

### **Development Plan Policies For Anglesey**

Planning Applications will be determined in accordance with the development plan policies for the area and other material considerations. The development plan consists of the Gwynedd Structure Plan (1993), the Ynys Mon Local Plan (1996). In addition, the [stopped] Ynys Mon Unitary Development Plan (December 2005) is a material consideration.

'Stopped Plan' – on 1<sup>st</sup> December 2005 the Isle of Anglesey County Council resolved to 'stop work' on the Ynys Mon UDP and move to the preparation of a Local Development Plan. The Ynys Mon UDP was placed on public deposit in November 2001, pre inquiry changes published and the plan was subject to public inquiry in summer 2003. The last formal stage in the UDP process was the Inspector's report of July 2004. These UDP documents are a material consideration in decision making but the weight to be attached to the UDP must be decided in the light of the policies, and outstanding objections, relevant to the application to be determined.

### **Applications Approved Contrary To Officer Recommendation**

Members are advised that officers will attach standard planning conditions and those suggested by statutory consultees to any applications approved contrary to officer recommendation.

These conditions are not intended to overcome the reasons for refusal. They will meet the tests required by circular 35/95 "The use of planning conditions in planning permission".

Should members require the attachment of any additional non standard conditions they are requested to make that clear when debating the item in question.

Rhif y Cais: **30C499J** Application Number

Ymgeisydd Applicant

**Sarah & Ed Griffiths  
c/o CDN Planning  
1 & 2 Connaught House  
Riverside Business Park  
Benarth Road  
Conwy  
LL32 8UB**

Cais amlinellol gyda rhai materion wedi ei gadw yn ol ar gyfer codi annedd ynghyd a gosod system trin carthffosiaeth newydd ar dir ger

Outline application with some matters reserved for the erection of a dwelling together with the installation of a private sewage treatment plant on land adjoining

Angorfa, Red Wharf Bay



**Planning Committee: 7/7/10**

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

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

Originally on request of local member, members will also recall having visited the site in March 2010.

**1. Proposal and Site**

This is a vacant green field site located within the indicative fame of Red Wharf Bay. It is proposed to erect a dwelling on the site using an existing access.

**2. Key Issue(s)**

Policy implications  
Amenity

**3. Main Policies**

**Gwynedd Structure Plan**

A2 Location of housing land  
A3 Scale and phasing  
D1 AONB  
D4 Siting and Design

**Ynys Mon Local Plan**

Policy 1 General Policy  
Policy 30 AONB  
Policy 42 Design  
Policy 48 Housing Development Criteria  
Policy 50 Listed settlements

**Ynys Mon Unitary Development Plan (Stopped 2005)**

GP1 Development Control Guidance  
GP2 Design  
EN2 AONB  
HP5 Hamlets and Clusters

SPG Design guide for the Urban and Rural Environment.

**4. Response to Consultation and Publicity**

Local member has referred the application to committee due to local concerns  
Community Council - Approval  
Highways - Conditions  
Welsh Water - No Objection  
Environment Agency - No Objection

17 letters have been received points raised include;

The land will be filled with houses as it will be useless for agriculture  
There will be harm to wildlife  
More water into stream from treatment plants  
Visual impact Too big a field for infill

Is there a need for new homes  
The first house remains unsold  
Loss of attractive green area  
No speeding restrictions  
There are no safe pavements  
Dangerous access  
Sewerage problems  
This is piecemeal development for profit  
Ore dwellings would result in urban sprawl  
The existing house is an eyesore  
This will open the door for others  
The small stream will have more water draining into it  
The access road is longer than approved  
This has been well planned house-access-house  
The whole field will eventually disappear  
This is contrary to national policy  
This is an AONB  
Will set precedent  
Concerns over harm to wildlife.

## **5. Relevant Planning History**

30C499 Outline for dwelling, access and septic tank Refused - 26/9/02  
30C499A - As above Withdrawn  
30C499B - As above Approved - 18/2/03  
30C499C - Erection of dwelling Refused - 18/6/04  
30C499D/DA - Detailed plans for dwelling Approved - 14/4/05  
30C499E - Amended plans Approved - 14/5/07  
30C499F - Variation of condition to allow changes Approved - 8/3/08  
30C499G Variation of condition to allow for tiles as roofing material Approved - 26/3/09  
30C499H - Agricultural access Approved - 3/8/09

## **6. Main Planning Considerations**

Whilst policy 50 allows for infill and dwellings on the edge of settlements it is considered that the further development of this field would result in the loss of an open rural gap within the hamlet. This gap contributes significantly to the character of the locality and its loss would be detrimental to the AONB.

Furthermore, whilst an agricultural access has been approved here the submitted plans show that it is to be extended further into the field and is to be used as a residential access. By permitting this development conditions would be created which would "lay the ground" for the development of the whole field including that area behind those properties which front the road. This would prejudice the purpose of policy 50 and HP5 and could result in a small estate of houses in a location which has a designation intended to preclude such development.

## **7. Conclusion**

The proposals would harm the amenities of the AONB and could give rise to conditions which would compound this.

## **8. Recommendation**

### **Refuse**

(01) Approval of the proposal would result in ribbon development, bringing about the unacceptable erosion of an attractive rural gap in this AONB. This would be contrary to the provisions of policies A2,A3,D1 and D4 of the Gwynedd Structure plan, policies 1,30,42,48 and 50 of the Ynys Mon Local Plan, policies GP1,GP2,EN2 and HP5 of the Ynys Mon Unitary development Plan (Stopped 2005) and the provisions of Planning Policy Wales (Edition 2, 2010)

(02) The proposals in this form would prejudice the implementation of policy 50 of the Ynys Mon Local Plan and policy HP5 of the Unitary Development Plan (stopped) by creating a set of circumstances which would make it difficult to resist further development on this field which could purport to be a logical rounding off of the settlement.

Rhif y Cais: **46C14H/1** Application Number

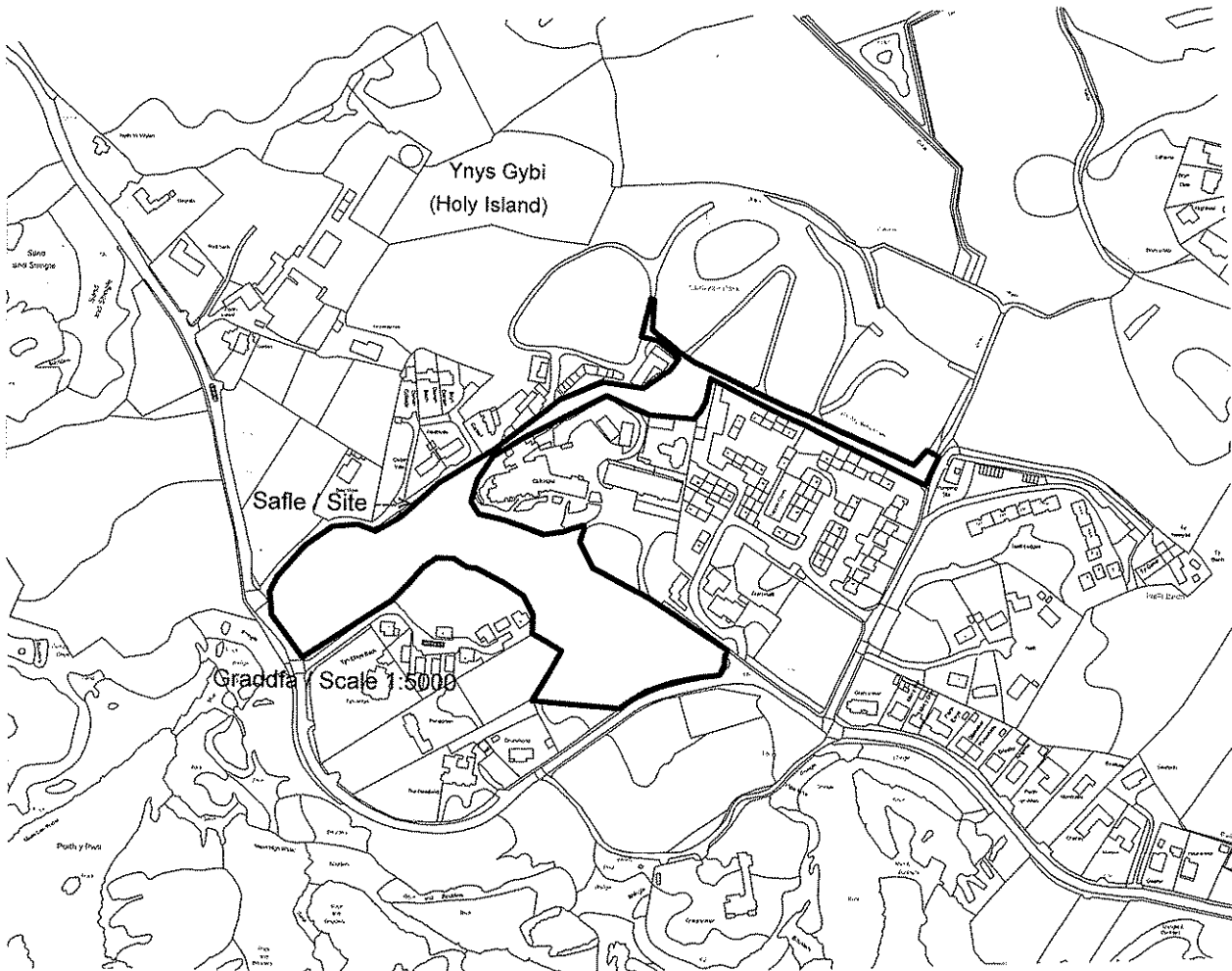
Ymgeisydd Applicant

**Anglesey Sales LTD  
c/o McCormick Architecture  
Dairy Farm Buildings  
Saighton  
Chester  
CH3 6EG**

Cais llawn ar gyfer codi 33 o anheddau ar dir yn

Full application for the erection of 33 dwellings on land at

Cliff Apartments Site, Trearddur Bay



## **Planning Committee: 7 July 2010**

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

#### **Recommendation:**

Permit

#### **Reason for Reporting to Committee:**

The site is located outside the development boundary of Trearddur and the proposal constitutes a departure from Local Plan policies albeit that it is located within the stopped UDP boundary. The Local Member has also requested that the application be determined by the Planning and Orders Committee. At its meeting held on 5<sup>th</sup> May 2010 the Committee resolved to undertake a site visit prior to determining the application. The site was visited on 19<sup>th</sup> May. At its meeting held on 2<sup>nd</sup> June 2010 the Planning and Orders Committee resolved to defer determination of the application for the following reasons: 1. in order to allow a discussion to take place in relation to the provision of additional pedestrian footways on the applicant's land fronting the highway along Lon Isallt; 2. in order that the applicant addresses flooding issues on adjoining property and proposes adequate mitigation. A meeting has now taken place on site which has indicated that it is not feasible to provide additional pedestrian footways along Lon Isallt without compromising pedestrian safety. However, a slight amendment has been achieved near the main access point to the site in relation to the footway proposed there. A report into the flooding situation at the adjacent property Bay View has also been completed which indicates that water runs from adjoining high ground and that the topography of Bay View itself contributes to flooding thereon rather than flooding being attributable to the application site. However, the developer has offered to drain Bay View (a scheme has been submitted for consideration) which should alleviate current problems.

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

The proposal is a full application for the residential development of land at the Cliff Hotel comprising 32 dwellings, situated partly within the hotel complex (and within the Local Plan boundary) and partly on land adjoining Lon Isallt (outside the Local Plan boundary but within the stopped UDP boundary for the village). Vehicular access is taken through the existing main hotel entrance off Lon Isallt.

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

Visual and amenity concerns and affordable housing provision.

#### **3. Main Policies**

##### **Gwynedd Structure Plan**

Policy A3 - Housing Development  
Policy A9 - Affordable Housing

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

Policy 49 - Defined Settlements  
Policy 51- Large Sites

##### **Stopped UDP**

Policy HP3 - Main and Secondary Centres  
Policy HP7 - Affordable Housing

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

Previous Local Member - there are many contentious issues surrounding this development (it appears to contravene policies EN1 and EN8, I have concerns regarding surface water drainage and the vastly increased traffic flow on Lon Isallt) and I feel it would be best if it was referred to Committee for a decision.

Current Local Member - has requested that the application be referred to the Committee.

Community Council - Object - overdevelopment - is the building line being breached between Ty'r Enfys to Bay view? Poor access, effect on AONB, flooding issues to adjacent properties

Dwr Cymru-Welsh Water - on the basis of the information submitted it is not able to confirm that the drainage arrangements are satisfactory.

Drainage Section - Drainage appears satisfactory in principle but meeting to be arranged with agent to clarify issues and it is anticipated that revisions can be incorporated

Highways Section - acknowledge re-design of the access to the public highway serving the site. No details of pedestrian links to the village have been submitted. Traffic Survey details have been assessed and conditions are proposed.

Environment Agency - drainage details are acceptable.

Countryside Council for Wales - does not wish to comment on the proposal.

Chief Environmental Health Officer - no observations

## 5. Relevant Planning History

Extensive planning history relates to the hotel use of the site. An application for the demolition of the existing dwelling and the residential development of the site at Pendorlan, Lon Isallt under reference 46C402A is relevant in that it includes part of the Cliff Hotel grounds and Cliff Hotel access and triggered affordable housing requirements.

## 6. Main Planning Considerations

**Principle Of Development:** The site is partially contained within the development boundary of Trearddur under the Local Plan and wholly contained within the development boundary under the stopped UDP. The whole of the site apart from plots 15 to 22 inclusive (8 units in total) are contained within the Local Plan development boundary but these are all contained within the UDP boundary.

The site has consistently been considered acceptable for development in as much as a complex of 24 holiday units arranged in terraces with courtyards has been approved several times and which to all intents and purposes were designed as two storey residential units. Although policies at the time prevented their residential use (hence the S106 legal agreements imposed on holiday occupation) their visual and landscape impacts and amenity effects were considered acceptable.

Stopped UDP policies have included the land within the development boundary for Trearddur where the use for residential purposes would be considered acceptable. The proposal as submitted provides a more sympathetic and less sense layout than the previous approvals for holiday use.

**Design And Access:** A condition is proposed that the sole means of access and egress to the development is via the main hotel access on Lon Isallt in order to ensure that vehicular traffic does not use a sub-standard access to the north near the housing development at Traeth Atsain. The traffic anticipated to be generated by the development is considered acceptable in relation to the road network and the proposal is supported by a traffic report. No direct pedestrian access onto Lon Isallt near Porth y Pwll will be allowed in order to discourage vehicles from parking on the highway at this point. A revised scheme for a footpath link from the main vehicular access onto Lon Isallt to join an existing footway is currently being considered by the Highway Authority further to the recent meeting on site but is understood to be acceptable.. It is understood that this is contained within highway land and that the developer will fund its provision. The boundaries of the site were walked and assessed in relation to the Committee's request for additional footway provision but due to the road alignment, it is considered more dangerous to provide small areas of footway where room exists than to provide none at all.

**Drainage Issues:** The scheme has been comprehensively redesigned and a detailed drainage system is proposed for the site. Foul drainage will connect into the public sewerage system. The housing development to the west of the site will be served by a rising main with a pumping station located near the boundary of the site opposite the property known as Cedar Vale which will direct flows through the site and to the pumping station at Isallt Bach. The site levels in this location prevent discharge of foul flows by gravity. The southern part of the site drains by gravity to a public sewer connection near the site entrance. Surface water from the western area will discharge to sea at Porth y Pwll via a sewer crossing of Lon Isallt requisitioned through Dwr

Cymru-Welsh Water. The Environment Agency has confirmed acceptability of the design subject to maintenance. The remainder of the plots to the south of the site will drain to a swale system already approved in principle to serve the adjoining Pendorlan development site (subject to a slight increase in capacity - the depth is increased from 100mm to 106mm to accommodate the additional storage requirement). The foul drainage from the northern part of the site drains to a connection with the public combined sewer crossing the caravan park. Surface water drains to an outfall near the pumping station through a proposed 225mm diameter sewer. Some storage is proposed within the car parking area to meet consultee requirements for discharge. Both Dwr Cymru-Welsh Water and the Environment Agency are satisfied with the proposals as submitted. Long term maintenance is proposed to be included within a S106 agreement which can also allow for adoption as the proposals are designed to adoptable standards. In relation to flooding concerns raised, the proposal is designed so as not to exacerbate or cause flooding to third party land. Concerns have been expressed regarding flooding incidents alleged to have arisen as a consequence of the building of a boundary wall between the application site and the adjoining property at Bay View in particular with photographic evidence of flooding within the curtilage of the dwelling having been submitted. The building of a boundary wall does not require planning consent and the development scheme as proposed adequately deals with drainage for the site. As indicated above however, a report on drainage at Bay View has been completed and the developer has offered to assist with draining the site.

**Landscape Impacts:** The scheme as originally submitted has been considerably amended in order to take into account concerns raised regarding the general layout and appearance of the development, overdevelopment issues, design and overlooking. The scheme as now submitted is for 33 dwellings in total with three individual dwellings proposed fronting onto Lon Isallt itself (between Ty'r Enfys and Bay View) with a further 6 plots arranged in threes, stepped behind them and fronting the internal access road. 8 plots are arranged as semi-detached units set against the Cliff Apartments block. Four further individual plots are located to the south of the Cliff Apartments and the remaining 12 plots are arranged as semi-detached units to the north of the Cliff Apartments. The dwellings are reflective of fairly traditional design principles with a strong emphasis on pitched roofs. Materials are to be controlled through conditions. The development takes advantage of sea views throughout with the use of balconies and decked areas. The site uses the existing contours and introduces significant reprofiling in order that the development sits comfortably in its setting. It achieves a mix of styles and types (but with consistent themes) in order to avoid a repetitive and monotonous development. It is not considered that the development will adversely impact upon the adjoining Area of Outstanding Natural Beauty (the site itself is not within the AONB).

**Protected Species:** Badgers are present on the site and the application is supported by a comprehensive badger report which has been accepted by the Countryside Council for Wales. In order to safeguard the badger population, mitigation is required which will be controlled through condition. However, a badger foraging area is proposed to be safeguarded and it is proposed that this should be included within a S106 agreement in order to secure its long term viability and availability.

**Affordable Housing:** The applicant has, with others, the benefit of planning consent on part of the grounds of the Cliff Hotel for residential development (the Pendorlan site which triggered affordable housing policies- 30% of the units are secured on that site through legal agreement). The Authority is also dealing with a concurrent proposal to convert part of the complex into 8 units (which does not itself trigger affordable housing policies as 10 or more units is the threshold in Trearddur), but cumulatively, with the Pendorlan site and this application, affordable housing requirements are triggered. This application was approved by the Committee at its meeting held on 5<sup>th</sup> May 2010. It is proposed that through legal agreement, 30% of the entire developments should be set aside as affordable housing units in accordance with policy requirements.

## **7. Conclusion**

The scheme is considered acceptable for the above reasons.

## **8. Recommendation**

**Permit**, subject to a S106 agreement on the provision of affordable housing and subject to conditions:

**(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 Sole Means Of Vehicular Access To The Development Shall Be Via The Existing Access On Lon Isallt As Indicated In Red On The Plan Attached To This Permission. No Development Shall Begin Until The Access Adjacent To The Public Highway Has Been Completed In Accordance With The Plans Ref. A(200) 12 Revision B Dated 28/1/10.**

Reason: For the avoidance of doubt and to limit the number of access points along the site boundary for the safety and convenience of the highway user.

**(03) No Development Shall Begin Until The Pedestrian Footway Has Been Completed In Accordance With The Submitted Plan Ref. A(200) 12 Revision B Dated 28/1/10. No Other Pedestrian Or Vehicular Access Points Shall Be Permitted On Any Part Of The Site Boundary With Lon Isallt.**

Reason: In the interest of highway safety.

**(04) No Occupation Of The Units Shall Take Place Until The Car Parking And Turning Spaces Have Been Laid Out And Made Available For Use In Accordance With The Approved Drawings. The Car Parking Spaces Shall Thereafter Be Retained For That Use.**

Reason: For the avoidance of doubt and in the interests of amenity.

**(05) Full Details Of All Fencing, Walling Or Other Means Of Enclosure Or Demarcation Shall Be Submitted To And Approved In Writing By The Local Planning Authority Before Any Work On The Site Is Commenced, Unless Otherwise Agreed In Writing With The Local Planning Authority. Such Works Shall Be Erected Following Completion Of The Building(S) Or The Completion Of The Development, Whichever Is The Sooner.**

Reason: To ensure a satisfactory appearance of the development and to ensure that protected species habitat is not compromised.

**(06) The Site Shall Be Landscaped And Trees And Shrubs Shall Be Planted In Accordance With A Scheme To Be Agreed In Writing With The Local Planning Authority Before Any Development Work Is Commenced On The Site, Unless Otherwise Agreed In Writing With The Local Planning Authority. This Planting And Landscaping Work Shall Be Carried Out In Full To The Satisfaction Of The Local Planning Authority During The First Planting Season Following The Occupation Of The Building(S) Or The Completion Of The Development, Whichever Is The Sooner. The Said Trees And Shrubs Shall Be Maintained For A Period Of Five Years From Planting And Any Trees Or Shrubs That Die, Or Become Severely Damaged Or Seriously Diseased During This Period Shall Be Replaced In The Next Planting Season With Others Of Similar Size And Species To Those Originally Required To Be Planted, Unless The Local Planning Authority Gives Written Consent To Any Variation.**

Reason: To ensure a satisfactory appearance of the development and to ensure the viability protected species habitat.

**(07) No Development Shall Commence Until A Protected Species Management Plan Has Been Submitted To And Approved In Writing By The Local Planning Authority Which Shall Detail The Management And Protection Of Protected Species And Their Habitat Both During And After Construction. The Development Shall Thereafter Proceed In Accordance With The Approved Details Unless The Local Planning Authority Gives Its Prior Written Consent To Any Variation.**

Reason: To safeguard protected species.

**(08) No Occupation Of The Dwellings Hereby Approved Shall Take Place Until The Foul And Surface Water Drainage Systems Serving The Site Have Been Constructed And Are Operational.**

Reason: to ensure that the development is adequately drained.

**(09) The Provisions Of Schedule 2, Part 1, Classes A, B And E Of The Town And Country Planning (General Permitted Development) Order 1995 (As Amended) (Or Any Order Re-Voking Or Re-Enacting That Order) Are Hereby Excluded.**

Reason: In the interests of amenity and to ensure the satisfactory appearance of the development and to preserve the integrity of the surface water drainage system.

**(10) No Development Shall Commence Until Details Of The Materials To Be Used On The External Surfaces Of The Development Have Been Submitted To An Approved In Writing By The Local**

**Planning Authority. The Approved Details Shall Be Used In The Development Unless The Local Planning Authority Gives Its Prior Written Consent To Any Variation.**

Reason: To ensure a satisfactory appearance of the development.

**9. Other Relevant Policies**

**Gwynedd Structure Plan**

Policy D4- Location, siting and design  
Policy D29- Standard of design

**Ynys Mon Local Plan**

Policy 1- General policy  
Policy 42-Design  
Policy 48- Housing development criteria  
Policy 55- Conversions

**Stopped UDP**

Policy GP1-Development Control Guidance  
Policy GP2-Design

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

None