

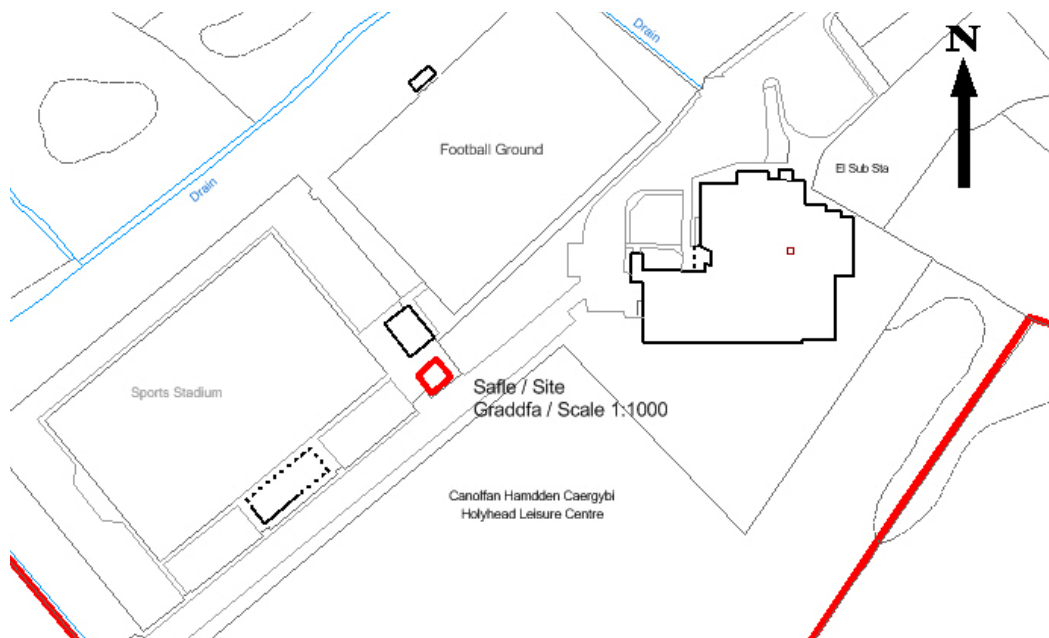
Rhif y Cais: **19C845H** Application Number

Ymgeisydd Applicant

**Mr Richard Parry**

**Cais llawn i osod caban symudol ar y safle i'w ddefnyddio fel siop marchnata clwb pel droed yn / Full application for the siting of a portacabin on the site for use as a football club merchandise shop at**

**Holyhead Hotspurs, Holyhead**



**Planning Committee: 29/07/2015**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The land is owned by the Council.

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

The application lies at Holyhead Hotspurs ground to the rear of Holyhead Leisure centre.

The proposal entails the siting of a porta-cabin for the use as a football club merchandise shop.

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

The key issue is whether the proposed scheme is acceptable in terms of its function and visual impact.

### **3. Main Policies**

#### **Ynys Mon Local Plan**

Policy 1 – General Policy

Policy 5 – Design

Policy 19 - Shopping

Policy 42 – Design

#### **Gwynedd Structure Plan**

Policy D4 – Location, Siting and Design

Policy D29 - Design

#### **Stopped Unitary Development Plan**

Policy GP1 – General Control Guidance

Policy GP2 – Design

Policy EP9 – Retailing Outside Existing Centres

#### **Planning Policy Wales (7th Edition), July 2014**

#### **Technical Advice Note 12 – Design**

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

**Councillor Trefor Lloyd Hughes** – No response received at the time of writing this report

**Councillor Dafydd Rhys Thomas** - No response received at the time of writing this report

**Councillor Jeffery Evans** – No response received at the time of writing this report

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

**Public Consultation** – The application was afforded three means of publicity. These were by the placing of a notice near the site, placing an advert in the local newspaper and serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was the 15/07/2015 and 17/07/2015. At the time of writing this report, the department has not received and observation.

## **5. Relevant Planning History**

19C845 - Siting of a spectators shelter at The New Oval, Holyhead Leisure Centre, Holyhead. APPROVED 04/03/2004

19C845A - Change of use of land for the siting of a pre-fabricated building to be used as a clubhouse at Holyhead Leisure Centre, Holyhead. APPROVED 27/07/2006

19C845B - Construction of a physio room under the spectators stand to The Oval, Holyhead Leisure Centre, Holyhead. APPROVED 14/04/2008

19C845C - Retention of alterations and extensions to Clubhouse, The Oval, Holyhead Leisure Centre, Holyhead. APPROVED 16/01/2009

19C845D - Application to erect a covered standing spectator area at Holyhead Leisure Centre, Kingsland, Holyhead. APPROVED 08/04/2010

19C845E - Application for the variation of condition (01) on planning permission 19C845A to allow for an extension to the period for the siting of the clubhouse at The Oval, Holyhead Leisure Centre, Kingsland, Holyhead. APPROVED 16/08/2011

19C845F - Application for the variation of condition (01) on planning permission 19C845C to allow for an extension to the period for retaining the extensions to the clubhouse at The Oval, Holyhead Leisure Centre, Kingsland, Holyhead. APPROVED 16/08/2011

19C845G - Retrospective application for the retention of the extension to the clubhouse at Holyhead Hotspurs Clubhouse, Holyhead Approved 22/01/2013

## **6. Main Planning Considerations**

The proposed entails the siting of a porta-cabin within the football ground known as Holyhead Hotspurs which will sell football club merchandise.

The proposed porta-cabin measures 31.49 metre square. It is not considered that the proposed porta-cabin will affect the surrounding areas as it will be situated within the football ground yard; which is enclosed by a high security fence.

It is not considered that the proposed scheme will impact the surrounding amenities or any neighbouring properties to a degree that it should warrant a refusal.

## **7. Conclusion**

The proposed development is considered acceptable to the Local Planning Authority. Consequently, it is my opinion that the proposal should be permitted subject to conditions.

## 8. Recommendation

### Permit

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 building hereby approved shall be removed from the land by the 31/07/2020 and the land reinstated to its former condition by the 31/08/2020.**

Reason: The local planning authority have granted permission for a temporary period only as they wish to re-consider the position on the 31/07/2020 in the light of circumstances prevailing at that date



**Planning Committee: 29/07/2015**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application has been called in to the Committee by Councillor R LI Jones.

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

The site is located on part of a flat field enclosure defined by a post and wire fence on the rural edge of Holyhead. The proposed plots would sit alongside the rear garden area of dwellings on Parc Felin Ddŵr. The boundaries here are defined by block walls. The site is located next to the local playing field.

The application is an outline application for the erection of 3 dwellings – a bungalow and a pair of semi-detached two storey dwellings. The scheme was originally submitted for 4 dwellings as two pairs of semi-detached houses but was amended to located a single bungalow closest to the dwellings at Parc Felin Ddŵr to reduce amenity impacts and to more closely reflect the previously approved scheme.

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

Effects on privacy and amenity.

### **3. Main Policies**

#### **Gwynedd Structure Plan**

Policy A2 : Housing Land

Policy A3 : Scale and Phasing of New Housing Development

#### **Ynys Môn Local Plan**

Policy 1 : General Policy

Policy 42 : Design

Policy 48 : Housing Development Criteria

Policy 49 : Defined Settlements

#### **Stopped Unitary Development Plan**

Policy GP1 : General Policy

Policy GP2 : Design

Policy HP4 : Main and Secondary Centres

Policy HP7 : Affordable Housing

#### **Relevant National or Local Policy**

Planning Policy Wales(Edition 7)

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

**Councillor R LI Jones:** application called to Committee. Local concerns regarding loss of playing field – considered important that there should be two houses not three to limit impacts; height of buildings should be kept as low as possible in order for the area to retain the open space feel of the playing field; there is an active application for hundreds of houses in Llaingoch which will have many affordable houses included; the corner plot is important for the setting of the houses already built; the mix of semi-detached and a bungalow will not fit in well – two bungalows are better suited; residents would welcome a meeting with the developer.

**Councillor Raymond Jones:** No objection

**Councillor J A Roberts:** happy to support the application

**Town Council:** No reply to consultation at the time of writing

**Natural Resources Wales:** standard advice

**Dŵr Cymru-Welsh Water:** Standard comments in relation to discharge of foul and surface water from the site

**Highways Section:** Suggested conditions

**Drainage Section:** Drainage details are satisfactory in principle

**Public Consultation:** 3 letters of objection have been received as a result of the publicity undertaken. Objections are based on :

2 bungalows as previously approved would be more in keeping and would have less impact on property value and would have less impact on views; there will be extra traffic in this quiet area; road is very narrow and there is on street parking so access to existing properties is already difficult and would be worse due to the proposal; children using the play area will be at risk from the additional traffic.

In response to these concerns and those raised by Councillor R LI Jones on behalf of local residents, the following comments are made:

The site is allocated for housing development under the Local Plan;

The site has the benefit of permission for 2 dwellings;

The scheme has been amended to address privacy and amenity concerns;

The Highway Authority does not object to the proposal in terms of increased traffic or highway safety issues;

Property values and views are not of sufficient weight to change the recommendation made;

There is no additional impact on the play area;

The affordable housing requirements are not triggered by this application but the existence of other affordable housing in the locality as part of another application would have no bearing on this application which is considered on its individual planning merits;

The application has been amended by the applicant to respond to local concerns but the Local member's letter requesting a meeting with residents has been sent to him for consideration.

## **5. Relevant Planning History**

19C587A : Change of use of land to form a children's play area : Approved 9/9/05

19LPA879/CC: Outline application for the erection of 2 dwellings together with the construction of a new vehicular access on land to the rear of Parc Felin Ddŵr, Holyhead – Refused 8/10/07

10LPA879A/CC : Outline application for 2 dwellings – approved 4/6/09

19C587B: Full application for 2 dwellings – approved 28/11/13

## **6. Main Planning Considerations**

**Principle of the Development:** The site is located within the development boundary of Holyhead as designated under Policy 49 of the Local Plan. The whole field enclosure is specifically allocated under the Local Plan (Proposal T2) for housing development. It sits alongside another housing land allocation (Proposal T7) on Parc Felin Ddŵr. In planning policy terms, the proposal is fully compliant with the development plan regarding the principle of the development.

Of material weight is the stopped Unitary Development Plan. The site is located outside the development boundary of the UDP. However, as this proposal is for housing development on a site specifically allocated for housing under the development plan, the principle of the development is supported in policy terms. The site already has the benefit of planning permission for two dwellings. The scheme as originally submitted under the application being considered here was for 4 dwellings as two-pairs of semi-detached units. The scheme was amended following discussions in order to address amenity concerns in relation to adjoining property.

**Design, Amenity and Privacy Issues:** The site fronts onto Lon Newydd leading to Parc Felin Ddŵr and Cae'r Mynydd beyond. The proposed dwellings will enclose the space and follow the pattern of road frontage development which is consistent in the area. The design reflects surrounding development and is not considered out of keeping with the residential estate development in the vicinity.

As previously stated, the scheme has been amended to omit the pair of semi-detached dwellings closest to the rear gardens of properties at Parc Felin Ddŵr in order to remove concerns regarding loss of privacy and amenity. The scheme takes up the plot area previously approved and has no impacts on the existing play area. In general terms, the design is considered appropriate in its context.

**Highways and Technical Issues:** The application forms and initially submitted drawings indicated disposal of surface water to a surface water drain. The Drainage Section requested greater details. Drainage details have been amended to include soakaway drainage which is considered acceptable in principle. The Highways Section has raised no objection to the proposal on road safety grounds-but has suggested conditions in respect of the access to the plots.

## **7. Conclusion**

The proposal complies with housing proposal T2 of the Local Plan. The proposal has been amended to-take into account concerns raised regarding overlooking and loss of privacy. There are no technical objections.

## **8. Recommendation**

### **Permit**

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 ensure that the development will be satisfactory from an amenity and architectural point of view.

**(02) No development shall take place until details of the materials proposed to be used on the external surfaces of the dwelling units have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development**

Reason: To ensure a satisfactory appearance of the development

**(03) No fenestration (of dormer type, velux or otherwise) shall be permitted in the northern roof slope of the bungalow hereby approved.**

Reason: In the interests of residential amenity

**(04) No fenestration other than obscure glazed non-opening lights shall be permitted and any time in the west elevation of the bungalow hereby approved.**

Reason: In the interests of residential amenity

**(05) No development shall commence until details of a planting screen between points A and B on the plan attached to this permission has been submitted to and approved in writing by the LPA. Trees and shrubs shall be planted in accordance with the details as submitted and approved in the first planting season following the completion of the development or occupation of the any of the dwellings hereby approved, whichever is the sooner. The trees and shrubs planted in accordance with the approved scheme shall be maintained for a period of 5 years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the planning authority gives its written consent to any variation. Upon reaching maturity, the planting screen shall be maintained at a height of not less than 1.8m unless the LPA gives its prior written consent to any variation.**

Reason: In the interests of residential amenity

**(06) The external boundaries of the site shall be planted with a native species hedge. Trees and shrubs shall be planted in accordance with the details as submitted and approved in the first planting season following the completion of the development or occupation of the any of the dwellings hereby approved, whichever is the sooner. The trees and shrubs planted in accordance with the approved scheme shall be maintained for a period of 5 years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the planning authority gives its written consent to any variation**

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

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

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

**(08) 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.

**(09) 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.

**(10) The access shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.**

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

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

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

**(12) 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.**

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

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

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

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

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

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

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

**(16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D, E and F of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interests of amenity.

## **9. Other Relevant Policies**

### **Gwynedd Structure Plan**

Policy A8 : Exception sites  
Policy A9 : Affordable Housing  
Policy A6 : New Dwellings in the Countryside  
Policy D3 : Landscape Conservation Areas  
Policy D4 : Location, siting and design  
Policy D29 : Standard of Design  
Policy D34 : Landscaped amenity open space  
Policy FF12 : Parking provision

### **Ynys Môn Local Plan**

Policy 16 : Recreation and Community Facilities  
Policy 28: Flood Risk  
Policy 31 : Landscape  
Policy 32 : Landscape  
Policy 34 : Landscape  
Policy 52 : Exception sites

### **Stopped Unitary Development Plan**

Policy EN1 : Landscape Character  
Policy EN4 : Biodiversity  
Policy SG2 : Development and Flooding  
Policy SG4 : Foul Sewage Disposal  
Policy SG6 : Surface Water Run-Off

### **Relevant National or Local Policy**

TAN 1 : Joint Housing Land Availability Studies  
TAN 2 : Planning and Affordable Housing  
TAN 15 : Development and Flood Risk  
TAN 18 : Transport

SPG: Design Guide

SPG: Parking Standards

12.3

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **39C18Q/1/VAR** Application Number

Ymgeisydd Applicant

**Mr Nigel Ingram**

**Cais o dan Adran 73 i diwygio amod (09) o caniatâd cynllunio rhif 39C18H/DA (codi 21 annedd) er mwyn galluogi newid y dyluniad yn / Application under Section 73 for the variation of condition (09) from planning permission reference 39C18H/DA (erection of 21 dwellings) so as to change the design at**

**Plot 22, Ty Mawr, Menai Bridge**



**Planning Committee: 29/07/2015**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

At the request of the Local Member – Councillor Meirion Jones

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

The application is made to vary condition (09) of planning permission 39C18H/DA in order to change the design of the dwelling at Plot 22.

The site lies adjacent to the Tŷ Mawr Estate in the town of Menai Bridge, the land has extant permission for the erection of 21 dwellings.

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

The key issues to consider are whether the proposed change to the design of the dwelling is acceptable.

### **3. Main Policies**

#### **Ynys Mon Local Plan**

Policy 1 - General Policy

Policy 42 – Design

Policy 49 – Defined Settlements

#### **Gwynedd Structure Plan**

Policy D4 – Siting

Policy D29 – Design

Policy A1 - Housing Land

Policy A3 - New Housing Development

Policy D3 – Landscape

Policy D8 – Natural Slates

Policy D32 - Landscaping

#### **Stopped Unitary Development Plan**

Policy GP1 – General Control Guidance

Policy GP2 - Design

Policy HP3 – New Housing Development

Policy EN1 – Landscape Character

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

**Cllr Alun Mummery** – No response received at time of writing report.

**Cllr Jim Evans** – No response received at time of writing report.

**Cllr Meirion Jones** – Request that the application be referred to the Planning and Orders Committee for determination.

**Town Council** – concerns that the changes would adversely affect the character and consistency of the existing estate and raised concerns about potential similar changes being applied for in future, for the remaining dwellings.

**Ecological and Environment** – Response received, no ecological comments.

**Drainage** – No objection.

**Natural Resources Wales** - No response received at time of writing report.

**Welsh Water** - No response received at time of writing report.

**Highways** - No response received at time of writing report.

### **Response to publicity**

A total of six objection letters were received by four objectors. However, the content of which is summarised below. A full copy can be found in the letters pack:

- 1) Concern regarding increase in floor/ roof height
- 2) Any increase to the levels will have an impact on the outlook of the dwelling behind and also lead to loss of light
- 3) Concern that further applications will be made for similar changes to the dwellings on the other plots
- 4) The developer should keep to the original approved plans
- 5) This is the second application for amendments, Plot 23 having been granted amendment contrary to the wishes of the residents. Piecemeal changes are being made to the original approved plans which wholly undermines the vision and unity of the original approved scheme and is unacceptable
- 6) This application also proposes changes to the palette of the proposed external materials to be used and which are different to those approved on the neighbouring plot (No.23)

In response to the above points:

- 1) Following objections, the floor level has reverted to the original level of +36.0 as approved under 39C18H/DA
- 2) As above in 1) and it is not considered that the proposal will give rise to loss of light due to differences in level between development site and dwelling to rear.
- 3) The Local Planning Authority is duty bound to consider each application on its own merits.
- 4) As above in 1) the developer has reverted to original levels.
- 5) As above in point 1) and 3)
- 6) Proposed palette crossed checked with previously approved plans. The external wall finish under application 39C18P/1/MIN was changed from Off White Render to White Cement Spa Render. This development also proposes to use White Cement Spa Render. Other proposed materials that match previously approved include external Western Red Cedar and Natural Roofing slates. Previously under application 39C18P/1/MIN stone/slate cladding was

approved for the external walls, this proposal specifies Z-Clad Stone Cladding which is acceptable.

## **5. Relevant Planning History**

39C18A - Residential development on land at Ty Mawr, Menai Bridge - 20/8/87 – Refused – Appeal Allowed 28/9/88

39C18G - Erection of 21 dwellings at Ty Mawr, Menai Bridge – 2/7/91 – Refused – Appeal Allowed 7/3/92

39C18H/DA - Detailed plans for the erection of 21 dwellings on land at Ty Mawr, Menai Bridge – 25/4/96 – Approval

39C18D/1 - Variation of condition (05) on planning permission no 39/C/18A/1 on plot 30 Ty Mawr, Menai Bridge – 8/6/01 – Allowed

39C18J/1/LUC - Application for a Certificate of Lawfulness for proposed use for the erection of 8 dwellings previously approved under reference 39C18H\DA at Ty Mawr, Menai Bridge Lawful 10/06/2014

39C18K/1/MIN – minor amendment to scheme previously approved under reference 39C18H\DA (road layout) Granted 04/12/14

39C18M/1/MIN – minor amendment to Plot 23 N Decision – Returned to Applicant

39C18N/1/MIN – minor amendment to design and external appearance on Plot 23 Granted 26/02/2015

39C18P/1/MIN – minor amendment to previously approved 39C18H\DA Granted 17/04/2015

## **6. Main Planning Considerations**

This is an application under Section 73 of the Town and Country Planning Act 1990 for the variation of condition (09) under planning permission 39C18H/DA, in order to change the design.

Planning permission was granted for the erection of 21 dwellings on the site on 25<sup>th</sup> April 1996 under planning reference 39C18H/DA, further to this a Certificate of Lawfulness was issued on 10<sup>th</sup> June 2014 for the use for the erection of 8 dwellings previously approved under reference 39C18H/DA at Plots 16-23 Ty Mawr.

This application is for a variation of condition (09) which states ‘ *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.*’

In response to publicity and consultation six objections were received and the application was called-in for determination by the Planning and Orders Committee by the local Councillor.

The development originally proposed to raise the level of plot 22 by +0.75, however following the above mentioned objections and the call in the applicant amended the proposal. The amended proposal is now solely for the variation of condition (09) as to change the design, the dwelling will be erected at the original level as approved under 39C18H/DA.

The proposed change in design consists of the erection of the dwelling with a detached single garage,

this differs from the original approval under 39C18H/DA for dwellings with integrated garages. The material palette will match the neighbouring plot (No.23) as recently approved under 39C18N/1/MIN.

The change in design is not considered to be unacceptable, the Ty Mawr estate consist of properties of different sizes, designs and layouts. The development will continue the approved material palette as approved for plot 23. The development sits comfortably within the plot, the footprint of the proposed separate dwelling and garage does not differ significantly or unacceptably from the previously approved.

## **7. Conclusion**

Having considered the above and all material considerations it is considered that the proposed variation of condition and change in design is acceptable. It is therefore recommended that the application should be approved.

## **8. Recommendation**

To **permit** the application.

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) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 10/06/2015 under planning application reference 39C18Q/1/VAR.**

Reason: For the avoidance of doubt.

## **9. Other Relevant Policies**

**Planning Policy Wales (Edition 7)**

**Tan 22: Design**

**SPG: Design Guide**



Rhif y Cais: **40C323B** Application Number

Ymgeisydd Applicant

**Mr Frank Gibbons**

**Cais llawn ar gyfer codi annedd, gosod gwaith trin carthion ynghyd a chreu mynedfa i gerbydau ar dir gyferbyn a / Full application for the erection of a dwelling, installation of a sewage treatment plant together with the construction of a vehicular access on land opposite**

**Bryn Hyfryd, Brynrefail**



**Planning Committee:** 29/07/2015

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application is being presented to the Planning & Orders Committee at the request of a local member.

**1. Proposal and Site**

The site is located within a large and open field enclosure presently used as grazing land and is positioned in the upper corner of the field where the class 3 highway leading from Mynydd Bodafon joins the A5025. Access is proposed from the class 3 highway previously referred to.

The plot is in an elevated position in the local landscape which is designated as being of Outstanding Natural Beauty and is readily visible from the aforementioned highways.

The proposal is a full application for the erection of a dwelling, installation of a sewage treatment plant, together with the construction of a vehicular access on land opposite Bryn Hyfryd, Brynrefail.

A two storey dwelling is proposed with a ridge height of 7.1 m. The dwelling is of dormer construction with three bedrooms (one en-suite) and a bathroom accommodated on the first floor. Ground floor accommodation comprises of a lounge/study, hallway and a kitchen/dining area. A utility room and garage is also provided in a single storey side extension.

Natural slate is proposed as the roofing material with walls finished in light coloured render with dressed Moelfre stone quoins, cills and lintels.

**2. Key Issue(s)**

The key issues are whether or not the proposal complies with current policy, whether the proposal will detrimentally affect the amenities of surrounding properties or harm matters of acknowledged importance such as highway safety and landscape quality.

**3. Main Policies**

**Ynys Mon Local Plan**

Policy 1 – General Policy

Policy 30 - Landscape

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 50 – Listed Settlement

**Gwynedd Structure Plan**

Policy D1– Location, Siting and Design

Policy D4 – Location, Siting and Design

Policy D29 - Design

### **Stopped Unitary Development Plan**

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP5 – Countryside Hamlets & Clusters.

Policy EN2 – Areas of Outstanding Natural Beauty.

### **Relevant National or Local Policy.**

Planning Policy Wales

Technical Advice Note 12 – Design

SPG – Urban & Rural Environment.

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

**Community Council** – No Observations.

**Local Member (Cllr Derlwyn R.Hughes)** – Objects on the grounds that the location is unsuitable and would lead to further development in the future. Also reflects the concerns of a local resident who overlooks the site.

**Local Member (Cllr Ieuan Williams)** – No response at the time of writing the report

**Local Member (Cllr Vaughan Hughes)** – No response at the time of writing the report

**Highways Authority** – Recommend approval subject to standard conditions relating to the construction of the access being imposed together with a Traffic Management Plan being put in place during the construction period and a pedestrian footway being constructed linking into the existing footway on the A5025.

**Drainage Section** – Confirm that the foul and surface water drainage systems as detailed is satisfactory.

**Welsh Water** – Note that the proposal does not intend to connect into the public sewerage system and suggest consultation with Natural Resources Wales.

**Natural Resources Wales** – Note that the application site lies within an Area of Outstanding Natural Beauty (AONB) and remind the Authority of the duty to have regard to Section 85 of the Countryside & Rights of Way Act 2000 which requires public bodies to have regards to the purposes of conserving and enhancing the natural beauty of the AONB.

The Authority's attention is also drawn to the duty under Section 42 of the Natural Environment & Rural Communities (NERC) Act 2006 with respect to conserving biodiversity.

**Council's Ecological Advisor** – Does not object and offers guidance on site clearance methodology.

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of representations was the 21<sup>st</sup> July 2015.

At the time of writing the report 3 letters from the occupiers of properties overlooking the application site had been received objecting to the proposal.

The main reasons for objection can be summarised as follows:-

- Concerns regarding highway safety.
- Loss of natural light.
- Loss of privacy.
- Potential for further future development.
- Orientation and siting of proposed dwelling.
- Detrimental impact on AONB.

One letter of support has also been submitted by the applicant enclosing a 33 name petition supporting the proposal.

Signatures to the petition do include residents of Brynrefail but also those in other settlements such as Amlwch, Moelfre, Dulas, Llaneilian and Llanerchymedd.

### **5. Relevant Planning History**

40C323 – Outline application with some matters reserved for the erection of a dwelling on land opposite Bryn Hyfryd, Brynrefail. Approved 19.12.2013.

40C323A/SCR – Screening opinion for the erection of a dwelling on land opposite Bryn Hyfryd, Brynrefail. Determined that EIA not required 19.12.2013.

### **6. Main Planning Considerations**

**Policy context** - Brynrefail is identified as a Listed Settlement under Policy 50 of the Ynys Mon Local Plan and as a Countryside Hamlet under Policy HP5 of the stopped Unitary Development Plan.

Single plot applications within or on the edge of a settlement are considered acceptable under Policy 50 of the Ynys Mon Local Plan provided a proposal would not harm the physical or social character of the area. Similarly Policy HP5 of the Stopped Unitary Development Plan states that single dwellings on sites that are immediately adjacent to the developed part of the hamlet can be supported subject to similar criteria.

The general pattern of development in Brynrefail is detached housing facing the highway and it is considered that the proposal in terms of orientation, scale and its juxtaposition with respect to nearby dwellings is acceptable and not out of character with the existing pattern of development in the settlement. Furthermore it is considered that the site can reasonably be described as forming a reasonable minor extension to the existing developed part of the settlement without constituting an undesirable intrusion into the landscape.

Notwithstanding the fact that there is no guidance within policy to indicate what is or is not acceptable levels of development for any of the given listed settlements it can be confirmed that a review of the past 10 years indicates that no units have been completed in Brynrefail and the only valid permission in existence is the outline approval at this plot. Consequently there is no evidence that the proposal would harm the character of the area in this respect.

It is also considered that the design of the proposed dwelling reflects the traditional character of existing buildings in the locality in terms of scale, massing materials and colour.

It is therefore considered that the proposal is compliant with the requirements of Policy 50 of the Ynys Mon Local Plan and Policy HP5 of the Stopped Unitary Development Plan.

**Impact on amenities of surrounding properties** – In considering these impacts objections received from occupiers of nearby properties have been taken into account and assessed as follows;

– Loss of natural light; The adjoining class 3 highway and grass verges have an approximate width of 10m, and residential properties on the opposite side of this highway are set back approximately 10 to 15m within their respective curtilages. In addition the proposed dwelling is also set back approximately 10m into the plot. This coupled with the local topography means that the proposed dwelling will be sufficiently distance and at a lower level from adjoining properties so as not to cause loss of light or privacy to such an extent so as to cause unacceptable detriment to amenity.

In addition the properties are separated by a public highway and the front gardens are already readily visible to road users. Separation distances between windows are far in excess of the standards recommended in the Council's adopted guidance notes.

-Loss of view; It is generally held that "there is no right to a view". Whilst that is correct in strictly legal terms, it does not mean that the loss of a view is necessarily irrelevant to planning. The enjoyment of a view could be an important part of the residential amenity of a neighbouring property, and its loss might therefore have an adverse impact on the residential amenity of that property. However; and on balance my judgement in this instance is that it is not the case here as views over a wider vista is available and the proposal will formulate only a component of this wider vista.

-Set a precedent for future development; An extant planning permission exists on the plot. Each application will be considered on the facts of the case and its individual merits and whilst acknowledging that the possibility of setting a precedent can be a 'material consideration' it is considered that there is a sufficiently robust policy framework in place to ensure that any future development proposals in the locality are properly assessed on their merits. There is no evidence to suggest that the approval of this development will lead to further development in future.

On balance it is not considered that the proposal will harm the amenity of adjoining properties as it is sufficiently separated from them so that levels of amenity are not reduced to such a degree as to cause demonstrable harm.

**Impact on the AONB** - 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 considering the above it is considered that in broad landscape terms the plot is more closely related and aligned to the existing developed part of the settlement rather than the extensive open area of countryside lying beyond. The two highways that adjoin the site are also significant features in the landscape in both physical and functional terms and have a significant impact on the areas character. In addition the existing dwellings that lie on the opposite sides of these roads at this junction further impose built development on the areas character. On balance it is not considered that a dwelling at the corner of this road junction would look out of place nor would it for the reasons outlined above erode the wider landscape quality of the area to such a degree so as to warrant refusal.

It is also noteworthy that an extant outline planning permission exists on the application site.

**Highway safety.** - The highway authority do not object and it is considered that the access is sufficient distance from the A5025 junction so that it will not cause danger or inconvenience to road users. In addition the new footway will be beneficial to pedestrians in general.

## **7. Conclusion**

On balance it is considered that the proposal is compliant with relevant policy and will not cause unacceptable harm to matters of acknowledged importance.

## **8. Recommendation**

### **Permit**

In addition the Head of Service be authorised to add to, remove or amend 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) 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 interests of amenity

**(03)The access shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.**

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

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

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

**(05) 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 site's boundary with the adjoining highway and nothing exceeding this height erected within 2 meters of the said wall/hedge/fence.**

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

**(06) The access shall be completed to a rolled and blinded hardcore finish before the use hereby permitted is commenced.**

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

**(07) No surface water from within the curtilage of the site to discharge onto the county Highway.**

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

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

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

**(09) No development shall commence until full details of a 1.8 meter wide pedestrian footway along the whole frontage of the site and connected into the existing footway on the A5025 have been submitted to and agreed by the Local Planning Authority. The footway shall be completed in accordance with the agreed details prior to the occupation of the dwelling.**

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

**(10) Full details of all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the local planning authority before any work on the site is commenced.**

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

**(11) Prior to the commencement of development a full comprehensive and robust Traffic Management Scheme (TMS) shall be submitted to and approved in writing by the local planning authority to include :-**

- I. The parking of vehicles for site operatives and visitors**
- II. Loading and unloading of plant and materials**
- III. Storage of plant and materials used in constructing the development**
- IV. Wheel washing facilities (if appropriate)**
- V. Hours and days of operation and the management and operation of construction and delivery vehicles.**

**The provisions of the TMS shall thereafter be implemented in accordance with the approved details.**

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

**(12) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 18/06/2015 under planning application reference 40C323B.**

Rheswm: Er mwyn osgoi unrhyw amheuaeth.

## **10. Other Non-Material Issues Raised**

Objectors also raised the following matters which were taken into account but do not alter the recommendation made.

Questions regarding the acceptability of outline application at this site when other sites refused..

Comments; 'other sites' not specified so difficult to comment in any detail. In any event an officer's report on the outline approval sets out the rationale for approval. See also comments above in respect of precedent.

Receipt of letters from builders merchants.

Comment; this is not a material consideration in the determination of this planning application.

Deficient publicity arrangements.

Comment; the planning file details publicity undertaken and it shows that statutory requirements have been exceeded.

Use of 'Bryn Hyfryd' in application description.

Comment; the description describes the application site as being 'opposite' Bryn Hyfryd. I consider this to be both factually correct and appropriately descriptive so that local residents would easily identify the site in question.

No consideration of 'local people' by applicant.

Comment; Not entirely clear on the context of this remark but assume it means the impact on amenity. See comments above.