

Rhif y Cais: 12C431F Application Number

Ymgeisydd Applicant

Mr & Mrs Ian Jones

Cais llawn ar gyfer newid y ffenestr presennol i ddrysau Ffrengig yn / Full application to change the existing window to French doors at

Gwynfa, Beaumaris



Planning Committee: 07/10/2015

Report of Head of Planning Service (GJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The local member has requested that the application is presented to the Planning Committee for consideration

1. Proposal and Site

The application is a full application to change the existing window into a French door at Gwynfa, Beaumaris

2. Key Issue(s)

The key issues which need to be considered are the design and effect on the Conservation Area, Listed Building and neighbouring properties.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 30 - Landscape

Policy 40 – Conservation of Buildings

Policy 41 – Conservation of Buildings

Gwynedd Structure Plan

Policy D4 – Location, Siting and Design

Policy D29 - Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN1 – Landscape Character

Policy EN13 – Conservation of Buildings

4. Response to Consultation and Publicity

Local Member (Cllr Lewis Davies) – No comment

Local Member (Cllr Alwyn Rowlands) – Requested that the application is presented to the planning committee for consideration.

Local Member (Cllr Carwyn Jones) – No response

Town Council – No response

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 28th September, 2015. At the time of writing the report no letters had been received objecting to the proposal.

5. Relevant Planning History

12C431/LB – LBC for internal and external alterations at Gwynfa – LBC granted 24/2/14

12C431A – Internal and external alterations at Gwynfa – Granted 7/2/14

12C431B – Replacement of window with French door – Refused 24/6/14

12C431C/LB – LBC for replacement window with French door – Granted 27/8/14

12C431D – Full application to replace window with French door – Refused 25/3/15

12C431E - Full application to change the existing window to French doors - Refused 16/7/15

6. Main Planning Considerations

Location:- The subject building is located in a prominent location inside the special designated conservation area covered by an Article 4(2) Direction, in the essential setting of grade I listed buildings, in the AONB and in the essential setting of Beaumaris Castle designated SAM, grade I Listed Building and a World Heritage Site (WHS)

Siting, Design, External Appearance and Landscaping and Amenity Considerations

- **Conservation Area and Area of Outstanding Natural Beauty**

The subject building is included in the statutory register of listed buildings on Anglesey and in Wales as being grade II.

Fenestration is possibly one of the most important architectural and historic features of a listed building.

Welsh Office Circular 61/96 provides the Welsh Governments guidance and advice in respect to the protection of historic windows which follows sound historic building philosophy. National and Local plan policies also follow this stance. Therefore the protection and preservation of historic windows must always be the primary aim of the decision maker. Good practice guide recommend that Listed Building windows are repaired and restored for as long as is possible and only replaced 'like for like' when repair is no longer possible.

Policy 1, 42 of the Ynys Mon Local Plan, Policies D4, D29 of the Gwynedd Structure Plan, 4.11 Promoting sustainability through good design, Technical Advice Note 12 (Wales): Design SPG on The Design Guide for the Urban and Rural Environment and SPG on Conversion Character Appraisal. Policies GP1 and GP2 of the Stopped Ynys Mon Unitary Development Plan are material in respect of siting, design, external appearance.

Policy 40 and 41 of the Ynys Mon Local Plan, Policy EN2, EN13 of the Stopped Unitary Development Plan and paragraphs 6.4.5, 6.4.6 and 6.4.7 of Planning Policy Wales Edition 7 states that proposals within Conservation Areas should be protected from unsympathetic development, alterations or demolition. Buildings of special architectural and historic interest and the designation of conservation

areas.

The local planning authority has previously approved the Listed Building application reference 12C431C/LB for the change of window to a French door. The Planning Committee considered that the work would not be harmful to the Listed Building and it was subsequently forwarded to Cadw who gave the authority permission to issue the Listed Building Consent.

Several planning applications have been refused for the replacement of window to a French door as the officers believed that the proposal would be detrimental to the character and appearance of the Grade II Listed Building. However as the Listed Building application has previously been approved it is not considered that the Authority can now sustain a refusal of the planning application.

Effect on Neighbouring Properties:- Neighbouring properties have been notified of the development. No adverse representations have been received as a result of the publicity. It is not considered that the French door would have a negative impact on any adjoining properties.

7. Conclusion

The Listed Building application has previously been approved by the Local Planning Authority. It is therefore considered that the Authority cannot refuse the planning application.

8. Recommendation

Permit

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

(02) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 25/08/2015 under planning application reference 12C431F.

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.

9. Other Relevant Policies

Planning Policy Guidance Wales Edition 7 –
4.11 Promoting sustainability through good design
6.4.5, 6.4.6 and 6.4.7

Technical Advice Note 12: Design

SPG – The Design Guide for the Urban and Rural Environment
SPG – Beaumaris Conservation Area Appraisal

Welsh Office Circular 61/96

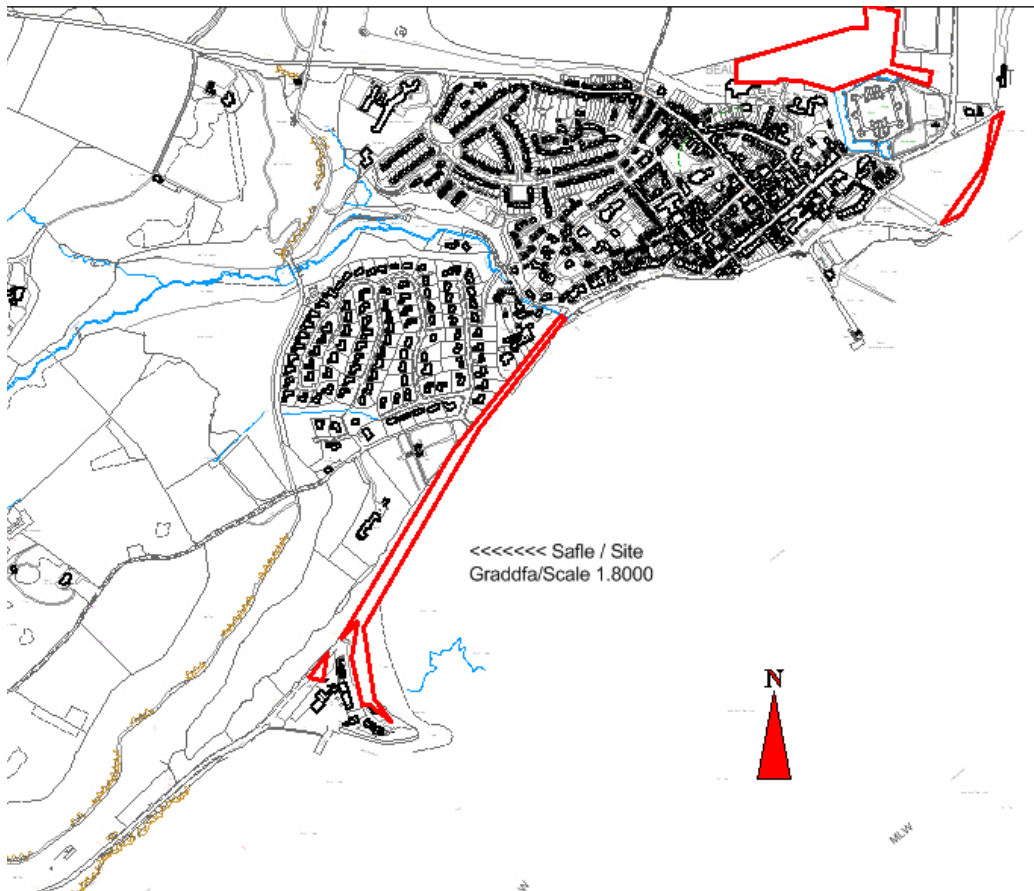
Rhif y Cais: 12LPA1003E/FR/VAR/CC Application Number

Ymgeisydd Applicant

Head of Service Environment and Technical Services

Cais dan Adran 73 i amrywio amod (01) (manylion am y mortar a phwyntio'r wal) ac amrywio amod (02) (sampl o banel un metr sgwâr o'r wal) o gais cynllunio cyfeirnod 12LPA1003B/CC/MIN (mân newidiadau i gynllun a gymeradwywyd eisoes dan 12LPA1003/FR/CC ac amrywio amodau (02) (Cynllun Rheoli y Adeiladu), amod (07) (carthffos gyhoeddus), amod (08) (rheoli traffig), dileu amod (09) (rhan o'r gwaith bwndio o gais cyfeirnod 12LPA1003/FR/CC (gwaith lliniaru llifogydd a byndio) yn / Application under Section 73 for the variation of condition (01) (details of mortar and pointing to wall) and variation of condition (02) (one square metre sample panel of wall) from planning permission reference 12LPA1003B/CC/MIN (minor amendments to scheme previously approved under 12LPA1003/FR/CC and variation of conditions (02) (Construction Management Plan), condition (07) (public sewer), condition (08) (traffic management), deletion of condition (09) (section of bunding) of application reference 12LPA1003/FR/CC (flood alleviation works and bunding) at

Townsend Bridge-Gallows Point, Beaumaris



Planning Committee: 07/10/2015

Report of Head of Planning Service (GJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been made by the Council and is on part of council owned land.

1. Proposal and Site

The original planning application has been previously approved under application reference 12LPA1003/FR/CC and a minor amendment under 12LPA1003B/CC/MIN the applications consisted of

1. Construction of a new secondary flood wall along the rear edge of the promenade along the Green car park frontage in front of the Castle at the eastern end of the town;
2. Raising the height of the existing sea wall crest wall between Townsends Bridge and Gallows Point at the end of the town adjacent abutting the A545 public highway into and out of the town; and
3. Construction of a clay fill earth mound on land to the rear of Beaumaris Castle. – **This is no longer part of the scheme**

This is an application under Section 73 for the variation/deletion of conditions of the original planning application as follows:-

12LPA1003/FR/CC

Condition (02) – Construction Management Plan

Request that the condition is varied so that the information can be agreed in writing by the local planning authority after commencement of work on the site and within 3 months of the date of this permission.

Condition (07) – Details of a construction design method statement and risk assessment for the protection of the sewer crossing the site.

As the bunding scheme is no longer part of the application this condition will be amended to state that no work shall be permitted within 3 metres of the sewer.

Condition (08) – Traffic Management Plan - Request that the condition is varied so that the information can be agreed in writing by the local planning authority after commencement of work on site and within 3 months of the date of this permission

Condition (09) – Cross section of bunding –

The bunding element of the scheme will no longer be implemented and the condition will be deleted from the permission.

12LPA1003B/CC/MIN

Condition (01) – Full details of mortar and pointing of the wall – This condition will be deleted and put into one condition with the variation of condition (02) below.

Condition (02) – One square metre sample panel of the wall – this condition will be varied to include details of the mortar and pointing of the wall. Details again requested within 3 months of the date of this permission.

2. Key Issue(s)

The key issue is the impact the proposal will have on the following: -

- Heritage
- Conservation Area
- World Heritage Site
- Essential Setting of the World Heritage Site
- Area of Outstanding Natural Beauty
- Listed Buildings
- Scheduled Ancient Monument
- Menai Strait and Conwy Bay Special Area of Conservation (SAC)
- Baron Hill Site of Special Scientific interest (SSSI)
- Lfan Sands Special Protection Area (SPA)

Balancing these impacts against the public benefit of the proposals in respect of reducing flood risk.

A Heritage Impact Assessment (HIA) has been submitted with the application to help inform this process.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 28 – Tidal Inundation and River Flooding

Policy 30 – Landscape

Policy 33 – Nature Conservation

Policy 34 – Nature Conservation

Policy 35 – Nature Conservation

Policy 36 – Coastal Development

Policy 39 – Archaeology

Policy 40 – Conservation of Buildings

Policy 41 – Conservation of Buildings

Policy 42 – Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN2 – Areas of Outstanding Natural Beauty

Polisi EN5 – International Sites

Policy EN8 – Development on the Coast

Policy EN9 – Development near Wetlands, Water Courses and Shorelines

Policy EN10 – Landscapes, Parks and Gardens

Policy EN11 – World Heritage Site(s)

Policy EN12 – Archaeological Sites and the Historic Environment

Policy EN13 – Conservation of Buildings

Policy SG2 – Development and Flooding
Policy SG6 – Surface Water Run Off
Policy PO8 – Environment

Gwynedd Structure Plan

Policy D1 – Environment
Policy D3 – Environment
Policy D4 – Environment
Policy D10 – Environment
Policy D15 – Environment
Policy D22 – Environment
Policy D25 – Environment
Policy D26 - Environment

Technical Advice Note 15 – Development and Flood Risk July 2014

4. Response to Consultation and Publicity

Local Member (Cllr Lewis Davies) – No objections raised

Local Member (Cllr Carwyn Jones) – No response

Local Member (Cllr Alwyn Rowlands) – No response

Beaumaris Town Council – Have confirmed that they recommend approval for the application

Natural Resources Wales – Comments that the details should be received as soon as possible to discharge the conditions

Welsh Water – No response

Highways Department – No recommendation

Drainage Section – Comments

The application was advertised by means of 22 site notices and neighbouring properties were notified by individual letters. The application was also advertised in the local newspaper as the development is within the setting of Listed Buildings. The expiry date to receive representations was the 14/09/2015. At the time of writing the report no letters were received.

5. Relevant Planning History

12C444/SCR – Screening application for flood alleviation works – EIA not required 19/12/13

12C444A/SCR – Screening application for flood alleviation works – EIA not required 19/12/13

12LPA1003/FR/CC – Full application for flood alleviation works comprising of the construction of a stone faced secondary flood defence wall along the eastern part of the Green, increasing the height of the existing sea wall and gabion protection between Townsends Bridge and Gallows Point and associated landscaping together with the construction of earth bunding on Castle Meadow on the north side – Permit – 2/10/14

12LPA1003A/DIS – Application to discharge condition (11) being (sample of stonework) from planning

permission 12LPA1003/FR/CC – Condition Discharged – 23/2/15

12LPA1003B/CC/MIN – Minor amendments to scheme previously approved under planning permission 12LPA1003/FR/CC at Townsend Bridge – Gallows Point, Beaumaris – Permit 2/12/14

6. Main Planning Considerations

The Proposal:-

1. Earth Flood Bund – Castle Meadow

Castle Meadow is a 28 ha grassed field given primary over to agriculture. The field generally slopes from west to east with a fall of 6 metres over a length of 350 metres before adjoining with the Beaumaris Castle Moat. Ground levels range from 13.3 metres in the South West corner to 21 metres in the north west which forms the field boundary with Henllys Lane. Ground investigation identifies the field as having approx 300mm of topsoil overlaying sandy clay.

A network of land drains throughout the field is known to discharge through a stock watering structure before entering the Castle moat. Flood modelling has demonstrated that the natural landform includes a number of dry valleys which concentrate overland runoff into the moat area.

The bund will be top-soiled and grass seeded on completion with a single intake structure visible from the North West but screened from Castle viewpoints. The intake structure and control mechanism will be built largely within the bund with manhole access from the crest.

Access for construction and future maintenance will be, with the landowner's permission, via the existing private access gate adjacent to the south west corner of the municipal car park on the east side of the Castle. Maintenance access to the bund and control structure will be provided for by a reinforced grass access track from the car park and along the crest of the bund.

2. Works on the Green

The existing sea wall is a vertical stone faced retaining structure approximately 2 metres in height with a cellular sloping precast concrete block revetment and concrete toe beam interfacing to the existing sand/shingle beach. The existing promenade that runs along the crest of the sea wall is approximately 6-7 metres wide with red tarmac surfacing. The promenade is constructed on made ground overlying medium dense sandy gravel. The car park access road and grassed parking area of the Green are to landward.

From a flood defence perspective the wall is designed to reduce but not necessarily eliminate overtopping with the crest level defined from consideration of the predicted 1 in 200 year extreme tide level, including an allowance for climate change; definition of suitable allowable overtopping discharges for the location and the need to limit the visual impact.

The new secondary defence wall will be located approximately 5 metres from the front edge of the existing promenade in the area of red tarmac. The wall be approx 0.5 metres wide and on average 0.75 metres higher than the existing promenade level to meet flood defence requirements. It will be constructed with a reinforced concrete core and the exposed surfaces will be clad with natural stone, such that it is in keeping with other similar structures.

The wall will have gaps in it that will remain open for the majority of the time but would be sealed with hinged metal flood gates when flood warnings are in force. This flood risk management function would be carried out by the Town Council's flood wardens.

3. Sea Wall raising between Townsend Bridge and Gallows Point

The existing sea wall is a vertical stone wall of variable exposed height on the seaward side between 0.5 metres and 2.3 metres, with a sloping concrete revetment in front that interfaces to the existing sand/shingle beach. On the immediate landward side of the wall is a narrow pedestrian footway, approximately 1 metre wide, with the single carriageway A545 public highway abutting the footway.

There are currently gaps in the wall and stepped sections of revetment, to allow access from the footway to the foreshore. These gaps are presently sealed with metal flood gates.

From a flood defence perspective the increased wall elevation will reduce but not eliminate the overtopping that takes place across this section but the highway will remain vulnerable to overtopping during more extreme events. Reducing the overtopping to a greater degree would require more significant modification of the defence arrangements e.g changing the profile and or form of the defences.

The wall will have gaps in it that will remain open for the majority of the time but would be sealed with hinged metal flood gates when flood warnings are in force. This flood risk management function would be carried out by the Town Council's flood wardens.

Impact on the Area of Outstanding Natural Beauty, Conservation Area and all other special features listed above.

The proposal is within a highly sensitive area within an Area of Outstanding Natural Beauty, Conservation Area, World Heritage Site, Essential Setting of the World Heritage Site, close to Listed Buildings, within close proximity of a Scheduled Ancient Monument, Menai Strait and Conwy Bay Special Area of Conservation (SAC), Baron Hill Site of Special Scientific interest (SSSI), Lafan Sands Special Protection Area (SPA).

All policies listed within the report and the Heritage Impact Assessment that was submitted with the application have been taken into account.

It is acknowledged that the works will have some impact on the AONB, Conservation Area and other special features of the area, however consideration has also been made to the benefits that the proposal will bring to the area.

Policy Context: -

The proposal does not sit within any of the development categories as indicated in figure 2 of Technical Advice Note 15: Development and Flood Risk (July 2004). Natural Resources Wales have confirmed that they would therefore support the planning application, which would reduce the flood risk in the town.

There are numerous policies that address development and flood risk, however this is a proposal to reduce the flood risk to the town.

When considering proposals for flood alleviation works other policies such as the impact upon the AONB, Conservation Area, Listed Buildings and all other special features of the area have to be taken into account.

Having considered the policies listed within the report, it is considered that the development does not fundamentally conflict with the said policies.

Effect on the amenities of surrounding properties –

It is not considered that the proposal will detrimentally affect the amenities of adjacent neighbouring

properties.

7. Conclusion

The works have previously been approved under application reference 12LPA1003E/FR/VAR/CC. This application is to vary/delete the conditions as stated above.

The net effect of the application is:-

1. To allow 3 months to submit a Construction Management Plan
2. To allow 3 months to submit a Traffic Management Plan
3. To ensure that the work is not carried out within 3 metres of the public sewer
4. To allow 3 months to submit details of mortar and pointing of the wall and ensure that a 1 metre sample panel is inspected.

It is considered that the sea defence elements of the scheme will have minimal impact on the sensitive receptors and will provide added protection to a number of listed buildings on the coastal edge of the town which are often threatened during stormy conditions. The sympathetic design of the increased elevation to the existing sea defence wall and new crest wall at The Green will have minimal impact on views.

It should be noted that as well as having an adverse impact on the setting of potentially a number of the heritage receptors in the area the scheme would benefit the living and working town and many of the heritage assets themselves.

The reduction of the threat of flooding to many of the Listed Buildings at the town's medieval core will be of great benefit, both in terms of preservation and reduced risk of economic disruption therefore any impact the proposal will have on the area must also take into account the great benefit to remove the threat of flooding.

In balancing the public benefit of the proposal in reducing flood risk against the need to have regard to the setting of heritage receptors in the area it is considered that the application ought to be permitted.

8. Recommendation

Permit

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

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

(02) A Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work. The CMP to be approved under the provision of this condition shall include;

- **Contingency plan and equipment to deal with spillages;**
- **Use of materials suitable for maritime environment and maximum concrete cure timed allowed to ensure no leakage;**
- **All work equipment, materials and machinery to be in a clean condition prior to arrival on site in order to reduce the risk of the introduction of non-native invasive species to the local area;**
- **All fuel and oil should be stored correctly and banded if necessary; and**
- **Any waste material generated to be collected and disposed of offsite in a suitable manner**

- **Mitigation measures in relation to protected species notably bats**

Reason:- To minimise pollution into the Menai Strait, Conwy Bay Special Area of Conservation and Traeth Lafan Sands Special Protection Area.

(03) Foul water and surface water discharges shall be drained separately from the site

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

(04) 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

(05) 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.

(06)The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dŵr Cymru Welsh Water has rights of access to its apparatus at all times. No development (including the raising or lowering of ground levels) will be permitted within 3 metres either side of the centreline of the public sewer.

Reason: to protect the integrity of the public sewer and avoid damage thereto.

(07) A traffic management plan shall be submitted to and approved in writing by the local planning authority within 3 months of the date of this permission. The development shall thereafter proceed in accordance with the approved details.

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

(08) No development shall commence until a traffic management plan has been submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the approved details.

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

(09) A one square metre sample panel of the semi dressed stone cladding to the inner face of the wall shall be inspected the sample should include mortar and pointing detail. Details shall be submitted and approved in writing within 3 months of the date of this permission.

Reason: To ensure that the work approved is

(10) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 24/06/2014 + 11/07/2014 of application reference 12LPA1003E/FR/VAR/CC details submitted on the 14/11/2014 of application reference 12LPA1003B/CC/MIN and details submitted on the 21/07/2015 of application reference 12LPA1003E/FR/VAR/CC or as otherwise approved in writing by the local planning authority

under planning application reference 12LPA1003E/FR/VAR/CC.

Reason: For the avoidance of doubt

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.

9. Other Relevant Policies

Planning Policy Wales Edition 7 July 2014

Chapter 4 – Planning for Sustainability

Chapter 5 – Conserving and Improving Natural Heritage and the Coast

Chapter 6 – Conserving the Historic Environment

Chapter 13 – Minimising and Managing Environmental Risks and Pollution

Beaumaris Conservation Area Character Appraisal

Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology

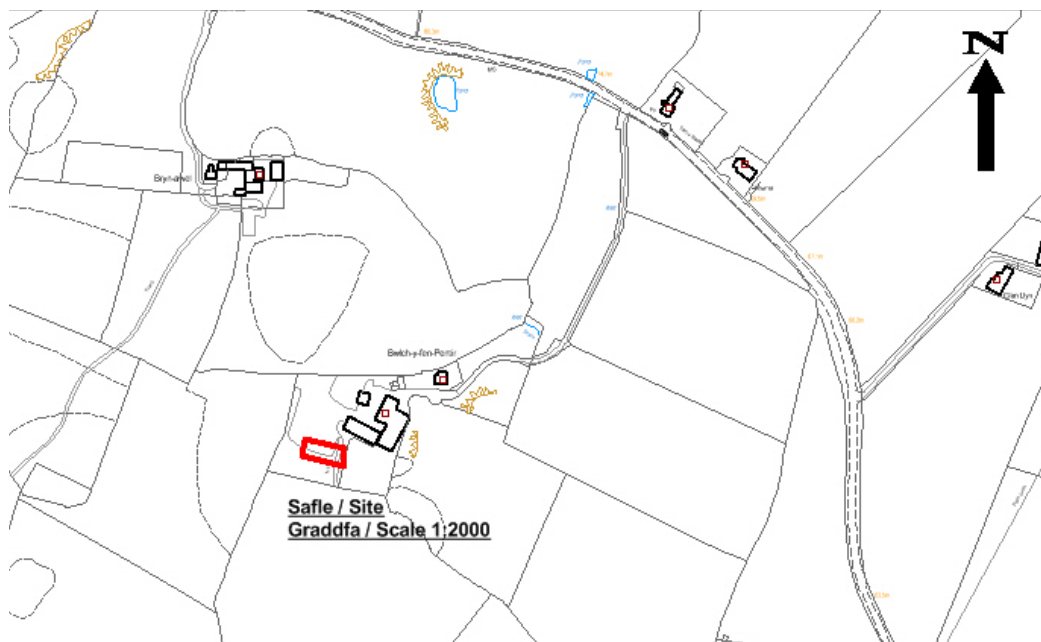
Rhif y Cais: **14LPA1021/CC** Application Number

Ymgeisydd Applicant

Head of Service Highways and Technical

Cais llawn ar gyfer codi adeilad amaethyddol i storio gwair a gwellt ar dir yn / Full application for the erection of an agricultural building for the storage of hay and straw on land at

Bwlch-yfen Pentir, Tyn Lon



Planning Committee: 07/10/2015

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application site lies on Council owned land.

1. Proposal and Site

The proposal entails the erection of an agricultural building to keep hay and straw. The farm is located just over a kilometre north west of Bodffordd.

2. Key Issue(s)

The application main issues are whether a shed in this location would comply with the current planning policy and whether the proposal will affect the amenities of the neighbouring properties.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 42 - Design

Gwynedd Structure Plan

Policy D4 - Siting

Policy D29 - Design

Stopped Unitary Development Plan

Policy GP1 – General Control Guidance

Policy GP2 - Design

Planning Policy Wales (7th Edition), July 2014

Technical Advice Note 6 – Planning for Sustainable Rural Communities

4. Response to Consultation and Publicity

Councillor Nicola Roberts – No response received at the time of writing this report.

Councillor Bob Parry – No response received at the time of writing this report.

Councillor Dylan Rees – No response received at the time of writing.

Community Council – No response received at the time of writing.

Environmental Health – Standard comments for construction phase.

Public Consultation – The latest date for the receipt of representations was 14/08/2015. No letters of representations had been received at the time of writing this report.

5. Relevant Planning History

No relevant planning history.

6. Main Planning Considerations

Design - The proposal is a typical modern agricultural building finished in juniper green panels and reaching 5.7m to the ridge and measuring some 9.5 x 14m on plan . The shed is designed for its purpose and will fit into its context without detriment to the wider landscape.

Amenity – The shed is proposed as part of a farm complex. There are farmsteads and private dwellings in the wider locality but none are considered to be adversely affected by the proposal.

7. Conclusion

The principle of development for agricultural purposes is accepted within local and national planning policies. The proposal under consideration will not create unacceptable changes to the area, or have an unacceptable effect on residential amenities.

8. Recommendation

Permit

(01) The building hereby approved shall be used solely for the purposes of Agriculture, as defined by Section 336(1) of the Town and Country Planning Act 1990 and for no other commercial or business use whatsoever.

Reason: To ensure that the development will always be in the best interest of the agricultural industry.

(02) The external colour of the shed shall be juniper green as indicated on the submitted plans.

Reason: In the interests 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.

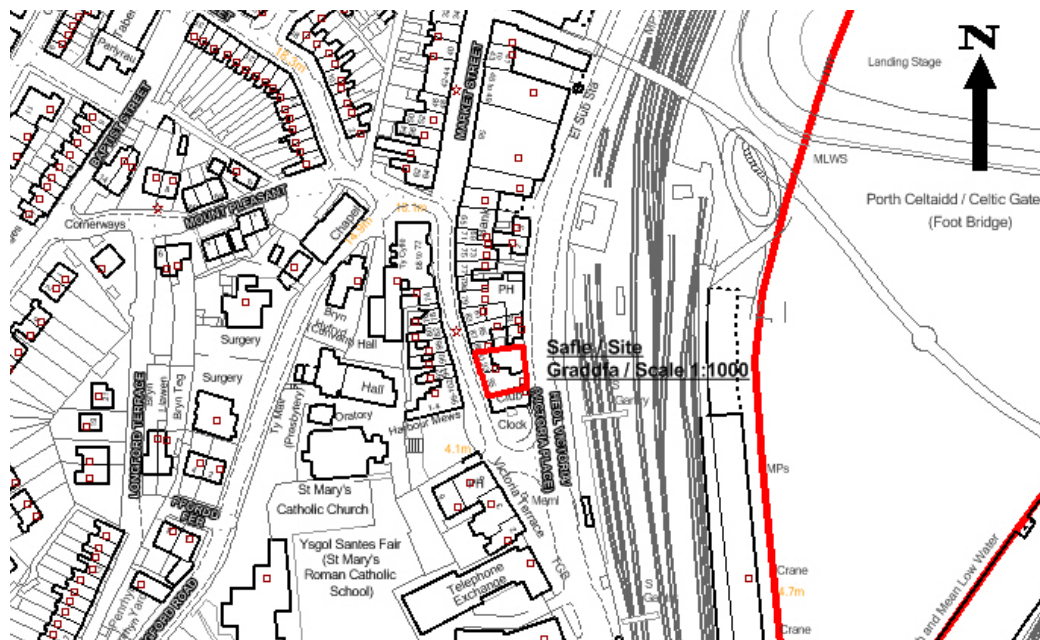
Rhif y Cais: **19LPA1018/CC** Application Number

Ymgeisydd Applicant

Cyngor Sir Ynys Môn

Cais llawn ar gyfer dymchwel yr adeiladau presennol yn / Full application for the demolition of existing buildings at

91-95 Market Street, Crown Hotel and Grill, Holyhead



Planning Committee: 07/10/2015

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is made by the County Council.

1. Proposal and Site

The site is located on the lower end of Market Street with the front elevation of the buildings facing the main street and the rear elevations facing Victoria Road. The site was more recently used as the Crown restaurant but has been vacant for several years.

The property has been boarded up for some time and a hording placed on the Victoria Road elevation to try to prevent access. The condition of the building is dire – it has deteriorated significantly in recent years with part of the rear elevation already in a state of partial collapse. There is a danger of imminent catastrophic collapse at the rear of the building. Due to the condition of the building, a collapse at the rear could result in the front elevation falling outwards onto Market Street causing serious risk to life and limb. Temporary shoring of the building has taken place.

2. Key Issue(s)

Impact on adjoining properties and on the designated Conservation Area.

3. Main Policies

Gwynedd Structure Plan

Policy D4 : Location, Siting and Design

Policy D25 : Development in Conservation Areas

Policy D29 : Design and Siting

Ynys Mon Local Plan

Policy 1 : General Policy

Policy 40 : Conservation of Buildings

Policy 42 : Design

Stopped Unitary Development Plan

Policy GP1: Development Control Guidance

Policy GP2: Design

Policy EN13: Conservation of Buildings

Planning Policy Wales (Edition 7)

TAN 12 : Design

Circular 61/96 Planning and the Historic Environment: Historic Buildings and Conservations Areas

Conservation Area Character Appraisal.

4. Response to Consultation and Publicity

Holyhead Town Council: No objection

Cllr R LL Jones : It would be nice to have it rebuilt as it is an eyesore at present

Cllr J A Roberts & Cllr R Jones – no response at the time of writing

Environmental Health Officer: Comments for construction stage

Natural Resources Wales: comments

Ecological and Environmental Advisor: property should be checked for nesting birds if demolition takes place in the nesting season; bats unlikely to be present but normal precautions should be followed during demolition

Highway Authority: suggested condition

No representations were received as a result of the publicity undertaken.

5. Relevant Planning History

19C372/TR Alterations and extensions to the Crown Restaurant – approved 14/7/89

19LPA1018A/CA/CC Conservation Area Consent for demolition of existing buildings at 91-95 Market Street, Holyhead – referred to Welsh Government for determination in accordance with the Town and Country Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012

6. Main Planning Considerations

Principle of the Demolition: The legislative requirement in relation to Conservation Areas is that proposals preserve or enhance the designated area. Buildings which contribute to an area's special interest should be considered carefully in any development proposals.

The properties concerned are thought to have been built originally as dwellings sometime between 1769 and 1802. No 95 has been in use as a public house since 1849. Considerable alterations have been undertaken over the years such that little remains of the original layout and no original features remain. The front elevation in particular has been altered significantly with complete loss of original character. The poor state of repair and prominence of the buildings in the streetscene detract significantly from the appearance of the conservation area.

Temporary shoring of the building and the large scaffolding to its front blocks the pavement in front of the properties and further detracts from the character and appearance of the conservation area.

The development proposed is to demolish the front of the building, using arising rubble in the cellar area to stabilise the road level on Market Street; the rear of the building will also be demolished apart from a small flat roof building which can be retained. The hoarding erected to prevent access to the buildings on Victoria Road, printed with scenes of 'old Holyhead', will be reinstated to the rear boundary of the property and similar hoarding will be erected onto Market Street.

Circular 61/96 states that:

30. Many conservation areas include the commercial centres of towns and villages and generally there will need to be an emphasis on controlled and positive management of change, to allow the area to remain alive and prosperous, and ensure that any new development accords with the area's special architectural and historic qualities. Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; and their replacement should be a stimulus to imaginative, high quality design, and an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own.

Paragraph 33 states:

33. The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings. In cases where a building makes little or no such contribution the authority will normally need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for redevelopment. It has been held that the decision-maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area.

Whilst no scheme for the permanent replacement of the building is known at present, the structural condition of the building and risk of imminent collapse together with its generally poor state of repair detracting significantly from the area weighs in the determination. The temporary works proposed would serve to preserve the character and appearance of the conservation area. A 'do nothing' approach is not a viable option given the buildings' structural condition. Failure to actively demolish is likely to result in catastrophic collapse which would have a negative impact on the designated area.

Impact on adjoining properties: demolition of the buildings will result in the creation of gable walls either side of the vacant space created. It is proposed that these be rendered and painted to make good any damage and to secure weather tightness. It is considered that the works are acceptable in the context of the scheme and would also serve to preserve the character of the conservation area.

The works are likely to cause some general disruption (the pavement is already closed due to shoring works) and the Highway Authority has suggested a condition regarding traffic management in order to ensure the free flow of traffic during the works.

7. Conclusion

The scheme of demolition is urgently necessary given the structural condition of the buildings. The works as proposed will preserve the character of the conservation area.

8. Recommendation

Permit

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

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

(02) No development shall commence until a scheme of remedial works to the adjoining properties, together with a timetable for the works, has been submitted to and approved in writing by the local planning authority. The scheme shall thereafter precede in accordance with the details as approved.

Reason: In the interests of amenity and to preserve the appearance of the conservation area

(02) No development shall commence until a Demolition Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in accordance with the details as approved.

Reason: in the interest of highway safety and 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.

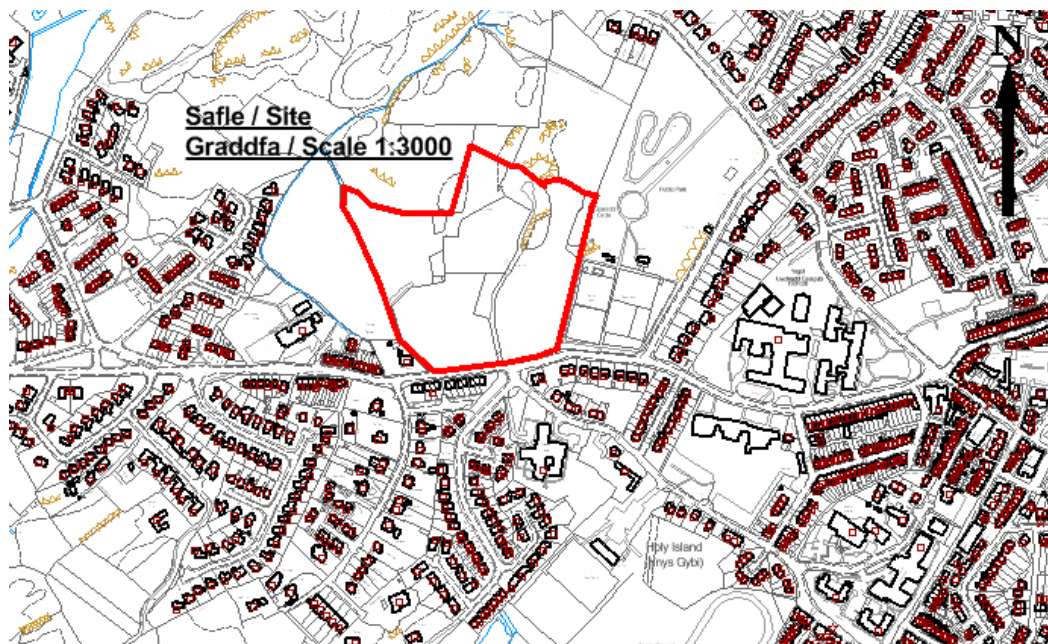
Rhif y Cais: **19C608Q** Application Number

Ymgeisydd Applicant

ANWYL Construction Co Ltd

Cais i ddiwygio cytundeb cyfreithiol (darpariaeth tai fforddiadwy) dan Adran 106A Deddf Cynllunio Gwlad a Thref 1990 sydd yn glwm â chaniatâdau cynllunio 19C608F a 19C608G er mwyn lleihau nifer y tai fforddiadwy o 37 (30%) i 18 (15%) ar dir yn / Application for the modification of a planning obligation (affordable housing provision) under Section 106A of the Town and Country Planning Act 1990 which is attached to planning permissions 19C608F and 19C608G to reduce the number of affordable dwellings from 37 (30%) to 18 (15%) on land at

Tyddyn Bach, South Stack Road, Holyhead



Planning Committee: 07/10/2015

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

In accordance with legal advice

1. Proposal and Site

The site is located off South Stack Road in Holyhead, between the Holyhead Park and the Llaingoch Primary School. Planning permission exists for 123 housing units on the site with a requirement to construct a roundabout to create the access. In accordance with planning policies, 30% of the dwellings approved under that planning consent (37 individual units) are expected to be provided as affordable housing to meet local needs.

The application as made seeks to modify the S106 agreement to the effect that 20 units of affordable housing would be provided as part of the development in lieu of the 37 currently required i.e. a reduction of 17 affordable units.

2. Key Issue(s)

Whether the S106 agreements continue to serve a useful planning purpose as modified.

3. Main Policies

Ynys Môn Local Plan

Policy 51 Large Sites

Gwynedd Structure Plan

Policy A9 – Affordable Housing

Stopped Unitary Development Plan

Policy HP7 – Affordable Housing

Planning Policy Wales (Edition 7)

Technical Advice Note 2: Planning and Affordable Housing

Housing Delivery Statement

4. Response to Consultation and Publicity

Town Council: No response at the time of writing

Cllr J A Roberts: Call-in request cancelled; supports application provided the best outcome possible can be achieved given the current climate.

Cllr R Jones : Happy to leave the application in the hands of officers

Cllr R LL Jones: The developer has said that they paid too much for the site and hence cannot afford to build the number of affordable houses passed as part of the scheme. I cannot agree to the scheme being given the go ahead at the expense of the poorer members of our community. I am sure there will still be a decent profit to be made on the development and there is nothing stopping them making a fresh application to be put through the planning process for the community to know what is going on and not to have the agreement to reduce made with the community not having been consulted. Not willing to see the number of houses for the less well-off families reduced; expensive houses are not needed in Holyhead – youngsters on low wages should be helped to gain a foothold in the housing market.

JPPU – comments on status of development plan and on viability assessment. The need to consider the impact of affordable housing provision on the deliverability of the site needs to be weighed against the need for affordable housing provision in the area. Consideration can be given towards reducing the affordable level from the 37 units, on the previous applications, to a level the Council are satisfied that provides the maximum amount of affordable housing that is viable.

Housing Department – supports the proposal

Response to Publicity

Publicity was afforded to the application by means of site notices and personal notifications. No representations were received as a result.

5. Relevant Planning History

19C608F Outline application for residential development together with the construction of a new vehicular and pedestrian access on land at Tyddyn Bach, South Stack Road, Holyhead – approved 5/9/2007 S106 affordable housing

19C608G Outline application for residential development together with the construction of a new vehicular and pedestrian access on land at Tyddyn Bach, South Stack Road, Holyhead – refused and approved 5/9/2007 S106 affordable housing

19C608H Construction of three ponds and a nature conservation area on land at Tyddyn Bach, South Stack Road, Holyhead – approved 28/4/2008

19C608J Variation of condition 18 attached to permissions 19C608F and 19C608G so as to permit 13 two and a half storey dwellings at Tyddyn Bach, South Stack Road, Holyhead – 10/4/2008

19C608K/DA Detailed application for the erection of 123 houses together with the construction of a new vehicular and pedestrian access on land Tyddyn Bach, South Stack Road, Holyhead – approved 1/7/2008

19C608M Variation of condition 01 of planning permission 19C608K/DA to allow for a new phasing plan on land at Tyddyn Bach, Holyhead – approved 3/2/2011

19C608N Application for a certificate of lawfulness to show that a material start has been made on planning permission 19C608K/DA on land at Tyddyn Bach, South Stack Road, Holyhead – Lawful

Use Approved 7/8/2012

19C608P Application to discharge planning obligations (affordable housing provision) under S106A of the Town and Country Planning Act 1990 on land at Tyddyn Bach, South Stack Road, Holyhead – Refused 4/2/15

6. Main Planning Considerations

Background: Planning permission (as two separate outline applications) was granted for residential development of land at Tyddyn Bach, South Stack Road, Holyhead in 2007. Both permissions were issued subject to a standard section 106 agreement requiring 30% of the units to be provided as affordable housing units for local needs. The current applicants purchased the site in 2008 and obtained detailed planning consent for the erection of 123 houses in the same year. Phasing conditions which previously restricted the number of units which could be built in any year were varied in 2011 in order to allow greater flexibility to the development. A material start safeguarding the planning permission was confirmed in 2012. As 30% of the 123 units approved, 37 units are expected to be provided as affordable housing units.

The developers assert that development of the site with affordable housing is not viable. Guidance on the provision of affordable housing indicates that viability issues are material to any discussion. The developers have previously requested amendments to the S106 agreements which in their view would assist in facilitating the development of the site.

Those negotiations were not concluded as a revised provision (which was considered acceptable to the Council's Affordable Housing Advisor, subject to the approval of Council Officers, and agreed initially by the developers' representative) was later rejected by the developer. The developer instead submitted an application to remove the S106 obligations under planning reference 19C608P in order to develop the 137 units as open market housing with no affordable provision. After consideration of viability issues with advice from the District Valuer, a recommendation of refusal of that application was made and was accepted by the Planning and Orders Committee earlier this year.

The Section 106 Agreements in brief require the developer to negotiate with Registered Social Landlords for the transfer of the affordable dwellings but where no agreement can be reached the dwellings can be sold to qualifying occupiers at a price no higher than the 'accepted cost guidance' of the relevant property (rather than a percentage below open market value which is more recently used in obligations of this nature). Since the purchase of the site in 2008 the housing market has suffered a downturn reflected in the open market value (and hence 30% under market value) price of property. The developer paid a high price for the site even though the recession had struck and assumed that the affordable dwellings would be transferred to a social landlord under a social housing grant which was not in place at the time of sale and which, despite Council assistance with a later bid, was not secured. The District Valuer's report concluded that the current market value and not the price paid for the site should be used in the assessment of viability. Based on this value, which was substantially lower than the purchase price paid in 2008, the scheme was considered viable at 30% affordable housing provision but only on the basis of the developer accepting a multi-million pound write down of the development land and which the District Valuer confirmed was not a viability issue but an issue which would affect deliverability of the scheme. The site is allocated in the Deposit Joint Local Development Plan and is a key development in other initiatives such as the Vibrant and Viable Places bid.

The application: Following refusal of the application which sought to delete in their entirety the terms of the S106 agreements, the developer has, in accordance with the terms of the s106 agreements, sought to ascertain the level of interest in being part of the development from registered social

landlords. The developer offered 18 units as affordable units to be purchased at 70% of their open market value by Clwyd Alyn Housing Association with the remaining 105 units to be sold at their open market value. Further to negotiations, the developer has agreed to provide 20 units as affordable housing units.

The applicant asserts that Deposit LDP policy TAI9 required 15% affordable housing in parts of the Plan area, including Holyhead. The JPPU has confirmed that 15% is a minimum requirement rather than a target but that the JLDP currently does not carry material weight in the decision making process. 15% of 123 would amount to 18 affordable dwellings. Notwithstanding the weight to be given to the Deposit JLDP, 20 affordable units at 70% open market value delivered through a registered social landlord is considered an acceptable compromise scheme in order to ensure the deliverability of this site.

Section 106a of the Town and Country Planning Act 1990 allows applications to be made for the modification or discharge of section 106 agreements and states as follows in relation to the determination of such applications:

Where an application is made to an authority under subsection (3), the authority may determine—

- (a) that the planning obligation shall continue to have effect without modification;
- (b) if the obligation no longer serves a useful purpose, that it shall be discharged; or
- (c) if the obligation continues to serve a useful purpose, but would serve that purpose equally well if it had effect subject to the modifications specified in the application, that it shall have effect subject to those modifications.

Guidance on the modification or discharge of obligations indicates that in assessing such applications, the assessment of whether an obligation continues to serve a useful purpose should consider the planning purpose of the agreement.

National and local planning policies require the provision of affordable housing to meet local needs. There is a demonstrable need for affordable housing in Ynys Mon and specifically in Holyhead. Such need is sought to be met in part by requiring developers of appropriate sites to set aside a negotiated percentage of their development for local needs housing, the future provision and control of which is secured through planning obligations.

In order to secure a deliverable scheme and based on previous discussions regarding viability, it is considered that a modification of the s106 agreements to allow a reduction from 37 affordable units to 20 affordable units as now proposed would continue to serve a useful planning purpose and would continue to meet the Council's objectives in delivering affordable housing provision.

7. Conclusion

There is a demonstrable need for affordable housing in Holyhead and the development of the Tyddyn Bach site would help to meet some of that need.

The District Valuer's previous viability assessment indicates that the scheme is viable with 30% affordable housing units but has potential issues of deliverability. The scheme is clearly viable and deliverable with a reduced percentage of affordable housing units.

The obligations would continue to serve a useful planning purpose in securing the delivery of affordable housing units as part of a viable development if modified to reduce the number of units

from 37 to 20.

8. Recommendation

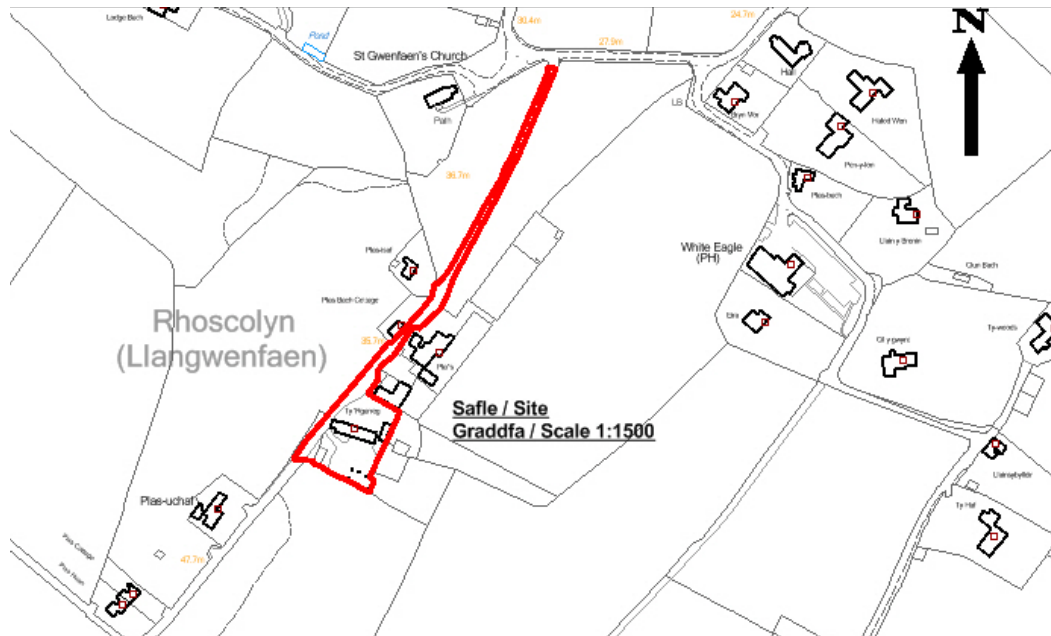
To allow the modification of the S106 agreements.

Rhif y Cais: **43C196** Application Number

Ymgeisydd Applicant

Thomas Straker & Judith Matthews & Sarah Lloyd

Cais llawn i newid defnydd adeilad allanol i fwyty, addasu y mynedfa presennol ynghyd a gosod paced trin carthffosiaeth ger / Full application for the conversion of outbuilding into a restaurant, alterations to the existing access together with the installation of a package treatment plant adjacent to

Ty'r Garreg, Rhoscolyn

Planning Committee: 07/10/2015

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application was called in by Cllr Trefor Lloyd Hughes but no land use planning reason was specified. Cllr Hughes requests that a site visit is undertaken.

1. Proposal and Site

The site is located in the designate AONB and comprises a stone agricultural building range. The site is accessed off a private road which along which a public footpath runs.

The proposal is to convert the buildings to create a restaurant together with providing parking and associated outdoor space, a toilet block and access improvements.

2. Key Issue(s)

Principle of the development and its impacts on residential and local amenities including impacts on the AONB.

3. Main Policies

Ynys Mon Local Plan

Policy 1 General Policy
Policy 7 Rural Buildings
Policy 30 Landscape
Policy 35 Nature Conservation
Policy 41 Conservation of Buildings

Gwynedd Structure Plan

Policy B1 Employment Generating Developments
Policy B8 Conversion of existing buildings
Policy B9 Rural Economy
B10 Proposals to support agriculture, forestry and inshore fishing
Policy CH1 Recreation and tourist facilities
Policy D1 AONB
Policy D4 Location, siting and design
Policy D9 Environmentally sensitive areas
Policy D10 Flora and Fauna
Policy D21 Listed Buildings
Policy D22 Listed Buildings
Policy D27 Listed Building conversion

Ynys Mon Stopped Unitary Development Plan

Policy GP1 Development Control Guidance
Policy GP2 Design

Policy EP4 Rural Diversification
Policy EP6 Reuse of Buildings
Policy TR9 Walking, cycling and horse riding
Policy TO1 New attractions
Policy EN1 Landscape Character
Policy EN2 AONB
Policy EN4 Biodiversity
Policy EN13 Conservation of Buildings
Policy SG5 Private Sewage Treatment facilities, Policy SG6 Surface water run-off

Supplementary Planning Guidance- Design in the Urban and Rural Built Environment

Planning Policy Wales – Edition 7

TAN 5 – Nature Conservation and Planning
TAN 6 – Planning for Sustainable Rural Communities
TAN 12 – Design
TAN 18 – Transport
TAN 23 – Economic Development

Circular 10/99: Planning requirements in respect of the use of non-mains sewerage incorporating septic tanks in new development.

Circular 61/96 Planning and the Historic Environment: Historic Buildings and Conservation Areas

4. Response to Consultation and Publicity

Community Council – no response at the time of writing

Cllr J Evans – no response at the time of writing

Cllr D R Thomas – no response at the time of writing.

Cllr T LI Hughes – requests a Committee determination and site visit

Highways – No objection

Footpaths – proposal will have no effect on Public footpath no 11

Natural Resources Wales – additional details requested; details provided and NRW does not object

Drainage – details are satisfactory in principle

Environmental Health Officer – comments for construction and operational phases

Built Environment and Landscape Section - site lies within the AONB and there are listed buildings in the area. Tŷ'r Garreg outbuilding itself is not listed but does have local architectural and historical interest; proposal adheres to the aims of the SPG Design Guide for the Urban and Rural Environment

Ecological and Environmental Advisor – recommendations in bat survey report should be followed

Dŵr Cymru – Welsh Water- no comments

52 letters of objection and 2 letters of support were received as a result of the publicity undertaken.

Support is based on a tasteful conversion of the property and the generation of jobs and income from tourism;

Attraction to the area;

Competition to the White Eagle which can only improve as a result.

Objections are based on

Privacy and amenity issues,

Noise and disturbance,

Landscape impacts,

Light pollution,

Traffic congestion and highway safety,

Proposal is not unique as suggested and will not support local fishermen;

Ecology impacts;

Drainage impacts,

Proposal will destroy the very things that bring visitors in to the area.

In response to the objections raised, the drawings have been amended to relocate the proposed drainage and car parking facilities in order to reduce impacts on the adjoining dwelling at Ty'r Garreg; Natural Resources Wales has been fully consulted and raises no objection; the highway authority raises no objection; noise and disturbance late at night can be controlled through conditions as can the artificial lighting of the site; planning policies support the conversion of existing buildings to business use and the provision of opportunities in a diverse rural economy.

5. Relevant Planning History

None

6. Main Planning Considerations

Principle of the Development – policies contained in the development plan and in the stopped UDP support conversion schemes for rural buildings which provide jobs opportunities and diversity in the rural economy. Such schemes must be balanced with a consideration of their effects on interests of acknowledged importance including ecology, the designated landscape, residential and local amenities and highway impacts.

AONB: The application site is located within an Area of Outstanding Natural Beauty (AONB). It is a statutory designation that recognises its importance in landscape quality and nature conservation terms. The primary objective for an AONB designation is the conservation and enhancement of its natural beauty. Local authorities have a statutory duty to have regard to AONB purposes and development control decisions affecting AONBs should in the first instance favour conservation of natural beauty. PPW advice is that

“Development plan policies and development control decisions affecting AONBs 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.”

The scheme in design terms reflects existing built development. It does not encroach significantly onto a greenfield site (the relocated car parking area is partly located in an enclosure to the east of

the proposed toilet block but the remainder of the site is an enclosed farmyard and redevelopment of an open area to the front of the building. The proposal is in a rural area but set between existing built development which loosely follows the access track which will serve the development. PPW advises that

“Statutory designation does not necessarily prohibit development, but proposals for development must be carefully assessed for their effect on those natural heritage interests which the designation is intended to protect”

And further that

“The effect of a development proposal on the wildlife or landscape of any area can be a material consideration. In such instances and in the interests of achieving sustainable development it is important to balance conservation objectives with the wider economic needs of local businesses and communities.”

Viewed at a distance from public roads and footpaths to the east for example the building is a skyline feature. However, car parking and al fresco dining facilities are located on lower lying portions of the site which can be screened to some extent by suitable landscaping. The nature of public views of the site is obscured to some extent by the nature of the narrow lanes and boundary hedges and intervening vegetation. The view from the public footpath passing the site is open and would be of longer duration. However, with suitable boundary treatment and screening the development is not considered unacceptable.

Traffic Impacts: Concerns have been expressed at the volume of traffic likely to be generated and the highway safety impacts of the proposal. The car park at Borthwen beach is often full during the summer season in particular, as is the area used for parking by St Gwnefaen’s church and on the roadside verge opposite the village hall for example but indiscriminate parking is otherwise considered rare. The area has a high level of tourist activity and the existing facility at the White Eagle is often extremely busy. The restaurant floor plans shows 46 covers and it would be expected that guests would largely share transport in using the facility. 7 full time and 5 part time employees are anticipated. The Highway Authority raises no concerns. The proposal includes details of the widening of the access track and the access itself where it joins with the public highway. Concerns are expressed at the visual impacts of this change but it is not considered that the impacts are sufficient to warrant refusal. A condition can be included in relation to the use of an appropriate surfacing material.

Ecology: The application is supported by appropriate reports and surveys. No objections are raised by the statutory consultee. Concerns were raised by local residents that owls use the buildings. Their presence would not necessarily prevent any development taking place – bats are recorded but subject to accepted safeguards, no objection to the development is raised.

Residential and Amenity Impacts: The scheme as originally submitted showed parking spaces set against the boundary wall of the dwelling at Tŷr Garreg and underneath several windows overlooking the site together with drainage proposals close to the property raising concerns regarding flooding. The scheme has been amended to relocate part of the car parking space to the enclosure to the east of the dwelling and to relocate the drainage system to the south east corner of the building. The authorised use of the site is as a farm yard and agricultural buildings and use of the site is unrestricted. The introduction of a commercial enterprise alongside an existing dwelling raises concerns regarding general noise and disturbance although the Environmental Health Section raises no concerns. The opening hours of the development are given as midday to 9pm daily although staff may be on site before and after customer opening hours for preparation and clearing up. The

originally submitted scheme replaces car parking spaces abutting Ty'r Garreg with a small landscaped area. It is considered that only disabled badge holders should be permitted to park near the building and that others should park in the lower car park and in the area reserved for overspill parking with appropriate pedestrian access from the car park allowing direct access past the patio dining area to the entrance and the toilet facility without having to negotiate the narrow vehicular access to the car park or having to pass close to Ty'r Garreg. An appropriate acoustic fence should be erected within the development site, along the residential boundary with the lower car park to limit disturbance. Conditions are proposed to this effect. Bollard lighting is proposed in order to minimise impacts on local residential properties and on the wider landscape setting and night sky. The proposed kitchen is located to the western end of the building and extractor details can be conditioned. A condition is required to screen bin storage areas to prevent visual detriment.

7. Conclusion

The statutory consultees raise no concerns. Planning policy allows the conversion of existing rural buildings to accommodate small business proposals. It is not considered that the impacts of the scheme are such that they cannot be mitigated. It is not considered that the scheme would impact the AONB to such an extent as to warrant refusal.

8. Recommendation

To **permit** the development subject to the following conditions:

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

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

(02) No other part of the development shall commence until the access improvements shown on drawing number A.004 have been completed and made available for use. No part of the access works shall be commenced until details of the surfacing material of the access and track have been submitted to and approved in writing by the local planning authority. The works shall thereafter proceed in accordance with the approved details.

Reason: In the interests of highway safety and amenity

(03) No development shall commence until fencing and walling details for the site, to include an acoustic fence between the car park and boundary of the dwelling at Ty'r Garreg, screening to the external dining area and bin storage area, to include a timetable for the works, have been submitted to and approved in writing by the local planning authority. The scheme shall proceed thereafter in accordance with the approved details.

Reason: In the interests of local and residential amenities

(04) No development shall commence until details have been submitted to and approved in writing by the local planning authority of a landscaping scheme for the external boundaries of the car parking and external dining area, including a timetable for the works and details of future maintenance. The scheme shall proceed thereafter in accordance with the approved details.

Reason: In the interests of local amenities.

(05) No development shall commence until details of the setting out of the customer and staff car parking areas to the east and south east of the buildings (shown as car park and overflow car park on drawing A.002 Revision C) to include pedestrian access from the car park to the restaurant via the south east corner of the building, has been submitted to and approved in writing by the local planning authority. No staff or customer parking, other than by disabled badge holders, shall be permitted in the car parking area to the front of the building.

Reason: In the interests of residential amenity.

(06) The external lighting of the site shall be in accordance with the details shown on drawing A.002 Revision C and submitted on 27th July 2015. The siting of any additional lighting required for the car parking area required to be approved under condition 05 above shall be submitted to and agreed in writing with the local planning authority prior to its installation.

Reason: In the interests of amenity.

(07) No development shall commence until details of the kitchen extraction system has been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in accordance with the agreed details.

Reason: In the interests of amenity.

(08) The drainage system for the site shall be installed and made available for use before the use hereby permitted is commenced.

Reason: In the interests of amenity.

(09) The development shall take place in accordance with the recommendations contained within sections 4, 5 and 6 of the Clwydian Ecology Bat Activity Survey and Mitigation Report dated 6th August 2015 and submitted under planning reference 43C196.

Reason: To safeguard any protected species which may be present on the site.

(10) The site shall not open to customers between twelve o'clock midday or after 9pm.

Reason: For the avoidance of doubt and in the interests of residential and local amenities.

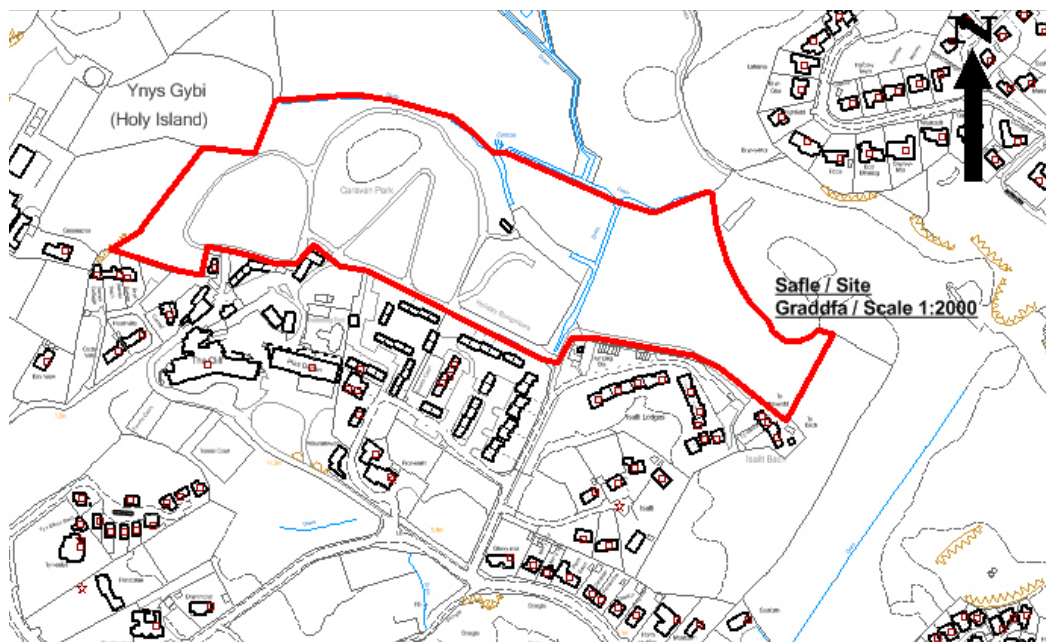
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/ development.

Rhif y Cais: **46C14V/1** Application Number

Ymgeisydd Applicant

Mr Robert Songhurst

Cais llawn i ail-fodelu'r maes carafanau parhaol presennol i ddarparu ar gyfer 14 o garafannau gwyliau parhad wedi'u hail-leoli i'r elfen deithiol 'barhaol' ynghyd ag ymestyn y parc er mwyn ail-leoli 46 o garafannau symudol yn / Full application for remodelling of the existing static caravan park to provide for 14 relocated static holiday caravans onto the 'static' touring element together with the extension of the park in order to relocate 46 touring caravans at

The Cliff Caravan Park, Trearddur Bay

Planning Committee: 07/10/2015

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application has been called-in for a Committee determination by Cllr T LI Hughes due to there being no additional toilets and due to flooding.

1. Proposal and Site

The site is a low lying vacant parcel of land adjoining the existing caravan park and separated from properties at Isallt Lodges by a track. The caravan park has planning consent for 100 static holiday caravans and 50 touring caravans. The static site operates on a holiday use basis for 12 months of the year whilst the touring element is used for holiday purposes between 1st March and 31st October but the units themselves remain on site year round.

The proposal is to remodel the existing static site; move 14 statics onto the site currently occupied by the touring caravan element and extend the eastern boundary of the site in order to accommodate the touring element. Environmental improvements are offered as part of the application.

2. Key Issue(s)

Policy compliance and impact on the locality including impacts on residential amenities.

3. Main Policies

Ynys Mon Local Plan

Policy 1 General Policy
Policy 10 Static Caravans
Policy 12 New Touring Sites
Policy 30 Landscape
Policy 31 Landscape
Policy 36 Coastal development

Gwynedd Structure Plan

Policy D1 AONB
Policy CH5 Additional Pitches on Existing Sites

Policy CH8 Static Caravan Sites
Policy D5 Coastal Sites
Policy D9 Environmentally Sensitive Areas
Policy D29 Standard of Design and Setting
Policy D32 Landscaping

Stopped Unitary Development Plan

Policy GP1 Development Control Guidance
Policy TO4 Existing Static Caravan Sites

Policy TO6 Touring Caravans
Policy EN2 AONB

Planning Policy Wales Edition 7

TAN 13 – Tourism
TAN 12 – Design
TAN 18 - Transport

4. Response to Consultation and Publicity

Cllr T LI. Hughes: requests a Committee determination due to there being no additional toilets and due to flooding.

Cllr D R Thomas & Cllr J Evans – no response at the time of writing

Trearddur Community Council – there doesn't appear to be shower / toilet block for the touring vans – there is an existing facility on the current site but at an unacceptable distance; concern regarding maintaining the drainage ditch due to insufficient room within the buffer zone to access with large machinery – lack of maintenance will affect surrounding land; access track unsuitable for the volume of traffic – the road is narrow near a ditch; the environmental survey was undertaken after the bird breeding season – the area is a wetland and has historically been used by large numbers of birds; work had commenced and the site was cleared prior to any application being made; the majority of the touring caravans are permanent and there is unlikely to be room for short stay visitors.

Ecological and Environmental Advisor – additional details requested; details received and are satisfactory subject to conditions.

Natural Resources Wales: NRW does not object as the project is unlikely to adversely affect listed interests including no adverse impact on the AONB; buffer required between the site and the ditch and lighting should be positioned away from the area; condition suggested regarding reasonable avoidance measures for Great Crested Newts.

Built Environment and Landscape Section: the setting of the two closest listed buildings is unlikely to be affected.

The edge of the existing caravan park is within 160m of the AONB with the proposed touring element within 200m of the AONB. To the north east of the site is a public footpath crossing part of the application site whilst another is located to the north west and within the AONB. The site is not highly visible from the coastal edge or Lon Isallt but is visible from residential areas to the north and south.

The site is within landscape character area 2 – Holy Island. The Anglesey Gwynedd and Snowdonia Landscape Capacity Assessment describes the sensitivity of the area to static caravan / chalet park and extensions as medium – high. In relation to the capacity of the area it notes that 'outside the AONB there may be very limited capacity for static caravan / chalet park developments and extensions, typically comprising very infrequent, very small scale well sited developments'.

Harmful effects on the AONB are unlikely due to intervening topography and no effects would be experienced on the coast or its immediate setting.

In terms of landscape effects, the area is noted as being of High-Medium sensitivity that, when combined with an assessment of a slight magnitude of change (positive and negative) would result in

moderate adverse landscape impacts which would not be unacceptable. Visual effects on publicly accessible areas are predominantly from the public rights of way and publicly accessible areas within residential neighbourhoods. The proposal would introduce new views of the site and extend views eastwards

The proposal retains more scrub vegetation than would have been retained under the previous consent for a nursing home although the caravan development is spread over a greater footprint. Acceptability of visual effects is balance against those generated by the extant consent but can be reduced though appropriate landscaping. Additional landscaping details provided and are considered acceptable subject to conditions including a condition requiring the colour and finish of future replacement units to be agreed.

Highway Authority – No recommendation

Dŵr Cymru-Welsh Water: standard conditions

7 letters of objection were received as a result of the publicity undertaken. Objections are based on:

Lack of toilet / shower facilities for the site; concerns over flooding and access to the drainage ditch; previous drainage works has affected adjoining land and there are concerns regarding foundations; Increased traffic and congestion; safety issues as children from Isallt Lodges and the current caravan park access the green areas adjacent to the Isallt Lodges for play; Work commenced before the application was submitted; Environmental survey was undertaken out of season; Destruction of habitats and flora and fauna; noise pollution both day and night from access traffic and from residents; Light pollution, The development will add to building sprawl and will add to the changing character of the village; Sewerage infrastructure is not adequate to cope; Insufficient village amenities available to cope with increased numbers of visitors.

In response to these objections, it should be noted that whilst the application involves a physical extension to the site no increased number of units is proposed; the physical extension of the site for the same number of caravans as already approved is unlikely to increase traffic; the road is narrow but the highway authority raises no objection; the touring element involves touring units which will remain on site year round so traffic using the road is likely to consist of predominantly private vehicles; Natural Resources Wales and the Council's ecologist are satisfied with the ecological details supplied; a previous consent exists for a home for the elderly on part of the site – the current proposals allow for a buffer to the drainage ditch for future maintenance and an enhancement of the landscaping of the site; conditions are proposed in relation to lighting; it is not considered that amenity impacts would be such as to warrant refusal; the Planning Acts allow the submission of retrospective applications. The application proposed using the existing toilet and shower facilities as there is no increase in the number of units overall and caravans are generally equipped with drainage facilities.

5. Relevant Planning History

46C14Q/1 Application for the variation of condition (01) on planning permission reference 46C14T to allow for a 12 months holiday season for static caravans and a holiday season from 1st March until 3rd January for touring caravans at The Cliff Caravan Park, Lôn Isallt, Trearddur Bay.
Approved - 10/07/2013

46C14R/1/LUC Application for a Lawful Development Certificate for the existing use of land for the

storage of touring caravans on their pitches throughout the closed season at The Cliff Caravan Park, Lôn Isallt, Trearddur Bay. LAWFUL USE APPROVED - 25/11/2013

46C86 Erection of a nursing home on land adjoining Isallt Park Trearddur Bay. REFUSAL - 02/04/87. APPEAL ALLOWED 19/10/86

46C86A/DA Detailed plans for the erection of a nursing home on part of land adjoining Isallt Park Trearddur Bay. APPROVED - 30/07/92

46C86B Renewal of permission 46C86A/DA, detailed plans for the erection of a Nursing Home on part of o.s. 0468 Isallt Park Trearddur Bay
APPROVED - 07/10/94

46C86C Renewal of Planning Permission 46C86B for the erection of a nursing home on OS. 0468 Isallt Park Trearddur Bay. APPROVED - 09/12/99

46C86D Outline application for the erection of a nursing home together with the construction of a new access on part of o.s. 0468 Isallt Park, Trearddur Bay. WITHDRAWN - 28/07/03

46C86E Application to vary condition 1 (time limiting condition) on the notice of approval ref 46C86C (Erection of a nursing home on OS 0468 Isallt Bach, Trearddur) in order to allow a further 1 year for the commencement of works on site at OS 0468 Isallt Park Trearddur Bay. WITHDRAWN - 30/11/04

6. Main Planning Considerations

Principle of the Development: Planning policies allow the reconfiguration of existing caravan sites and Policy TO4 of the Stopped Unitary Development Plan allows site extension and an increase in numbers where the scheme secures the overall improvement of the whole site. No increase in numbers is proposed as part of the application but the physical extension of the site is proposed in order to provide an improved site layout. The application includes planting and landscaping works to improve the appearance of the existing caravan park and includes detailed proposals for the site extension area. It should be noted that the area proposed for the relocated touring caravans has an extant planning permission for a home for the elderly that can be considered as a fallback position. It is not clear that the home as approved would meet current care standards or that there is a real likelihood of its being developed. The site for the home is slightly less in terms of footprint than the current application scheme but provides little in terms of landscape or ecological mitigation. The proposal would lead to traffic on the access track, potentially during both day and night, as well as the potential for lighting and noise disturbance.

Landscape and Visual Impact: the scheme has been considered in detail and additional proposals were sought to secure an improvement to the overall appearance of the whole site. The site is an extension of an existing caravan park but offers a fairly low density layout and improves the layout of the remainder of the site by freeing up space to relocate existing units. The hard and soft landscaping proposals are considered suitable for the site and it is not considered that the scheme will create widespread landscape or visual impacts. A condition is proposed in relation to the landscaping proposals as well as in relation to the lighting of the site to ensure that it creates little impact after dark.

Ecology impact: The application is supported by ecological assessment. Additional details were sought in order to fully assess the proposals. Subject to conditions, the scheme is considered to be acceptable.

Residential impact: Concerns have been expressed by local residents and property owners about the impact of the proposal on residential amenity. Concerns are expressed regarding increased traffic although no additional caravans are proposed over and above the already permitted numbers. The touring caravans are likely to remain on their pitches year round so any traffic impact is predominantly limited to private vehicles. The Highway Authority raises no concerns. A condition is proposed in relation to lighting to ensure no detriment in relation to amenity or impact on the night sky. The site has an extant consent for development and it is not considered that the extension of the caravan park would increase noise and disturbance to such an extent as to warrant refusal.

7. Conclusion

The scheme is considered an acceptable extension to the site area onto land on part of which is an extant permission for a care home for the elderly. The scheme respects policy requirements in terms of its landscape and visual impacts and secures an overall improvement to the whole of the site.

8. Recommendation

Permit

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

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

(02) The number of static caravans on the site (which shall be in accordance with the statutory definition of caravan as contained within the Caravan Sites and Control of Development Act 1960 and Caravan Sites Act 1968) shall not exceed 100 and the number of touring caravans shall not exceed 46. No static caravans shall be located within the area hatched in green on the plan attached to this permission.

Reason: For the avoidance of doubt.

(03) The units shall be sited in accordance with drawing number 3966/8 A (200) 03 Revision E and 3966/8 A (200) 01 Revision F and submitted on 21/07/2015 under planning reference 46C14V/1. No development shall commence until a schedule for the colour and finish of replacement units has been submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the approved scheme.

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

(04) The occupancy of the touring caravans hereby approved shall be limited to an 11 month duration beginning on the 1st March in any one year and ending on the 31st January in the following year.

Reason: For the avoidance of doubt.

(05) The caravans on site shall only be used for holiday accommodation and shall at no time be used as permanent residential premises and a register of all lettings/copies of utility bills for caravan owners demonstrating other principal accommodation, shall be made available for inspection by the local planning authority at all times.

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

(06) No caravans shall be sited within the area hatched in green on the plan attached to this permission until the landscaping works indicated on drawing number 3966/8 A (200) 03 Revision E and 3966/8 A (200) 01 Revision F and submitted on 21/07/2015 under planning reference 46C14V/1 have been completed. No part of the development shall commence until a scheme for the management and maintenance of the landscaping works has been submitted to and approved in writing by the local planning authority. The scheme shall thereafter proceed in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development.

(07) No external lighting to the site or the boundaries of the site shall be installed until a lighting scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be designed to ensure that no light from the site spills over its boundaries or into the night sky. The development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of amenity

(08) The development shall take place in accordance with the recommendations contained in the Cliff Apartments Caravan Site Phase 1 Habitat and Protected Species Survey (Jane Walsh August 2014). Notwithstanding those recommendations, no development shall take place until a scheme of reasonable avoidance measures in relation to great crested newts has been submitted to and approved in writing by the local planning authority, including a timetable for the works. The development shall thereafter proceed in accordance with the approved details.

Reason: For the avoidance of doubt and to safeguard any protected species that may be present on the site.

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.

12.8

Gweddill y Ceisiadau

Remainder Applications

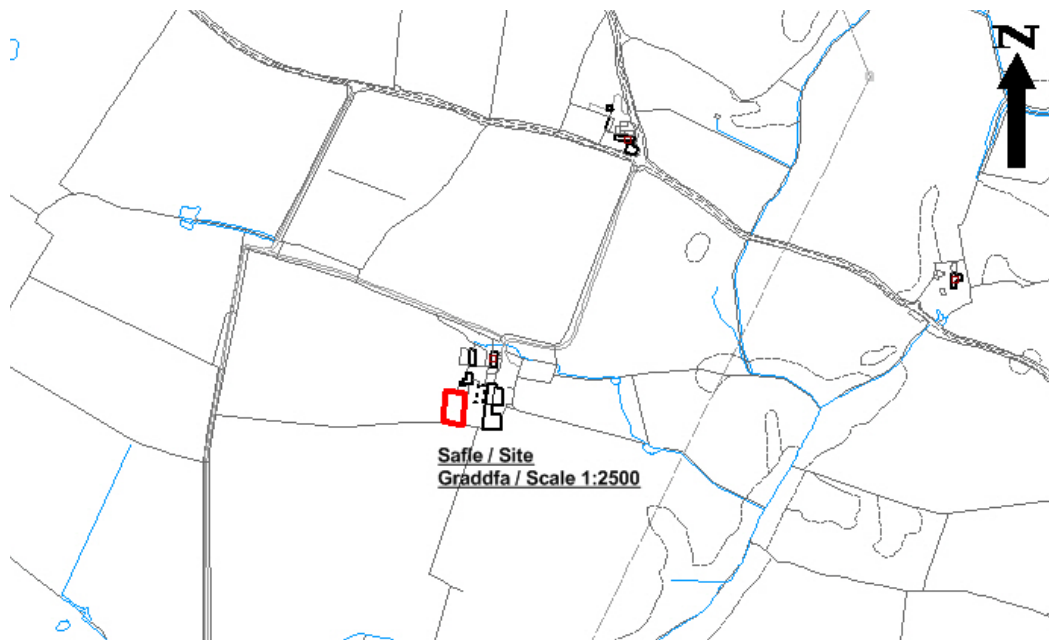
Rhif y Cais: **47LPA1020/CC** Application Number

Ymgeisydd Applicant

Head of Service Highways and Technical

Cais llawn ar gyfer codi adeilad amaethyddol i gadw anifeiliaid ar dir yn / Full application for the erection of an agricultural building for the purpose of housing livestock on land at

Cott, Llanrhuuddlad



Planning Committee: 07/10/2015

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application site lies on Council owned land.

1. Proposal and Site

The site is along a minor road to the east of Llanrhuuddlad.

The proposal entails the erection of an agricultural building to house livestock.

2. Key Issue(s)

The application main issues are whether a shed in this location would comply with the current planning policy and whether the proposal will affect the amenities of the neighbouring properties.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy

Policy 42 - Design

Gwynedd Structure Plan

Policy D4 - Siting

Policy D29 - Design

Stopped Unitary Development Plan

Policy GP1 – General Control Guidance

Policy GP2 - Design

Planning Policy Wales (7th Edition), July 2014

Technical Advice Note 6 – Planning for Sustainable Rural Communities

4. Response to Consultation and Publicity

Councillor Ken Hughes– No response received at the time of writing this report.

Councillor John Griffith – No response received at the time of writing this report.

Councillor Llinos Huws – No response received at the time of writing.

Community Council – No response received at the time of writing.

Environmental Health – Standard comments for construction phase.

Public Consultation – The latest date for the receipt of representations was 14/08/2015. No letters of representations had been received at the time of writing this report.

5. Relevant Planning History

No relevant planning history.

6. Main Planning Considerations

Design - The proposal is a typical modern agricultural building finished in juniper green panels and concrete walls and measures some 30 x 15m on plan and 6.3m to ridge. The front elevation is open and will be gated to allow feeding and access. The shed is designed for its purpose and will fit into its context without detriment to the wider landscape.

Amenity – The shed is proposed as part of a farm complex. There are farmsteads and private dwellings in the wider locality but none are considered to be adversely affected by the proposal.

7. Conclusion

The principle of development for agricultural purposes is accepted within local and national planning policies. The proposal under consideration will not create unacceptable changes to the area, or have an unacceptable effect on residential amenities.

8. Recommendation

Permit

(01) The building hereby approved shall be used solely for the purposes of Agriculture, as defined by Section 336(1) of the Town and Country Planning Act 1990 and for no other commercial or business use whatsoever.

Reason: To ensure that the development will always be in the best interest of the agricultural industry.

(02) The external colour of the shed shall be juniper green as indicated on the submitted plans.

Reason: In the interests 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.