

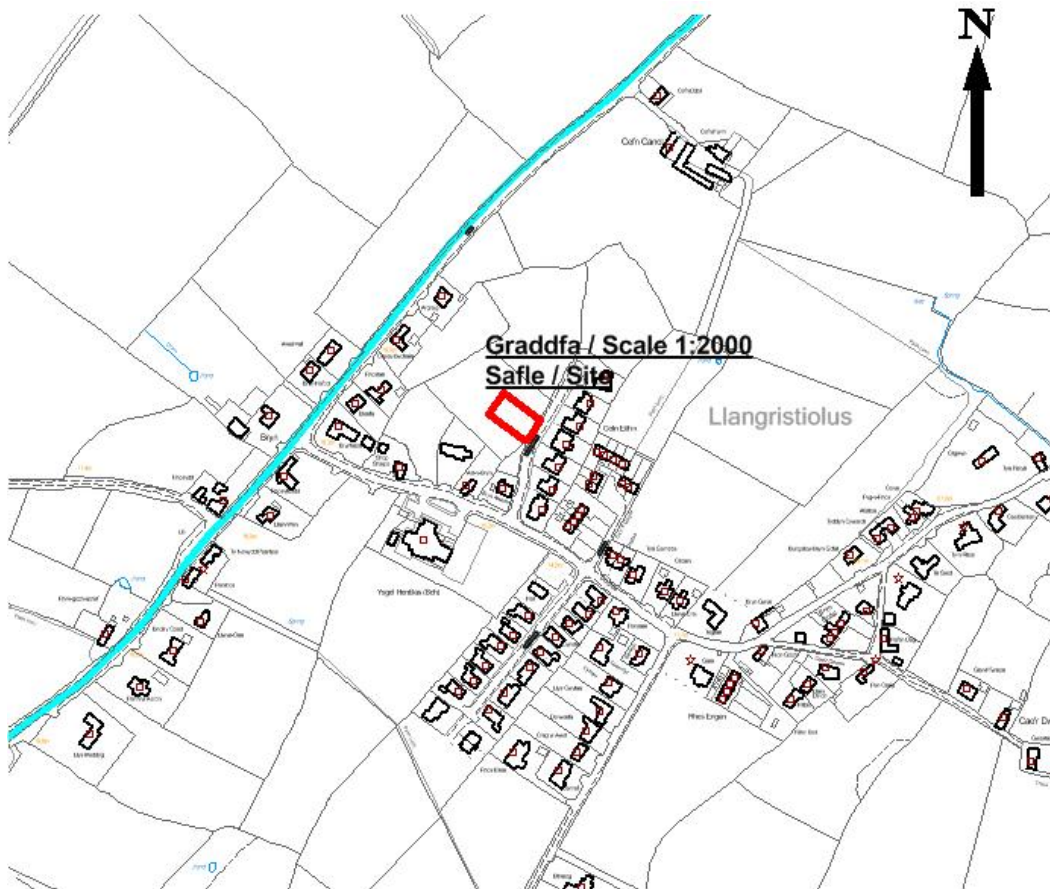
Rhif y Cais: **36C336** Application Number

Ymgeisydd Applicant

**Mrs Muriel Williams**

**Cais amlinellol ar gyfer codi annedd gyda'r holl materion wedi'u gadw'n ôl ar dir ger / Outline application for the erection of a dwelling with all matters reserved on land adjacent to**

**Ffordd Meillion, Llangristiolus**



**Planning Committee: 05/11/2014**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

At the request of the local member.

At its meeting held on the 1<sup>st</sup> October 2014 the Committee resolved to refuse the application contrary to officer recommendation. The recorded reasons being as follows:

- I. No local need for the development.
- II. Allowing the proposal would set a precedent for further future development.
- III. The proposal lies outside the development boundary of the village, and
- IV. The proposal does not form a logical extension to the village.

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

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

Paragraph 4.6.12.2 requires that;

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

This report will therefore give consideration to these matters;

- i. **No local need for the development:** Policy 50 of the Ynys Mon Local Plan which allows for the development of single dwellings within "listed settlements", such as Llangristiolus does not stipulate that a local need is required to be proven, consequently Policy 50 releases "open market" properties where being "local" is not a requirement.

There are other policies, such as Policy 51 "Large sites" or Policy 52 "Exception sites" where "local need" is a requirement, however these policies are not relevant in this particular case.

- ii. **Allowing the proposal would set a precedent for further future development:** Welsh Government guidance as set out in Planning Policy Wales places a duty on decision makers to consider each case on its planning merits based upon the facts of the particular case.

Whilst it is not possible therefore to presume that the approval of the application will mean that other similar applications in the locality will inevitably have to be approved it would be fair to say that the existence of a dwelling on the site would become a material consideration to be weighed in the overall balance.

Notwithstanding this, should any future application for a dwelling be received in the locality it would be subjected to the tests applied below and ultimately determined in its planning merits and upon the facts of the particular case existing at that time.

- iii. **The proposal lies outside the development boundary of the village:** Llangristiolus is recognised as a Listed Settlement in the adopted Ynys Mon Local Plan where no development boundary is shown. Policy 50 of that plan states that planning permission will normally only be granted for single dwellings within or on the edge of such settlements. Therefore in the absence of a definitive development boundary a judgement must be reached as to whether an application site can be fairly described as being within or on the edge of the settlement.

Whilst the characteristics of each site and its juxtaposition in relation to existing development will naturally be a part of this analysis, assistance can be found within the Stopped Unitary Development Plan (UDP). The UDP identifies Llangristiolus as a village with a development boundary that helps define the existing developed part of the settlement.

In this instance the application site immediately adjoins this development boundary.

The UDP is a material consideration in dealing with the current applications, however for single plot allocations in settlements such as Llangristiolus Policy 50 of the Local Plan carries greater weight and as stated above it does allow for development within or on the edge of settlements.

In accepting the above it can be seen that refusing the application purely on the grounds that it “lies outside the development boundary” is misguided as Policy 50, in appropriate circumstances allows this.

- iv. **The proposal does not form a logical extension to the village:** Having established that Policy 50 carries significant weight it is relevant to consider further criteria 1 of the policy that states:  
“The proposal is clearly within, or forms a reasonable minor extension to the existing developed part of the settlement, and would not constitute an undesirable intrusion into the landscape or harm the character and amenities of the locality”.

Again a judgement is required in reaching this assessment, and it is helpful to break down the factors that need to be taken into account, as follows;

- **Is it clearly within, or does it form a reasonable minor extension to the existing developed part of the settlement** - As discussed above it is considered that the site can reasonably be described as being part of the developed part of the village as a newly constructed housing estate to the west immediately adjoin the site, dwellings also lie in close proximity to the south, the local primary school is close by and dwellings lie to the east of the site, albeit some distance away. It is considered therefore that in weighing these factors it is reasonable to describe the site as being an extension to the developed part of the settlement.

As the proposal is for a single plot it is also considered reasonable to conclude that given the size of the village it is a reasonable and minor extension.

- **Does it constitute an undesirable intrusion into the landscape** - It is acknowledged that

the plot does encroach into an undeveloped field. However when viewed from the B4422 roadway leading into the village the proposed dwelling will be viewed against the backdrop of the housing development described above and will not therefore be readily identifiable as an isolated feature intruding into the landscape.

Likewise when approaching the site along the highway leading from the B4422 into the village the proposed dwelling will be largely screened by existing housing and as the site is neared the proposed dwelling will be read as forming an integral part of the existing dwellings mentioned above.

When approaching the site from the lower part of the village the proposed dwelling will be screened by a mass of existing dwellings and will not be visible.

The site will be directly visible from the estate road that it adjoins, however this view is very localised and again will be set against the backdrop of existing housing described above.

It is not considered therefore that given the juxtaposition of the site to existing dwellings and its location in the landscape that it will constitute an undesirable intrusion within the wider landscape.

- **Does it harm the character and amenities of the locality-** Llangristiolus is typical of many villages on Anglesey that has developed and evolved over time resulting in a mixture of housing types ranging from traditional cottages, terraced properties, large detached dwellings and estate development.

A particular characteristic of the village is the amount of modern development that has taken place over the recent years; one aspect of which being the construction of large modern detached dwellings. It can be said therefore that by today these recent developments have to a great extent defined the very character of the village and as a result it is difficult to argue that the construction of a dwelling at the proposed site will be harmful in this respect.

Likewise it is difficult to articulate that amenity will be harmed by the proposal. As it is not considered to be out of character its wider impacts on the village are likely to be very limited. In terms of immediate neighbouring properties it is considered that sufficient space and distances are maintained that adequately mitigate against any dis-amenity. It is also relevant to note that no objections are raised by immediate neighbours.

It is considered therefore that it cannot be demonstrated that the proposal harms either the character or amenity of the locality.

## 1. Conclusion

It is accepted that each the reasons put forward are capable of being genuine and material planning reasons. However in considering the facts of this particular case officers have the following concerns;

**No local need for the development-** Policy 50 releases “open market” housing where being “local” is not a requirement.

**Allowing the proposal would set a precedent for further future development-** It is not possible to presume that this will necessarily be the case for the reasons outlined above.

**The proposal lies outside the development boundary of the village-** Acceptability or otherwise of a proposal for a single dwelling under Policy 50 of the Local Plan is not contingent upon being within a

“development boundary”.

**The proposal does not form a logical extension to the village-** The analysis carried out above suggests that the site will not be identifiable as an isolated feature in the landscape and will be read as forming an integral part of the existing developed part of the village.

## **2. Recommendation**

It is considered that the application is compliant with development plan policy and causes no demonstrable harm and ought to be approved.

Should members maintain their objection to the application and recommend refusal for the reasons put forward it is considered that they would be difficult to defend at appeal and may risk costs against the authority.