

10.1 Ceisiadau'n Tynnu'n Groes

Departure Applications

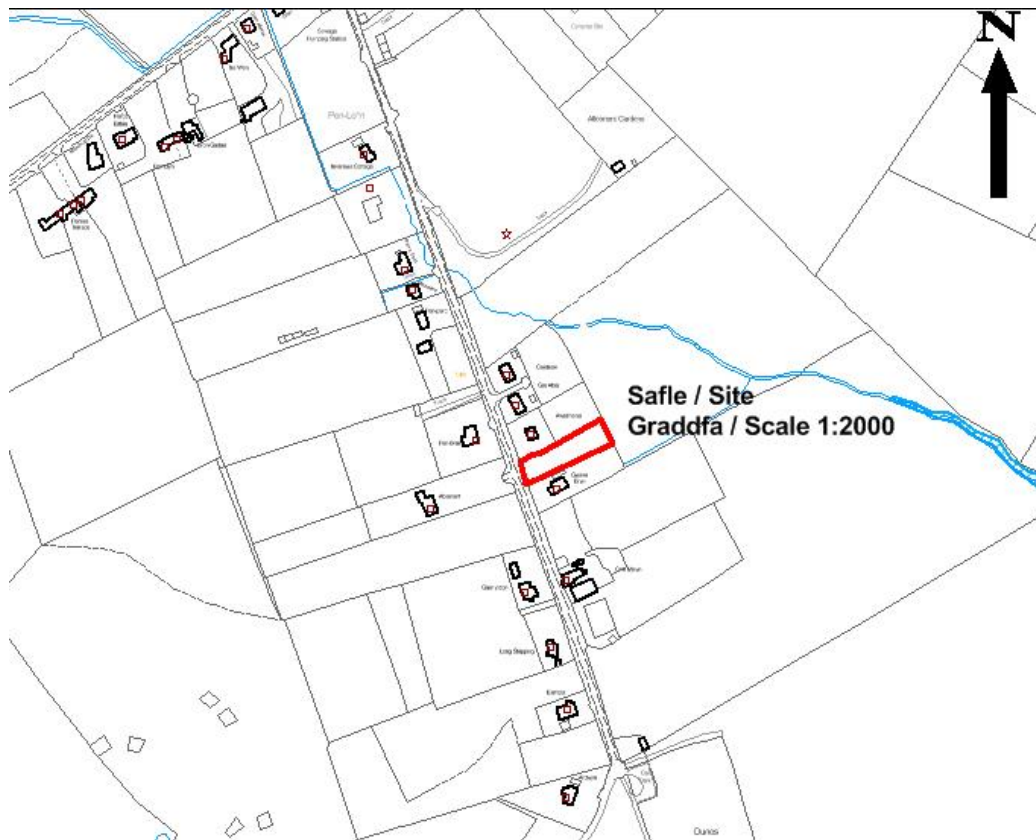
Rhif y Cais: **45C9G** Application Number

Ymgeisydd Applicant

Mr B Wilkinson & Mrs P Strachan

Cais llawn ar gyfer codi annedd ar dir ger / Full application for the erection of a dwelling on land adjacent to

Awel Menai, Penlon, Newborough



Planning Committee: 13/05/2015

Report of Head of Planning Service (SCR)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is presented to the Committee as an application which is contrary to the adopted Ynys Mon Local Plan but that can be supported under the Stopped Unitary Development Plan.

1. Proposal and Site

The application site is located in Penlon in Newborough. The site is located between two properties and there are dwellings on the opposite side of the road. The dwellings are predominantly single storey or dormer style properties.

The proposal is a full application for the erection of a detached, dormer style dwelling together with the construction of a new vehicular / pedestrian access.

2. Key Issue(s)

The applications key issues are whether the proposal is acceptable in terms of policy, design, highways, impact on the locality and amenities of nearby residential properties.

3. Main Policies

Ynys Mon Local Plan

- 1 – General Policy
- 30 - Landscape
- 48 – Housing Development Criteria
- 53 – Housing in the Countryside.
- 30 – Landscape

Gwynedd Structure Plan

- A2 – Housing Land
- A3 – New Housing Development
- A6 – New Dwellings in the Open Countryside
- D1 – Area of Outstanding Natural Beauty
- D4 – Location, Siting and Design.

Stopped Unitary Development Plan

- GP1 – Development Control Guidance
- GP2 – Design
- HP5 – Countryside Hamlets and Clusters
- EN2 - Area of Outstanding Natural Beauty

Planning Policy Wales, 2014, 7th Edition

Supplementary Planning Guidance: Design Guide for the Rural and Urban Environment.

4. Response to Consultation and Publicity

Community Council – No response at the time of writing this report.

Local Member, Cllr P Rogers – No response at the time of writing this report.

Local Member, Cllr A Griffith - No response at the time of writing this report.

Natural Resource Wales – No response at the time of writing this report.

Welsh Water – Recommend conditional approval

Highways – Recommend conditional approval.

Drainage – Requested further information – at the time of writing this report we are still awaiting the receipt of the requested information

The application was afforded three means of publicity; these were by the posting of a notice near the site, publication of a notice in the local press and the serving of personal notifications on the occupiers of neighbouring properties. The latest date for the receipt of representations is the 18th May, 2015. At the time of writing this report no letters of representation had been received at the department.

5. Relevant Planning History

45C9: Erection of a bungalow and garage on plot of land adjoining Awel Menai, Penlon, Newborough. Approved – 08.04.84

45C9C: Detailed plans for the erection of a bungalow on land adjoining Awel Menai, Penlon, Newborough. Withdrawn – 05.12.89

45C9D: Erection of a bungalow on land adjoining Awel Menai, Penlon, Newborough. Refused – 27.09.90

45C9E: Erection of a dwelling on land adjoining Awel Menai, Penlon Newborough. Refused – 15.01.92 (Appeal Dismissed – 09.02.93)

45C9F – Outline application for the erection of a dwelling on land adjacent to Awel Menai, Penlon, Newborough – Approved 07/09/12

Site History adjoining land:

45C9A: Amended detailed plans for the erection of a bungalow on land adjoining Awel Menai, Penlon, Newborough. Approved – 23.05.85

45C9B: Erection of two porches at Gwawr Eryri, Penlon, Newborough. Approved – 15.06.88

6. Main Planning Considerations

Principle of Development - The application site is considered as being in the countryside under the provisions of Policy 53 of the Ynys Mon Local Plan; however, it is identified as a Countryside Hamlet and Cluster under policy HP5 of the Stopped Unitary Development Plan.

The Stopped Unitary Development Plan remains a material planning consideration in view of the advanced stage reached in the Unitary Development Plan adoption process and since it has been subject to scrutiny at a Public Enquiry and supported in the Inspector's Report of 2004.

The application site is an 'infill site' which is immediately adjacent to the developed part of the rural hamlet as per the provision of Policy HP5.

The principle of the development is therefore acceptable under the provisions of Policy HP5 of the Stopped Unitary Development Plan and this is a material consideration of significant weight.

Design – The area is predominantly a mixture of dormer style or single storey properties, with a mixture of tiled and traditional slate finish roofs.

The design of the proposed dwelling and materials to be used in its construction is similar to what can be found in the locality. There is ample space within the site to accommodate the proposal without resulting in the over-development of the site to the detriment of the neighbouring properties and surrounding area.

Effect on surrounding properties - There is a distance of 13 metres between the gable of the proposed dwelling and the gable of Awel Menai. One ground floor window is proposed in the gable of the proposed dwelling and this is located within the bathroom. Conifers are located along the boundary between the existing and proposed dwelling and are located within the grounds of Awel Menai. Due to the distances between both properties and the boundary screening the proposal will not have a detrimental impact on the amenities currently enjoyed by the occupants of the adjoining property.

There is a distance of 9.5 metres between the gable of the proposed dwelling and the gable of the neighbouring property known as Gwawr Eryri. There is existing screening located along the boundary between the existing and proposed dwelling. The garage of Gwawr Eryri is located between the new dwelling and existing property and due to the distances between both properties, the existing screening and the fact that the neighbouring garage is situated between the properties it is not considered that the proposal will detrimentally affect the amenities currently enjoyed by the occupants of the existing dwelling.

Highways – The Highway Authority have been consulted and have raised no objection to the proposal subject to the inclusion of standard highway condition

Impact on Locality – The application site is located within an Area of Outstanding Natural Beauty (AONB). It is a statutory designation that recognizes its importance in landscape quality and nature conservation terms.

The primary objective for an AONB designation is the conservation and enhancement of their natural beauty. Local authorities have a statutory duty to have regard to AONB purposes and development control decisions affecting AONB's should in the first instance favour conservation of natural beauty.

The erection of a dormer dwelling in this location, which is similar in design and scale to properties that can be found in the locality the proposal is considered acceptable and will not have an adverse effect on the surrounding landscape.

7. Conclusion

Whilst the proposal is contrary to policy 53 of the Ynys Mon Local Plan and policy A6 of the Gwynedd Structure Plan, the proposal is acceptable under the provision of policy HP5 of the Stopped Unitary Development Plan.

The erection of a dormer style dwelling in this location will not adversely affect the amenities of the occupants of neighbouring properties or have a detrimental impact on the surrounding area which is designated as an Area of Outstanding Natural Beauty. The erection of one additional dwelling in this location will not affect highway safety.

8. Recommendation

Permit the application subject to conditions.

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.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

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

(02) Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

(03) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the local planning authority.

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

(04) Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(05) The access shall be laid out and constructed strictly in accordance with the submitted plan (Drawing No. 3397-03) before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

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

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

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

(07) The highway boundary wall/hedge/fence or any new boundary erected fronting the

highway shall at no time be higher than 1 metre above the level of the adjoining county road carriageway along the whole length of the sites boundary with the adjoining highway and nothing exceeding this height erected within 2 metre of the said wall/hedge/fence or any new boundary.

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

(08) The access shall be completed with a bitumen surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 metres from the nearside edge of the County Highway with the surface water drainage system completed and in working order before the use hereby permitted is commenced.

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

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

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

(10) No surface water from within the curtilage of the site to discharge onto the county Highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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

(11) The development hereby approved shall be carried out in strict conformity with the details shown on the submitted plans and contained in the form of application and in any other documents accompanying such application, unless conditions of this permission stipulate otherwise.

Reason: For the avoidance of doubt.

10.2 Ceisiadau'n Tynnu'n Groes

Departure Applications

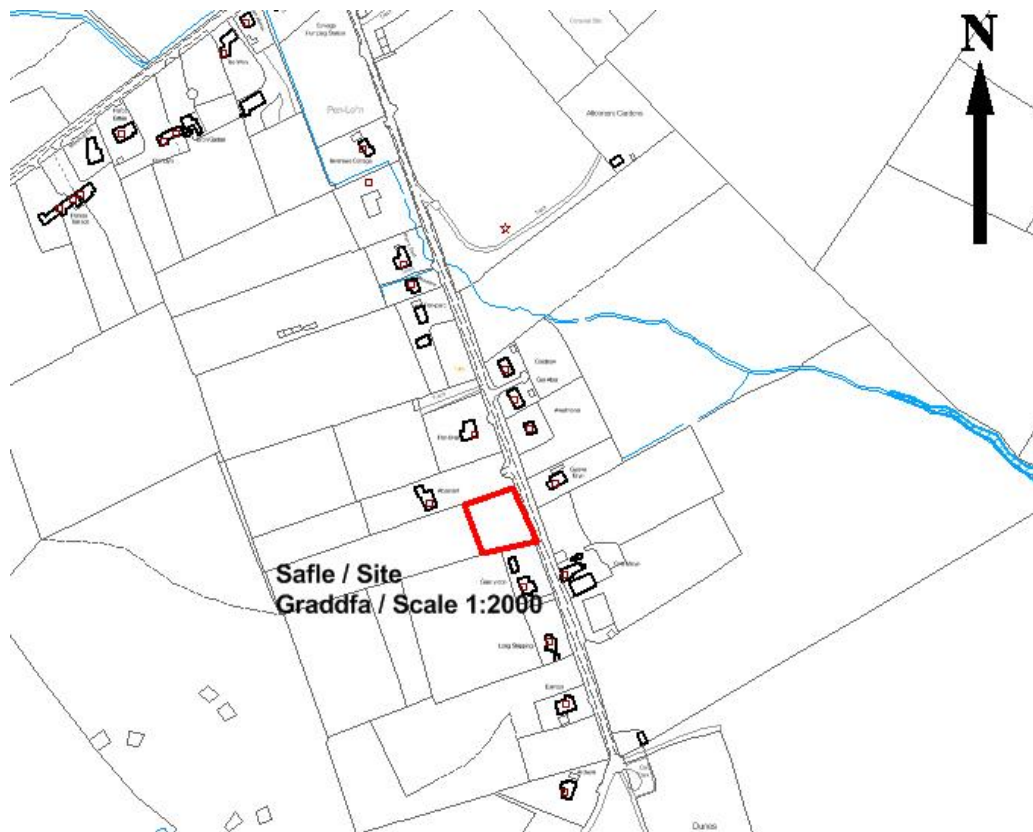
Rhif y Cais: **45C207H/VAR** Application Number

Ymgeisydd Applicant

Mr Neil Richards

Cais o dan Adran 73 i ddiwygio amodau (02) a (03) o ganiatâd cynllunio rhif 45C207G (cais amlinellol ar gyfer godi annedd) er mwyn ymestyn amser y caniatad ar dir ger / Application under Section 73 for the variation of conditions (02) and (03) from planning permission reference 45C207G (outline application for the erection of a dwelling) so as to extend the time limit of the planning consent on land adjacent to

Abernant, Penlon



Planning Committee: 13/05/2015

Report of Head of Planning Service (SCR)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is presented to the Committee as an application which is contrary to the adopted Ynys Mon Local Plan but that can be supported under the Stopped Unitary Development Plan.

1. Proposal and Site

The application site is located in Penlon in Newborough. The site is located between two properties and there are dwellings on the opposite side of the road. The dwellings are predominantly single storey or dormer style properties.

The proposal is an application under Section 73 for the variation of conditions (02) and (03) from planning application reference number 45C207G so as to extend the time limit for the submission of a detailed application for the erection of dwelling on land adjacent to Abernant, Penlon.

2. Key Issue(s)

The key issue is whether the proposal is acceptable in terms of policy, design and impact on the locality and amenities of nearby residential properties.

3. Main Policies

Ynys Mon Local Plan

- 1 – General Policy
- 30 - Landscape
- 48 – Housing Development Criteria
- 53 – Housing in the Countryside.
- 30 – Landscape

Gwynedd Structure Plan

- A2 – Housing Land
- A3 – New Housing Development
- A6 – New Dwellings in the Open Countryside
- D1 – Area of Outstanding Natural Beauty
- D4 – Location, Siting and Design.

Stopped Unitary Development Plan

- GP1 – Development Control Guidance
- GP2 – Design
- HP5 – Countryside Hamlets and Clusters
- EN2 – Area of Outstanding Natural Beauty

Planning Policy Wales, 2014, 7th Edition

Supplementary Planning Guidance: Design Guide for the Rural and Urban Environment.

4. Response to Consultation and Publicity

Community Council – No objection

Local Member, Cllr P Rogers – No response at the time of writing this report.

Local Member, Cllr A Griffith – No response at the time of writing this report.

Natural Resource Wales – No response at the time of writing this report.

Welsh Water – Recommend conditional approval

Highways – No recommendation, however the conditions imposed on the original application will be included on the decision notice

Drainage – No objection

5. Relevant Planning History

45C207: Erection of a dwelling on part of land at Cae Ponciau Wil, Penlon, Newborough. Refused – 10.03.94

45C207A: Erection of an agricultural building on land at Cae Ponciau Wil, Penlon, Newborough. Withdrawn – 26.05.94

45C207B: Erection of a dwelling on land at Cae Ponciau Wil, Penlon, Newborough. Refused – 12.09.94 (Appeal – Dismissed – 07.02.95)

45C207C: Agricultural development determination form for the erection of a woodland maintenance building at Crud Awel Woodland Plantation, Penlon, Newborough. Permission required – 06.08.96

45C207D: Erection of a woodland maintenance building at Crud Awel Woodland Plantation, Penlon, Newborough. Approved – 06.06.97

45C207E: Retention of a caravan sited for temporary accommodation at Cae Ponciau Wil, Penlon, Newborough. Refused – 04.12.98

45C207F: Outline planning application for the erection of a dwelling on land at Cae Ponciau Wil, Penlon, Newborough. Refused – 13.03.02

45C207G - Outline application for the erection of a dwelling on land adjacent to Abernant, Penlon, Newborough – Approved 09/03/12

The application was afforded three means of publicity these were; the posting of a site notice near the site and the serving of personal notifications on neighbouring properties representations and the publication of a notice in the local press. The latest date for the receipt of representations was the 14th March, 2015 and at the time of writing this report no letters of representation had been received at the department.

6. Main Planning Considerations

Principle of Development - The application site is considered as being in the countryside under the provisions of Policy 53 of the Ynys Mon Local Plan; however, it is identified as a Countryside Hamlet and Cluster under policy HP5 of the Stopped Unitary Development Plan.

The Stopped Unitary Development Plan remains a material planning consideration in view of the advanced stage reached in the Unitary Development Plan adoption process and since it has been subject to scrutiny at a Public Enquiry and supported in the Inspector's Report of 2004.

The application site is an 'infill site' which is immediately adjacent to the developed part of the rural hamlet as per the provision of Policy HP5.

The principle of the development is therefore acceptable under the provisions of Policy HP5 of the Stopped Unitary Development Plan and this is a material consideration of significant weight.

Design – The area is predominantly dormer style bungalows with a traditional slate roof finish, the finish of the dwellings in the vicinity vary from natural stonework to painted render. Conditions shall be imposed to reflect the pattern of development in the vicinity.

Impact on Locality – The application site is located within an Area of Outstanding Natural Beauty (AONB). It is a statutory designation that recognizes its importance in landscape quality and nature conservation terms.

The primary objective for an AONB designation is the conservation and enhancement of their natural beauty. Local authorities have a statutory duty to have regard to AONB purposes and development control decisions affecting AONB's should in the first instance favour conservation of natural beauty.

In 2002 the previous application was refused because it would "cause serious injury to the character and amenities of the area...". The siting of the dwelling was positioned further into the plot on previous applications, the application under consideration is sited closer to the highway and in line with the neighbouring property Ger y Don as such it will not have a negative impact on the designated Area of Outstanding Natural Beauty.

Amenities of nearby properties – The dwellings in the surrounding area are sited within ample plots; as such the siting of a bungalow in this location will not affect the amenities of the neighbouring properties and complies with the Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment with respect to proximity of development.

7. Conclusion

Whilst the proposal is contrary to policy 53 of the Ynys Mon Local Plan and policy A6 of the Gwynedd Structure Plan, the proposal is acceptable under the provision of policy HP5 of the Stopped Unitary Development Plan.

The proposal is considered acceptable subject to conditions.

8. Recommendation

Permit the application subject to conditions.

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.

(01) The approval of the Council shall be obtained before any development is commenced to the following reserved matters viz. the layout, scale, appearance of the building, means of access thereto and the landscaping of the site.

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

(02) Application for approval of the reserved matters hereinbefore referred to shall be made not later than the expiration of three years beginning with the date of this permission.

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

(03) The development to which this permission relates shall be begun not later than whichever is the later of the following dates namely: - (a) the expiration of five years from the date of this permission or (b) the expiration of two years from the final approval of the said reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

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

(04) The building proposed to be erected on the site shall be single storey or no higher than 6 metres high.

Reason: In the interests of visual amenity.

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

Reason: To ensure a satisfactory appearance of the development.

(06) Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

(07) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the local planning authority.

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

(08) Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(09) Full details of the means of construction of the existing highway surface water drainage system where the access is to be constructed shall be submitted as part of any full or detailed application.

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

(10) A passing place shall be provided within the highway grass verge, details of the passing area shall be submitted with any full or detailed application.

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

(11) Before any development commences, plans shall be submitted and approved by the Planning Authority in consultation with the Highway Authority showing details of the following reserved matters:

(a) the extent and position of vehicle turning facilities.

(b) the extent and position of accommodation for car parking.

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

(12) Details of the existing and proposed ground levels, finished floor levels and cross sections shall be submitted as part of any detailed or full application.

Reason: In the interests of amenity.

(13) The development permitted by this consent shall be carried out strictly in accordance with the plans, sections and elevations required to be approved by the local planning authority under the conditions imposed.

Reason: For the avoidance of doubt.