanfachraeth Refused 15.08.18.

### **Main Planning Considerations**

**Introduction** Previous planning applications detailed in the planning history section above were refused on the grounds that the vehicular access with the A5025 had sub-standard visibility in the northern (Cemaes) direction. Additionally planning application 27C107A was refused on the grounds that the proposed development would have an overbearing impact on the outlook of users of the rear garden of Pant Glas by virtue of its proximity and orientation. The proposal subject to this planning application has been amended compared to the aforementioned planning applications and the changes are described under relevant headings below.

**Principle of Residential Development** Having regard to the provisions of the principle Act, and as amended section 38(6) the 2004 Act and the 2015 Wales Act, if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. The development plan for Anglesey comprises the JLDP.

The application site is located within Llanfachraeth; a Local Village within the JLDP. Strategic Policy PS 17: Settlement Strategy states that 25% of the Plan's growth will be within villages and clusters, but that in Local Villages development will be restricted to a scale and type to address the community need for housing on windfall/infill plots within development boundaries. The site is located within the settlement boundary of Llanfachraeth and as per the comments of the JPPU capacity for further residential development exists such that the proposal aligns with these provisions. It is contended in the objections

received that there is no demand for the development but given the settlement strategy of the JLDP and the number of completions to date in Llanfachraeth the proposal aligns with the JLDP.

Policy TAI 8 requires housing units appropriate to the balance and housing need of the area. The proposal is made for a residential unit of between 200 and 226 meters square floor, which would likely equate to a 3 – 4 bedroom dwelling. Comments from the Housing Service in terms of the housing need and the appropriateness of this type of within the settlement are awaited at the time of writing. The proposal is, however, made for general market housing tenure and there is no policy requirement for the dwelling to be an affordable tenure as such it is material that this is private sector scheme.

Matters of the design, appearance, size, scale and character of the buildings in relation to the site and the settlement character are further addressed below.

**Highway Safety Considerations** The development subject to this planning application would utilise the same access from the public highway which was previously refused under planning applications 27C107 and 27C107A. Policy TRA 4 states “proposals that would cause unacceptable harm to the safe and efficient operation of the highway...will be refused.” Amended plans have now been submitted which illustrate a visibility splay set 2.4 metres back from the give way or western edge of the layby in front of the access which gives a visibility splay of 80 metres in the northern direction and 90 metres in the southern direction towards the centre of Llanfachraeth. Objections received contend that the visibility splay should instead be taken from the edge of the public highway at the centre point of the access.

The council’s Highway Section having assessed the amended plans submitted in the course of determining have concluded that the visibility from the proposed vehicular access to the north with the A5025 is satisfactory as the visibility splay shown on the plans aligns with guidance in TAN 18. In assessing the adequacy of the visibility splay Highway Section has taken into account the presence of parked vehicles in the layby but as these vehicles are not permanent obstructions they are not deemed to restrict visibility and lead to a recommendation of refusal. In coming to the conclusion that the proposed access for one dwelling would not have detrimental effect on highway safety it is understood that the highway officer took into account the speed of vehicles and the accident which occurred in proximity.

**Relationship of the Development with Surrounding Land Uses** As explained in the introduction of this report layout is included for consideration as part of the outline planning application. Maximum parameters are also provided in relation to scale which indicate that the proposed dwelling would be of relatively modest scale between 200 and 226 meters square floor area. Policy PCYFF 2: Development Criteria, PCYFF 3: Design and Place Shaping, and PCYFF 4: Design and Landscaping are the primary considerations in assessing the proposal from this aspect. The policies encompass considerations in relation to the efficient use of land, requiring high quality development as detailed in the listed criterion and requiring appropriate landscaping where relevant.

The urban vernacular in the vicinity is not uniform but the density in the vicinity to the development is generally low including single and two storey dwellings. The application is in outline form but a layout plan and maximum parameters are provided. Based on these plans it is not considered that the proposed development would be out of character in this location nor overdevelopment as contended in the objections received. The scale and appearance of the development are reserved for future consideration but based on the details provided it is considered that a dwelling can be satisfactorily sited on the application in compliance with the aforementioned policies subject to conditions. Indicative indigenous landscaping details have also been provided which it is considered will mitigate views from the A5025 and complement landscape features along the river and it is considered that the proposed development will integrate into its surroundings.

**Residential Amenity** To the west of the application site the nearest residential property is Pant Glas which is separated from the application site by an existing conifer hedge and 1.8 metre high close boarded fence running along the boundary. As explained in the introduction to this report planning application 27C107A was refused on the grounds that the proposed development would have an overbearing impact on the outlook of users of the rear garden of Pant Glas by virtue of its proximity and

orientation and could also result in overlooking of the same. This was because the front elevation of the proposed dwelling was orientated such that 50% of the front elevation was orientated towards and within 10 metres of the rear garden of Pant Glas. The proposal subject to the current planning application has been amended with a view to addressing this reason for refusal by including the layout of the development for consideration as part of this outline application such that the orientation of the dwelling is fixed and re-orientated such that the side elevation (which is not a principal front elevation) faces Pant Glas to the west. In addition there is a stipulation on the proposed plans that there will be no windows at first floor level (including roof windows) in the western elevation of the proposed development facing Pant Glas. The proposal has also been amended so that the part of the development nearest to Pant Glas is single storey only and distance of the development from Pant Glas to the development has been increased to 18 metres to its rear elevation and 6.4 metres from the close boarded fence along the boundary. The SPG design guide at section 8 Proximity of Development provides guidance on the ideal proximity measurements between proposed developments boundaries and existing buildings. This guidance would normally require 12 metres from a rear to a side elevation and 2.5 from a side to the boundary but the guidance indicates that these distances should be increased depending on the height and width of the side elevation and the topography of the site. In this instance the proposal is considered to accord with the guidance in that the recommended distances are exceeded. The proposed car parking and turning for the proposed dwelling would be at the rear of Pant Glas but will be screened due to the existing conifer hedge and the 1.8 metre close boarded fence along this rear boundary. It is also material that this area already forms part of the amenity area for the applicant's existing residential property such that there is already activity and vehicle movements. Given the considerations described in the preceding paragraph it is not considered that the proposed development will have an unacceptable impact on the outlook or result in the overlooking of Pant Glas. Similarly it is not considered that the proposed development will have an impact of the residential amenities of Pen y Bont to the south east by virtue of the greater distance from the proposed development, orientation and the screening provided by the 1.8 metre close boarded fence. It is considered that the proposed planting along the river to the west between Pant Glas and Pen y Bont will have a beneficial impact on residential amenity in screening views between the existing properties and the proposed development.

There is an existing caravan on the applicant's land which is referred to in the objections received. As part of the proposal the applicant has offered to relinquish this use and remove the caravan. The caravan has windows and a raised patio area which afford views towards both Pant Glas and Pen y Bont and its removal can be attributed positive weight in the overall assessment of the impacts of the development on the amenities of these adjacent properties.

**Any other material considerations** The area to the west of the A5025 is designated an AONB. In accord planning policies development management decisions should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well-being of the areas. There is also a statutory duty to have regard to the AONB purposes. These provisions apply irrespective of the fact that the site is outside the AONB. The council's Landscape Adviser has stated that there would be no effect on the AONB natural beauty. Given this it is considered that in policy terms that the development would conserve the AONB. In terms of the AONB Management Plan impact of the proposal on the AONB has been assessed in accordance with the plan by the council's Landscape Adviser, in addition it is considered that the proposed indigenous landscaping to the west along the stream will result in an enhancement in views from the AONB as well as providing ecological enhancements which align with policies in the AONB Management Plan.

The biodiversity considerations described by the council's EEA can be secured by way of planning conditions in relation to landscaping requirements, other matters can be dealt with by way of informatives as there are separate legislative provisions protecting nesting birds. The landscaping proposed in connection with the proposed development will have a positive effect on biodiversity and will accord with the council's duties under the Environment Act as described in the EEA comments.

Objections have been received on the basis that the foul drainage system is overloaded and backflows into the stream during heavy rain fall. The applicant proposes that foul drainage from the development will be connected to the public sewerage system and no objections are raised by Welsh Water to this.

Surface water drainage will be dealt with by means localised soakaways which will need to be constructed and regulated in accordance with the Building Control requirements. It is contended in the objections received that the application site is on a flood plain, and that the adjacent stream has flooded on several occasions in recent years. Under the provisions of TAN 15 the proposed development is not within a flood plain. NRW have additionally been consulted and have confirmed that they have no objections on flooding grounds as described in their consultation response. The council's Drainage Engineer as the Local Lead Flood Authority have also confirmed that reports of previous flooding in the vicinity were investigated but found to be due to the amount of vegetation in the stream, which it is understood is the responsibility of the riparian owner to clear. The applicant is aware of these considerations and has confirmed that the reserved matters will take cognisance of them.

## **Conclusion**

As explained in the main body of the report the previous reasons for refusal have been satisfactorily addressed. Key in this is the inter-visibility available at the vehicular entrance with the public highway. This has been addressed by illustrating the visibility splays 2.4 metres back from the give way or western edge of the layby in front of the access which then provides requisite visibility in both directions to the satisfaction of the highway authority.

Taking all material considerations into account including representations received the proposal is considered acceptable subject to a legal agreements requiring the removal and cessation of the use of the existing caravan and the planning conditions listed.

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more resilient and cohesive Wales in terms of the economic benefits which will accrue as a result of the construction of the dwelling and in meeting the communities housing needs but that the unacceptable form of the development would not align with the goal of seeking cohesive communities;

## **Recommendation**

Subject to the receipt of comments from outstanding consultees that planning permission is approved subject to the completion of the following legal agreement and planning conditions.

Legal Agreement – Requiring the removal and cessation of the use of the existing static caravan.

**(01) Details of the appearance, landscaping (to include the proposed indigenous landscaping on the land outlined in blue on the location plan) "landscaping scheme" and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.**

Reason: The application is for outline planning permission.

**(02) The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

Reason: To prevent the accumulation of planning permission: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990

**(03) Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.**

Reason: To prevent the accumulation of planning permissions to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990.

**(04) The reserved matters to be submitted under condition (01) and the development hereby permitted shall be in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.**

**Location Plan 2581:18:1a  
Existing Site Plan 2582:18:2  
Proposed Site Plan 2581:18:3e**

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

**(05) The car parking accommodation shall be completed in accord with the details hereby approved before the use hereby permitted is commenced.**

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

**(06) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include;**

- (i) The routing to and from the site of construction vehicles, plant and deliveries.**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- (v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vii) The arrangements for loading and unloading and the storage of plant and materials;**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

**The construction of the development shall be completed in accordance with the approved plan.**

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety.

**(07) No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

**(08) If within a period of 5 years from the date of the planting of any tree proposed as part of the landscaping scheme or any tree planted in replacement of it, is removed, uprooted or destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place during the next planting season immediately following the death/removal/destruction of that tree.**



Reason: In the interests of the visual amenity of the locality.

**(09) No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

**(10) The provisions of Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded.**

Reason: In the interests of the amenities of the locality and occupiers of adjacent dwellings.

**(11) Natural slates of uniform colour shall be used as the roofing material of the proposed building.**

Reason: To ensure a satisfactory appearance of the development.

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.

**Application Reference:** 30C225K/ECON

**Applicant:** York Design & Construction Ltd.

**Description:** Cais amlinellol ar gyfer lleoli 25 o gabanau gwyliau ynghyd â chyfadeladau hamdden a ffyrdd mynediad cysylltiedig gyda rhai materion wedi eu cadw yn ôl yn / Outline application for the siting of 25 holiday chalets together with leisure complex and associated access roads with some matters reserved at

**Site Address:** Treetops Country Club, Tyn Y Gongl



**Report of Head of Regulation and Economic Development Service (Iwan Jones)**

**Recommendation:** Caniatáu / Permitted

**Reason for Reporting to Committee**

Local Members – Councillor Ieuan Williams and Margaret Murley Roberts have requested that the application be referred to the planning committee for determination.

## Proposal and Site

The application is submitted in outline form for the siting of 25 holiday chalets together with the erection of a leisure complex and associated access roads with some matters reserved at Treetops Country Park, Tyn y Gongl. Details of the proposed access, landscaping and layout have been included as part of the application.

The application site measures at approximately 1.2 hectares. A screening opinion is currently being considered by the Local Planning Authority. The application site is a parcel of land located to the east of the B5108 highway. The site is currently accessibly from the south by an existing access. A new access is proposed at the north of the site directly onto the B5108 highway.

The application site has an existing club house to the south which has been unused for a number of years. The chalets are proposed at the north part of the site whilst the leisure building is proposed to the south. A landscaping scheme has been submitted as part of the proposal which spread across the application site and other land within applicant's ownership.

## Key Issues

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, amenity of the area and highway safety.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 6: Water Conservation  
Policy PCYFF 5: Carbon Management  
Strategic Policy PS 14: The Visitor Economy  
Policy TWR 3: Static Caravan and Chalet Sites and Permanent Alternative Camping Accommodation  
Policy TRA 1: Transport Network Developments  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character  
Policy AMG 5: Local Biodiversity Conservation  
Policy TWR 4: Holiday Occupancy  
Technical Advice Note 5: Nature Conservation and Planning (2009)  
Technical Advice Note 12: Design (2016)  
Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)  
Technical Advice Note 13: Tourism (1997)  
Technical Advice Note 18: Transport (2007)  
Technical Advice Note 23: Economic Development (2014)  
Planning Policy Wales (Edition 10, December 2018)

## Response to Consultation and Publicity

Consultee	Response
CADW Welsh Historic Monuments	Proposed development would not have an impact upon any nearby Scheduled Monument.

Ymgynghorydd Tirwedd / Landscape Advisor	Conditions recommended to ensure that the proposed landscaping scheme is implemented and thereafter managed in accordance with an approved scheme.
Adain Dechnegol (Draenio) / Technical Section (Drainage)	Greater detail of disposal of surface water is required.
Cynghorydd Margaret Murley Roberts	Application referred to the Planning and Orders Committee for determination.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	The main JLDP policy relevant to the proposed development is TWR3. The acceptability of the development in question will depend on whether it accords with the listed criteria.
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	Concerns raised with respect traffic, highway safety and over provision of holiday accommodation within the area.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection to the proposed development.
Cynghorydd Ieuan Williams	Referred to the Planning and Order Committee for determination. Concerns raised with respect to the effect upon the landscape, over provision of holiday accommodation within the area, traffic and highway safety.
Cynghorydd Vaughan Hughes	No Response
Dwr Cymru/Welsh Water	Conditional Approval
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Proposed landscaping scheme will bring biodiversity enhancements.
Iechyd yr Amgylchedd / Environmental Health	Conditional Approval Recommended. Proposed development does not however comply with the requirement separation distances within the Caravan Sites and Control of Development Act 1960.
Uned Datblygu Economaidd / Economic Development Unit	No Response
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Conditional Approval
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval Recommended

The application was afforded three means of publicity; these were by the posting of a notice near the site, the serving of personal notification on the owners / occupiers of neighbouring properties and the placing of an advert within the local press. The publicity process was carried out on two separate occasions following amended plans being received. The latest date of receipt of representations was the 08/02/2019. At the time of writing this report fifteen representations had been received at the department. The main points raised are summarised below:

- Proposal promotes active lifestyles / recreational activity / well being.
- The application site is currently a blight on the landscape and will adversely impact the residential amenity of surrounding properties.

- Proposal would improve and promote the Welsh Language.
- Proposal is an improvement to existing traffic situation.
- Proposal would create a number of new jobs.
- No such complex within the area which will bring an economic benefits.
- The additional landscape is a positive, bringing biodiversity benefits.
- Landscaping at the site would ensure noise generated from the proposed use would not have a significant impact upon neighbouring properties.
- Proposed development would change the character of the area and have a negative impact upon the area.
- Concerns regarding increase in noise
- Concerns regarding increased traffic and highway safety.
- Concerns regarding surface water and sewerage system.
- Concerns that the proposed development would have a 12 month residency stipulation.

In response to the concerns raised, the Authority comments as follows:

- The chalets proposed are considered high quality. Landscaping is also proposed which would ensure that the development would not be out of character and have a negative impact.
- Given distances to neighbouring properties together with existing and proposed mitigation i.e. landscaping it is not considered the proposed development would have a negative impact upon the amenity of nearby residential properties.
- The Local Highway Authority are satisfied with the proposal subject to conditions.
- Welsh Water is satisfied with the proposal subject to conditions. A porosity test has been undertaken to demonstrate that ground conditions are suitable for surface water soakaways. The Authority is currently assessing a porosity test.
- Conditions will be imposed to ensure that the units will be used as holiday accommodation.

In addition, a statutory public consultation process has been carried out and a Pre-Application Consultation (PAC) report submitted as part of the application.

### **Relevant Planning History**

30C225: Estyniad i'r clwb ynghyd a chodi byngalo i'r gofalwr yn / Extension to existing club together with erection of a steward's bungalow at Sportsfield, Benllech. Finally Disposed Of – 09/12/2007

30C225A: Estyniadau i greu fflat i Stiward y Clwb, bowlio "ten pin", rinc sglefrio, ystafelloedd ffitrwydd, cawodydd, llecyn lluniaeth, ystafell snwcr ac estyniad i'r ystafell clwb yn / Extensions to form Club Steward's flat, ten pin bowling, skating rink, fitness and shower rooms, refreshment area, snooker room and club room extension at the Sports Club, Bwlch. Approved – 10/09/1991

30C225B: Cais am ganiatad dros dro i gynnal 35 sel cist ceir rhwng 1 Mai a 30 Medi ar dir / Application for temporary permission to hold 35 car boot sales between 1 May and 30 September on land at Tree Tops Country Club, Bwlch, Benllech. Approved – 15/03/1999

30C225C: Cais am ganiatad i ddal 35 sel cist car rhwng 1af o Fai a 30fed o Fedi bob blwyddyn ynghyd a cadw newidiadau i'r fynedfa bresennol yn / Application for permission to hold 35 car boot sales between 1st May and 30th September in each year together with the retention of the alterations to the existing access at Treetops Country Club, Benllech. Refused – 16/07/2004

30C225D: Cais i ofyn am ganiatad i gynnal 35 sel cist car rhwng 1af i Fai a 30ain o Fedi pob blwyddyn ar dir yn / Application for permission to hold 35 carboot sales between 1st May and 30th September in each year on land at Treetops Country Club, Benllech. Approved – 09/06/2005

30C225E/ECON: Cais llawn ar gyfer cynlluniau diwygiedig i godi estyniad i ddarparu cyfleusterau hamdden ychwanegol ac annedd rheolwr cafodd eu caniatáu dan cais rhif 30C225A yn / Full application for the amended plans for proposed extension to provide additional leisure facilities and manager's flat previously approved under ref 30C225A at Treetops Country Club, Benllech. Approved – 24/07/2006

30C225F: Codi balconi ynghyd a darparu man chwarae i blant yn / Construction of a balcony and provision of children's play area at Treetops Country Club, Benllech. Approved – 24/05/2007

30C225G: Cais i ddiwygio amod rhifau (02) ac (04), a dileu amod (07) oddi ar gais rhif 30C225D yn / Application for variation of condition (02) and (04), and deletion of condition (07) of application ref 30C225D at Treetops Country Club, Bwlch. Finally Disposed Of – 16/04/2010

30C225H/AD: Codi 50 hysbysffwrdd o amgylch y cae rygbi yn / Erection of 50 advertisement boards around the rugby field at Treetops, Bwlch. Approved – 01/02/2012

30C225J - Cais llawn ar gyfer gwaith dymchwel rhannol i'r strwythur presennol ynghyd â gwaith altro ac ehangu sy'n cynnwys ymestyn y balconi presennol yn / Full application for the part demolition of the existing structure together with alterations and extensions which includes extending the existing balcony at Treetops Country Club, Tynyngongl. Approved 5/12/2017.

SCR/2019/8 - Barn sgrinio ar gyfer lleoli 25 o gabanau gwyliau ynghyd â chyfaddailadau hamdden a ffyrdd mynediad cysylltiedig yn / Screening opinion for the siting of 25 holiday chalets together with leisure complex and associated access roads at Treetops, Benllech - Currently Undetermined

## **Main Planning Considerations**

The outline application is for the siting of 25 holiday chalets together with a leisure complex and associated access roads. Details of access, landscaping and layout have been included as part of the application. Indicative plans has been submitted with respect to the appearance and scale of the proposed chalet and leisure complex.

The proposed development comprises of 11 number of two bed units (upper limits of 8.4 metres x 9.4 metres and 3.65 metres high) and 14 number of three bed units (11.5 metres x 12.5 metres and height 3.65 metres height) chalets. The proposed units are considered in line with the definition of a chalet described within planning policy TWR3 of the Joint Local Development Plan.

The proposed leisure complex will be located at the south part of the site, within close proximity of the existing access and clubhouse. The maximum dimensions are proposed 34.6 metres x 19.2 metres and a maximum height of 4.2 metres. The Leisure Complex will include a gym, swimming pool and spa facilities.

A landscaping scheme is proposed as part of the proposal which includes planting between the units together with woodland planting proposed around the site boundary. This will enhance the existing mature trees which bound the majority of the site.

Since its initial submission, the site layout has been amended and an additional landscaping scheme has been submitted as part of the proposal.

### **Policy Considerations:**

The application site is located in the open countryside, outside any defined development boundary. The site is also located outside the Area of Outstanding Natural Beauty (AONB) and the Special Landscape Area (SLA).

When considering the principle of the development reference is made to Policy TWR3 of the Joint Local Development Plan.

Policy TWR3 states that proposals for the development of new static caravan (i.e. single or twin caravan), holiday chalet sites or permanent alternative camping accommodation will be refused within the Anglesey Coast Area of Outstanding Natural Beauty and the Special Landscape Areas. In other locations proposals for new static caravan or holiday chalet sites and permanent alternative camping accommodation will only be granted where it complies with all of the following three criteria:

*i. It can be demonstrated that it doesn't lead to a significant intensification in the provision of static caravan or chalet or permanent alternative camping sites in the locality*

In order to determine if the proposal would lead to an intensification in the provision of static caravan, chalets or permanent camping accommodation reference is made to the Anglesey Landscape Sensitivity and Capacity Study (March 2014). Within the study each Landscape Character Area (LCA) has been assessed to provide guidance in relation to the sensitivity of the landscape and assess the capacity for further caravan/chalet park developments; the proposed site is located within LCA 9 (*Red Wharf Bay*).

In respect of this LCA, the Study states that the indicative overall capacity in LCA9 “Outside the AONB and SLA it is considered there may be *some capacity for sensitive sited and well – designed very small to small scale developments*, which should relate well to the existing built environment / urban land cover”. The study defines very small development as up to 10 units and small developments as 11-25 units.

Although table 2.11 (Static Caravan/Chalet Park Development Typologies) of the Anglesey, Gwynedd and Snowdonia National Park Landscape Sensitivity Study (March 2014) indicates that a scheme of about 10 holiday units would be more acceptable on a 1 hectare size site, this is only an approximation.

Following assessing the context of the site, amended layout together with the observations of the Built Environment section who raise no objection to the proposal, it is considered that 25 units are acceptable within this location.

*ii. That the proposed development is of a high quality in terms of design, layout and appearance, and is sited in an unobtrusive location which is well screened by existing landscape features and/or where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape.*

National planning policy guidance states that the effect of a development proposal on wildlife or landscape can be a material planning consideration. An unobtrusive location is defined in the JLDP as one which is well screened by existing landscape features and/or where units can be readily assimilated into the landscape without the need for excessive man made features.

Indicative plans have been submitted as part of the application, which suggests that the design of the proposed chalets and leisure complex is of high quality.

The site is part of a playing field/recreation ground adjacent to the B5108 and visible to pedestrian and vehicular traffic from the B5108 and Lôn Bwlch. The site backs onto a piece of mostly hazel woodland which slopes upwards to the east and encloses the site from this aspect. There are some roadside deciduous trees of mixed species on the B5108 and a line of conifers on Lon Bwlch. The conifers are incompatible with the deciduous trees and woodland locally, particularly in the winter months and provide little low level screening.

Following the submission of a landscaping scheme which will further aid to mitigate the development, it is considered that the proposed development would be unobtrusive within its location and does not significantly harm the visual quality of the landscape.

The landscape officer has raised no objection to the proposal and considered that the development complies with the requirements of PCYFF4, TWR3 and AMG3 of the JLDP.

*iii. That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features.*

Part 3 of policy TRA1: Transport Network Developments, states that proposals for large-scale development or developments in sensitive areas that substantially increase the number of journeys made by private vehicles will be refused unless they include measures as part of a Transport Assessment

National planning guidance stipulates, where appropriate, new developments should be accessed by various modes of transport. Paragraph 4.7.7 of PPW states that in rural areas the majority of new development should be located or adjacent to settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole.

Paragraph 3.15 of Technical Advice Note (TAN) 18: Transport, states that tourism proposals, particularly in rural areas, should demonstrate access by a choice of modes to avoid locking in the requirement for

travel by car, and, in rural areas a lack of public transport access needs to be balanced against the contribution tourism makes to the rural economy in the specific area.

Paragraph 3.11 states that development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. The JLDP has sustainable development at its core, therefore consideration needs to be given as to whether this development embodies the principles of sustainable development given its location, scale and the lack of public transport links.

The application site is approximately 50 meters from Tyn y Gongl (on the B5108 which has a pavement on the opposite side of the road) and 250 metres from Bwlch.

The site is located immediately adjacent to the B5108 highway. A new access to the site is proposed at the western part of the site, leading from the highway.

The site is considered to be in a sustainable location, located within close proximity to the National Cycle Network and existing public transport links. Two bus stops are located adjacent to the site.

The Local Highway Authority have assessed the application including the Transport Statement submitted as part of the application and are satisfied with the proposal subject to conditions.

Welsh Language Statement:

Policy PS 5 states that all proposals should protect, support and promote the use of the Welsh language. Policy PS1 provides a framework to consider how proposed developments achieve this. The policy requires developers to submit a Welsh Language Statement with any proposed retail, industrial or commercial development covering an area of 1,000m<sup>2</sup> or more as the case with this application. In accordance with the requirements of the Policy the applicant has submitted a Welsh Language Statement as part of the application's Planning Statement.

The Local Planning Authority have assessed the document and is satisfied that that the risk of the development in itself having a substantial negative impact on the language of the community is low.

Effect upon Amenities of Neighbouring Properties:

The impact of the proposal, especially upon the amenity of nearby land users should be considered in accordance with the criteria as set out in policy PCYFF 2 (Development Criteria). Specific consideration is given to criteria 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupiers of local residences or other land and property users.

The nearest dwellinghouse is Tyddyn Tudur approximately 70 meters west from the nearest proposed unit.

Given due consideration to these distance together with the existing landscaping between other dwellinghouses it is not considered that the proposed development would affect the amenities of neighbouring residential amenity to such a degree to warrant refusal of the application.

## **Conclusion**

It is considered that the application will bring economic benefits to the area which can be supported by local and national planning policy, in particular TWR3 of the JLDP. It is not considered that there will be a significant intensification in the provision of such sites within the area and that the proposal is of high quality, located in a unobtrusive location providing adequate access onto a main highway network.



The amenities of the area and neighbouring properties have been taken into account, however it is not considered that the proposed development will harm the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application.

Various material considerations have been considered and assessed by the specialist Officers of the Authority who have not raised an objection to the scheme subject to a satisfactory porosity test (currently being considered by the Authority) and various conditions. It is recommended that the application be approved.

### **Recommendation**

**(01) The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

Reason: To prevent the accumulation of planning permission: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990

**(02) Details of the appearance and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.**

Reason: The application is for outline planning permission.

**(03) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.**

**Location Plan - 2492:17:1c**

**Proposed Hard standing Plan with Drainage - 2492:17:15d**

**Proposed Holiday Lodge Development Soft Landscape Proposals - 09/105/03 v1.1**

**Proposed Site Plan with Drainage - 2492:17:3m**

**Proposed Bin and Recycling Stores - 2492:17:16**

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

**(04) The units shall only be used for holiday accommodation and shall not at any time be used as permanent premises.**

Reason: To define the scope of this approval.

**(05) The owners/operators shall maintain an up to date register of the names of all owners/occupiers of individual units on the site and of their main home addresses and shall make this information available to the Local Planning Authority within 14 days of being requested by the Local Planning Authority.**

Reason: To ensure the approved holiday accommodation is not used for unauthorised permanent.

**(06) No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

**(07) The site shall be landscaped strictly in accordance with Ark Company Dwg.No. 09/105/03 v1.1 in the first planting season after completion or first use of the development, whichever is the sooner. The landscaping scheme shall be retained for lifetime of the development hereby approved. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the carrying out of the landscaping scheme, shall be replaced by plants of the same specification within 12 months.**

Reason: In the interest of visual amenity

**(08) A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the units on the site. The landscape management plan shall be carried out as approved.**

Reason: In the interest of visual amenity

**(09) No development (including trial pitting, site clearance or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.**

**A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork.**

Reason:

- 1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2018 and TAN24: The Historic Environment.
- 2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

**(10) Only foul water from the development site shall be allowed to discharge to the public sewerage system and this discharge shall be made at/ or downstream of manhole chamber reference SH50827601 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

**(11) The access shall be laid out and constructed strictly in accordance with the submitted plan (reference number 2492:17:3m) 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 Local Highway Authority.

**(12) The access shall be constructed with 2.4 metre by 215 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 Local Highway Authority.

**(13) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the County Highway with the surface water drainage system completed and operational before the use hereby permitted is commenced.**

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

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

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

**(15) No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:  
The parking of vehicles for site operatives and visitors  
Loading and unloading of plant and materials  
Storage of plant and materials used in constructing the development  
Wheel washing facilities (if appropriate)  
Hours and days of operation and the management and operation of construction and delivery vehicles.**

Reason: To comply with the requirements of the Highway Authority to ensure reasonable and proper control is exercised over construction activities in the interests of road safety.

**(16) No development shall commence until full details for the location and construction specification of a new pedestrian footway along the public highway from the application to the existing bus stop has been submitted and approved in writing by the Local Planning Authority. The footway must be completed in accordance the approved detail before the use hereby approved is commenced.**

Reason: In the interest of highway safety

**(17) No development shall commence until a management and maintenance plan for the drainage system has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall demonstrate how its operation is secured for the lifetime of the development. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To ensure the site is adequately drained.

**(18) 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 Local Highway Authority.

**(19) Construction works shall only be carried out between the hours of 08:00 - 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No works shall be carried out on Sunday or Bank Holidays.**

Reason: In the interest of amenity

**(20) Full details of all external lighting proposed to be used on the development shall be submitted to an approved in writing by the Local Planning Authority before building or other operations start. Such details shall include the following:**

- That all lights shall be directed onto the application site only and not onto any surrounding land or properties.
- Full details of all lights including luminaire, lamp, beam widths and any anti-glare hoods to be used.

- **A report on any light spillage (including lux levels) onto any surrounding land or properties arising from the external lighting proposed.**

**No external lighting other than that approved under this condition shall be used on the development. The external lighting approved shall be installed in strict accordance with the details approved in writing by the Local Planning Authority.**

Reason To safeguard the amenities of occupants of the surrounding properties.

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.

**Application Reference: DIS/2019/18**

**Applicant:** Cyngor Sir Ynys Môn

**Description:** Cais i ryddhau amod (04) (darparu datganiad a chynllun sy'n dangos dull clir a chadarn sy'n lliniaru'r risg posibl o gerbydau'n aros ar y briffordd gyhoeddus i rywun ddod i agor y gatau ) o ganiatâd cynllunio 41LPA1041/FR/TR/CC cais llawn ar gyfer newid defnydd tir amaethyddol i'w ddefnyddio fel man stopio dros dro (10 llecyn) ar gyfer Sipsiwn a Theithwyr, creu mynedfa gerbydau newydd, ffurfio mynedfa newydd i gerddwyr a phafin ynghyd â datblygiadau cysylltiedig ar dir i'r Dwyrain o / Application to discharge condition (04) (statement and accompanying plan which demonstrates a clear and robust method that mitigates the potential risk of vehicles waiting on the public highway for someone to come to open the gates) of planning permission 41LPA1041/FR/TR/CC full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of

**Site Address:** Cyffordd Star Crossroad, Star



**Report of Head of Regulation and Economic Development Service (Gwen Jones)**

**Recommendation:** Amod wedi ei Ryddhau / Condition Discharged

## Reason for Reporting to Committee

The planning application is presented to the Planning Committee for consideration as the land is owned by the Council.

## Proposal and Site

This is an Application to discharge condition (04) (statement and accompanying plan which demonstrates a clear and robust method that mitigates the potential risk of vehicles waiting on the public highway for someone to come to open the gates) of planning permission 41LPA1041/FR/TR/CC full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of Star Crossroads, Star.

## Key Issues

The application's key issue is whether the submitted information satisfies the requirements of the condition and can be discharged.

## Policies

### Joint Local Development Plan

Policy PS 4 – Sustainable Transport, Development and Accessibility.  
Policy PS 5 – Sustainable Development.  
Policy PS 6 – Alleviating and Adapting to the Effects of Climate Change.  
Policy PS 19 – Conserving and Where Appropriate Enhancing the Natural Environment.  
Policy TRA 4 – Managing Transport Impacts.  
Policy PCYFF 1 – Development Boundaries.  
Policy PCYFF 2 – Development Criteria.  
Policy PCYFF 3 – Design and Place Shaping.  
Policy PCYFF 4 – Design and Landscaping.  
Policy AMG 3 – Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character.  
Policy TAI 8 – Appropriate Housing Mix.  
Policy TAI 19 – New Permanent or Transit Pitches or Temporary Stopping Places for Gypsies and Travellers

## Response to Consultation and Publicity

Consultee	Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	The Highway Authority have confirmed that the information submitted with the planning application is acceptable and that the condition can be discharged.

There is no requirement to notify adjoining property owners with this type of application

## Relevant Planning History

41LPA1041/FR/TR/CC - Full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation

of a new pedestrian access and pavement together with associated development on land East of Star Crossroads, Star – Approved 10/10/18

### **Main Planning Considerations**

Planning application reference 41LPA1041/FR/TR/CC was approved on the 10/10/18 for change of use of agricultural land for use as a temporary stopping place for Gypsies and Travellers, formation of a new pedestrian access and pavement together with associated development on land East of Star Crossroads, Star.

Condition (04) of the permission stated the following:-

‘ Notwithstanding the submitted information, hereby approved, the applicant shall provide a statement and accompanying plan which demonstrates a clear and robust method that mitigates the potential risk of vehicles waiting on the public highway for someone to come to open the gates. This statement and plan shall be submitted to the planning authority and receive approval, prior to the commencement of development on site.

‘It was considered necessary to include this condition to prevent detrimental impacts on the safe operation of the public highway and in the interest of pedestrian and vehicular safety.’

A Site Management Plan has been received with the planning application outlining the broad principles for managing and operating the proposed site. The Highways Authority has confirmed that the information submitted is acceptable and the condition can be discharged.

### **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 WBFG Act). The recommendation takes into account the ways of working set out at section 5 of the WBFG 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 WBFG Act.

The information submitted is considered acceptable and meets the requirements of condition (04) of planning application 41LPA1041/FR/TR/CC.

### **Recommendation**

Discharge Condition (04) of planning application 41LPA1041/FR/TR/CC.

**Application Reference: DIS/2019/19**

**Applicant:** Cyngor Sir Ynys Môn

**Description:** Cais i ryddhau amod (15) (darparu cynlluniau a ddiweddarwyd sy'n dangos ardal(oedd) a ddiffinnir yn gadarn o blannu newydd ar gyfer llwyni a glaswelltir. At hyn, bydd yr ardaloedd o lwyni bytholwyrdd arfaethedig yn cael eu plannu yn lle hynny â chelyn a/neu ffawydd fel dewis arall gyda dail llydan sy'n agosach at ystyriaethau ecolegol brodorol) o ganiatâd cynllunio 41LPA1041/FR/TR/CC cais llawn ar gyfer newid defnydd tir amaethyddol i'w ddefnyddio fel man stopio dros dro (10 llecyn) ar gyfer Sipsiwn a Theithwyr, creu mynedfa gerbydau newydd, ffurfio mynedfa newydd i gerddwyr a phafin ynghyd â datblygiadau cysylltiedig ar dir i'r Dwyrain o / Application to discharge condition (15) (updated plans which indicate firmly defined area(s) of new planting for both hedges and grassland. Furthermore the areas of proposed evergreen hedge be instead planted with holly and/or beech as a broadleaved alternative closer to native ecology considerations) of planning permission 41LPA1041/FR/TR/CC full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of

**Site Address:** Cyffordd Star Crossroad, Star





**Recommendation:** Amod wedi ei Ryddhau / Condition Discharged

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

The planning application is presented to the Planning Committee for consideration as the land is owned by the Council

### **Proposal and Site**

This is an Application to discharge condition (15) (updated plans which indicate firmly defined area(s) of new planting for both hedges and grassland. Furthermore the areas of proposed evergreen hedge be instead planted with holly and/or beech as a broadleaved alternative closer to native ecology considerations) from planning permission 41LPA1041/FR/TR/CC full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of Star Crossroads, Star.

### **Key Issues**

The application's key issue is whether the submitted information satisfies the requirements of the condition and can be discharged.

### **Policies**

#### **Joint Local Development Plan**

Policy PS 4 – Sustainable Transport, Development and Accessibility.  
Policy PS 5 – Sustainable Development.  
Policy PS 6 – Alleviating and Adapting to the Effects of Climate Change.  
Policy PS 19 – Conserving and Where Appropriate Enhancing the Natural Environment.  
Policy TRA 4 – Managing Transport Impacts.  
Policy PCYFF 1 – Development Boundaries.  
Policy PCYFF 2 – Development Criteria.  
Policy PCYFF 3 – Design and Place Shaping.  
Policy PCYFF 4 – Design and Landscaping.  
Policy AMG 3 – Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character.  
Policy TAI 8 – Appropriate Housing Mix

### **Response to Consultation and Publicity**

There is no requirement to notify adjoining property owners with this type of application.

### **Relevant Planning History**

41LPA1041/FR/TR/CC - Development By County Council - Cais llawn ar gyfer newid defnydd tir amaethyddol i'w ddefnyddio fel man stopio dros dro (10 llecyn) ar gyfer Sipsiwn a Theithwyr, addasiadau i'r fynedfa gerbydau bresennol, ffurfio mynedfa newydd i gerddwyr a phafin ynghyd â datblygiadau cysylltiedig ar - Star Crossroad, Star - Approval 10/10/18

### **Main Planning Considerations**

Planning application reference 41LPA1041/FR/TR/CC was approved on the 10/10/18 for change of use of agricultural land for use as a temporary stopping place for Gypsies and Travellers, formation of a new

pedestrian access and pavement together with associated development on land East of Star Crossroads, Star.

Condition (15) of the permission stated the following:-

Notwithstanding the submitted information hereby approved, the applicant shall provide updated plans which indicate firmly defined area(s) of new planting for both hedges and grassland. Furthermore the areas of proposed evergreen hedge be instead planted with holly and/or beech as a broadleaved alternative closer to native ecology considerations. This plan shall be approved in writing by the planning authority, prior to any development works on site relating to the implementation of the planting scheme.

It was considered necessary to include this condition in order to enhance the ecological interest of the site and safeguard visual and residential amenity.

Details of proposed planting and grassland has been submitted and shown on drawing number AGS-CAP-ELS-01-DR-L-1004 P01 and includes a native hedge to the road side boundary, together with proposed reinforced grass area, proposed species rich grass and proposed amenity planting within the application site.

The Ecological and Environmental Adviser has confirmed that the submitted information is acceptable and the proposals should lead to biodiversity gain. Confirmation has been received from the ecologist that the condition can be discharged.

The Landscape Officer of the Council has confirmed that a holly and beech combination will provide a similar screening function to the evergreen hedge previously proposed and not affect previously assessments of visibility.

## **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.

The planting details are considered acceptable and meets the requirements of condition (15) of planning application 41LPA1041/FR/TR/CC can be discharged.

## **Recommendation**

Discharge Condition (15) of planning application 41LPA1041/FR/TR/CC relating to new planting for both hedges and grassland.

**Application Reference: DIS/2019/21**

**Applicant:** Cyngor Sir Ynys Môn

**Description:** Cais i ryddhau amod (16) (manylion am raglen o waith archeolegol) o ganiatâd cynllunio 41LPA1041/FR/TR/CC cais llawn ar gyfer newid defnydd tir amaethyddol i'w ddefnyddio fel man stopio dros dro (10 llecyn) ar gyfer Sipsiwn a Theithwyr, creu mynedfa gerbydau newydd, ffurfio mynedfa newydd i gerddwyr a phafin ynghyd â datblygiadau cysylltiedig ar dir i'r Dwyrain o/ Application to discharge condition (16) (specification for a programme of archaeological work) of planning permission 41LPA1041/FR/TR/CC full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of

**Site Address:** Cyffordd Star Crossroad, Star



**Report of Head of Regulation and Economic Development Service (Gwen Jones)**

**Recommendation:** Amod wedi ei Ryddhau / Condition Discharged

**Reason for Reporting to Committee**

The planning application is presented to the Planning Committee for consideration as the land is owned by the Council.

## Proposal and Site

This is an Application to discharge condition (16) (specification for a programme of archaeological work) of planning permission 41LPA1041/FR/TR/CC full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of Star Crossroads, Star

## Key Issues

The application's key issue is whether the submitted information satisfies the requirements of the condition and can be discharged.

## Policies

### Joint Local Development Plan

Policy PS 4 – Sustainable Transport, Development and Accessibility.  
Policy PS 5 – Sustainable Development.  
Policy PS 6 – Alleviating and Adapting to the Effects of Climate Change.  
Policy PS 19 – Conserving and Where Appropriate Enhancing the Natural Environment.  
Policy TRA 4 – Managing Transport Impacts.  
Policy PCYFF 1 – Development Boundaries.  
Policy PCYFF 2 – Development Criteria.  
Policy PCYFF 3 – Design and Place Shaping.  
Policy PCYFF 4 – Design and Landscaping.  
Policy AMG 3 – Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character.  
Policy TAI 8 – Appropriate Housing Mix.  
Policy TAI 19 – New Permanent or Transit Pitches or Temporary Stopping Places for Gypsies and Travellers

## Response to Consultation and Publicity

Consultee	Response
GCAG / GAPS	Gwynedd Archaeological Planning Service – They have confirmed that the Written Scheme of Investigation for an Archaeological Watching Brief information submitted with the application is acceptable and condition (16) can be discharged

There is no requirement to notify adjoining property owners with this type of application.

## Relevant Planning History

41LPA1041/FR/TR/CC - Development By County Council - Cais llawn ar gyfer newid defnydd tir amaethyddol i'w ddefnyddio fel man stopio dros dro (10 llecyn) ar gyfer Sipsiwn a Theithwyr, addasiadau i'r fynedfa gerbydau bresennol, ffurfio mynedfa newydd i gerddwyr a phafin ynghyd â datblygiadau cysylltiedig ar - Star Crossroad, Star - Approved 10/10/18

## Main Planning Considerations

Planning application reference 41LPA1041/FR/TR/CC was approved on the 10/10/18 for change of use of agricultural land for use as a temporary stopping place for Gypsies and Travellers, formation of a new

pedestrian access and pavement together with associated development on land East of Star Crossroads, Star.

Condition (16) of the permission stated the following:-

'No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the planning authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.'

It was considered necessary to include this condition in order to safeguard local archaeological interests.

A Written Scheme of Investigation for an Archaeological Watching Brief has been submitted with the planning application and Gwynedd Archaeological Planning Service has confirmed that the submitted information is acceptable and have confirmed that condition (16) of planning application 41LPA1041/FR/TR/CC can be discharged.

### **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.

The Written Scheme of Investigation for an Archaeological Watching Brief is considered acceptable and meets the requirements of condition (16) of planning application 41LPA1041/FR/TR/CC can be discharged.

### **Recommendation**

Discharge Condition (16) of planning application 41LPA1041/FR/TR/CC relating to a specification for a programme of archaeological work.

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**Application Reference:** FPL/2019/13

**Applicant:** Mr Idwal Hughes

**Description:** Cais llawn ar gyfer codi sied amaethyddol i gadw anifeiliaid a storio peiriannau a bwyd ynghyd a adeiladu trac mynediad llain caled ar dir ger / Full application for the erection of an agricultural shed for the housing of livestock and the storage of machinery and fodder together with the construction of a hard standing access track on land adjacent to

**Site Address:** Mast Teleffon/Telephone Mast, Nebo



**Report of Head of Regulation and Economic Development Service (Iwan Jones)**

**Recommendation:** Gwrthod / Refused

**Reason for Reporting to Committee**

Application has been called to the Planning and Orders Committee for determination by Local Member Richard Owain Jones

## Proposal and Site

The site is located in the open countryside outside of Nebo adjacent to the Television Station Mast. The proposal entails the erection of an agricultural shed for the housing of livestock and the storage of machinery and fodder together with the creation of an access track.

## Key Issues

The key issues to consider are whether there is sufficient justification for the proposed shed for agricultural purposes and visual impact.

## Policies

### Joint Local Development Plan

Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy AMG 2: Special Landscape Areas

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Griffiths	No Response
Cynghorydd Aled Morris Jones	No Response
Cynghorydd Richard Owain Jones	Request that the application is called into the Planning and Orders Committee for determination.
Cyngor Cymuned Llanellian Community Council	Concerns regarding location of proposed shed and its impact upon the AONB.
Ymgynghorydd Tirwedd / Landscape Advisor	No clear opportunity to integrate the development into the site as required under the Joint Local Development Plan. It is considered that the site cannot accommodate further development without additional harm to the landscape.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	The proposed planting will lead to a biodiversity gain which is welcomed.
Iechyd yr Amgylchedd / Environmental Health	Conditions Proposed
The Highway Service	Conditions Proposed

The application was afforded two means of publicity; these were by the posting of a notice near the site and the serving of personal notifications on the owners of neighbouring properties. The publicity process was carried out on two separate occasions following further information being received which subsequently changed the description. The latest date for the receipt of representations is the 05/04/2019. At the time of writing the report no representations had been received at the department.

## Relevant Planning History

24C331 - Full Planning - Cais llawn ar gyfer codi adeilad amaethyddol ar gyfer cadw anifeiliaid a storio peiriannau a bwyd ynghyd a chreu trac mynedfa ar dir ger / Full application for the erection of an

agricultural building for the housing of livestock and the storage of machinery and fodder together with the creation of an access track on land adjacent to - Mast Teleffon / Telephone Mast, Nebo - Refused  
04/07/2016

24C331A - Full Planning - Cais llawn ar gyfer codi adeilad amaethyddol ar gyfer cadw aneifeiliaid a storio peiriannau a bwyd ynghyd a chreu trac mynedfa ar dir ger /Full application for the erection of an agricultural building for the housing of livestock and the storage of machinery and fodder together with the creation of an access track on land adjacent to - Mast Teleffon / Telephone Mast, Nebo - Refused  
18/08/2016

24C331B - Full Planning - Cais llawn ar gyfer codi sied amaethyddol i gadw peiriannau amaethyddol ar dir ger / Full application for the erection of an agricultural shed to store agricultural machinery on land adjacent to - Mast Teleffon/Telephone Mast, Nebo - Withdrawn 30/08/2018

## **Main Planning Considerations**

Justification:

Three previous applications have been submitted at the site for the erection of an agricultural shed. With exception to a withdrawn application, the other two applications were refused due to insufficient justification.

The general principle of development for agriculture purposes is accepted within local and national planning policies provided development can be justified. The acceptability of the proposed development thus depends on detailed development control criteria. The proposed agricultural building is measured at 6 meters (width) x 9.6 meters (length) and 5.2 meters (ridge height). The scale has been reduced from previous applications.

The purpose of the shed is for the housing of livestock and the storage of machinery and fodder. The applicant owns 2.37 hectares of land. No evidence of the agricultural use made of the land and the need for an agricultural shed of this size has been submitted as part of the application. The applicant has confirmed he currently does not own animals, however requires the shed to house potential future livestock. Based upon the above, it is considered there is no justification for an agricultural building in this location.

Visual Impact:

The site is an agricultural enclosure in an elevated location (approximately 160 metres AOD) with views to the coast. This is an open landscape with little vegetation to enclose fields and development. The telecommunication mast at Nebo is conspicuous in distant views from surrounding landform and highways. Other built development is prominent locally and in the absence of topographical or landscape features poorly integrated into the landscape.

The application site is located within the Special Landscape Area of Parys Mountain and adjoining the Area of Outstanding Natural Beauty.

It is considered that the site is within a prominent location and although adjacent masts are detracting features, it remains a sensitive location with natural beauty most evident in views towards the coast.

Landscaping is proposed as screening on the access and surrounding the building. This is an open and exposed location and landscaping as proposed is unlikely to establish here within a reasonable timeframe or reach proportions that would screen this development. In addition the location of the site would not - even if landscaped, make this an inconspicuous development or well integrated into the site.

From local routes the proposal is likely to be seen as a skyline feature located close to the top of this landform and locally interfere with the coastal view to the north. Other views towards the site will depend on intervening hedgerows/roadside boundaries and it will become distinctly less visible outside a range of 250 metres.



### Residential Amenity:

Due to the distance to neighbouring properties, it is not considered that the proposal will unacceptably effect the residential amenity of adjoining properties.

### Conclusion

No justification has been submitted as part of the proposal to demonstrate that the building as proposed is reasonably necessary in terms of its size, location and use in association with any agricultural use of the unit.

The site is located within a prominent location with no clear opportunity to integrate this development into the site. Although local landscape value is reduced by telecommunication and energy infrastructure and is visually obtrusive; however, it is not considered that the site can accommodate more development without additional harm.

### Recommendation

(01) The applicant has not demonstrated that the building as proposed is reasonably necessary in terms of its size, location and use in association with any agricultural use of the unit. The proposal is therefore contrary to policy PCYFF 3 of the Joint Local Development Plan and the advice contained within Technical Advice Note 6: Planning for Sustainable Rural Communities (2010) and Planning Policy Wales Edition 10.

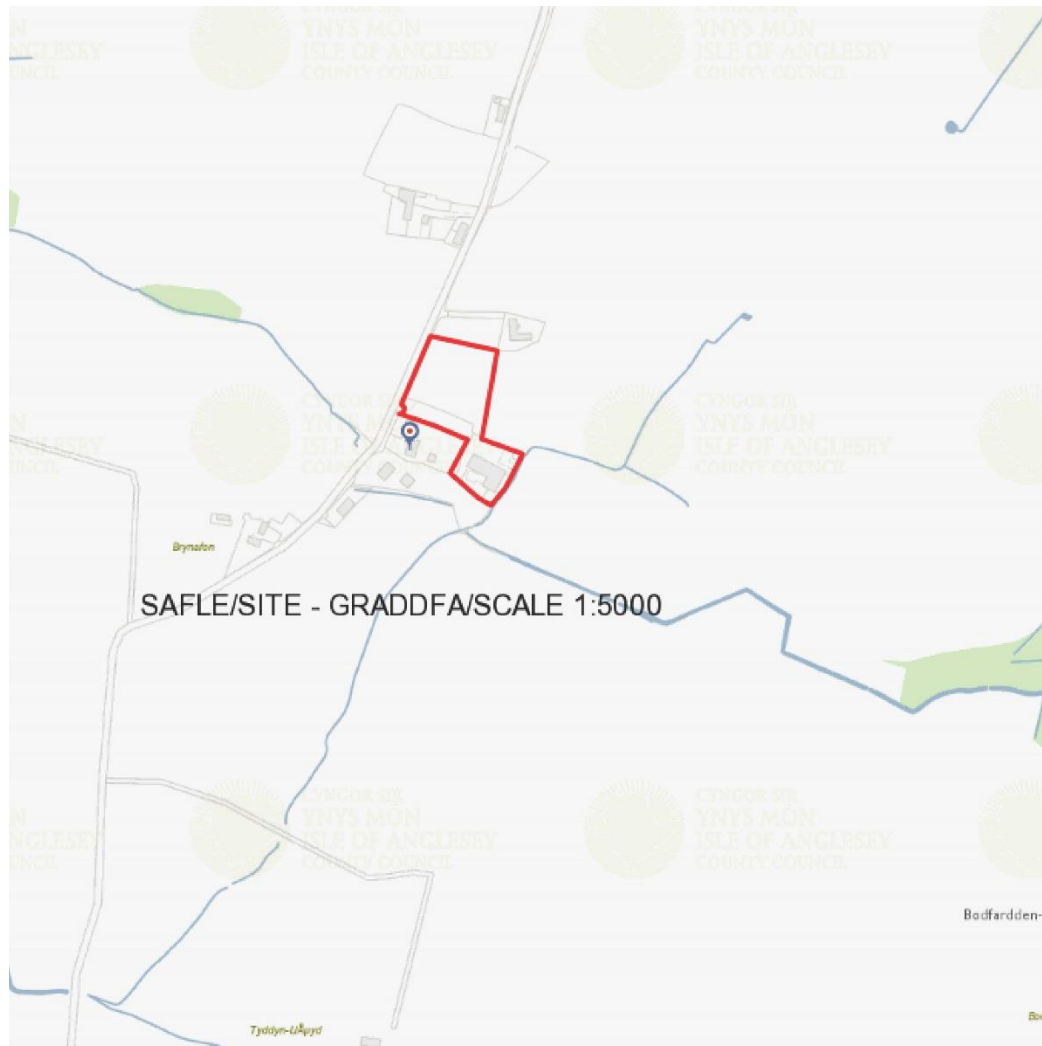
(02) The Local Planning Authority considered that the proposal would constitute development which would result in an unjustified and prominent feature in the landscape to the detriment of the character of the area contrary to policy PCYFF4 and AMG2 of the Anglesey and Gwynedd Joint Local Development Plan and advice contained within Planning Policy Wales Edition 10.

**Application Reference:** FPL/2019/6

**Applicant:** Mr. Stephen Lloyd

**Description:** Cais llawn ar gyfer newid defnydd ysgol bresennol i waith cynhyrchu bleinds ffenestri (Dosbarth B2) yn / Full application for the change of use of existing school into a unit for the manufacturing of window blinds (Class B2) at

**Site Address:** Ysgol Gynradd Llanfaethlu, Llanfwrog



**Report of Head of Regulation and Economic Development Service (Owain Hughes)**

**Recommendation:** Caniatáu / Permitted

## Reason for Reporting to Committee

The proposed new development is within land which is owned by the Council.

## Proposal and Site

The site lies to the north of Llanfwrog village at the former school known as Ysgol Gynradd Ffrwd Win, situated between Llanfwrog and Llanfaethlu village. The school has been closed since 2017.

The proposed scheme is for the change of use of the building to be used as a unit for manufacturing window blinds (Class B2) for Lloyds Blinds.

## Key Issues

The key issue is whether the proposed scheme is acceptable in terms of planning policies and whether the proposed development may impact the surrounding amenities and neighbouring properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy CYF 6: Reuse and Conversion of Rural Buildings, Use of Residential Properties or New Build Units for Business/Industrial Use

Planning Policy Wales (Edition 10, December 2018)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Technical Advice Note 12: Design (2016)

## Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	Standard comments
Dwr Cymru Welsh Water	Standard comments
Adain Dechnegol (Draenio) / Technical Section (Drainage)	No response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments - no objections
Pennaeth y Gwasanaeth - Priffyrdd / Head of Service - Highways	No comments
Cyngor Cymuned Llanfaethlu Community Council	No objections
Cynghorydd Llinos Medi Huws	No response
Cynghorydd Kenneth P. Hughes	No response
Cynghorydd John Griffith	No response

The application was publicised by the placing of a notice near the site and the serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was the 08/02/2019. At the time of writing this report, the department have not received any representations.

## Relevant Planning History

29LPA913/CC - Cais ol-weithredol ar gyfer newid defnydd rhan o'r maes chwarae i fod yn faes parcio yn / Retrospective application for the change of use of part of the playing field into a car park at Ysgol Ffrwd Win, Llanfaethlu Approved 16/12/2009

29LPA913A/CC - Gosod gorsaf trin carthffosiaeth ar dir yn / Installation of a sewage treatment plant on land at Ysgol Ffrwd Win, Llanfaethlu Approved 28/07/2010

## Main Planning Considerations

The proposal is for the change of use of the former primary school into a business use (Class B2) for the manufacturing of window blinds.

The external appearance of the former school will not be altered nor modified. A structural Survey has been submitted as part of the planning application which shows that the current building is structurally sound and capable of sustaining a change of use of the building into a unit for the manufacturing of window blinds. The Policy Section has been consulted and they raise no objections to the proposed development as it complies with the relevant planning policy of CYF 6 of the Anglesey and Gwynedd Joint Local Development Plan which support the reuse and conversion of rural building for business use subject to criteria.

It is not considered that the proposed development will impact the surrounding amenities nor any neighbouring properties to such a degree to warrant a refusal. At the time of writing this report, no letters of representations have been received at this department.

## Conclusion

The proposed development is considered acceptable to the Local Planning Authority.

## Recommendation

**(01) The development shall begin not later than five years from the date of this decision.**

Reason: To comply with the requirements of Section 91(1) of the Town and Country .

**(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.**

- Location Plan Scale 1:1250
- Proposed Floor Plan
- Drainage Plan
- Structural Survey

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

**(03) The building shall be used for [manufacturing window blinds] and for no other purpose (including any other purpose in Class B2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).**

Reason: To ensure that inappropriate uses do not take place in this locality.

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.

**Application Reference: 42C267A**

**Applicant: Mr Steve Clapperton**

**Description:** Cais llawn ar gyfer dymchwel yr annedd presennol ynghyd a codi annedd newydd yn ei le yn / Full application for demolition of the existing dwelling together with the erection of a replacement dwelling at

**Site Address:** Clai Bungalow, Pentraeth



**Report of Head of Regulation and Economic Development Service (Iwan Jones)**

**Recommendation:** Caniatáu / Permitted

**Reason for Reporting to Committee**

Local Member Ieuan Williams has requested that the application be referred to the planning committee for determination.

**Proposal and Site**

The application is submitted for the demolition of the existing dwelling and outbuilding together with the erection of a replacement dwelling and single garage at Clai Bungalow, Pentraeth.

The application site is a parcel of land located with the Pentraeth development boundary and designated Area of Outstanding Natural Beauty (AONB). There are dwellinghouses located to the north, east and south of the site.

### Key Issues

The key issues of the application are whether or not the proposal complies with national and local planning policy, whether or not the proposal will have a detrimental effect upon neighbouring properties, highway safety and the designated AONB.

### Policies

#### Joint Local Development Plan

Policy PCYFF 4: Design and Landscaping  
 Policy PCYFF 3: Design and Place Shaping  
 Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 2: Development Criteria  
 Policy TAI 2: Housing in Local Service Centres  
 Policy TAI 13: Replacement Dwellings  
 Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets  
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
 Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Margaret Murley Roberts	No Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments with respect to the Joint Local Development Plan are elaborated upon within the main core of the report.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval
Iechyd yr Amgylchedd / Environmental Health	Approval subject to conditions protecting the amenities of neighbouring properties.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Bat and Protected Species Survey has identified very low potential for bats. Conditional approval recommended.
Adain Dechnegol (Draenio) / Technical Section (Drainage)	Drainage details are satisfactory
Cyngor Cymuned Pentraeth Community Council	No Observations
Cynghorydd Vaughan Hughes	No Response
Cynghorydd Ieuan Williams	Requests that the application is referred to the planning and orders Committee
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection

Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No Response
Dwr Cymru/Welsh Water	Welsh Water have requested that a condition be imposed requesting surface water and / or land drainage shall not be allowed to connect directly or indirectly with the public sewerage network.

The application was afforded two means of publicity; these were by the posting of a notice near the site and the serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was 13/07/2018 & 20/07/2018. At the time of writing the report fifteen representations had been received at the department.

The correspondence can be viewed in full on file, however in summary they state:

- Concerns will proposal will effect the amenity of neighbouring properties by virtue of overlooking and the proposal being an overbearing structure.
- Concerns regarding right to light
- Concerns regarding noise and general disturbance
- Boundary treatments will be removed which would result in overlooking
- Proposal is not appropriate in scale, design, construction, appearance and has a negative effect upon the landscape and designated Area of Outstanding Natural Beauty.
- Concerns regarding highway matters including highway safety and vehicle movements during construction works.
- Concerns regarding the Party Wall Act. The demolition and construction process will have an effect upon the foundations of neighbouring properties.
- Comments with respect to the landowner's intention.
- The proposed dwelling will have an effect upon the storage of agricultural paraphernalia and livestock being housed within the adjoining shed.
- Concerns regarding health and safety
- Concerns regarding drainage

In response to the points raised above, the Authority comments as follows:

- The impact upon neighbouring properties have been discussed within the main core of the report.
- Right to light is a legislation outside the planning remit.
- Since the application is for a replacement dwelling, it is considered there will not be an increase in noise and general disturbance in comparison to the existing use at the site. Mitigation against any noise and general disturbance during the construction phase will be conditioned as part of any approval.
- Conditions will be imposed as part of any approval to retain hedgerows.
- The appearance of the proposed development within its surrounding will be discussed within the main core of the report.
- The Party Wall Act is a legislation outside the planning remit. As part of the planning process, Certificate B has been served accordingly.
- Damage to neighbouring properties during the construction phase is a civil matter.
- The application is considered upon its merits and in line with national and local planning policies.
- It is not considered that the proposed development will have a significant impact upon the use of the adjoining outbuilding to warrant refusal of the application.
- It is the responsibility of the developer to ensure that Health and Safety is carried out appropriately during the construction phase.
- The drainage engineer and Welsh Water have assessed the application and are satisfied with the proposed development subject to conditions.

### Relevant Planning History

42C267 - Full application for demolition of the existing dwelling together with the erection of a replacement dwelling at Clai Bungalow, Pentraeth – Withdrawn April 2018



## **Main Planning Considerations**

A single storey bungalow is located at the site which also has a detached outbuilding within its curtilage. The proposed two storey dwelling is measured at approximately 20.4 metres x 8.7 metres with an overall height of approximately 7.3 metres from ground level. This is larger in scale than the existing dwelling, measured at approximately 15.3 metres x 9.9 metres with an overall height of approximately 4.4 metres above ground level. The proposed dwelling will include two first floor balconies at the eastern and western part of the unit and new single storey garage at the eastern part of the site. The proposed two storey dwelling has a larger scale and floor area than the existing single storey bungalow.

The land is set on a higher level from the adjoining public highway. The site is bounded to the south by Clai Coediog Farm, and the south west by detached residential dwelling known as 1 Parc Clai Coediog, To the north of the site, across the highway is a dwelling known as Penrhos Cottage.

### **Policy Considerations:**

The site is located within the development boundary of Pentraeth. Policy TAI 13 of the JLDP supports proposals for replacement dwellings, provided that a set of criteria are satisfied. However, as the site lies within a development boundary the majority of the criteria within policy TAI 13 do not apply.

Criterion 6 of policy TAI 13 requires the replacement dwelling to be located within the same footprint of the existing dwelling, unless an alternative plot within the curtilage lessens the replacement dwelling's visual and amenity impact. Following assessing the site it is acknowledged that the proposal is predominantly located within the same footprint of the existing dwelling albeit the proposed dwelling is of a larger scale.

The principle of the development is therefore considered acceptable. In addition, other policies in the JLDP are also relevant, for example, how well will the replacement dwelling relate to its surroundings, how will it affect the amenity of neighbouring properties have been taken into consideration during the determination process, in particular PCYFF2, PCYFF3 and PCYFF4.

### **Built Environment**

The application was initially withdrawn following concerns being raised by the Built Environment section relating to the overall scale of the replacement dwelling.

The design of the replacement dwelling itself has mainly remained unchanged, however the proposed dwelling will now be sited at a lower level than the existing dwelling at the site. The proposed change in land levels would subsequently reduce the overall level of the site, resulting in the dwelling being sited approximately 1.2 meters lower than the existing finished floor level.

The proposed two-storey building is of distinct modern design using a contemporary palette of materials.

The proposed site excavation to facilitate lower ground floor level of the proposed replacement building makes a significant contribution in reducing the visual impact of the distinctive two-storey building situated adjacent to the highway.

The Built Environment Section have assessed the current proposal and have raised no objection. The section have concluded that on the information provided we do not believe that the proposed development would not have a significant adverse visual impact on the character of the AONB and generally satisfies JLDP Policies AMG 1, AMG 3 and PCYFF 3.

Since the application site is located within the development boundary, there is a residential unit currently located at the site and that the site is surrounded by residential properties, it is not considered that the amount of glazing proposed would create an unacceptable amount of light pollution to warrant refusal of

the application. Conditions will also be imposed to ensure that the nature and colour of glass is appropriate and aid to mitigate light spill.

Effect upon Amenities of Neighbouring Properties:

Polices PCYFF1 and PCYFF2 of the joint Local Development Plan relate to the effect on residential amenities which will be assessed in determining planning applications.

The Council's Supplementary Planning Guidance 'Design Guide for the Urban & Rural Environment' contains a section with respect to the proximity of development.

The application site is located within a relatively dense residential area of Pentraeth. As previously noted, there are several residential properties within close proximity to the site which are Clai Coediog Farm, Penrhos Cottage and the detached bungalows along Park Clai Coediog.

With the exception of Velux windows, no windows are located on the northern elevation. Balconies are located both the first floor western and eastern elevations of the proposed dwelling. Windows are located on both the ground and first floor western, eastern and southern elevations.

A cross section has been submitted as part of the application which provides a clear illustration of the topography and comparison with neighbouring properties.

No 1 Parc Clai Coediog:

There is a distance of 14.5 metres between the balcony of the proposed dwelling and the curtilage of the nearest dwelling on the Park Clai Coediog estate – number 1. The dwelling itself is set back approximately 5 metres from the boundary. A main window is located on the northern elevation of 1 Parc Clai Coediog. The dwelling is on a slightly higher level than the proposed ground level of the application site and therefore the ridgeline would be of a similar height to the No.1 Parc Clai Coediog.

The proposed garage will be located along the northern boundary, which is similar in scale to the existing garage at the site. Mature vegetation is also located along the shared boundary which provides sound screening between the two properties which would assist in mitigating overlooking from the proposed balcony and windows along the south west elevation.

Clai Coediog Farm & Chalet / Annex:

The dwelling is located approximately 22 metres from the boundary of the application site. The existing chalet, south of the dwellinghouse is located approximately 18 metres from the proposed dwelling. As previously noted, the only windows proposed on the northern elevation are velux windows which would only provide a source of light. The balcony along the north eastern elevation would be partially screened by the adjoining outbuildings. These outbuildings are attached to the existing dwelling and similarly will be attached to the proposed dwelling. Although the proposed dwelling would have an additional storey, it is not considered that the scale would have a detrimental impact upon the shed. It is considered the principle elevation of shed is set the opposite side of the application site which provides adequate ventilation and light.

Since the proposed dwelling would be two storey in height, some views would be available from the first floor balcony towards Clai Coediog Farm and the Chalet. A condition will be attached to the permission ensuring that a privacy screen is located at the eastern part of the balcony in order to prevent any overlooking upon the neighbouring property.

Penrhos Cottage:

Penrhos Cottage is located at the opposite side of the road to the south of the application site. There is a distance of 11 metres between the boundary of Penrhos Cottage and the first floor habitable room and eastern balcony at the proposed dwelling. Penrhos Cottage is located approximately 22 metres from the front boundary of the site.

It is acknowledged a mature hedgerow is located along the northern boundary of Penrhos Cottage which will mitigate against overlooking from the proposed dwelling. Although the views from the first floor may overlook some of the residential curtilage of Penrhos Cottage it is acknowledged a public highway is located between both properties which currently provides a degree of overlooking into the curtilage area.

#### Effect upon Amenities of Neighbouring Properties Conclusion:

Although the development does not fully comply with the guidance contained within Supplementary Planning Guidance in regards to separation distances, due to the fact there is currently a degree of overlooking into neighbouring properties, existing hedgerows surrounding the application site which aids to mitigate against the effect of overlooking together with a condition which would be applied to ensure a privacy screen is erected at the eastern balcony, the proposal is considered acceptable and will not detrimentally harm the amenities currently enjoyed by the occupants of the surrounding properties to such a degree as to warrant the refusal of the application in which an appeal can be sustained upon this ground.

#### Local Highway Authority

The Local Highway Authority have assessed the application and are satisfied with the proposal subject to conditions.

#### Conclusion

The proposed development is considered acceptable and respects the main thrust of local and national planning policy.

It is considered there is sufficient space within the application site to accommodate the proposal without appearing cramped or overdeveloped. It is not considered the proposed dwelling will have a detrimental effect upon neighbouring properties in terms of overlooking, loss of light or being an overbearing feature to warrant refusal of the application.

The design, position and scale of the proposal is considered acceptable and will not have a negative effect upon the area, AONB or neighbouring properties. All consultees, including the Local Highways have raised no objection subject to conditions.

#### Recommendation

**(01) The development shall begin not later than five years from the date of this decision.**

Reason: To comply with the requirements of Section 91(1) of the Town and Country .

**(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.**

**Location Plan - D553A.01**

**Proposed Site Plan - D553A.04**

**Proposed Elevations and Sections - D553A.06**

**Proposed Drainage Plan - D553A.04**

**Proposed Floor Plan - D553A.05**

**Proposed Elevations and Sections - D553A.06**

**Proposed Garage Plans and Elevations - D553A.07**

**Block Plan - D553A.08**

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

**(03) Construction works shall only be carried out between the hours of 08:00 - 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No works shall be carried out on Sunday or Bank Holidays.**

Reason: In the interest of amenity

**(04) No development shall commence until full details of the method for rock excavation has been submitted to and approved in writing by the local planning authority. The method statement shall include;**

- i) Details of the type and number of machines / equipment that are to be used in connection with any rock excavation**
- ii) Measures that shall be undertaken to mitigate and minimise noise vibration and dust impacts during the works**
- iii) The proposed hours of work**

**The development shall thereafter be carried out in accordance with the approved method statement.**

Reason: In the interest of residential amenity.

**(05) No surface water and/ or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.**

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

**(06) No development shall commence until a demolition method statement is submitted and approved by the Local Planning Authority. This method statement, should ensure that demolition works occur in such a way so as to minimise noise impacts, odour and dust impacts.**

Reason: In the interests of the amenities of the locality.

**(07) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s)**

**Reason: To ensure that the development is in the interest of amenity**

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

**(08) The provisions of Classes A, B, C, D, E and F of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any Order re-voking or re-enacting that Order) are hereby excluded.**

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

**(09) No development shall commence until full details of all proposed external lighting have been submitted to and approved in writing by the Local Planning Authority. No external lighting other than that approved under this condition shall be used on the development. The external lighting approved shall be installed in accordance with the details approved in writing by the Local Planning Authority prior to occupation.**

Reason: To ensure that bats are safeguarded from the proposed development.

**(10) The development hereby approved shall be constructed strictly in accordance with the mitigation and enhancement measures contained in the report of Chris Hall Ltd Protected Species Survey received on the 15/06/2018**

Reason: To safeguard against any bats and protected species present.

**(11) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 meter above the level of the adjoining county road carriageway along the whole length of the site's boundary with the adjoining highway and nothing exceeding this height erected within 2meter of the said wall.**

Reason: In the interest of highway safety

**(12) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the County Highway with the surface water drainage system completed and in operational order before the use hereby permitted is commenced.**

Reason: In the interest of highway safety

**(13) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.**

Reason: In the interest of highway safety

**(14) No development shall commence until a Construction Traffic Management Plan (CTMP) is submitted and agreed in writing by the Local Planning Authority. The CTMP shall include;**  
**The parking of vehicles for site operatives and visitors**  
**Loading and unloading of plant and materials**  
**Storage of plant and materials used in constructing the development**  
**Wheel washing facilities (if appropriate)**  
**Hours and days of operation and the management and operation of construction and delivery vehicles.**

**The construction of the Development shall be completed in accordance with the approved Plan.**

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety.

**(15) An obscure glazed panel of 2 meters in height shall be provided on the balcony at first floor level on the eastern elevation, as highlighted in red on the attached floor plan drawing reference D553A.05. Panels are to be installed before occupation of the dwelling hereby approved. The panels shall be maintained thereafter, any replacement shall be obscured glazed and 2 meters in height.**

Reason: To ensure that the development does not have a negative impact upon amenity of neighbouring residential properties.

**(16) The hedgerow at the south east of the application site as demarcated in red on the attached site plan reference number D553A.04 shall be retained in perpetuity. In the event that any part of the hedgerow dies, becomes severely damaged or seriously diseased the hedgerow shall be replanted in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.**

Reason: In the interest of residential and visual amenity.

**(17) Full details of the glazing proposed on the first floor windows shall be submitted and approved in writing by the Local Planning Authority. Details shall include the type and colour of**

**the glass proposed. Development shall thereafter be carried out in accordance with the approved details.**

Reason: In the interest of visual amenity.

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.