

Rhif y Cais: 12C31A/ENF Application Number

Ymgeisydd Applicant

Mr Malcolm Gilroy

Cais ol-weithredol ar gyfer codi estyniad deu lawr yn / Retrospective application for the erection of a two storey extension at

13 Rosemary Lane, Beaumaris



**Planning Committee: 02/12/2015**

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

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

At the request of Councillor Lewis Davies.

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

The application is for retrospective permission for the erection of a two storey extension to the rear of 13 Rosemary Lane, Beaumaris.

The property is an end of terrace dwelling located within the designated Conservation Area.

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

The key issues are whether the development is acceptable in terms of its location, siting, scale, design and materials, whether the development is acceptable within the designated area and whether the development accords with development plan policies.

### **3. Main Policies**

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

Policy 1 – General Policy

Policy 30– Landscape

Policy 40 – Conservation of Buildings

Policy 42 – Design

Policy 58 - Extensions

#### **Gwynedd Structure Plan**

Policy D1 – Environment

Policy D4 – Location, Siting and Design

Policy D25 – Conservation Areas

Policy D28 – Natural Slates

Policy D29 - Design

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

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN2 – Areas of Outstanding Natural Beauty

Policy EN13 – Conservation of Buildings

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

**Councillor Lewis Davies** – Request that the application be referred to the Planning Committee for

determination

**Councillor Carwyn Jones** – No response at time of writing report.

**Councillor Alwyn Rowlands** – No response at time of writing report.

**Drainage** – Comments.

**Highways** – No recommendation.

**Town Council** – Objection, refusal recommended.

**Welsh Water** – Comments

**Natural Resources Wales** - Comments

### **Response to Publicity**

No representations received at the time of writing the report.

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

12C31 – Alterations to 13 Rosemary Lane – Granted – 4.6.85

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

The application is submitted for retrospective planning permission for the retention and completion of a two storey extension to the rear of 13 Rosemary Lane, Beaumaris.

The subject property is located inside the special designated Conservation Area, covered by an Article 4 Direction and within the designated Area of Outstanding Natural Beauty

Works have commenced on the extension, but are not yet completed.

The size, design and materials of the proposed extension are identical to an extension erected on the neighbouring property.

It is considered that the proposed extension is acceptable in terms of size, design and materials and will bring symmetry to the rear of the terrace and will, in the Local Planning Authority's opinion be an improvement to the appearance of the rear of the terrace.

It is considered that the proposed extension is in keeping with the area and will not have a detrimental effect upon the amenities of the nearby residential occupiers or upon the character and appearance of the designated area.

The Town Council have objected to the application and recommended that it be refused on the grounds that that the granting of retrospective approval would set a dangerous precedent which weakens planning controls.

The fact that the application is made retrospectively is irrelevant in its determination. It is not a criminal offence to carry out development without first obtaining any necessary planning permission. There are provisions within the Planning Act to allow for planning permission to be applied for

retrospectively.

Paragraph 6 of Technical Advice Note 9: Enforcement of Planning Control states that in considering enforcement action, the decisive issue for the local planning authority should be whether the breach of planning control would unacceptably affect public amenity or the existing use of land and building meriting protection in the public interest. Enforcement action should be commensurate with the breach of planning control to which it relates; it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to public amenity. The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought but is otherwise acceptable.

As stated above, it is considered that the development is acceptable and does not have an unacceptable impact upon the designated area or upon the amenities of nearby residential occupiers, it is further considered that planning permission would have been granted had an application been submitted prior to any development being undertaken, and consequently it would be regarded as unreasonable to refuse permission simply because the application is made retrospectively, furthermore, if on appeal it is concluded that there is no significant planning objection to the development it could result in an award of costs being made against the local planning authority.

## **7. Conclusion**

The development is considered to be acceptable in terms of siting, design, scale and materials and it is not considered that the development will have a detrimental impact upon the amenities of nearby residential occupiers or upon the character and appearance of the designated area.

## **8. Recommendation**

### **Permit**

**(01) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 16/10/2015 under planning application reference 12C31A/ENF.**

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)**

**Technical Advice Note 9: Enforcement of Planning Control**

**Technical Advice Note 12: Design**

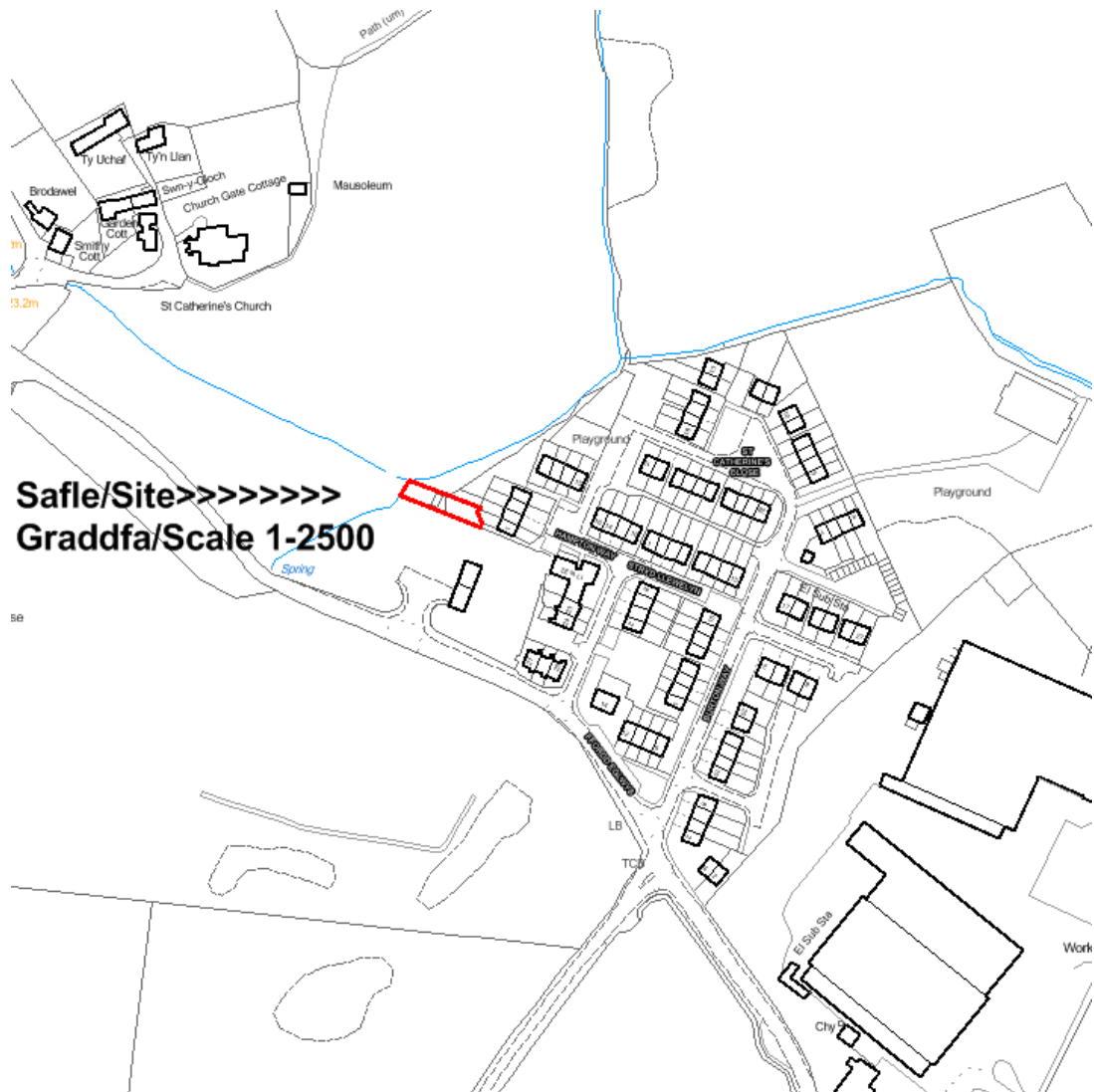
Rhif y Cais: **12C463/ENF** Application Number

Ymgeisydd Applicant

**Mr David Williams**

**Cais ôl-weithredol i gadw stabl/storfa gardd ynghyd ag estyniad i'r cwrtil yn / Retrospective application for the retention of a stable/garden store together with extension to curtilage at**

**1 Hampton Way, Llanfaes, Beaumaris**



**Planning Committee: 02/12/2015**

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

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

At the request of Councillor Lewis Davies.

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

The application is for retrospective permission for the erection of a stable/garden store and extension to the curtilage.

The application site comprises a piece of land located to the rear of 1 Hampton Way, Llanfaes.

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

The key issues are whether or not the development and use of land is acceptable in terms of the impact upon the amenities of nearby residential occupiers, the visual impact upon the locality and designated Area of Outstanding Natural Beauty and whether the development accords with development plan policies.

### **3. Main Policies**

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

Policy 1 – General Policy

Policy 30– Landscape

Policy 42 – Design

#### **Gwynedd Structure Plan**

Policy D1 – Environment

Policy D4 – Location, Siting and Design

Policy D29 - Design

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

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN2 – Areas of Outstanding Natural Beauty

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

**Councillor Lewis Davies** – Request that the application be referred to the Planning Committee for determination

**Councillor Carwyn Jones** – No response at time of writing report.

**Councillor Alwyn Rowlands** – No response at time of writing report.

**Drainage** – Comments.

**Community Council** – Objection, refusal recommended.

**Welsh Water** – No response at time of writing report.

**Environmental Health** – No observations.

### **Response to Publicity**

One letter of support received, a copy of the letter is provided in the letters pack.

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

None.

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

The application is submitted following an enforcement investigation, for retrospective planning permission for the erection of a stable/garden store together with an extension to the domestic curtilage.

The land forms part of vacant ground to the rear and side of numbers 1, 3, 5, 7 & 9 Hampton Way, the land immediately to the rear of number 1 Hampton Way, upon which the stable/garden store is erected was purchased by the applicant from the Council in 1999, the remainder of the land remains in Council ownership and is rented to the applicant.

If the land was purchased in 1999 with the intention to use it as an extension to the domestic curtilage of number 1 Hampton Way and it has been used as such since that time, then its use would now be deemed lawful in planning terms.

The use of the land as an extension to the domestic curtilage of the adjoining dwelling is an acceptable and logical use and this application, in part, merely seeks to regularise the use which has and is being made of the land.

In addition consent is also sought to retain the stable/garden store erected on the land which, according to information provided with the application, was constructed between March and July 2014.

The building was erected as a stable for their horse but also for the storage of various items of domestic and garden equipment. The horse is kept in the small paddock to the rear of the building and only occupies the stable during adverse weather conditions.

The siting, design and scale of the building is considered to be acceptable and it is not considered that the building or its use has a detrimental impact upon the character and appearance of the area or upon the amenities of nearby residential occupiers.

The Community Council has objected to the application and recommended that it be refused on the grounds that the keeping of large livestock in a residential area should not be encouraged and that the granting of retrospective approval would set a dangerous precedent which weakens planning controls.

In response to the concerns of the Community Council.

When it comes to animals, planning law has no regard to the nature of the creature, but only to its function. In the case of horses, Planning law knows only six horses:

- i. The working horse;
- ii. The racehorse
- iii. The recreational horse
- iv. The grazing horse
- v. The residentially incidental horse
- vi. Horsemeat.

In this particular instance, it is considered that the horse falls under the “residentially incidental” category.

Under Section 55(2)(d) of the Town and Country Planning Act 1990 the use of any buildings or other land within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwelling house is permitted development, this includes its use for the keeping of livestock for the personal enjoyment of the occupants of the dwellinghouse.

Consequently the keeping of a horse within the residential curtilage of a dwellinghouse is permitted under the provisions of the Act.

The Community Council have also objected and recommended that the application be refused on the grounds that the application is made retrospectively.

The fact that the application is made retrospectively is irrelevant in its determination. It is not a criminal offence to carry out development without first obtaining any necessary planning permission. There are provisions within the Planning Act to allow for planning permission to be applied for retrospectively.

Paragraph 6 of Technical Advice Note 9: Enforcement of Planning Control states that in considering enforcement action, the decisive issue for the local planning authority should be whether the breach of planning control would unacceptably affect public amenity or the existing use of land and building meriting protection in the public interest. Enforcement action should be commensurate with the breach of planning control to which it relates; it is usually inappropriate to take formal enforcement action against a trivial or technical breach of control which causes no harm to public amenity. The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought but is otherwise acceptable.

As stated above, it is considered that the development is acceptable and does not have an unacceptable impact upon the area or upon the amenities of nearby residential occupiers, it is further considered that planning permission would have been granted had an application been submitted prior to the development being undertaken, and consequently it would be regarded as unreasonable to refuse permission simply because the application is made retrospectively, furthermore, if on appeal it is concluded that there is no significant planning objection to the development it could result in an award of costs being made against the local planning authority.

## **7. Conclusion**

The use of land as an extension to the existing curtilage of 1 Hampton Way together with the retention of the stable/garden store building is considered to be acceptable and accords with relevant



development plan policies and it is not considered that the building or the use of land has an unacceptable impact upon the character and appearance of the area or upon the amenities of nearby residential occupiers.

## **8. Recommendation**

### **Permit**

**(01) The building hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the adjoining dwelling.**

Reason: To define the scope of this permission.

**(02) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 13/08/2015 & 30/09/2015 under planning application reference 12C463/ENF.**

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)**

**Technical Advice Note 9: Enforcement of Planning Control**

**Technical Advice Note 12: Design**

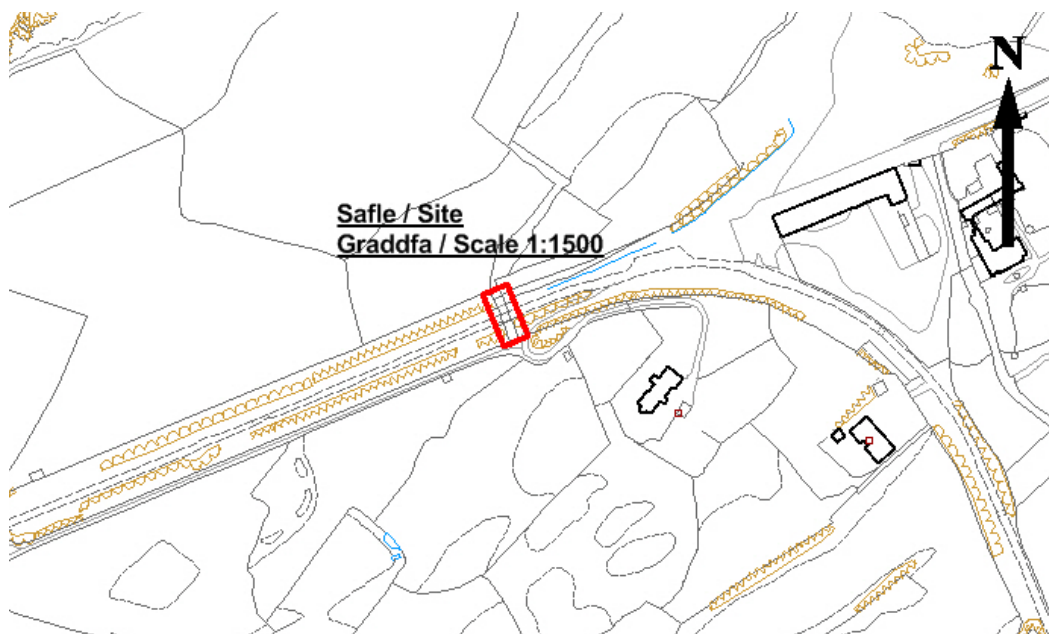
Rhif y Cais: **19LPA875C/CC** Application Number

Ymgeisydd Applicant

**Isle of Anglesey County Council**

**Rhybudd o friad i ddymchwel drosbont yn / Prior notification for the demolition of an overbridge at**

**Breakwater Country Park, Holyhead**



**Planning Committee: 02/12/2015**

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

**Recommendation:**

Permitted Development

**Reason for Reporting to Committee:**

At the request of Councillor R LL Jones

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

The application made is for prior notification of the proposed demolition of an overbridge spanning the access road to the Breakwater Country Park. The bridge is of steel construction set on stone piers under which passes the road (in which a cattle grid is inserted) as well as a pedestrian / cycle path. The bridge surface is made up of timber treads and the remains of a timber balustrade are fixed to the sides. The bridge gives access from private land to farmland beyond but is not part of the public footpath network or part of the publicly accessible areas of the Country Park.

The demolition is sought as the condition of the bridge is considered unsafe for use and its deterioration could potentially lead to damage or injury to users of the road and path passing under it.

The proposal involves a temporary road closure whilst the timber is removed; the bridge structure will then be supported by a crane and the main beams cut away to the abutments. The timber will be reused as appropriate in the country park and the steel will be carted off site for scrap. The abutments will be fenced off for safety.

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

Acceptability of the method of demolition and the restoration of the site.

### **3. Main Policies**

Part 31 of Schedule 2 to the Town and Country Planning General Permitted Development Order 1995.

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

Policy 1 – General Policy

Policy 31 – Landscape

#### **Gwynedd Structure Plan**

Policy D4 – Location, siting and design

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

Policy GP1 – Development Control Guidance

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

**Cllr R LI Jones:** This bridge is no doubt a part of the original infrastructure to do with the Breakwater. Can we please see the background to this? What does Mr Dave Jump the Conservation Officer say?

**Cllr R Jones:** No reply at the time of writing

**Cllr J A Roberts:** No reply at the time of writing

**Holyhead Town Council:** No objection

**Built Environment and Landscape Section:** 1. The subject bridge is not a listed structure neither is it located in a designated conservation area. It does however have some local historic interest associated with the construction and building of the Great Breakwater.

2. The bridge dates from the mid-19th century around the time that work started on the Great Breakwater. Its purpose was to facilitate the movement of people and livestock over the purpose-built broad gauge railway that moved a phenomenal 7,000,000 tonnes of rock to construct the 2.4 km long Holyhead Great Breakwater.

3. After some examination of the bridge it appears to me that the existing cast iron bridge deck is not original because the socketed dressed limestone springers indicate that the original deck was a timber Burr Arched Truss Bridge. With this in mind and due to the clear health and safety justification for removing the bridge deck I have already undertaken a recording ( measured and photographic) of the bridge with the intention to deposit it with the Historic Environment Record (HER)in Bangor once a report is complete.

**Highway Authority:** No recommendation in relation to highway impacts. Comments in relation to proximity of bridleway.

## **5. Relevant Planning History**

None relevant to the bridge.

## **6. Main Planning Considerations**

The application made is a prior notification for the proposed demolition of the bridge. The demolition is permitted development under part 31 of Schedule 2 to the Town and Country Planning General Permitted Development Order 1995. The matters under consideration are the method of demolition and the restoration of the site and the Council must consider whether it requires further details of these aspects.

The overbridge in question has been a health and safety concern for over 2 years.

In October 2013 large flakes of rusted metal fell from the overbridge onto the road below, including the pedestrian path avoiding the cattle grid. These pieces of rusted metal could have caused serious injury to anyone walking beneath and damage to vehicles driving below.

The remaining loose rusty flakes were removed by Amey, the Council's preferred contractors. The contractors also expressed concerns about the weakening of the overbridge as the steel members delaminate through rusting.

Following another visit, the structures officer at the time, also voiced his concerns over the integrity of the overbridge.

Because of negotiations regarding land adjoining the bridge and the related rights of access (resolved

in 2015) there have been delays with an application for “prior notification for proposed demolition” of the overbridge.

It is clear from the application that the condition of the bridge has been monitored for some years and that it is beyond economic repair. It is not a public footpath and is not publicly accessible. Removal of the structure will remove future liabilities as well as removing the current risk of damage and injury to users of the Country Park. The proposed method of demolition and the restoration of the site are adequate and fit for purpose. The principle of the demolition is not a consideration in the application made.

The Council has a period of 28 days to consider whether the method of demolition and the restoration of the site are acceptable to it. If it does not issue a decision within 28 days of receipt of the notification, the applicant is entitled to proceed with the development in accordance with the details submitted. Due to the Local Member call-in the applicant has agreed an extension of time in order to allow the Committee to consider the details.

## **7. Conclusion**

The condition of the bridge has deteriorated beyond economic repair and it currently poses a risk of damage or injury to users of the Country Park. The proposed method of demolition and the restoration of the site are considered appropriate and fit for purpose.

## **8. Recommendation**

That the development proceed as permitted development in accordance with the details as submitted.

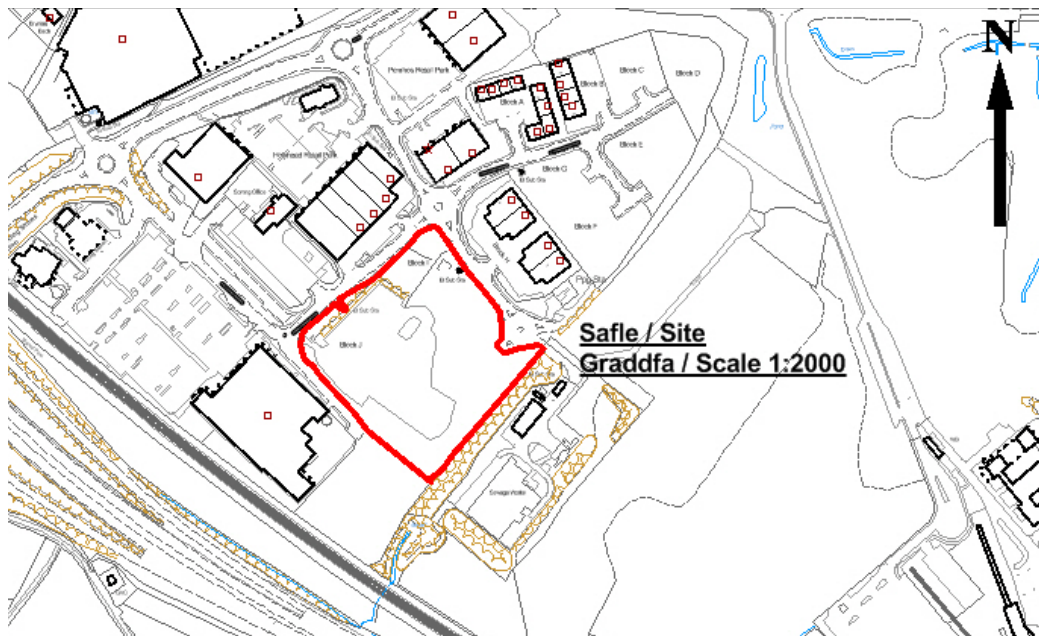
Rhif y Cais: **19LPA1023A/CC** Application Number

Ymgeisydd Applicant

Head of Service - Economic and Community Regenerat

Cais llawn i godi 10 o unedau busnes hyblyg ynghyd â pharcio cysylltiedig a iard wasanaeth, tirlunio, pwynt i wefru cerbydau trydan, paneli solar a dau storfa ar gyfer biniau ailgylchu a lle i gadw beics ar safle'r hen / Full application for the erection of 10 flexible business units together with associated parking and service yard, landscaping, electrical vehicle charging point, solar panels and two bin \ recycling and cycling stores on the site of the former

Heliport, Penrhos Industrial Estate, Holyhead



**Planning Committee: 02/12/2015**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application is made by the Council on Council owned land.

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

The site is the former heliport site at Holyhead, situated to the north east of the Morrison's supermarket. It already has an access spur off the highway into the site. Industrial units are located to the north of the site and retail outlets to the west which form part of the Penrhos retail park. The Dwr Cymru-Welsh Water Holyhead Sewage Treatment Plant is located to the east of the site. The site extends to some 1.7ha in area.

The proposal is to create flexible business units of a maximum of 2,811m<sup>2</sup> gross external area for B1, B2 or B8 uses together with car parking and service yard, landscaping, electric vehicle charging point and roof mounted solar panels.

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

Policy compliance and impact on the locality.

### **3. Main Policies**

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

Policy 1 General Policy

Policy 2 New Jobs

Policy 5 Design

Policy 26 Car Parking

Policy 31 Landscape

Policy 32 Landscape

#### **Gwynedd Structure Plan**

Policy D4 Location, siting and design

Policy D17 Derelict land

Policy D20 Pollution control

Policy D29 Design

Policy D32 Landscaping

Policy FF12 Parking Standards

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

Policy GP1 Development Control Guidance

Policy GP2 Design

Policy EP2 Protection of Employment Land

Policy EP3 Local Action Area

Policy TR10 Parking Standards

Policy EN14 Biodiversity  
Policy SG1 Contaminated Land  
Planning Policy Wales Edition 7  
TAN 12 – Design  
TAN 18 – Transport

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

**Local Members:** No response at the time of writing

**Holyhead Town Council** – no objection

**Ecological and Environmental Advisor** – mitigation measures should be followed

**Natural Resources Wales:** no response at the time of writing

**JPPU** – No objection in principle

**Highway Authority** – no response at the time of writing

**Dwr Cymru-Welsh Water:** no response at the time of writing

**Drainage Section:** additional details requested.

**Environmental Health Section** – no response at the time of writing

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

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

19LPA1023/SCR Screening opinion for the erection of business units at the former Heliport Site, Penrhos Industrial Estate, Holyhead -EIA not required 30/9/15

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

**Principle of the Development:** The site is located outside the development boundary of Holyhead under the Ynys Mon Local Plan. However, it is a brownfield site on the edge of the town which forms part of an industrial estate. The site is included within the development boundary under the stopped Unitary Development Plan and within jobs allocation S2. Part of the site is allocated under the stopped UDP and a civic amenity site.

Structure Plan policies seek to protect industrial estates from inappropriate development. Policy 2 of the Local Plan allows job creating developments within or on the edge of existing settlements. The site is within a business / industrial allocation under the stopped UDP and is also within the Holyhead Local Action Area designated under Policy EP3 which aims to allow new development, redevelopment, rehabilitation and improvement which improves the town and port of Holyhead. In 2012 the Welsh Government designated Enterprise Zones including the Anglesey Enterprise Zone. Part of the site is within AEZ Site 3 Penrhos Industrial Estate. The vision for the Anglesey Enterprise Zone is to create a world-renowned centre of excellence for the production, demonstration and servicing of low carbon energy. The AEZ Strategic Plan 2015 aims to ensure in relation to industrial premises that there is an adequate supply of appropriate industrial property to meet the wide range of new business requirements.



The redevelopment of this brownfield site to create flexible business units is considered compatible with development plan policies which seek to protect industrial land and in tune with more recent initiatives which seek to engender business growth.

**Landscape and Visual Impact:** The site is part of an industrial landscape, backed by retail units forming part of the Penrhos Retail Park. The development as proposed is considered compatible with surrounding uses and is unlikely to lead to unacceptable amenity or landscape impacts.

**Ecology impact:** The application is supported by ecological assessment which demonstrates that some badger and other activity occurs across the site but not to an extent that the development as proposed would be unacceptable. A condition is proposed to the effect that habitat management is undertaken following the redevelopment of the site

**Technical considerations:** No response had been received from the Highway Authority at the time of writing. However, given the nature of the development and the local road infrastructure, it is not considered that unacceptable traffic impacts would occur. The details of the drainage of the site can be conditioned. A geo-environmental desk study has been undertaken and indicates contamination of the site is likely to have occurred as a result of past uses. A condition is proposed to the effect that no development shall take place until measures are agreed to deal with contaminants.

## **7. Conclusion**

The scheme is considered acceptable in its context.

## **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 the Developer has prepared a scheme for the comprehensive and integrated drainage of the site, including any required attenuation measures, showing how foul water, surface water and land drainage will be dealt with and this has been agreed in writing by the Local Planning Authority.**

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

**(03) Full details of a scheme indicating all of the proposed means of enclosure around and within the site whether by means of walls, fences or hedges shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved means of enclosure round the external boundaries of the site shall be constructed, erected or planted prior to the commencement of the use hereby approved.**

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority.

**(04) The development shall take place in accordance with the recommendations contained in the Greenman Ecology Reptile and Badger Survey Report 15 August 2015. No development shall take place until a management plan for the mitigation 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 safeguard any protected species present.

**(05) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the local planning authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed. Development shall not take place until the measures approved in the scheme have been implemented.**

Reason: in the interests of 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.

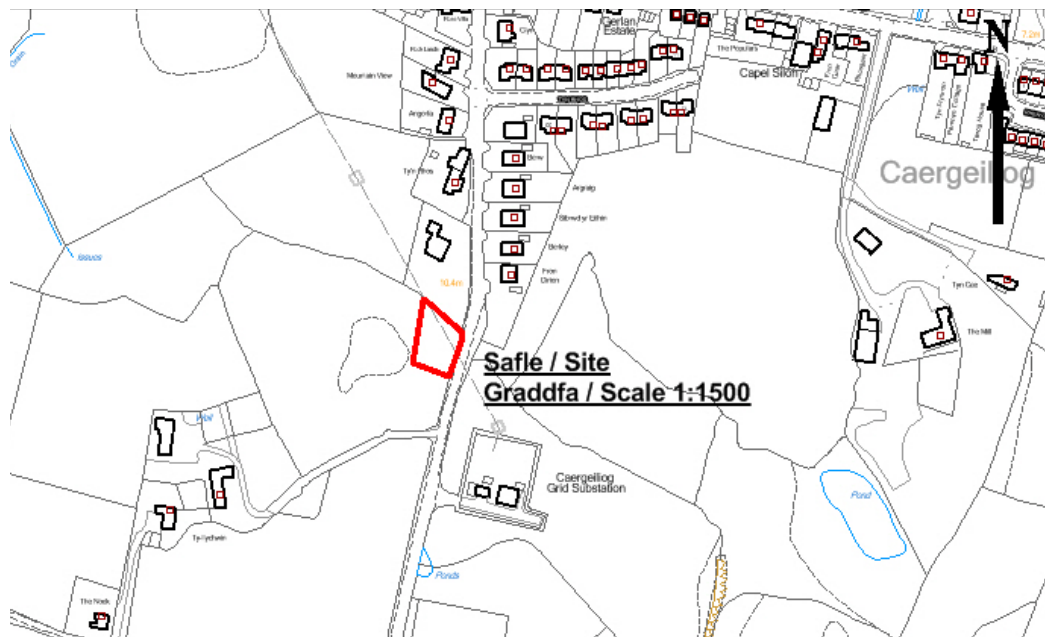
Rhif y Cais: **32C197** Application Number

Ymgeisydd Applicant

**Mr & Mrs R Michael**

**Cais amlinellol ar gyfer godi annedd sydd yn cynnwys manylion llawn am y fynedfa i gerbydau ar dir yn / Outline application for the erection of a dwelling together with full details of the vehicular access on land at**

**The Stables, Caergeiliog**



**Planning Committee:** 02/12/2015

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

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

The application is presented to the Planning and Orders Committee at the request of the Local Member.

**1. Proposal and Site**

The proposal is an outline application for the erection of a detached dwelling with only the means of access to the site being considered as part of the application.

The site lies on the edge of the settlement of Caergeiliog in the corner of an agricultural field and faces the Class III Highway which runs from the village of Caergeiliog towards Llanfairyneubwll. The majority of the surrounding properties are of a single or dormer style construction.

**2. Key Issue(s)**

The key issue is whether the proposal complies with current policies and whether the proposal will affect the amenities of the surrounding properties or surrounding area or have a detrimental impact on highway safety.

**3. Main Policies**

**Ynys Mon Local Plan**

- Policy 1 – General Policy
- Policy 31 - Landscape
- Policy 42 – Design
- Policy 48 – Housing Development Criteria
- Policy 50 – Listed Settlement

**Gwynedd Structure Plan**

- Policy A2 – Housing
- Policy A3 - Housing
- Policy D4 – Location, Siting and Design
- Policy D29 - Design

**Stopped Unitary Development Plan**

- Policy GP1 – Development Control Guidance
- Policy GP2 – Design
- Policy HP4 – Villages
- Policy EN1 - Landscape

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

**Community Council** – No objection

**Local Member, Cllr G O Jones** – Requested that the application be presented to the Planning and Orders Committee for consideration due to Local Need

**Local Member, Cllr R Dew** – No response at the time of writing the report

**Highways Authority** – Recommended refusal as the proposed access is substandard in terms of visibility.

**Drainage Section** – Standard comments

**Welsh Water** – Standard Comments

**Wales and West Utilities** – Comments / informative

The proposal was afforded two means of publicity; these were by the posting of a notice near the 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 3<sup>rd</sup> November, 2015 and at the time of writing the report no letters of representation had been received at the department.

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

None

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

**Policy** - Caergeiliog is identified as a Listed Settlement under Policy 50 of the Ynys Mon Local Plan and as a Village under Policy HP4 of the stopped Unitary Development Plan. The site lies outside the development boundary of Caergeiliog under Policy HP4 of the stopped Unitary Development Plan.

Policy 50 of the Ynys Mon Local Plan states that single plots will be allowed within or on the edge of such settlements provided that they would not constitute an undesirable intrusion into the landscape or harm the character and amenities of the locality. As stated above the site lies outside the development boundary of Caergeiliog as defined under Policy HP4 of the stopped Unitary Development Plan. The boundary of the nearest neighbouring property forms the boundary of the village.

There are no residential properties situated immediately adjoining the application site and the nearest neighbouring property lies approximately 36 metres away (measured from the gable of existing dwelling to the gable of the proposed dwelling). It is considered that the erection of an additional dwelling in the corner of the agricultural will result in further residential developments of the land.

Policy A2 of the Gwynedd Structure Plan states that new housing should be located within or on the edge of settlements at a scale which reflects the settlements existing population at a proportion of the total population of the relevant district.

Paragraph 9.3.1 of Planning Policy Wales states that new housing should be well integrated with and connected to the existing pattern of settlements. The expansion of towns and villages should avoid creating ribbon development, coalescence of settlements or a fragmented development pattern.

Paragraph 9.3.3 of Planning Policy Wales states that insensitive infilling, or cumulative effects of development or redevelopment, should not be allowed to damage an area's character or amenity

Paragraph 9.3.4 goes on to state that in determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity.

Due to the distances between the proposal and the immediate neighbouring property and due to the fact that the boundary of the neighbouring property forms a logical edge to the village the proposal is not considered as an acceptable 'infill' application. The erection of a dwelling on this site will result in the further residential development of the field which would have a detrimental impact on the locality.

**Effect on the amenities of adjacent residential properties** - There is ample space within the site to accommodate the dwelling, parking/turning area and amenity area within the site. The distances between the existing and proposed dwelling are more than the distances recommended between developments within the Supplementary Planning Guidance – Design Guide for the Urban and Rural Environment. Therefore the proposal would not have an adverse effect on the amenities currently enjoyed by the occupants of the neighbouring properties.

**Highway Safety** – The Highway Authority have recommended that the proposal be refused due to the visibility from the proposed access being substandard. The minimum visibility splay required for the development would be 2.4 m x 90 metres and the splay crosses land that lies outside the control of the applicant. A copy of the Highway Authority comments have been forwarded to the applicants' agent however at the time of writing this report no response had been received at the department.

## **7. Conclusion**

The erection of a dwelling in this location is not considered as an acceptable extension to the village. The residential development of the corner of the agricultural field cannot be supported as it would make it hard to refuse further residential development of the field in the future. The proposal would create an unacceptable intrusion into the landscape and if approved would create dangerous precedent for future applications, which would be difficult to resist in time. The site lies outside the development boundary of Caergeiliog as defined under Policy HP4 of the Stopped Unitary Development Plan. The proposal therefore conflicts with Policy 50 of the Ynys Mon Local Plan and Policy HP4 of the Stopped Unitary Development Plan.

It would constitute a harmful visual intrusion into the landscape designated a Special Landscape Area under Policy 31 of the Ynys Mon Local Plan and Policy EN1 of the Stopped Unitary Development Plan. The proposal would result in the extension of the built form into the countryside and is contrary to both Local and Structure Plan Policy and the advice contained within Planning Policy Wales.

The vehicular access is substandard as there is inadequate visibility towards the south-east and may have a detrimental impact on highway safety. The proposal therefore conflicts with Policy 1 of the Ynys Mon Local Plan and Policy GP1 of the Stopped Unitary Development Plan.

## **8. Recommendation**

### **Refusal**

(01) The local planning authority considers that the proposal is not an acceptable extension to the village and the erection of a dwelling on the site would result in an obtrusive and incongruous feature

to the detriment of the character and amenities of the area. The proposal may result in the commencement of ribbon development along the Class III Highway to the detriment of the locality. The proposal is therefore contrary to Policy 1, 42 and 50 of the Ynys Mon Local Plan, Policies A2 of the Gwynedd Structure Plan and Policies GP1 and HP4 of the stopped Unitary Development Plan and the advice contained within Planning Policy Wales (7<sup>th</sup> Edition) and Technical Advice Note 12.

(02) The local planning authority considers that the proposed access has inadequate visibility and would have a detrimental impact on highway safety. The proposal is therefore contrary to Policy 1 and 42, 48 of the Ynys Mon Local Plan, Policy GP1 of the stopped Unitary Development Plan, Policy A2, A3 of the Gwynedd Structure Plan and the advice contained within Technical Advice Note 18: Transport.

### **9. Other Relevant Policies**

Technical Advice Note 12 – Design

SPG – Urban and Rural Environment

Planning Policy Wales 7<sup>th</sup> Edition

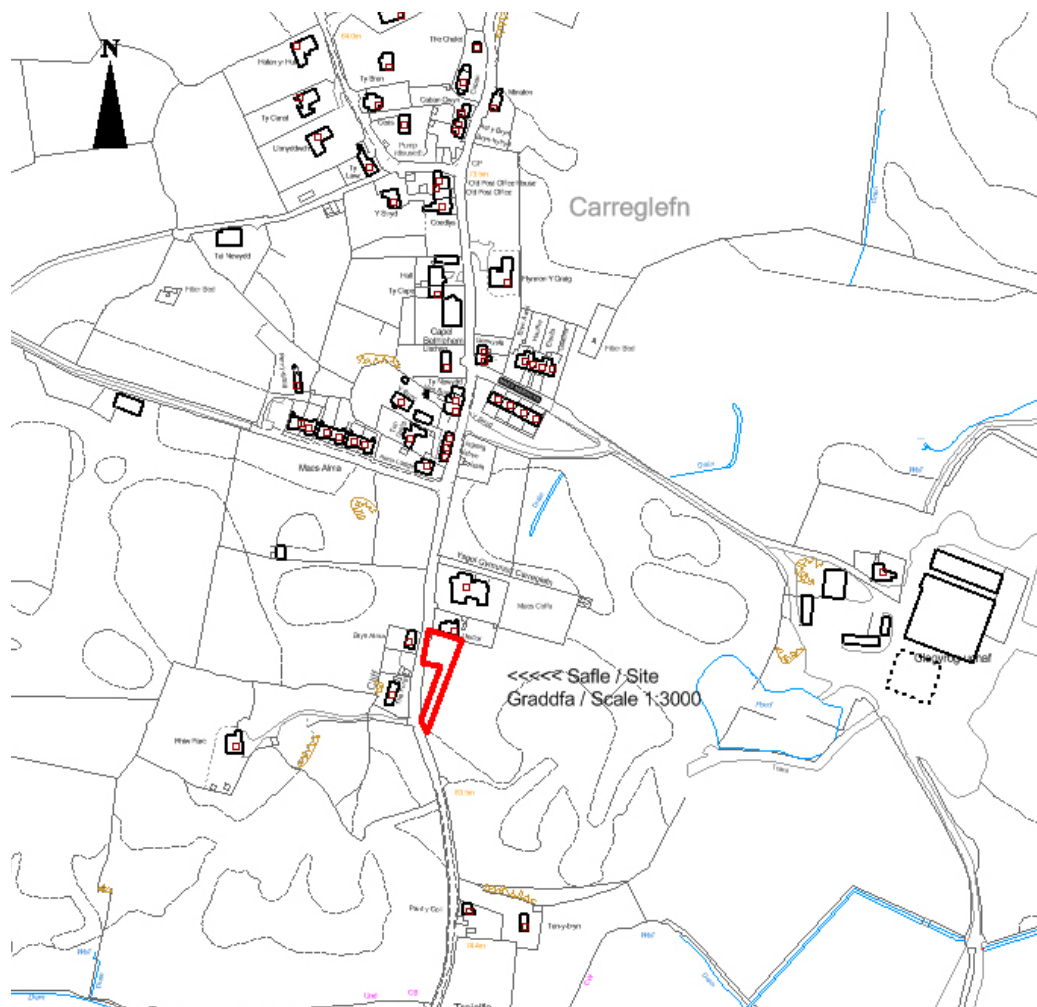
Rhif y Cais: **38C316** Application Number

Ymgeisydd Applicant

**Miss Llinos Owen**

**Cais amlinellol ar gyfer codi annedd sydd yn cynnwys manylion llawn am y fynedfa i gerbydau ynghyd a gosod system trin carthffosiaeth ar dir ger / Outline application for the erection of a dwelling together with full details of the vehicular access and installation of a private treatment plant on land adjacent to**

**Cen Villa, Carreglefn**





**Planning Committee: 02/12/2015**

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

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

The application is presented to the Planning Committee on the request of 2 local members.

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

The proposal is for Outline planning for the erection of a dwelling with full details of the vehicular access on land adjacent Cen Villa, Carreglefn.

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

The key issue is whether the proposal complies with current policies and whether the proposal will affect the amenities of the surrounding properties.

### **3. Main Policies**

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

Policy 1 – General Policy

Policy 31 - Landscape

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 50 – Listed Settlement

#### **Gwynedd Structure Plan**

Policy A2 – Housing

Policy A3 - Housing

Policy D4 – Location, Siting and Design

Policy D29 - Design

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

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP5 – Countryside Hamlet and Cluster

Policy EN1 - Landscape

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

**Community Council** – Objects to the application and raises concern on the impact on neighbouring properties, noise and dust impact on the school nearby, the road is dangerous and great crested newts.

**Local Member (Cllr Ken Hughes)** – Requested that the application be presented to the Planning and Orders Committee for consideration.

**Local Member (Cllr Llinos Medi Huws)** – Requested that the application be presented to the Planning and Orders Committee for consideration.

**Local Member (Cllr John Griffith)** – No response at the time of writing the report

**Highways Authority** – Conditional Approval

**Drainage Section** – Standard Comments

**Welsh Water** – Standard Comments

**Natural Resources Wales** – No response at the time of writing the report

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 29<sup>th</sup> October, 2015. At the time of writing the report 4 letters had been received objecting to the proposal.

The main reasons for objection as follows:-

- The primary school has a lack of parking spaces for staff, parents and visitors which means cars parking on the road. This would lead to loss of parking spaces. It would be impossible to control traffic and parking.
- This is a narrow road on a the brow of a hill and on a bend
- Noise issues if the rock would be cut which would have an impact on lessons of the children as the development is so close
- Dust if the rock would be cut and the health and safety of the children playing in the yard
- Extraction of rock could affect the foundations of neighbouring properties
- Disturbance to the water table
- Loss of character to the village
- Large trees in the vicinity would be damaged and topple as a result of root damage and/or anchorage degradation due to transmitted vibration
- Great Crested News live in this area
- There have been flooding issues with water runoff in and around this site in recent years
- Loss of light
- The site is very close to Llyn Hafodol and Cors Clegyrog Site of Scientific Interest. This SSSI is the habitat of the great crested newt which are a European protected species.

## **5. Relevant Planning History**

None

## **6. Main Planning Considerations**

**Policy** - Carreglefn is identified as a Listed Settlement under Policy 50 of the Ynys Mon Local Plan and as a Hamlet and Cluster area 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.

Policy HP5 of the Stopped Unitary Development Plan states that single dwellings will be permitted on

'infill' sites, or other acceptable sites that are immediately adjacent to the developed part of the rural hamlet and clusters, provided that the development will not cause undue harm to the character of the group or any harmful visual intrusion into the surrounding landscape.

Poicy A2 of the Gwynedd Structure Plan states that new housing should be located within or on the edge of settlements at a scale which reflects the settlements existing population at a proportion of the total population of the relevant district.

Paragraph 9.3.3 states that insensitive infilling, or cumulative effects of development or redevelopment, should not be allowed to damage an area's character or amenity

Paragraph 9.3.4 states that in determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity.

### **Main planning considerations**

The application site is on the edge of the settlement of Carreglefn. The application site consists of a rocky outcrop and would require substantial excavation of the rock which extends the whole length of the application site. The rock currently defines the edge of the settlement and the removal of such a large amount of rock will have a harmful visual impact on the landscape.

The proposal would be harmful to the character and appearance of the area and would not accord with Policy 50 of the Ynys Mon Local Plan. The erection of a dwelling on this site could also possibly result in future residential development on the land.

Due to the above the application currently does not comply with Policy 50 by virtue of the fact that it would extend the built form further into the landscape which would harm the character and amenities of the locality.

### **Effect on the amenities of adjacent residential properties**

There is ample room within the site to accommodate a dwelling, parking and turning area. There would be a distance of between 7-12 metres between the gable of the proposed dwelling and the neighbouring property and a distance of approx. 13 metres from properties on the opposite side of the road. The dwelling would therefore not have an adverse effect on the amenities currently enjoyed by the occupants of the neighbouring properties.

### **Highways**

The Highways Department has confirmed that they are satisfied with the application with appropriate worded conditions.

## **7. Conclusion**

It is not considered that the erection of a dwelling in this location would be acceptable, and it would result in ribbon development. The engineering work to excavate a substantial amount of rock would have a detrimental impact on the character and appearance of the area which would constitute a harmful visual intrusion into the landscape designated a Special Landscape Area under Policy 31 of the Ynys Mon Local Plan and Policy EN1 of the Stopped Unitary Development Plan. The proposal would result in the extension of the built form into the countryside and is contrary to both Local and Structure Plan Policy and the advice contained within Planning Policy Wales.

## **8. Recommendation**

### **Refusal**

(01) The proposal in this form would prejudice the implementation of Policy 50 of the Ynys Mon Local Plan by creating a set of circumstances which make it difficult to resist further development on this field which could purport to be a logical extension of the settlement

(02) The engineering work to remove the rocky outcrop would have a detrimental impact on the character and appearance of the area and would constitute a harmful visual intrusion into the landscape and would therefore be contrary to Policy A2, A3 and D4 of the Gwynedd Structure Plan, Policies 1, 31, 42, 48 and 50 of the Ynys Mon Local Plan, Policies GP1, GP2, EN1 and HP5 of the Stopped Unitary Development Plan and the provisions of Planning Policy Wales (Edition 7, 2014)

## **9. Other Relevant Policies**

**Technical Advice Note 12 – Design**

**SPG – Urban and Rural Environment**

**Planning Policy Wales 7<sup>th</sup> Edition**

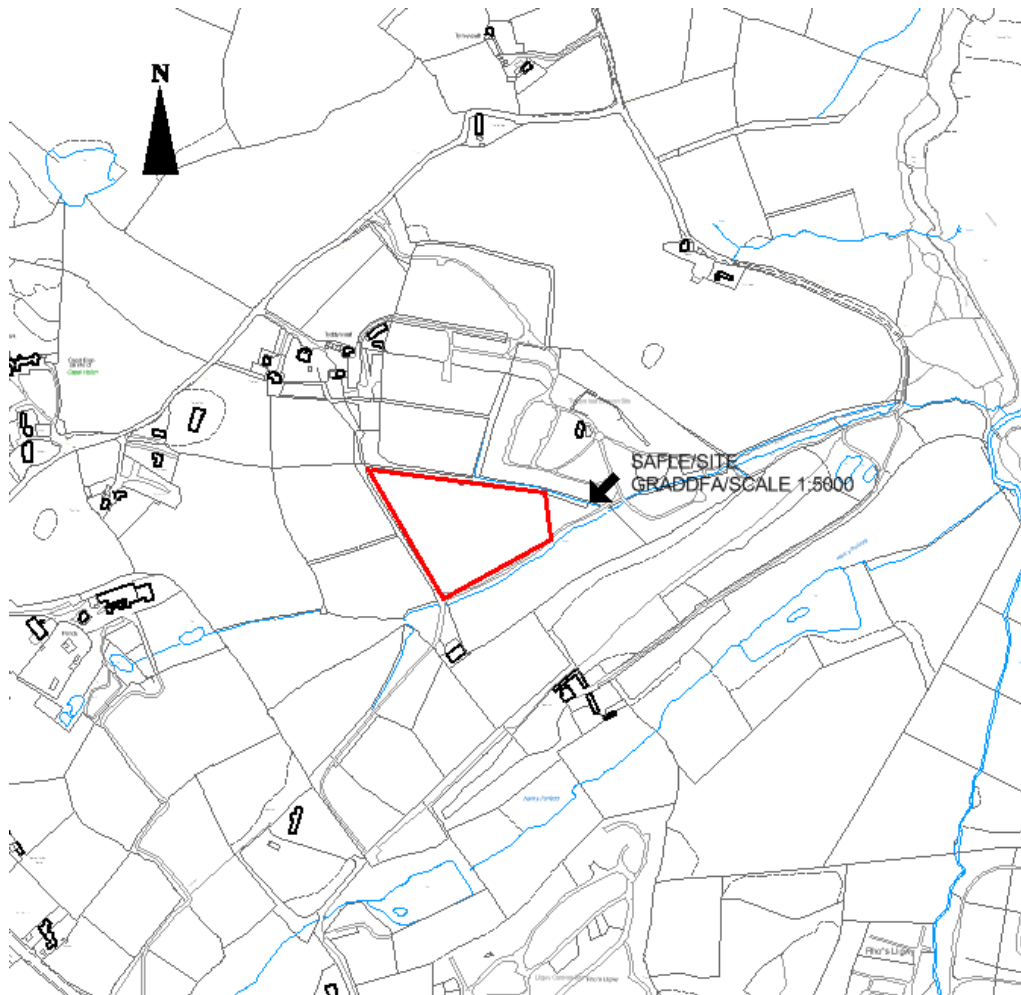
Rhif y Cais: **40C58L/RE** Application Number

Ymgeisydd Applicant

**Mr Arthur Mount**

**Cais llawn ar gyfer gosod rhesi ffotovoltaidd 100Kw ar dir yn / Full application for the siting of 100Kw ground mounted photovoltaic array on land at**

**Tyddyn Isaf Caravan Park, Dulas**



**Planning Committee: 02/12/2015**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The application has been called in by Councillor D Hughes

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

It is proposed to construct a solar panel array which will comprise 4 rows of panels each 100m in length. The panels will be approx. 1.7m in height and a width of 1.5m

The site is located several enclosures away from the existing Tyddyn Isaf caravan park reception area which is to the north. There is a public footpath to the south which connects Traeth Lligwy with the A5025.

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

Policy compliance

Will there be harm to residential amenity?

AONB/ visual amenity context

### **3. Main Policies**

#### **Gwynedd Structure Plan**

Policy C7 Renewable Energy

Policy D1 Protection of the Environment

Policy D4 Siting and Design

Policy D29 Design

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

1 General policy

30 AONB

42 Design

45 Renewable energy

#### **Ynys Mon Unitary Development Plan (Stopped)**

Part one Policy 8b Energy Developments

GP1 Development Control Guidance

GP2 Design

EN2 AONB

EP 18 Renewable Energy

#### **TAN 8 Planning for Renewable Energy**

**TAN 12 Design**

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

**Local Member D Hughes** has written objecting and has referred the application to the Planning Committee.

**Ecological Officer** comments/no objection

**Environmental Health** No objection

**Drainage** Comments

**NRW** No objection

In the letters received points raised include;

Would set a precedent

Seen for many miles

Visually Obtrusive

Will be seen from objectors lounge with unimpaired views for 7 months of the year

Would not be able to enjoy their property

Will be seen from footpaths

Damage local amenity in a sensitive area

Land has had benefits of grants and should not be used for this

Contrary to AONB management plan

Some people have not been informed of this

Appeals on site prevent this

Concerns over construction traffic

Should not use lane

There will be noise and disturbance and the track will be damaged

Will be contrary to policies in Development Plan

The site is not within the caravan park it is agricultural

They already have a 50kw array

The land is used for grazing

There are untrue/inaccurate comments in DAS

Would produce more electricity than they need.

Cllr D Hughes comments

This agricultural land which has received grants

This is an AONB

Will be visible from all areas around especially the beach

It does not form part of the caravan site.

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

None on this site however a 50kw array was previously approved and constructed on the caravan site under reference 40C58J/RE

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

**Policy Context**

## **Planning Policy Wales Edition 7 states**

12.8.9 Local planning authorities should facilitate the development of all forms of renewable and low carbon energy to move towards a low carbon economy (see 4.4.3) to help to tackle the causes of climate change (see 4.7.3). Specifically, they should make positive provision by:

- considering the contribution that their area can make towards developing and facilitating renewable and low carbon energy, and ensuring that development plan policies enable this contribution to be delivered;
- ensuring that development management decisions are consistent with national and international climate change obligations, including contributions to renewable energy targets and aspirations;
- recognising the environmental, economic and social opportunities that the use of renewable energy resources can make to planning for sustainability

12.8.14 Developers will need to be sensitive to local circumstances, including siting in relation to local landform, proximity to dwellings and other planning considerations. The development of large wind farms or other large scale renewable and low carbon energy

Policy C7 of the Gwynedd Structure Plan states: 'There will be a presumption in favour of renewable energy projects provided that the impacts upon the locality are acceptable to the local planning authority. Where applicable, the proposals should be supported by an environmental assessment.

Policy 45 of the Ynys Mon Local Plan and Policy EP18 of the Stopped Unitary Development Plan states: 'Renewable energy projects will be permitted where it can be clearly demonstrated that there will not be any unacceptable impact on:

- i. Landscape character
- ii. Sites of international, national or local importance for nature conservation,
- iii. Species which are of nature conservation importance
- iv. The standard of amenity enjoyed by the resident and tourist population and
- v. Essential public services and communications

Policy 8b – Energy Developments of the Stopped Unitary Development Plan states: 'Applications for the development of renewable and non-renewable energy resources will be permitted where it can be demonstrated that there will be no unacceptable adverse impact upon the environment. Preference will be given to the development of clean and renewable energy sources, but proposals for non-renewable energy projects will be permitted if they encourage the maximum use of energy efficiency within their design.

## **Amenity**

The site is relatively isolated with no residential dwellings in close proximity. The nearest dwelling is in excess of 200m away and there are trees between that and the site. Given this it is not considered that there would be undue harm to that property. Other properties in the locality are also screened or orientated in such a way as to not be harmed by the presence of the array.

The access to the site during construction or maintenance is not considered to be unduly harmful to the amenities of nearby residential occupiers and will be only short term. The impacts can also be controlled by the imposition of a Construction Traffic Management Plan details of which would need to be approved by the LPA.

In respect of loss of agricultural land there area to be used by the panels is not of major significance so as to warrant refusing the application. Furthermore, the matter of any grants received and whether this has an implication on whether the site can be developed or not is a private matter for the



applicant to resolve.

In terms of visual amenity it is acknowledged that the site is located within the AONB.

There is no public access to the enclosure; but there are views of the proposed site from the public footpath to the south, particularly at the field access points c. 200 metres distant where much of the proposed array would be visible above boundary screening. While there are opportunities for views from this footpath to the south-east, actual views in the summer months are obstructed by the hedged boundaries of the path. Beyond this stretch of footpath, in the direction of Traeth Lligwy, the woodland block adjacent to the caravan site provides effective screening with no views possible from Traeth Lligwy.

Views are possible of the site from the Scheduled Ancient Monument: Hen Capel, Lligwy some 1.4km to the south east. This is an elevated position from where good views of Traeth Lligwy and the AONB inland are visible. At this point the Tyddyn Isaf site is the most prominent of the sites visible. Several of the Trysglwyn turbines are visible. Not all the proposed array would be visible from here.

Views from the minor road north of the site would be obscured by roadside hedges and views from the public footpath to the north close to Capel Elen are not available.

Whilst there will be some views of the array as outlined on balance and with the benefits of renewable energy in mind as outlined it is considered that the proposed array is acceptable, meeting policy requirements and respecting amenity.

## **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) Prior to the commencement of works a construction Traffic Management Plan shall be submitted to the LPA for its written approval. The plan shall be implemented for the course of the construction works and any maintenance of the array.**

Reason: In the interests of amenity.

**(03) Where the solar PV panels hereby approved have not been used for the generation of energy for a continuous period of 6 months or at the end of the operational life of the panels, whichever is the sooner, the solar PV panels shall be removed from the site and the land reinstated to its former condition or to a condition as may be agreed in writing with the local planning authority, with the said reinstatement completed within 2 months of the cessation of use.**

Reason: In the interests of amenity.

**(04) The development hereby permitted shall be constructed in accordance with the details including layout as submitted originally with the application and amended location plan received on 27/8/15**

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.

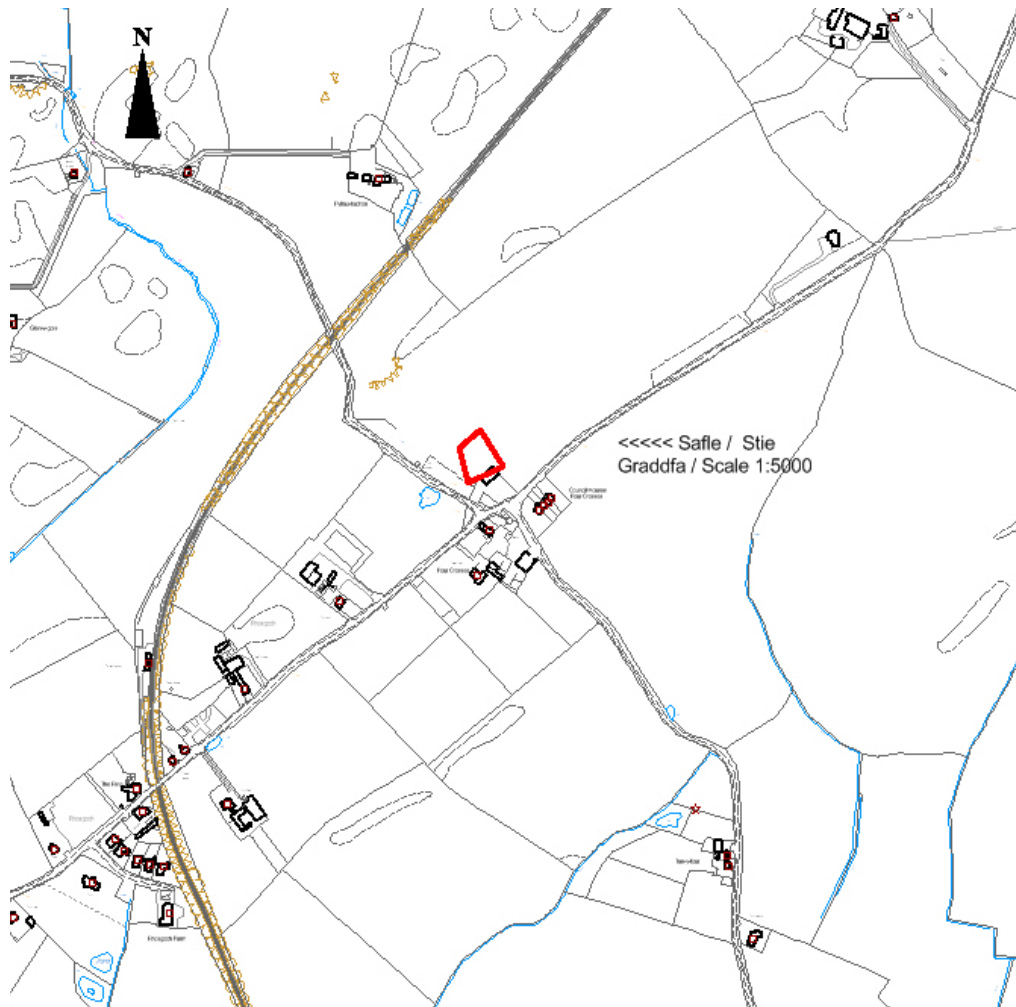
Rhif y Cais: **44C250A** Application Number

Ymgeisydd Applicant

**Mr William Edwards**

**Cais amlinellol ar gyfer codi annedd yn cynnwys manylion llawn am addasu'r mynedfa amaethyddol beresennol ar dir gyferbyn a / Outline application for the erection of a dwelling together with full details for alterations to the existing agricultural access on land opposite**

**Council Houses, Four Crosses, Rhosgoch**



**Planning Committee: 02/12/2015**

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

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

The application is presented to the Planning Committee on the request of the local member.

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

The proposal is for Outline planning for the erection of a dwelling with full details of the vehicular access on land opposite Council Houses, Fourcrosses, Rhosgoch

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

The key issue is whether the proposal complies with current policies and whether the proposal will affect the amenities of the surrounding properties.

### **3. Main Policies**

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

Policy 1 – General Policy

Policy 31 - Landscape

Policy 42 – Design

Policy 48 – Housing Development Criteria

Policy 50 – Listed Settlement

#### **Gwynedd Structure Plan**

Policy A2 – Housing

Policy A3 - Housing

Policy D4 – Location, Siting and Design

Policy D29 - Design

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

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy HP5 – Countryside Hamlet and Cluster

Policy EN1 - Landscape

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

**Community Council** – Support

**Local Member (Cllr Aled Morris Jones)** – Requested that the application be presented to the Planning and Orders Committee for consideration.

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

**Local Member (Cllr Richard Owain Jones)** – No response at the time of writing the report

**Highways Authority** – No response at the time of writing the report

**Drainage Section** – No response at the time of writing the report

**Welsh Water** – Standard Comments

**Natural Resources Wales** – No response at the time of writing the report

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 13/11/15. At the time of writing the report no letters had been received objecting to the proposal.

## **5. Relevant Planning History**

44C250 – Outline application for the erection of a dwelling on land at Fourcrosses, Rhosgoch – Refused 6-4-06

## **6. Main Planning Considerations**

**Policy** - Rhosgoch is identified as a Listed Settlement under Policy 50 of the Ynys Mon Local Plan and the land is outside the Hamlet and Cluster area 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.

Policy HP5 of the Stopped Unitary Development Plan states that single dwellings will be permitted on 'infill' sites, or other acceptable sites that are immediately adjacent to the developed part of the rural hamlet and clusters, provided that the development will not cause undue harm to the character of the group or any harmful visual intrusion into the surrounding landscape.

Poicy A2 of the Gwynedd Structure Plan states that new housing should be located within or on the edge of settlements at a scale which reflects the settlements existing population at a proportion of the total population of the relevant district.

Paragraph 9.3.3 states that insensitive infilling, or cumulative effects of development or redevelopment, should not be allowed to damage an area's character or amenity

Paragraph 9.3.4 states that in determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity.

### **Main planning considerations**

The site is located opposite a cluster of 4 terraced dwellings adjacent to a crossroad which forms a small cluster of properties.

The main considerations have been identified as the following:

- Is the principle of the proposal acceptable in policy terms
- The impact on the landscape and amenities of adjacent residential properties

In terms of the principle of development, whilst it is accepted that a small cluster of dwellings are located in the area, the site is located on the opposite side of the road which is currently undeveloped.

The dwelling would be in a position not well related to the settlement. There are no dwellings located on this side of the road. Given this scenario it is considered that the proposed dwelling would unacceptably harm the appearance of the location, intruding into an open rural landscape. The erection of a dwelling on this site could also possibly result in future residential development within the field.

Due to the above the application currently does not comply with Policy 50 by virtue of the fact that it would extend the built form further into the open countryside thus creating an undesirable intrusion into the landscape which would harm the character and amenities of the locality.

### **Effect on the amenities of adjacent residential properties**

There is ample room within the site to accommodate a dwelling, parking and turning area. The dwelling would therefore not have an adverse effect on the amenities currently enjoyed by the occupants of the neighbouring properties.

## **7. Conclusion**

It is not considered that the erection of a dwelling in this location would be acceptable, and it would result in development into the open countryside. It would constitute a harmful visual intrusion into the landscape designated a Special Landscape Area under Policy 31 of the Ynys Mon Local Plan and Policy EN1 of the Stopped Unitary Development Plan. The proposal would result in the extension of the built form into the countryside and is contrary to both Local and Structure Plan Policy and the advice contained within Planning Policy Wales.

## **8. Recommendation**

### **Refusal**

(01) The proposal in this form would prejudice the implementation of Policy 50 of the Ynys Mon Local Plan by creating a set of circumstances which make it difficult to resist further development on this field which could purport to be a logical extension of the settlement

(02) The local planning authority considers that the proposal would be harmful to the character and appearance of the area bringing about the unacceptable erosion of an attractive rural field in this Special Landscape Area and would therefore be contrary to Policy A2, A3 and D4 of the Gwynedd Structure Plan, Policies 1, 31, 42, 48 and 50 of the Ynys Mon Local Plan, Policies GP1, GP2, EN1 and HP5 of the Stopped Unitary Development Plan and the provisions of Planning Policy Wales (Edition 7, 2014)

## **9. Other Relevant Policies**

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

### **SPG – Urban and Rural Environment**

**Planning Policy Wales 7<sup>th</sup> Edition**

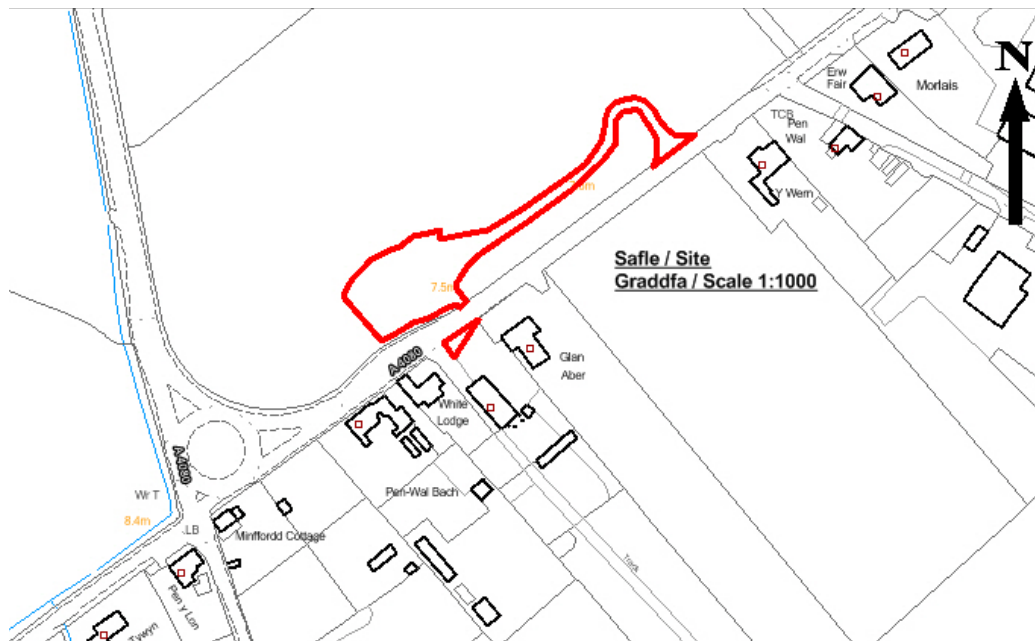
Rhif y Cais: **45C84I** Application Number

Ymgeisydd Applicant

**Mr Liam Barrie**

**Cais llawn ar gyfer creu mynedfa a maes parcio i gerbydau ar dir ger / Full application for the construction of a vehicular access and car park on land adjacent to**

**White Lodge, Pen Lon**





**Planning Committee: 02/12/2015**

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

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

At the request of the Local Member

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

The proposal involves the construction of a new vehicular access off the A4080, construction of an access road together with the construction of a car park for 49 vehicles.

The site lies between the settlements of Dwyran and Newborough. The application site forms part of an agricultural field in an open countryside location which lies outside, but adjacent to the designated Area of Outstanding Natural Beauty. The site lies on the opposite side of the highway to the Marram Grass and residential properties (to the south of the A4080). Land to the north of the A4080 is undeveloped with the Marram Grass, Anglesey Model Village, Chicken Farm and residential properties all being located on the opposite side of the highway.

Penlon is not a recognised settlement under the adopted Ynys Mon Local Plan and is defined as a Countryside Hamlet and Cluster under Policy HP5 of the stopped Unitary Development Plan.

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

The applications main issues are whether the proposal is acceptable in this location and whether the development will have a detrimental impact on the amenities of the surrounding properties and surrounding landscape.

### **3. Main Policies**

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

Policy 1 - General Policy

Policy 2 - New jobs

Policy 5 - Design

Policy 26 - Parking standards

Policy 31 - Landscape

#### **Gwynedd Structure Plan**

Policy B1 - Employment generating developments

Policy B7 - Locational requirements

Policy B9 - Expanding employment opportunities in the rural economy

Policy CH1 - Recreation and tourist development

Policy D4 : Location, siting and design

Policy D7 : Agricultural land

Policy D29 : Standard of design

Policy D32 : Site configuration and landscaping

Policy FF12 : Parking standards

## **Stopped Unitary Development Plan**

Policy EP4 - Other employment opportunities and rural diversification

Policy EN1 – Landscape Character

Policy SG7 Noise

## **Planning Policy Wales (7<sup>th</sup> Edition)**

### **Technical Advice Note 6 – Planning for Sustainable Rural Communities**

### **Technical Advice Note 11 – Noise**

### **Technical Advice Note 12 - Design**

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

**Community Council** – Strongly object as the proposal is on the wrong side of the A4080, result in a danger to highway safety, change of use of agricultural land to commercial use, the construction of a new access opposite the neighbouring properties will have an impact on the occupants of the properties.

**Local Member, Cllr P Rogers** – No response to date

**Local Member, Cllr A Griffith** – Call-in

**Highways** – Recommended conditional approval

**Drainage** – Drainage details acceptable

**Welsh Water** – No response to date

**Natural Resource Wales** – No objection / standard advice

**Environmental Health** – No observations

**Economic and Community Regeneration Service** - Support

The proposal was advertised through the posting of a notice on site, publication of a notice in the local press 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 19<sup>th</sup> August, 2015 and at the time of writing this report 36 letters of representation had been received at the department with 21 objecting to the development and 15 supporting the scheme.

The main issues raised in objection to the development can be summarised as follows:

- i) No need for the car park as the application for the function building has been withdrawn. In response to these comments I would state that a new application has been received for the proposed function room following the submission of the car park application.
- ii) Loss of agricultural land. This side of the highway has been undeveloped
- iii) Effect on wildlife

- iv) Parking facilities should be provided within the grounds of Marram Grass
- v) Effect on surrounding landscape which lies adjacent to the designated Area of Outstanding Natural Beauty and intrusion into open countryside
- vi) Highly engineered solution with a considerable length of access road to serve a small car park. Is the scale of the car park adequate to cater for 200-300 visitors
- vii) Proposal will result in the area becoming commercialised/industrialised which will have a detrimental impact on the rural character of the area
- viii) Impact on highway safety
- ix) Approval of this development will lead to further development of the field
- x) Effect on the amenities of surrounding properties by way of noise ie car engines, doors opening and closing and loss of privacy

The issues raised in support of the proposal can be summarised as follows;

- i) Asset to the Island, boost economy, training, employment
- ii) Diversification
- iii) Car park will allow the restaurant to flourish
- iv) Landscaping would result in the development respecting the privacy of adjoining properties
- v) Site is close to commercial premises
- vi) Improves highway safety

## **5. Relevant Planning History**

45C84 - Change of use of outbuilding into a tea room at Marram Grass, Newborough. REFUSED  
14/06/1988

45C84A/AD - Erection of two non-illuminated signs at White Lodge, Penlon, Newborough.  
REFUSED 19/09/1988

45C84B - Improvements to the access at White Lodge, Penlon, Newborough. APPROVED  
18/04/1989

45C84C/AD - Erection of a non-illuminated sign at White Lodge, Penlon, Newborough.  
APPROVED 21/04/1989

45C84D - Extension to existing garage for storage purposes at White Lodge Nursery, Penlon,  
Newborough. APPROVED 14/11/1995

45C84E - Certificate of lawfulness for the existing use of land as a caravan and camping site and café  
at White Lodge, Penlon, Newborough. LAWFUL USE APPROVED 29/01/2010

45C84F - Full application to increase the number of touring caravans from 10 up to 30, together with extend the opening system from Easter-September to all year round (12 month) at White Lodge, Penlon. RETURNED TO APPLICANT 24/06/2014

45C84G - Full application for alterations and extensions at White Lodge, Penlon. GRANTED 24/02/2015

45C84H - Full application for demolition of the existing outbuildings together with the erection of a new building to accommodate a function space including bar, toilet facilities and office at white Lodge, Pen Lon. APPLCIATION WITHDRAWN 07/04/2015

45C84J – Full application for the demolition of the existing outbuilding together with the erection of a new barn comprising of function room, bar, demonstration/seminar room, toilets and office at The Marram Grass Café, White Lodge, Penlon – No decision to date

45C84K/SCR – Screening opinion for demolition of the existing outbuilding together with the erection of a new barn comprising of function room, bar, demonstration/seminar room, toilets and office at The Marram Grass, White Lodge, Penlon – EIA not required 27/10/15

## **6. Main Planning Considerations**

**Policy Context** – Policy B1 of the Gwynedd Structure Plan states that employment generating developments which increase employment opportunities, which do not create unacceptable changes to the environment, and are acceptable to the local planning authority in terms of location, siting , scale, design, access and landscaping will be permitted. Policy 2 of the Ynys Mon Local Plan states that the Council will support job creating projects on allocated sites and sites within or on the edge of existing settlements. On sites outside existing settlements, the Council will permit employment developments only in exceptional circumstances where the applicant has been able to demonstrate specific locational requirements and economic benefits which would justify allowing the proposal.

Policy B2 of the Ynys Mon Local Plan states that ....Employment creating development on other sites within or on the edge of existing recognised settlements will be permitted where they are of a scale and type compatible with the surrounding area and accord with other policies of this plan.

On sites outside existing settlements, the Council will permit employment developments only in exceptional circumstances whether the applicant has been able to demonstrate specific locations requirements and economic benefits which would justify allowing the proposal.

The applicant has submitted a Planning Statement in support of the application which fully details the relevant policies in regards to the proposal together with the justification for the proposal in this location and outlines the applicants thoughts on the future uses of the site.

The applicant contends that the proposal will not have a detrimental impact on the surrounding area and that the development has economic benefits such as employment opportunities and supports other local businesses and that the development will contribute positively to local tourism facilities which outweighs any visual impact of the proposal.

The statement goes on to state that the North Wales Police have raised concern with customers parking on the highway outside the site which caused a road hazard and that the current application will provide parking facilities for its customers and will therefor improve highway safety.

**Effect on surrounding landscape** – The proposal involves the change of use of the land together

with engineering works to try to reduce the visual and landscape impact of the development on the surrounding area. The site is undeveloped agricultural land and lies in an open countryside location directly adjoining the boundary of the Area of Outstanding Natural Beauty. The details as provided show intended proposals for the roadside boundary, internal landscaping and surfacing materials but do not show any defined boundary between the edge of the car parking spaces and the remainder of the field. Albeit a planning condition could be imposed requiring a boundary treatment its absence as part of the proposal is perhaps indicative of the wider proposals for the site described in the submitted Design and Access Statement and whilst not part of any planning application or necessarily requiring planning consent in their own right, are suggestive of a creeping urbanisation of the site. Setting aside these other proposals, the car parking area, elongated access road and pedestrian crossing points would produce an unacceptable urbanising effect on an attractive open countryside location to the detriment of the visual and landscape qualities of the location.

**Effect on surrounding properties** – Development is concentrated on the south eastern side of the A4080 whilst the land on the opposite side of the road, between Newborough and Dwyran, is open agricultural land with scattered farmsteads and associated conversions set back from the road at some distance. Penlon is a hamlet and cluster under the stopped UDP but a recent application for a new dwelling on this site was resisted due to the open countryside location and the urbanising effect of the proposal on an open and undeveloped countryside area. The proposed car park extends to 1.9ha in site area and despite the proposed landscaping proposals, boundary treatments and surface materials it would have a commercialising and urbanising effect , detrimentally affecting residential amenities in terms of noise, general disturbance and activity.

**Highway Safety** – The original initially submitted drawings which included a pedestrian access to the Marram Grass has been amended further to consultation with the Highway Authority in order to widen the pedestrian refuge and to provide a pedestrian guardrail either side of the road. The Highway Authority has received concerns from members of the public and from the local Police Authority and following further investigations have confirmed that the current scheme is acceptable subject to the inclusion of highway conditions.

## **7. Conclusion**

The proposal is located in an open countryside location and would have an unacceptable urbanising effect on the locality as well as impacts on residential amenities.

## **8. Recommendation**

### **Refusal**

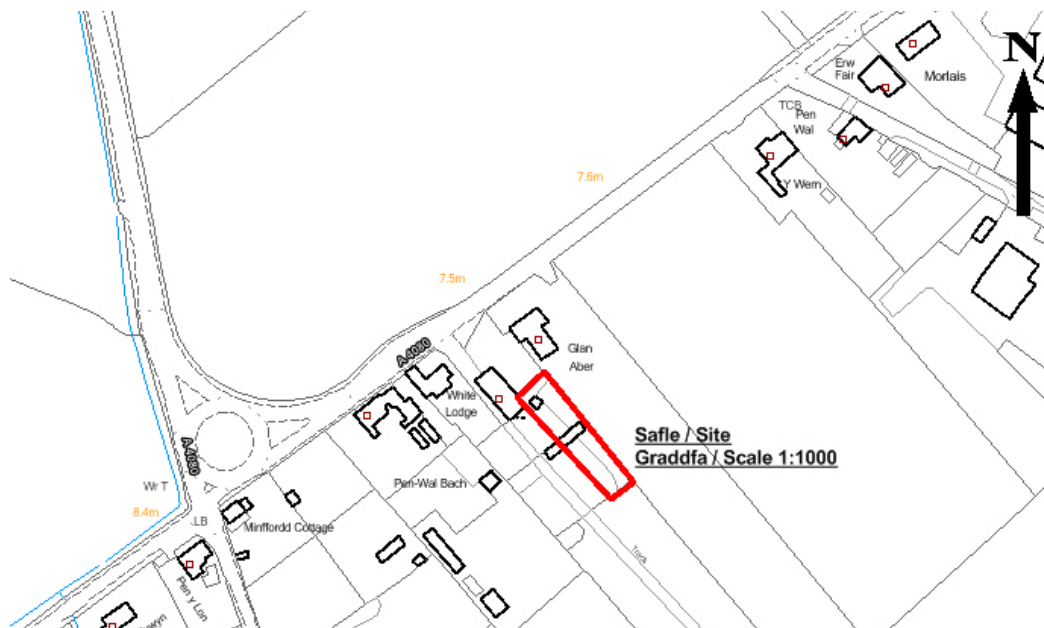
(01) The proposal lies adjacent to the designated Area of Outstanding Natural Beauty and will result in the development of an open field and therefore will have a detrimental urbanising impact on the surrounding landscape. The proposal is therefore harmful to the character and appearance of the area and would not accord with Policies 1, 2 and 31 of the Ynys Mon Local Plan and policies D4 and D32 of the Gwynedd Structure Plan and policies GP1, EP4 and EN1 of the stopped Unitary Development Plan.

Rhif y Cais: **45C84J** Application Number

Ymgeisydd Applicant

**Mr Liam Barrie**

**Cais llawn ar gyfer dymchwel yr adeilad allanol presennol ynghyd a chodi ysgubor newydd i gynnwys ystafell gweithgareddau, bar, ystafell arddangosiad/seminar, toiledau a swyddfa yn / Full application for demolition of the existing outbuilding together with the erection of a new barn comprising of function room, bar, demonstration/seminar room, toilets and office at**

**The Marram Grass Cafe, White Lodge, Penlon, Newborough**

**Planning Committee: 02/12/2015**

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

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

A concurrent application made under application reference 45C84I for the construction of a car park to serve the Marram Grass café has been called in by Councillor Ann Griffith for determination by the Committee.

As the car park proposal is interlinked with this application for the erection of a new barn to provide a function room, bar, demonstration /seminar room, toilets and office at the Marram Grass site it is considered prudent that both applications should be considered in tandem.

**1. Proposal and Site**

The proposal is to erect a function room to the side of the existing Marram Grass restaurant, in order that the site can accommodate functions, seminars and training events. The building will be in two sections with a small barn to the front providing a demonstration / seminar room and the main barn to the rear of the small barn to provide a function room.

The site lies next to the existing Marram Grass restaurant and lies to the front of the White Lodge caravan and camping site within Penlon, which lies between the settlements of Dwyran and Newborough. The application site is located within the designated Area of Outstanding Natural Beauty.

Penlon is not a recognised settlement under the adopted Ynys Mon Local Plan but is defined as a Countryside Hamlet and Cluster under Policy HP5 of the stopped Unitary Development Plan.

**2. Key Issue(s)**

The applications main issues are whether the proposal will have a detrimental impact on the amenities of the surrounding properties and surrounding landscape and whether there is adequate parking within the site to accommodate the development.

**3. Main Policies**

**Ynys Mon Local Plan**

Policy 1 - General Policy

Policy 2 - New jobs

Policy 5 - Design

Policy 26 - Parking standards

Policy 30 - Landscape

**Gwynedd Structure Plan**

Policy B1 - Employment generating developments

Policy B7 - Locational requirements

Policy B9 - Expanding employment opportunities in the rural economy

Policy CH1 - Recreation and tourist development  
Policy D1 - Landscape  
Policy D4 : Location, siting and design  
Policy D7 : Agricultural land  
Policy D29 : Standard of design  
Policy D32 : Site configuration and landscaping  
Policy FF12 : Parking standards

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

Policy EP4 - Other employment opportunities and rural diversification  
Policy EN2 – Area Of Outstanding Natural Beauty  
Policy SG7 Noise

#### **Planning Policy Wales (7<sup>th</sup> Edition)**

#### **Technical Advice Note 6 – Planning for Sustainable Rural Communities**

#### **Technical Advice Note 11 – Noise**

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

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

**Community Council** – Object as the site is situated within the designated Area of Outstanding Natural Beauty and lies close to residential properties and complaints have been received previously in regards to loud music playing at the site. There are three suitable halls in the village which could be used for seminars. Drainage concerns.

Comments were also raised in response to the applicants comments in regards to pre-consultation carried out

**Local Member, Cllr P Rogers** – No response to date

**Local Member, Cllr A Griffith** – Call-in

**Highways** – No response to date

**Drainage** – Drainage details acceptable

**Welsh Water** – Recommended conditional approval

**Natural Resource Wales** – Comments

**Environmental Health** – Standard comments in regards to construction works and confirmed that following an amended design to the scheme and the fact that a 3m high acoustic fence will be erected between the two new buildings the concerns raised during the determination process of planning application reference 45C84H have been addressed and therefore their objection to the scheme has been withdrawn

The proposal was advertised through the posting of a notice on site, publication of a notice in the local press 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 15<sup>th</sup> September, 2015 and at the



time of writing this report 14 letters of representation had been received at the department.

The main issues raised in objection to the development can be summarised as follows:

- i) Proposal will result in the loss of rural quiet hamlet due to noise disturbance – surrounding properties currently suffer from noise disturbance
- ii) Proposal out of character in the rural hamlet which is designated as an Area of Outstanding Natural Beauty and Sites of Special Scientific Interest and due to scale of building the proposal will radically change the nature of the use of this narrow strip of land and result in the over development of the site
- iii) noise disturbance by way of customers, car engines revving and doors slamming
- iv) Highway safety due to customers crossing busy highway
- v) Loss of privacy to adjoining properties
- vi) Proposal will result in the change of use of land from camping to a function room
- vii) An Environmental Impact Assessment should be carried out as the site lies within the Area of Outstanding Natural Beauty. In response to these comments I can confirm that the agent has been advised of the need for a screening application. A screening application has been submitted and it was determined that the proposed development does not require an Environmental Impact Assessment.

## **5. Relevant Planning History**

45C84 - Change of use of outbuilding into a tea room at White Lodge, Penlon, Newborough. REFUSED 14/06/1988

45C84A/AD - Erection of two non-illuminated signs at White Lodge, Penlon, Newborough. REFUSED 19/09/1988

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45C84G - Full application for alterations and extensions at White Lodge, Penlon. GRANTED 24/02/2015

45C84H - Full application for demolition of the existing outbuildings together with the erection of a new building to accommodate a function space including bar, toilet facilities and office at white Lodge, Pen Lon. APPLICATION WITHDRAWN 07/04/2015

45C84I - Full application for the construction of a vehicular access and car park on land adjacent to White Lodge, Penlon. NO DECISION TO DATE

45C84K/SCR – Screening opinion for demolition of the existing outbuilding together with the erection of a new barn comprising of function room, bar, demonstration/seminar room, toilets and office at The Marram Grass, White Lodge, Penlon – EIA not required 27/10/15

## **6. Main Planning Considerations**

**Policy Context** - Policy B1 of the Gwynedd Structure Plan states that employment generating developments which increase employment opportunities, which do not create unacceptable changes to the environment, and are acceptable to the local planning authority in terms of location, siting, scale, design, access and landscaping will be permitted. Policy 2 of the Ynys Mon Local Plan states that the Council will support job creating projects on allocated sites and sites within or on the edge of existing settlements. On sites outside existing settlements, the Council will permit employment developments only in exceptional circumstances where the applicant has been able to demonstrate specific locational requirements and economic benefits which would justify allowing the proposal.

Policy B2 of the Ynys Mon Local Plan states that ....Employment creating development on other sites within or on the edge of existing recognised settlements will be permitted where they are of a scale and type compatible with the surrounding area, and accord with other policies of this plan.

On sites outside existing settlements, the Council will permit employment developments only in exceptional circumstances whether the applicant has been able to demonstrate specific locations requirements and economic benefits which would justify allowing the proposal.

The applicant has submitted a Planning Statement in support of the application which fully details the relevant policies in regards to the proposal together with their justification for the proposal in this location and outlines the applicants' thoughts on the future uses of the site.

The applicant states that the economic benefits of the proposal outweighs any negative impacts such as any impacts on the surrounding area/locality and that the development will provide employment opportunities and supports other local businesses and that the proposal will contribute positively to local tourism facilities.

As the site lies within an established commercial site the proposal is considered acceptable in principle.

**Highway Safety / Parking facilities** – The applicant states that the North Wales Police have raised concerns with customers visiting the establishment parking on the highway outside the site which causes a road hazard.

A planning application has been submitted on land opposite the current application site to provide additional car parking facilities for the Marram Grass development. That proposal is situated within undeveloped agricultural land and the impact of the proposal on the surrounding landscape is considered unacceptable and cannot be supported. In order to be able to support the application the agent has been asked whether it would be possible to re-configure the site in order to provide the necessary parking facilities within the application site.

The applicant states within the Planning Statement that the local planning authorities request to amend the site layout in order to provide additional parking facilities is not viable as it would not improve the existing parking situation or increase the number of parking spaces available as it would result in vehicles having to double park as there would not be sufficient space for cars to pass each other and turn on the site.

The local planning authority considers that there is ample space within the site to provide adequate parking facilities. If the shower block was re-located to the land which lies to the rear of the application site where the caravan site is located this would result in a vacant parcel of land which measures approximately 45 metres long and 12 metres wide and all of this land is within the applicants ownership. The dwelling known as White Lodge is also within the applicants ownership has a large garden area to its rear. The local planning authority is therefore of the opinion that there is ample land within the applicants control which could be utilised as additional parking facilities within the site.

Due to the lack of parking on the site the proposed function room cannot be supported as there are inadequate parking facilities within the site to cater for the development and the development will have an adverse effect on highway safety as vehicles are likely to be parked on the public highway due to the lack of parking space within the site.

**Effect on surrounding properties** – During the course of determining the previous application 45C84H for the erection of the function room the scheme was considered unacceptable due to the number of openings in both sections of the building and the proposed use of the intervening section as an open courtyard area for customer use. Noise nuisance to the detriment of the amenities currently enjoyed by the occupants of the neighbouring property was likely to occur. The current scheme has been amended and there are no openable windows or doors located on three of the four facades of the building. The boundary between both sections of the building is shown as being screened by a 3m high acoustic fence. Therefore the concerns raised during the course of determining the previous application have been addressed and it is not considered that the development will have a detrimental impact on the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application.

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

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

The site is situated within an existing commercial site, set amongst existing built development and given this, and the scale and design of the proposed building, the scheme is not considered to have a detrimental impact on the surrounding landscape.

## **7. Conclusion**

Previous concerns in regards to noise and the impact of the proposal on the amenities of the surrounding properties have been addressed with the erection of an acoustic fence between the two buildings and the redesign of the buildings by the removal and re locating of openings.

However as the proposed car parking on the opposite side of the highway is unacceptable in

landscape and visual terms the local planning authority have raised the question whether the site can be re-configured in order to be able to provide the necessary parking facilities within the application site however as stated above the applicant has confirmed that this is not a viable option.

Due to the above issues it is my recommendation that the application be refused due to insufficient parking facilities.

## **8. Recommendation**

### **Refuse**

(01) The local planning authority considers that there are inadequate parking facilities within the site to accommodate the development. The proposal will therefore have a detrimental impact on highway safety as the development will result in cars parking on the Highway. The proposal is therefore contrary to Policy 1, 2 and 26 of the Ynys Mon Local Plan, Policy B1 and D32 of the Gwynedd Structure Plan and policies GP1, EP4 and TR10 of the stopped Unitary Development Plan.

Rhif y Cais: **45C441A/FR** Application Number

Ymgeisydd Applicant

**Mrs Brenda Krijnen**

**Cais llawn i newid defnydd tir i safle carafanau a pebyll (yn cynnwys 5 o leiniau pebyll, 5 o eliniau glampio a 10 o leiniau carafanau teithiol), codi adeilad ymolchfa, gosod tanc trin carthffosiaeth yn lle'r tanc septic presennol a gwelliannau tirlunio ar dir yn / Full application for change of use of land into a caravan and camping site (comprising of 5 tent pitches, 5 glamping pitches and 10 touring caravan pitches), erection of washroom facilities, installation of a package treatment plant in lieu of existing septic tank together with improvements to the landscaping on land at**

**Tal y Bont Bach, Dwyran**

**Planning Committee: 02/12/2015**

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

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

At the request of the Local member Cllr Ann Griffith

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

The application made is for the change of use of land to create a caravan and camping site to include 10 pitches for touring caravans with electrical hook-up; 5 glamping pitches for bell tents with electrical hook-up, 5 tent pitches without electrical hook-up, toilet and shower facilities, sewage treatment plant, chemical disposal point and the use of an existing overgrown access together with the landscaping of the site.

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

Compliance with development plan policies, landscape and amenity impacts.

### **3. Main Policies**

#### **Gwynedd Structure Plan**

Policy CH5 – New Touring Caravan or Tent Sites

Policy D3 – Landscape Conservation Areas

Policy D10 – Flora and Fauna

Policy D29 – Standard of Design

Policy D32 – Site Configuration and Landscaping

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

Policy 1 – General Policy

Policy 12 – New Touring Caravan or Tent Sites

Policy 28 – Tidal Inundation and River Flooding

Policy 31 – Landscape

#### **Stopped Ynys Mon Unitary Development Plan**

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN1 – Landscape Character Areas

Policy TO6 – Touring Caravans or Tents

Policy SG2 – Development and Flooding

#### **Planning Policy Wales (Edition 7)**

**Technical Advice Note 15 – Development and Flood Risk**

**Technical Advice Note 18 - Transport**

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

**Cllr Ann Griffith** – requests Committee determination

**Cllr Peter Rogers** – no response to consultation

**Community Council** – no objection

**Ecological and Environmental Advisor**- the site is mainly improved grassland. The proposed native tree planting on the site would be welcome for wildlife benefit. I understand the existing hedges will be retained, which I support.

**Environmental Health Officer** – standard comments for operational stage

**Drainage Section** – drainage details are satisfactory in principle

**Dŵr Cymru-Welsh Water** – no comments as the developer proposes to use a private sewage treatment facility

**Natural Resources Wales** – the site is partially within zone C2. We have reviewed the Flood Consequences Assessment submitted and would advise that the development is acceptable in terms of flood risk. The proposed caravan and tent pitches and shower block are located above the estimated extreme flood level and although the access to the site may become compromised during a flood, a dry access / egress route is available under such circumstances. The Authority's ecologist should be consulted in relation to bats; comments in relation to sewerage treatment plant. NRW does not object to the proposal.

**Highway Authority** – the access proposed is substandard in terms of visibility and width. However it may be the case that vehicles are travelling at speeds much less than the statutory limit. Speed survey should be undertaken to consider whether the vision splay requirements can be reduced in accordance with TAN 18 advice. The access should be wide enough to allow 2 vehicles towing caravans to pass each other.

**Footpaths Officer** – proposal will not have an effect on footpath no. 54. Shower block should be located 1.8m away from the footpath and no obstruction of the path should occur due to planting.

#### **Response to Publicity**

2 letters of objection was received as a result of the publicity undertaken from the owners of Tal-y-Bont-Mawr, Dwyran.

Access to the farm holding and properties is along a shared access drive;  
When the property was bought 11 years ago, significant research was undertaken to ensure that no such planning applications could be made which would affect the quiet enjoyment of the rural property and its unique setting – would not have purchased the property if a caravan site was next door;  
development will devalue our property;  
Objection is raised on grounds of noise and general disturbance to adjoining properties and a loss of privacy to the dwelling;  
This objection is further supported within aspects of residential amenity which is defined as being 'the experience of a place as being pleasant or attractive' or 'the pleasant or normally satisfactory aspects of a location which contribute to its overall character and the enjoyment of residents';  
From an Environmental Protection point of view, the writer considers that the issues caused and

relating to this application amount to 'statutory nuisance' relating to issues such as noise, smoke, dust and a range of other situations;

A range of environmental factors arise such as noise – including vibration – from sources including plant and machinery, deliveries, reversing alarms, recorded music, hours of use, traffic and customer movements;

Odour and fumes from the package treatment plant; smoke, particularly from wood burning stoves, barbeques;

Dust from roads, processing material, construction activity, storage of raw materials; insects – due to sewage treatment and storage of food / waste bins at the site;

Access to the site appears to affect a public footpath, and concerns regarding increased traffic and vehicles towing caravans and how this is to be managed;

The above factors can have a significant impact on the health and well-being of adjoining residents;

Shared access is to be the designated evacuation route;

Lack of consultation in relation to the proposals.

In response, it should be noted that issues in relation to property value or issues affecting the initial purchase of a property do not carry significant weight in the decision making process. The applicant is not obliged to consult neighbours before submitting an application (although the application does indicate that some consultation took place). The planning authority has publicised the application and the receipt of objections attests to its effectiveness.

Planning policy Wales states that:

“3.1.1 The planning system is intended to help protect the amenity and environment of towns, cities and the countryside in the public interest while encouraging and promoting high quality, sustainable development”

and that:

“3.1.7 The planning system does not exist to protect the **private interests** of one person against the activities of another. Proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest. The Courts have ruled that the individual interest is an aspect of the public interest, and it is therefore valid to consider the effect of a proposal on the amenity of neighbouring properties. However, such consideration should be based on general principles, reflecting the wider public interest (for example a standard of 'good neighbourliness'), rather than the concerns of the individual”

The creation of a caravan and camping site will bring additional activity to the area but it is not considered that this would affect the privacy of neighbouring properties to such an extent that planning permission should be withheld. The site is already crossed by a public footpath for example.

Any construction activity at the site giving rise to dust or vibration for example will be of relatively short duration. A condition is proposed to the effect that a site management plan be produced to manage traffic activity (the times when visitors can arrive and are expected to vacate the site), the control of music, fires, barbeques and similar activities, litter, lighting etc. in the interests of residential amenity. The management plan will also deal with the management of the site in the event of flooding.

## **5. Relevant Planning History**

45C441/FR Full application for the change of use of land into a caravan and camping site, erection of sanitary facilities, installation of a treatment plant and landscaping – withdrawn 15/8/14



## 6. Main Planning Considerations

**Principle of the Development:** Development plan policies allow the creation of touring caravan and camping sites subject to criteria including that they do not harm the appearance of an area; do not increase pressure on natural resources; do not increase danger of congestion on the road; adequate drainage and water is available; they do not harm areas of ecological or similar significance; and that they do not harm residential amenities.

**Highway issues:** The development proposes the reinstatement of an existing access on a minor road to the north eastern corner of the site. The Highway Authority initially raised concerns that the access was substandard but that the requirements could be reduced in accordance with TAN 18 advice provided traffic speeds could be demonstrated to be low on the access road. It is understood that a speed survey has been completed and that the access arrangements now proposed are suitable for the site. An existing shared access to the south of the site currently gives access to the owner's property (and Tal y Bont Mawr beyond) but will not be utilised as the main access to the site. In the event of a flood, that access however is to be utilised in an emergency and is considered acceptable for that purpose.

**Flood Risk:** Part of the site contained within the red line plan is within flood zone C2. Caravans and tents are to be centrally located on the site and a flood consequences assessment has been reviewed by NRW and is considered acceptable. Emergency egress from the site is available through the main access to the applicant's dwelling. A management plan is required through condition, part of which will deal with the management of the site in the event of flooding.

**Landscape Impact:** The site is well screened from wider public viewpoints in the surrounding area. A public footpath crosses the site to the north of the caravans but landscaping is proposed (subject to agreement on location to avoid encroachment onto the footpath alignment) which will help mitigate immediate impacts. The site is located in Landscape Character Area 12 and the Landscape Sensitivity and Capacity assessment indicates that there is scope for well-sited small scale development in the area. The site will have immediate landscape and visual impacts from the public footpath crossing to the north of the development but will have limited wider impacts due to existing screening.

**Amenity Impact:** Significant concerns have been expressed by a neighbouring occupier in relation to amenity impacts which it is considered will occur if the development as proposed proceeds. A site management plan is required through condition to demonstrate how the site will be operated to deal with issues such as music, camp fires etc.

## 7. Conclusion

The scheme is considered acceptable in its context subject to conditions, including the creation of a site management plan which will deal with flood risk issues as well as general amenity concerns

## 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 access as detailed on drawing DL79/014/03/E shall be completed and made available for use before the use hereby permitted is commenced.**

Reason: In the interest of highway safety

**(03) The sewerage treatment plant hereby approved shall be installed and be operational before the use hereby permitted is commenced.**

Reason: In the interests of amenity

**(04) No development shall commence until a landscaping scheme for the site to include screening proposals for the site from the public footpath has been submitted to and approved in writing by the local planning authority. No caravans or tents shall be brought onto the site until the agreed landscaping scheme has been completed. The said landscaping scheme shall be retained for the lifetime of the development.**

Reason: To ensure that the development is acceptable in the landscape

**(05) The shower block hereby approved shall be made available for use before any caravans or tents are brought onto the site.**

Reason: In the interests of amenity

**(06) No development shall commence until a site management plan has been submitted to and approved in writing by the planning authority detailing how the site is to be managed in the event of flooding as well as to control activities at the site such as, but not limited to, the playing of live or recorded music, the lighting of camp fires and barbecues, the collection of and disposal of refuse. The development shall thereafter proceed in accordance with the detail as approved.**

Reason: in the interests of amenity

**(07) The glamping bell-tents and their wooden bases shall be removed from their pitches at the end of the season of use of the site for caravans and camping.**

Reason: in the interests of visual amenity

**(08) The site shall only be used for holiday purposes and not for any residential use and a register of visitors and the duration of their stay shall be kept and made available on request for inspection by the local planning authority.**

Reason: In the interests of amenity and to prevent unacceptable uses taking place

**(09) The site shall be used as a touring caravan and tented camping site (to include use by motorhomes) between 1st March and 31st October in any year. No storage of caravans, motorhomes or tents (other than the glamping bell-tents which shall be stored under cover or within a building, the details of which shall be submitted to the local planning authority in writing and agreed before any use of the site takes place) shall take place between 31st October and 1st March in any year.**

Reason: for the avoidance of doubt and in the interests of 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.