

# Public Document Pack



**CYNGOR SIR  
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<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>
<b>PWYLLGOR CYNLLUNIO A GORCHMYNION</b>	<b>PLANNING AND ORDERS COMMITTEE</b>
<b>DYDD MERCHER, 4 GORFFENNAF, 2018 am 1.00 o'r gloch yp</b>	<b>WEDNESDAY, 4 JULY 2018 at 1.00 pm</b>
<b>SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGEFNI</b>	<b>COUNCIL CHAMBER, COUNCIL OFFICES, LLANGEFNI</b>
<b>Swyddog Pwyllgor</b>	<b>Mrs Mairwen Hughes 01248 752516 Committee Officer</b>

## **AELODAU / MEMBERS**

Cynghorwyr / Councillors:

**John Griffith  
Glyn Haynes  
T LI Hughes MBE  
K P Hughes  
Vaughan Hughes  
Richard O Jones (Is-Gadeirydd/Vice-Chair)  
Eric Wyn Jones  
Bryan Owen  
Dafydd Roberts  
Nicola Roberts (Cadeirydd/Chair)  
Robin Williams**

**Please note that meetings of the Committee are filmed for live and subsequent broadcast on the Council's website. The Authority is a Data Controller under the Data Protection Act and data collected during this webcast will be retained in accordance with the Authority's published policy**

## **A g e n d a**

Members are reminded that background papers referred to within committee reports are available for inspection in electronic format on the day of the meeting at the Council Chamber from 12.30 p.m. onwards; alternatively these may be inspected at the Development Management during normal office hours. Documents referred to in reports may also be viewed in full on the electronic application files.

Any additional information to hand following publication of reports will be verbally reported upon to the meeting.

Before a decision notice is released conditions of approval or reasons for refusal given in written reports may be subject to minor amendments to account for typographical errors.

### **Index**

#### **1 APOLOGIES**

#### **2 DECLARATION OF INTEREST**

To receive any declaration of interest by any Member or Officer in respect of any item of business.

#### **3 MINUTES\_(Pages 1 - 14)**

To submit, for confirmation, the minutes of the Planning and Orders Committee held on 6 June, 2018.

#### **4 SITE VISITS\_(Pages 15 - 16)**

To submit, for confirmation, the minutes of the Site Visits held on 20<sup>th</sup> June, 2018.

#### **5 PUBLIC SPEAKING**

#### **6 APPLICATIONS THAT WILL BE DEFERRED\_(Pages 17 - 20)**

6.1 34C304Z/1/ECON – Coleg Menai, Ffordd y Coleg, Llangefni

6.2 41LPA1041/FR/TR/CC – Star Crossroads, Star

#### **7 APPLICATIONS ARISING\_(Pages 21 - 82)**

7.1 27C106E/FR/ECON – A5025 between A5 East of Valley Junction to Power Station Cemaes

7.2 46C615/AD – Visitor Centre, South Stack, Holyhead

7.3 49C333A/FR – Hermon Chapel, Field Street, Valley

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## **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

## **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

## **10 DEPARTURE APPLICATIONS\_(Pages 83 - 94)**

10.1 33C284B/DEL – Holland Arms, Pentre Berw

10.2 49C289K/VAR – Cleifiog Fawr, Gorad Road, Valley

## **11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS**

None to be considered by this meeting.

## **12 REMAINDER OF APPLICATIONS\_(Pages 95 - 108)**

12.1 19C251U/FR/TR – Land opposite Travel Lodge, Kingsland Road, Holyhead

12.2 39C18C/2/VAR – Plot 10, Ty Mawr, Menai Bridge

## **13 OTHER MATTERS**

None to be considered by this meeting.

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## PLANNING AND ORDERS COMMITTEE

### Minutes of the meeting held on 6 June, 2018

- PRESENT:** Councillor Nicola Roberts (Chair)
- Councillors John Griffith, Glyn Haynes, Trefor Lloyd Hughes MBE, Kenneth Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen, Dafydd Roberts, Robin Williams
- IN ATTENDANCE:** Planning Development Manager (NJ)  
Planning Manager (Major Consents) (SO)  
Planning Built and Natural Environment Manager (JW)  
Planning Officer (MD)  
Administrative Assistant (WT)  
Development Control Engineer (JRPW)  
Legal Services Manager (RJ)  
Committee Officer (ATH)
- APOLOGIES:** Councillor Richard Owain Jones (Vice-Chair)
- ALSO PRESENT:** Local Members: Councillors Richard Dew (Portfolio Member for Planning) (application 7.5 ), Gwilym O. Jones (application 7.5), Dylan Rees (application 7.1), Dafydd Rhys Thomas. (applications 7.2, 7.3 and 7.4)
- 

The Chair welcomed all those present to this meeting of the Planning and Orders Committee and extended a particular welcome to Councillor Bryan Owen to his first meeting of the Committee.

#### 1. APOLOGIES

The apology for absence was presented and was noted.

#### 2. DECLARATION OF INTEREST

The Planning Development Manager declared an interest in relation to application 6.3 on the agenda.

#### 3. MINUTES OF THE PREVIOUS MEETINGS

The minutes of the previous meetings of the Planning and Orders Committee held on the following dates were presented and were confirmed as correct:

- 2 May, 2018
- 15 May, 2018 (election of Chair and Vice-Chair)

#### 4. SITE VISITS

The minutes of the planning site visits held on 16<sup>th</sup> May, 2018 were presented and were confirmed as correct subject to noting that Councillor Robin Williams had been present on the first site visit to Capel Hermon, Valley but not on the second to the Visitor Centre, South Stack, Holyhead.

## 5. PUBLIC SPEAKING

There were Public Speakers with respect to applications 7.4, 7.5 and 12.2

## 6. APPLICATIONS THAT WILL BE DEFERRED

**6.1 27C106E/FR/ECON – Full application for improvements to the existing highway (A5025) between East of Valley Junction to the proposed Power Station Access Road Junction at eight separate locations together with reconstruction and localised widening of existing pavement and surface dressing, temporary construction compound including temporary pavement recycling facility, creation of 2 attenuation ponds and maintenance access, creation/temporary diversion of cycle routes, creation of alternative parking facilities to mitigate loss of layby together with other associated works including drainage, boundary treatments, planting, new signage and road markings along the A5025 between A5 East of Valley Junction to the Power Station Cemaes**

The Planning Manager (Major Consents) reported that it is the Officer's view that it is necessary for the Committee's Members to view the proposal and its context prior to considering the application; it is therefore recommended that a site visit be undertaken.

**It was resolved that the application site be visited in accordance with the Officer's recommendation for the reason given. (Councillor Robin Williams abstained from voting)**

**6.2 39C285D – Full application for the erection of 17 dwellings on land at Lôn Gamfa, Menai Bridge**

The Planning Development Manager reported that a report following a recent flooding incident is still awaited; she understood that an application for funding has been made to Welsh Government to undertake investigative and modelling work in the area to better understand the nature of the flooding and the mitigation measures that can be taken. The Officer said that as this work is likely to take some months to complete it is recommended that consideration of the application be deferred, and also that the application be removed from the Committee's agenda in the meantime.

**It was resolved to defer consideration of the application in accordance with the Officer's recommendation for the reason given, and that it also be removed from the agenda.**

**6.3 41LPA1041/FR/TR/CC – Full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of Star Crossroads, Star**

*Having declared an interest in this application, the Planning Development Manager withdrew from the meeting during the consideration and determination thereof.*

The Planning Built and Natural Environment Manager reported that the Committee had at its previous meeting rejected the Officer's recommendation that the site be visited on the grounds that it had not been provided with a full report on the application. The Officer said that the flooding assessment report was received on 11 May and has been the subject of a consultation which ended last week. Comments by Natural Resources Wales were received last week and have been forwarded to the external consultants who are preparing the report. This is yet to be finalised with the Chief Planning Officer due to meet with the consultants next week to discuss matters. It is therefore recommended that consideration of the application be deferred.

**It was resolved to defer consideration of the application in accordance with the Officer's recommendation for the reason given.**

## **7. APPLICATIONS ARISING**

### **7.1 14C47R/ENF – Retrospective application for the erection of a carport at 19 Cae Bach Aur, Bodffordd**

The application was reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 2 May, 2018, the Committee resolved to refuse the application contrary to the Officer's recommendation because it deemed the development to be contrary to Policy PCYFF3 of the Ynys Môn and Gwynedd Joint Local Development Plan by virtue of its design, appearance and impact upon the character and amenities of the area.

Councillor Dylan Rees speaking as a Local Member referred to the key issues with regard to the proposal as being whether the development complies with local and national planning policies and whether it is acceptable in terms of siting and design and impact upon the character and appearance of the area and amenities of neighbouring properties. The relevant policy in this case is Policy PCYFF 3 of the JDLP which relates to Design and Place Shaping; this requires that developments demonstrate a high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. The Local Member said that it is clear from the photograph shown that the current development does not comply with policy requirement and is frankly an ugly construction and a blot on the landscape. The Officer's report states that whilst it may not be considered that the development either complements or enhances the character and appearance of the site, on balance it is not considered that its impact gives rise to such detriment that refusal could be warranted. However, the Officer's use of the phrase "on balance" suggests that interpreting the policy is not a clear-cut matter in this case and that there is scope for a different view. Councillor Rees said that Members have previously visited the application site and will have seen what the car port looks like and in his opinion they came to the correct conclusion in determining that on balance, the development does have a detrimental impact on the area. He asked the Committee to adhere to its decision to refuse the application.

The Planning Development Manager reported that correspondence has been received from the applicant confirming his willingness to reduce the size of the car port should this answer the objections to the proposal. The Officer's report reiterates that on balance the application is acceptable given that its visual impact is limited to its immediate vicinity having little impact upon the character and visual amenities of the wider area. The recommendation therefore remains to approve the application.

Councillor Robin Williams proposed that the Committee reaffirms its refusal of the application contrary to the Officer's recommendation on the grounds that it does not conform to Policy PCYFF 3 particularly that part of the policy which requires developments to contribute to the creation of an attractive place which this proposal does not do. Councillor Vaughan Hughes seconded the proposal.

Councillor Kenneth Hughes proposed that the application be approved in line with the Officer's recommendation and the proposal was seconded by Councillor Bryan Owen. In the subsequent vote the proposal to approve the application was carried.

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the condition contained therein.**

## **7.2 46C88K/AD – Application for the siting of two non-illuminated signs together with the installation of two car parking meters at the RSPB Visitor Centre, South Stack Road, Holyhead**

The application was reported to the Planning and Orders Committee as it has been called in by two Local Members due to concerns that motorists will park on the highway and that there is no pedestrian walkway available on the road. At its meeting held on 2nd May, 2018 the Committee resolved to refuse the application contrary to the Officer's recommendation on the grounds that it found the application unacceptable because of the negative effects of traffic parking on the road which has no footway which could lead to health and safety issues and also because of the negative impacts in preventing a number of visitors from enjoying this area free of charge.

The Planning Development Manager reported that the Officer's report provides a response to the reasons cited by the Committee for refusing the application. In planning terms the development under consideration is solely the erection of parking meters and signage and on this basis, the proposal is acceptable and the recommendation therefore remains one of approval. The Officer referred to condition (02) in the written report and she clarified that the signage will not be illuminated in any form.

Councillor Kenneth Hughes proposed that the Committee reaffirms its previous decision to refuse the application contrary to the Officer's recommendation on the grounds that the development will have unacceptable traffic and highway safety impacts. The proposal was seconded by Councillor Glyn Haynes.

The Legal Services Manager advised with regard to this application and also with reference to application 7.3 and to an extent application 7.4 (the latter having been considered under item 5 in the order of business because it involved a Public Speaker) that the second reason given by the Committee for refusing the application i.e. the negative impacts of the development in preventing a number of visitors from enjoying this special area free of charge is not a valid planning reason. The first reason in relation to highway safety impacts can be a valid planning reason if those safety impacts arise directly as a consequence of the application, and all things considered, that is not the case with this application. The main objection is to the principle of charging for access. The application is to erect two receptacles to collect the money and two signs to notify that charges are being levied and as far as he understood there have been no objections to these as being incompatible with the landscape. The Legal Services Manager said that if the Committee is to refuse the application for reasons of highway safety he could not see how that reason can be linked to what the application is for. There may be issues of concern over highway safety generally but they do not derive from the application, and there may be other ways in which those issues can be mitigated. The Officer said that in the event that the Committee proceeds with its refusal for the reasons it has given he was not confident that those reasons could be successfully defended on appeal because the grounds for objections are not directly associated with what the planning consent is for.

The Committee was minded to abide by its original decision to refuse the application because it did deem there to be a link between the application and highway safety due to the negative impact which installing parking meters on this site will have on road traffic by inevitably encouraging motorists to seek alternative, free of charge parking on the narrow South Stack road thereby leading to further congestion on this road and consequently, increased road safety risks there being no pedestrian footway on the road. The Committee also sought clarification of the ownership of the land in question. The Planning Development Manager said that as part of the application, the applicant has submitted Certificate A confirming sole ownership of the part of the site to which the application relates.



**It was resolved to reaffirm the decision to refuse the application contrary to the Officer's recommendation on the grounds that the erection of car parking meters on the site is likely to have a negative impact on highway safety by leading to increased traffic parking on a narrow road where there is no pedestrian footway. (Councillors John Griffith and Robin Williams abstained from voting on the basis that although the application was acceptable in planning policy terms, they did not agree with the principle of charging)**

### **7.3 46C612A/AD – Application for the siting of a non-illuminated sign together with the installation of a car parking meter at the car park at Ellin's Tower, South Stack**

The application was reported to the Planning and Orders Committee as it has been called in by a Local Member due to concerns that motorists will park on the highway and that there is no pedestrian walkway available on the road. At its meeting held on 2<sup>nd</sup> May, 2018 the Committee resolved to refuse the application contrary to the Officer's recommendation on the grounds that it found the application unacceptable because of the negative effects of traffic parking on the road which has no footway and which could lead to health and safety issues.

The Planning Development Manager reported that the Officer's report provides a response to the reasons cited by the Committee for refusing the application. As with application 7.2 the application is acceptable on planning grounds it being considered that the proposal will not have any adverse effects on the surrounding area or on the AONB. The recommendation therefore remains one of approval.

Councillor Kenneth Hughes proposed that the Committee reaffirms its previous decision to refuse the application contrary to the Officer's recommendation on the grounds that the development will have unacceptable traffic and highway safety impacts. The proposal was seconded by Councillor Trefor Lloyd Hughes.

**It was resolved to reaffirm the decision to refuse the application contrary to the Officer's recommendation on the grounds that the erection of a car parking meter on the site is likely to have a negative impact on highway safety by leading to increased traffic parking on a narrow road where there is no pedestrian footway. (Councillors John Griffith and Robin Williams abstained from voting on the basis that although the application was acceptable in planning policy terms, they did not agree with the principle of charging)**

### **7.4 46C615/AD – Application for the siting of a non-illuminated sign together with the installation of a car parking meter at the car park above the Visitor Centre, South Stack, Holyhead**

The application was reported to the Planning and Orders Committee as the development is on Council owned land and has been called in by two Local Members. At its meeting held on 2<sup>nd</sup> May, 2018, the Committee resolved that a site visit should be undertaken. The site visit subsequently took place on 16<sup>th</sup> May, 2018.

#### **Public Speakers**

Mr Jeff Evans (*against the proposal*) referred to the grave issues which the application gives rise to in relation to health and safety and traffic difficulties and their implications as a turning lay by is commandeered by the RSPB for car parking revenue to the detriment of tourists, local people and to the South Stack lighthouse. The latter - a not for profit enterprise - will be left with only 5 parking spaces despite the fact that 70% of visitors who visit this area come for lighthouse purposes only. The site has always been a turning area lay-by being the only place where vehicles can turn around which is adjacent to an extremely narrow single road. Should a car parking meter be approved making this site a car park then many more vehicles will park alongside the narrow road thus placing the public in increased danger from all forms of vehicles as they walk a dark

non-paved road. Mr Evans said that the South Stack lighthouse area has always been an idyllic place where people can stop for a short time and it is an area where the land was given so the public can freely roam. It is not meant to be a place where only those who can afford it can visit and enjoy. He added that he had observed a chaotic situation during the last month with up to 5 coaches tailgating each other as they attempted to pass and turn. The situation will be greatly exacerbated as many more cannot or will not pay the car parking fees. He had also witnessed near misses and accidents and altercations between angry motorists on a gridlocked road. If an emergency vehicle needs to gain access then there is a chance that lives will be placed at risk. Mr Evans said that the Planning Committee would be doing a great disservice to the community and to visitors if it were to permit the proposal. He asked the Committee to refuse the application.

Fiona Mahon (*for the proposal*) said that implementing the proposal will not reduce the number of parking spaces (around 20) at the top car park in South stack which is leased from the Council and that signage will be in keeping with the existing signage on the site. There is already significant parking on the road at busy times and the experience at other RSPB sites where charging has been introduced is that it will not exacerbate the situation. The best solution to the on road parking situation is for the council to introduce double yellow lines although that is not within the scope of the application. Although what is under consideration are the planning merits of installing a car parking meter and sign, the RSPB is actively listening to public concerns and feedback from the local community in relation to charging. The charity has agreed to trial a concessionary rate for local residents and is willing to have an open dialogue with stakeholders including councillors about the level of charging as nothing is as yet set in stone. Those discussions could have begun last month had Officers not advised that that it would be inappropriate until after today's meeting. Ms Mahon reiterated the RSPB's willingness to engage in further dialogue as soon as that could be arranged. She said that the main reason for submitting the proposal is to help secure financial sustainability for South Stack and to ensure it gets the conservation management it requires into the future in order to improve the experience for the thousands of visitors that enjoy the site each year. As joint managers of the site with the Council both organisations have had a good working relationship in the past and it is in their mutual interests to continue working together to improve this flagship visitor site for people and nature. The RSPB currently delivers a specialist land management service on behalf of the Council at a deficit to the charity but at a saving of thousands of pounds annually to the Council and ratepayers. The condition of the buildings and visitor infrastructure requires urgent attention and significant capital investment to the tune of around £750k. The introduction of parking meters will allow the charity to raise essential income as part of the business case for investing in the infrastructure including an outdated sewerage system. Ms Mahon emphasised that all the income from car park charging will be reinvested in South Stack – both the parks in the charity's ownership and those leased from the Council; this is essential if the RSPB is to continue employing local people, buying local goods for its cafés and hiring local contractors to help manage the land.

The Committee sought to question Ms Mahon on issues in relation to the level of car parking charges; enforcement of car parking charges, maintenance of car parking meters and ownership of the layby. The Committee was advised by the Legal Services Manager that such matters were not relevant to the application and that enforcement issues fall outside the Committee's remit.

Ms Mahon said that the RSPB has its own charging policy and she confirmed that a provision for the ownership of the lay-by is contained within the lease.

The Committee sought clarification in light of the site visit which showed the area to be rough and stony and clearly used for turning, whether the proposal involves making it more suitable for parking in terms of markings etc., whether the turning area will still

remain and whether it is an application for change of use. Ms Mahon said that the area has been used for car parking since the charity acquired the site and that it provides for 20 parking places. Should the RSPB have a budget in the future e.g. income from car parking charges it could improve markings for the bays so that parking spaces are more clearly set out; that is a consideration in terms of income generation and re-investment within the site. She said that the turning area is in addition to the spaces – it may be tight but that is in the nature of the site.

The Committee further sought clarification of Ms Mahon that if the RSPB takes the views and concerns of local residents and other stakeholders seriously than why is it going ahead with the application. Ms Mahon said that the charity had been surprised by the strength of feeling with regard to this and the other applications and is keen to discuss options that may be mutually agreeable to the charity and to the locality. The starting point for the application is the need to manage the site in a sustainable way financially into the future and that is why the charity is proceeding with the application otherwise wildlife may suffer, local jobs may be lost and the RSPB will not be able to manage the site in the way it has on behalf of the Council.

Councillor Dafydd Rhys Thomas spoke as a Local Member for Trearddur and said that his comments covered this application and the applications in 7.2 and 7.3. The application is not just about the RSPB but about walkers, ramblers and visitors to the mountain and to the lighthouse. He saw it as a David and Goliath situation with Goliath having become too big and having lost sight of his roots. Although one of the main concerns is about congestion and safety he had not seen any traffic management plan by either the RSPB or the Council. On a quiet day like today people will park on the road thereby extending the period where there is danger on the road and putting motorists, cyclists, motorcyclists and pedestrians at risk. Councillor Thomas pointed out that the Council does have a duty of care. He saw the parking charges as a tax on people's rights. All the Council's decisions have to take into account the requirements of the Wellbeing of Future Generations Act. Additionally, the JLDP states with regard to coastal areas that that emphasis will be placed on protecting and promoting the beauty of the coast and on facilitating access for the public and public appreciation. Fitting parking meters and introducing parking charges does not facilitate access. He asked the Committee to take a holistic view of the application having regard to the fact that exercise is recommended by Health professionals and that walking is one of the best tonics. The Local Member asked the RSPB to look at other ways of raising revenue and requested the Committee to take the difficult decision of refusing the application contrary to the Officers recommendation.

The Planning Development Manager reported that the decision as to whether to charge customers to park in the existing car park and by how much are not planning matters. The proposed development is the installation of a car parking meter and signage. It is the Officer's view that the proposal is acceptable in planning terms having no adverse effect on the AONB and there being no objections from the Highways Authority. The recommendation is therefore to approve the application. In response to a question by the Committee whether the issue of charging rates which the RSPB has said it is willing to discuss has been raised with the Planning Officer, the Officer confirmed that there was a discussion between herself and Fiona Mahon immediately after last month's meeting of the Committee when the matter was commented upon. She did not know whether anything had been done subsequently – the point was made that a discussion with councillors raised the issue of lobbying and that that was better left until after today's meeting.

The Committee sought clarification of whether a condition could be imposed to require provision for a turning space for vehicles. The Planning Development Manager advised that the matter under consideration is the installation of a parking meter and that it would

be difficult to ask for anything in addition or to suggest how the RSPB might use its resources.

In response to the Committee's highlighting the very problematic situation that exists in this area with regard to traffic and the availability of adequate turning space, the Development Control Engineer said that the Highways Authority is aware of a problem in the area and is monitoring the situation; should it deteriorate there is the option of imposing a traffic restriction in future e.g. double yellow lines. The proposal as presented does not change or restrict the parking use of the area and does not create any harm in planning terms so that the Highway Authority feels it necessary to comment on it. In response to questions about the turning area, the Officer said that the application does not change the existing situation apart from proposing to charge for use of the car park. Motorists already park on the road and will continue to do so - the application does not add anything new to a situation that is happening already. Neither does the application change the car park; it was a car park and will continue to be a car park albeit one that carries a charge for parking.

Councillor Kenneth Hughes proposed that the application be refused contrary to the Officer's recommendation; he saw the application as a means of bringing money into the RSPB's coffers and with little justification for it in terms of contributing to the maintenance of the AONB. The knock-on effect which installing a parking meter on this site will have on highway safety is an important planning consideration. He said that people will inevitably try to avoid the high car parking charge and will increasingly park on the road which, having no pedestrian footway, will create significant hazard. The proposal was seconded by Councillor Trefor Lloyd Hughes.

**It was resolved to refuse the application contrary to the Officer's recommendation due to the negative impact which the proposed development will have on highway safety.**

***In accordance with the requirements of the Council's Constitution, the application was automatically deferred to the next meeting to allow Officers the opportunity to prepare a report on the reason given for refusing the application.***

#### **7.5 49C333A/FR – Full application for change of use of a disused chapel into a dwelling together with alterations and the construction of a first floor balcony at Capel Hermon, Field Street, Valley**

The application was reported to the Planning and Orders Committee as it has been called in by two Local Members. At its meeting held on 2<sup>nd</sup> May, 2018 the Committee resolved that a site visit should be undertaken. The site visit subsequently took place on 16<sup>th</sup> May, 2018.

#### **Public Speaker**

Mrs Enfys Creeney (*for the proposal*) said that the chapel was bought not to make money as a developer would do but to create a family home and to improve the appearance of the street. If the chapel is not improved now it will fall into ruin. Mrs Creeney referred to Paragraph 6.2 of TAN 15 which states that new development should be directed away from zone C and to paragraph 6.1 which mentions re-using previously developed land the point being that Capel Harmon has been in situ since 1870 and is not a development at risk. Natural Resources Wales refers to a one in a thousand chance of a tidal wave which might occur once in a hundred years - this is a very big "might" as no one knows what is going to happen tomorrow. The chapel stands in a residential street surrounded by houses with 7 further homes being built on land opposite. In February this year a property three doors down from the chapel was bought with a mortgage indicating that the bank had no problem lending the money; neither do residents in the area have any difficulty obtaining insurance for their homes. The chapel is on higher ground than the properties around it with a step of 6 inches to the entrance with a further 4 to 5 feet

rise from the vestry to the garden. Under the vestry there is a 4-foot void. The chapel itself is made of solid stone unchanged from the time it was built in 1870. If there is this chance of a tidal wave perhaps the Isle of Anglesey itself will not be in being in a hundred years.

The Committee queried whether Mrs Creenev would be comfortable living in the converted chapel given the stated risk. Mrs Creenev affirmed that she would.

Councillor Richard Dew speaking as a Local Member said that the only objection to the proposal from a planning perspective is the flooding risk as defined by TAN 15 and NRW's comments, the proposed development being otherwise considered acceptable in having no adverse impact on the amenities of the surrounding properties and having the support of the Community Council. Natural Resources Wales (NRW) points out that the application site is within a C2 flood zone and is classed as highly vulnerable development. However, a glance at the map will show that most of Valley is in Zone C2 consisting of the A5, SPAR and the shopping area, Valley Hotel, the two garages on the A5 crossroads, Stermat, the railway sidings and a great many residential properties. Therefore, if according to NRW's map, Capel Hermon ends up being under water, then most of Valley will be under water too. TAN 15 states that no new development should be permitted within zones C1 and C2 – the proposal under consideration is not a new development, it is an application to change the use of an existing building in a street full of residential properties – the addition of one dwelling is not likely to have an impact on the risk of flooding. If the change of use is not approved, the chapel will likely become a ruin in the middle of the village. Councillor Richard Dew asked the Committee to consider approving the application.

Councillor Gwilym O. Jones also speaking as a Local Member said that the applicant wishes to open a shop in Valley and have a home in the village. He re-emphasised that this is a chapel in a street of houses and not a building in a remote area. It is accepted that the proposal will not have any negative effects on amenities meaning that the only grounds for opposing are TAN 15 and objections by NRW on the basis of TAN 15. The applicant has sought a meeting with NRW on site on three occasions but to no avail. From the site visit members will have seen land on the opposite side of the street being cleared to make way for 7 new properties. Additionally, to the left of the chapel is the old market site which received planning permission for around 40 homes some years previously. Councillor Jones said that he hoped NRW had looked over the chapel and seen for itself the context to the building and the step up to the entrance; however, it is more likely that NRW has checked the post code, established that the building is in a C2 zone and has made a recommendation on that basis alone. The sea lies to the west of Valley where there is an area known as Tyddyn Cob; in the sea by Tyddyn Cob there are tidal doors. These were renovated in 2009 and hopefully the relevant authorities will have received a guarantee from the company which undertook the renovation that no further work is required. There is 1.2 miles distance between Capel Hermon in Valley and the coast; the land which lies between rises gradually for its whole length and takes in the A55 and the railway before one enters the village and Field Street. Neighbours in Field Street are supportive of the proposal; one resident recalls a flooding incident in 2014 when after a failure of the drainage system in the Bull Hotel, surface water and sewerage from the Bull Hotel flooded the drainage system on Field Street. The flood was due to the culvert not having been maintained by the Authority; remedial works on the culvert and drainage system have since been undertaken, the system is now in excellent working order with periodic checks being carried out. Councillor Gwilym Jones concluded by saying that if there was any material risk at all, then the Community Council would not be unanimously supportive of the application.

The Planning Development Manager reported that there are no objections to the proposal in terms of design, highways impact or effects on neighbouring properties or amenities. The Gwynedd Archaeological Planning Service has requested that should

consent be given, a condition be included to ensure appropriate recording of the building takes place it being of local historic interest. The proposed development is located in a C2 flood zone – TAN 15 is clear that no residential development should be permitted in a C2 zone and although the building exists as a chapel this is classed as a low risk use; its proposed conversion to a residential dwelling would elevate it into a high-risk use making it a highly vulnerable development. This means the proposal is unacceptable and cannot be supported. The former market site did receive permission for housing attached to which there was a legal agreement that was never signed, this application has since been withdrawn meaning there is no permission on that site. However, the Environment Agency at the time did not oppose the development. The planning consent for housing on land opposite the chapel pre-dates the changes to the flood maps in 2017 when the area under consideration was re-designated from a C1 to a C2 zone. The Officer said that Paragraph 6.2 of TAN 1 sets out criteria which any new development for less vulnerable uses in a C2 zone must meet if it is to be considered justified. Whilst no such assessment has been submitted as part of the application under consideration, an assessment prepared on behalf of the applicant by professional consultants was made available with a previous unsuccessful application in 2017 which confirmed that even had the development been in a C1 zone, it would not satisfy the criteria set out in paragraph 6.2 of TAN 15, and much less for C2. The assessment also states that the chapel's floor levels would have to be raised by 2m to meet TAN 15 requirements in a worst-case flooding scenario. Additionally, NRW points out that the plan shows that a bedroom is to be located on the chapel's ground floor which in terms of risk is unacceptable. Therefore, based on the flood risk and floor levels, the recommendation is one of refusal.

Having considered the information presented and the representations made, the Committee was minded to approve the application contrary to the Officer's recommendation. Councillor Eric Jones proposed that the application be approved because he considered that having been on the site visit, the Chapel floor levels are sufficient to withstand any flow of water from whatever source. Councillor Kenneth Hughes seconded the proposal and said that after the flooding event in 2014, the culvert and drainage system were cleared; this work has obviously been successful meaning the system can cope with extreme wet weather with such occurrences having been experienced since 2014 with no adverse impact on this area. In his mind therefore, the risk of flooding no longer exists.

The Planning Development Manager clarified that in accordance with the assessment prepared on behalf of the applicant, the greatest flood risk comes from the direction of Tyddyn Cob in the event that seawater overcomes the barriers at that point, and not from maintenance of the culvert. The Officer said that although she accepted that the source of the flooding in 2014 has been addressed, the risk remains from a very different source which is at Tyddyn Cob. The Committee has to determine whether in light of the evidence of the risk from Tyddyn Cob as confirmed by the report on behalf of the applicant the proposal complies with TAN 15. The fact that the tidal doors have been renovated and are maintained does not reduce the risk; as has been reported the chapel's floor levels would have to be raised by 2m to meet TAN 15 policy requirements should the worst happen. This is a significant amount and as events have shown, the worst can happen. Approval of an additional dwelling in this location would add to the risk.

The Committee noted that as the proposed development is located in a residential area the risk to the chapel is no greater than the risk to the surrounding properties and would only add to the existing risk to Valley by a very minimal amount, if any. If the risk is as significant as what is being contended, then on that basis the whole of Valley is in danger.

The Planning Development Manager said that TAN recognises that some existing development will be at risk of flooding; these are historic developments such as the majority in the area of the proposal. The subject building is currently a chapel not a dwelling; conversion of the building into a dwelling – classed as a more vulnerable development - will add to the risk.

The Legal Services Manager advised that should the application be approved, Natural Resources Wales may wish to refer it to Welsh Government for it to consider whether it should be called in. Had the application been submitted prior to the changes in the flood maps when the area was classified as C1 then the difficulty might not have arisen. As it is under the TAN in its current form, any proposed new development or conversion to a use that is of higher risk is problematic in this area. On that basis it is likely that NRW would want to challenge a decision to approve by referring it to the Welsh Government.

**It was resolved to approve the application contrary to the Officer's recommendation on the basis that the Committee deems the proposal complies with TAN 15 in that the subject building which has existed on site for many years is sufficiently elevated to minimise the risk of flooding, that the risk of flooding to the area is minimal, and that the conversion of the subject building to a dwelling will not materially exacerbate or add to the risk.**

***In accordance with the requirements of the Council's Constitution, the application was automatically deferred to the next meeting to allow Officers the opportunity to prepare a report on the reasons given for approving the application.***

## **8. ECONOMIC APPLICATIONS**

None were considered by this meeting of the Planning and Orders Committee.

## **9. AFFORDABLE HOUSING APPLICATIONS**

None were considered by this meeting of the Planning and Orders Committee.

## **10. DEPARTURE APPLICATIONS**

### **10.1 12C161J – Full application for the erection of a dwelling and garage together with the construction of a vehicular access on land at Fair Linden, Llanfaes**

The application was presented to the Planning and Orders Committee as it represents a departure from the plan policy which Officers are recommending for approval.

The Planning Development Manager reported that the application is to change the design of the previously approved dwelling the planning permission for which is extant until 2021. It the Officer's opinion that the current proposal offers significant improvements over that which has planning permission. The scale and massing have been substantially reduced and a more traditional design is now presented. The Officer said that trees which are the subject of a Tree Preservation Order also form part of the application site. Additionally, the Highways Service is recommending visibility splays of 2m x 120m and not the 2.4m by 120m stipulated in condition (04). Should the application be approved, a further condition is proposed to the effect that the development shall be carried out in accordance with the tree survey submitted as part of the application. Although the Town Council objects to the application which it considers an over-development, the Officer's recommendation is one of approval on the basis that the current scheme offers improvements over that which already has planning permission and can be lawfully implemented, and as such, there are overriding reasons why this departure from the Development Plan can be approved.

The Committee sought clarification of the highways position in light of the Town Council's comments regarding issues which it considers make the entrance to the property hazardous. The Development Control Engineer said that the visibility splays have been designed to conform to national standards; the application site already has planning permission and the Highways Authority has no objections to the proposal.

Councillor Bryan Owen proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor Robin Williams.

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the conditions set out therein together with the amendment to condition (04) and an additional condition requiring the development to be carried out in accordance with the tree survey submitted as part of the application.**

## **11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS**

None were considered by this meeting of the Planning and Orders Committee.

## **12. REMAINDER OF APPLICATIONS**

### **12.1 34LPA1015E/DIS/CC – Application to discharge conditions (02) (surface water) and (03) (drainage scheme) of planning permission 34LPA1015B/CC at the former Môn Training, Llangefni**

The application was reported to the Planning and Orders Committee as it is made by the County Council.

The Planning Development Manager reported that the Council's Technical Section (Drainage) finds the submitted drainage satisfactory and Welsh Water has confirmed that it has no objections to the conditions being discharged. The Officer's recommendation is therefore to approve the application.

Councillor Bryan Owen proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor Nicola Roberts.

**It was resolved to approve the application in accordance with the Officer's recommendation and report.**

### **12.2 39C355B – Retrospective application for the erection of 8 apartments together with car parking and associated works on land at Former Primary School, Pentraeth Road, Menai Bridge**

The application was reported to the Planning and Orders Committee as part of the application site is located on Council owned land.

#### **Public Speaker**

Mr Jamie Bradshaw (*for the proposal*) outlined how he considered the proposed scheme to be compliant with national and local policies in being for a brownfield site set within the development boundary of Menai Bridge in a highly accessible location. The assumption in national and local policies is that the site is suitable for development in principle and that its use should be encouraged as confirmed by the Officer's report. In response to the Officer's concerns regarding the density of the development and its suitability for the setting, the proposal meets a key national and local policy priority of utilising sites such as this in an accessible location, close to transport routes for higher density development. The proposal would meet this objective by making the best use of land to accommodate a higher density but still appropriate development for the site and its setting thereby easing pressure on greenfield sites to meet housing needs. Although the proposed building is three storeys in height, the land levels and careful design approach



mean that the height of the building would reflect that of surrounding properties and will actually be 2.5m lower in height than the three-storey dwelling approved to the north. Mr Bradshaw said that he did not believe the development was cramped as the proposal would only occupy 30% of the area of the site with a good amount of space around the building which complies with the Council's own separation distances and allows for landscaping. The concerns over the building having several high level windows and obscure glazing in bedrooms and living areas which the Officer believes creates an oppressive outlook for future occupants are unfounded as these will only serve secondary rooms such as bathrooms and studies.

Mr Bradshaw said that the proposal is a high quality modern design which ensures the development has a varied and interesting appearance; the aim throughout has been to create a high quality development that would complement its setting and respect the visual and residential amenities of the area.

The Planning Development Manager reported that two additional letters offering comments on the application have been received; comments have also been received from the applicant's agent clarifying that the access widening work which has been done as referred to in the Officer's report making part of the application retrospective, is health and safety work which is unconnected with the proposal that is the subject of the application. The Officer's view is that the proposed development is unacceptable in its setting and notwithstanding the amendments that have been made in an effort to overcome the issues in relation to separation distances, overlooking, parking arrangements and variations to the access, the Planning Department continues to have concerns over the proposal and is of the opinion that by virtue of its scale, design and siting, it is not well integrated into its surroundings. The recommendation is therefore one of refusal.

Due to the points of concern raised with regard to setting, scale and its proximity to neighbouring properties, Councillor John Griffith proposed that the application site be visited so that Members can better appreciate the proposed development within its location. The proposal was seconded by Councillor Eric Jones. In the ensuing vote, the proposal for a site visit was not carried.

Councillor Bryan Owen proposed that the application be refused in accordance with the Officer's recommendation. The proposal was seconded by Councillor Robin Williams who said that he had called in the application because of the concerns of the Town Council and the residents of the locality.

**It was resolved to refuse the application in accordance with the Officer's recommendation and report.**

### **13. OTHER MATTERS**

None were considered by this meeting of the Planning and Orders Committee.

**Councillor Nicola Roberts  
Chair**

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## PLANNING SITE VISIT

### Minutes of the meeting held on 20 June, 2018

<b>PRESENT:</b>	Councillor Nicola Roberts (Chair) Councillor Richard Owain Jones (Vice-Chair)  Councillors John Griffith, Kenneth Hughes, Eric Jones, Bryan Owen, Dafydd Roberts.
<b>IN ATTENDANCE:</b>	Chief Planning Officer Planning Graduate Support Officer (JP) Senior Engineer (Highways) (GG)
<b>APOLOGIES:</b>	Councillors Glyn Haynes, Trefor Lloyd Hughes, Vaughan Hughes, Robin Williams, Llinos Medi Huws (a Local Member)
<b>ALSO PRESENT:</b>	Councillor Richard Dew (Portfolio Member for Planning and a Local Member)

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- 1 27C106E/FR/ECON – Full application for improvements to the existing highway (A5025) between East of Valley Junction to the proposed power station access road junction at eight separate locations together with reconstruction and localised widening of existing pavement and surface dressing, temporary construction compound including temporary pavement recycling facility, creation of 2 attenuation ponds and maintenance access, creation/temporary diversion of cycle routes, creation of alternative parking facilities to mitigate loss of layby together with other associated works including drainage, boundary treatments, planting, new signage and road markings along the A5025 between A5 East of Valley Junction to the Power Station, Cemaes**

The Officers described the nature of the proposal and its component parts. Members travelled along the route from Valley Junction to the proposed Wylfa Newydd access junction and back, and were able to observe the detailed proposals for each section.

**Councillor Nicola Roberts**  
Chair



6.1

Ceisiadau'n Economaidd

Economic Applications

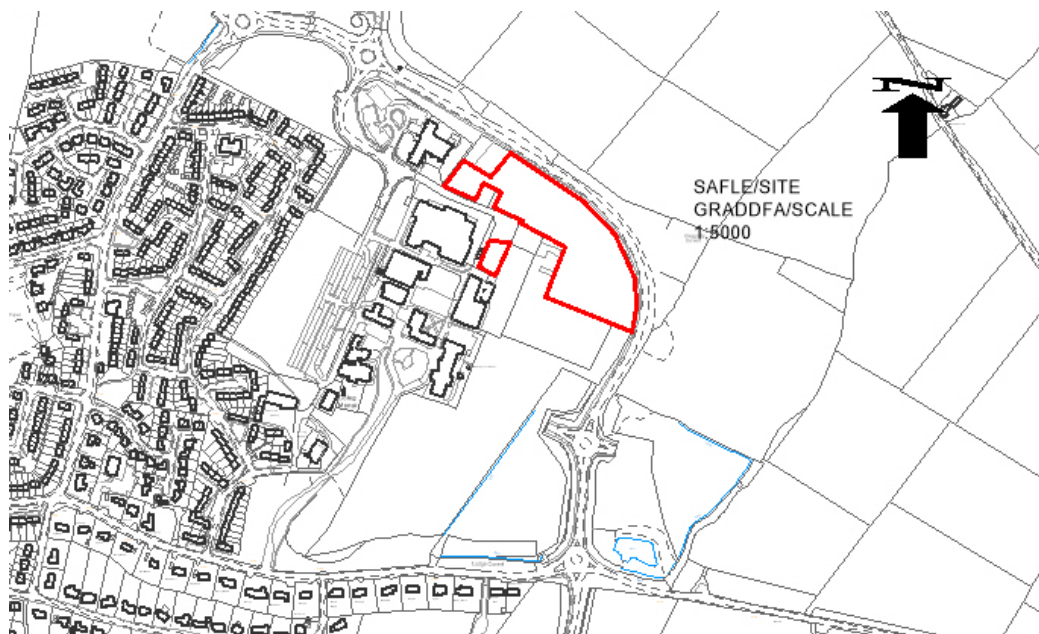
Rhif y Cais: **34C304Z/1/ECON** Application Number

Ymgeisydd Applicant

**Grwp Llandrillio-Menai**

**Cais llawn ar gyfer codi chwech o adeiladau, newid defnydd cae yn ardal hyfforddiant peiriannau trwm a chreu maes parcio newydd yn / Full application for the erection of six buildings, the change of use of field into a heavy plant training area together with the creation of a new car park at**

**Coleg Menai, Ffordd Y Coleg, Llangefni**



**Planning Committee: 04/07/2018**

**Report of Head of Regulation and Economic Development Service (MTD)**

**Recommendation:**

Site Visit

**Reason for Reporting to Committee:**

It is considered necessary for members to view the proposal and its context prior to considering the planning application.

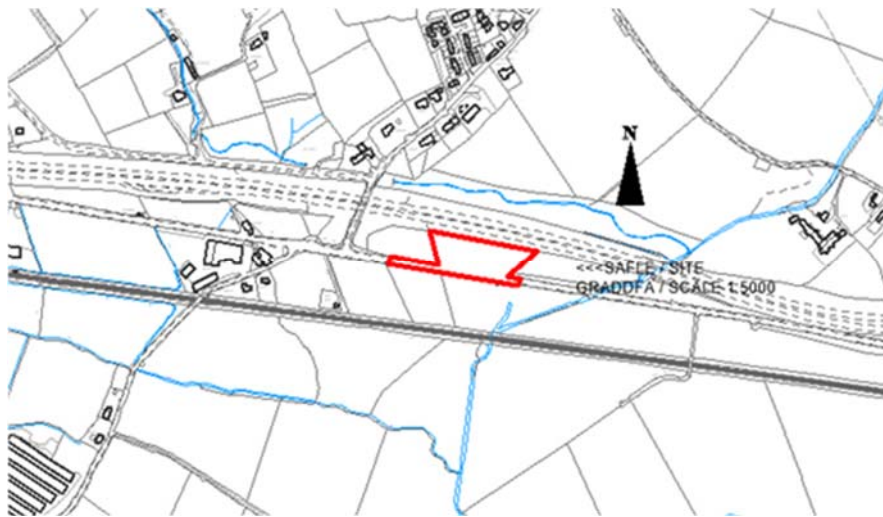
Rhif y Cais: **41LPA1041/FR/TR/CC** Application Number

Ymgeisydd Applicant

Cyngor Sir Ynys Môn

Cais llawn ar gyfer newid defnydd tir amaethyddol i'w ddefnyddio fel man stopio dros dro (10 llecyn) ar gyfer Sipsiwn a Theithwyr, creu mynedfa gerbydau newydd, ffurfio mynedfa newydd i gerddwyr a phafin ynghyd â datblygiadau cysylltiedig ar dir i'r Dwyrain o / Full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of

Star Crossroad, Star



**Planning Committee: 04/07/2018**

**Report of Head of Regulation and Economic Development Service (DFJ)**

**Recommendation:**

Defer

**Reason for Reporting to Committee:**

At its meeting held on 2<sup>nd</sup> May, 2018 the members decided to reject the officer recommendation of a site visit as a full report on the application was not provided. In view of this decision it is therefore recommended that the application is deferred in order to finalize the full report



7.1

Ceisiadau'n Economaidd

Economic Applications

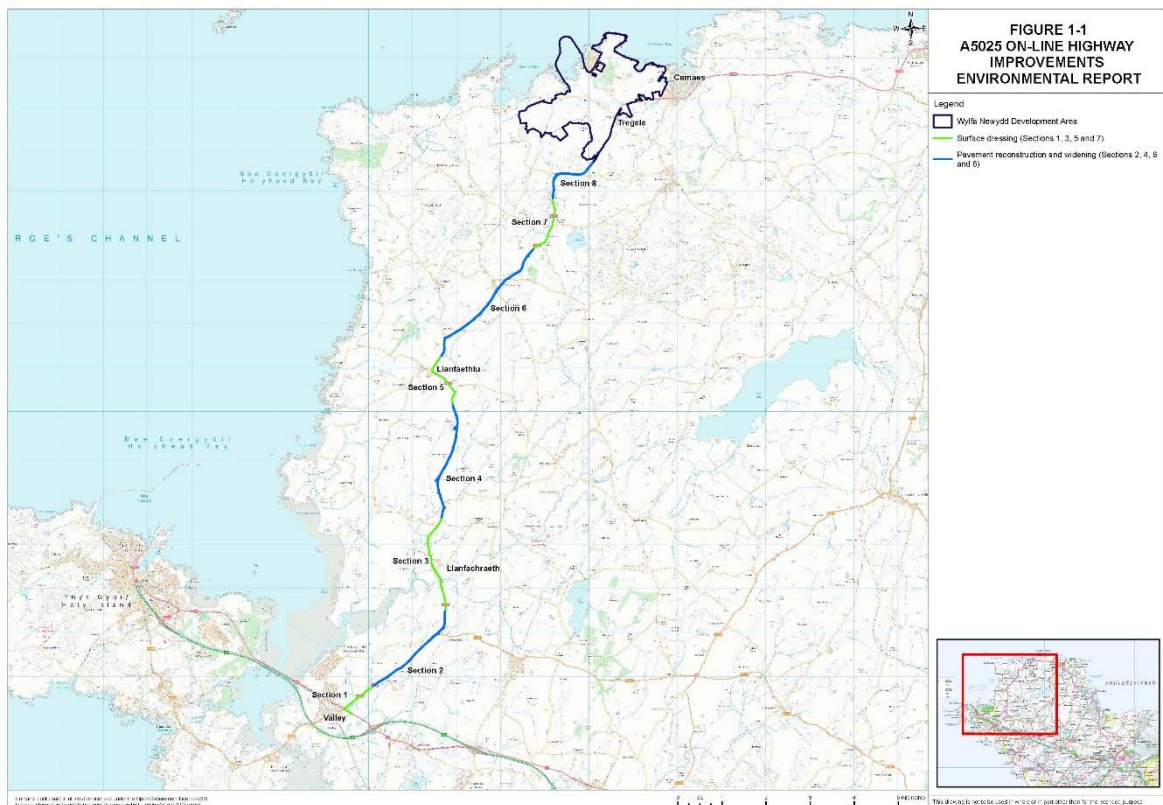
Rhif y Cais: **27C106E/FR/ECON** Application Number

Ymgeisydd Applicant

**Horizon Nuclear Power Wylfa Limited**

**Cais llawn i wella'r briffordd gyfredol (yr A5025) rhwng y gyffordd ar yr A5 i'r dwyrain o'r Fali i'r Gyffordd wrth y Ffordd Fynediad i'r Orsaf Bwer arfaethedig mewn wyth o leoliadau ar wahân ynghyd ag ailadeiladu a lledu'r pafin presennol a'r gorffenwaith ar yr arwynebedd mewn manau, gweithredu compownd adeiladu dros dro gan gynnwys cyfleuster dros dro ar gyfer ailgylchu pafinau, creu dau bwl teneuo a mynedfa ar gyfer cynnal a chadw, creu llwybrau beicio a gwyr rhai eraill am gyfnod dros dro, creu cyfleusterau parcio eraill yn sgil colli cilfan ynghyd â gwaith cysylltiedig arall gan gynnwys draenio, trin ffiniau, plannu, gosod arwyddion newydd a marciau ar hyd yr / Full application for improvements to the existing highway (A5025) between A5 East of Valley Junction to the proposed Power Station Access Road Junction at eight separate locations together with reconstruction and localised widening of existing pavement and surface dressing, temporary construction compound including temporary pavement recycling facility, creation of 2 attenuation ponds and maintenance access, creation/temporary diversion of cycle routes, creation of alternative parking facilities to mitigate loss of layby together with other associated works including drainage, boundary treatments, planting, new signage and road markings along the**

**A5025 rhwng y Gyffordd ar yr A5 i'r Dwyrain o'r Fali i'r Orsaf Bwer yng Nghemaes /A5025 between A5 East of Valley Junction to Power Station Cemaes**



**Planning Committee: 04/07/2018**

**Report of Head of Regulation and Economic Development Service (SWO)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

As the application includes land in ownership by the Isle of Anglesey County Council (IACC) it shall be referred to the Planning and Orders Committee for determination in accordance with the Council Constitution.

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

The proposal for Improvement Works to the existing A5025 highway (A5025 On-line) is a full planning application which is submitted by Horizon Nuclear Power Wylfa Limited (HNP).

The proposed A5025 On-line Highway Works application comprises approximately of 16.19km of highway between A5 East of Valley Junction to the proposed Power Station Access Road Junction at eight separate locations. These are identified as:

1. Section 1: A5 east of Valley junction to north of Valley Junction (A5/A5025)
2. Section 2: North of Valley Junction (A5/A5025) to north of Llanynghenedl
3. Section 3: North of Llanynghenedl to north of Llanfachraeth
4. Section 4: North of Llanfachraeth to south of Llanfaethlu
5. Section 5: South of Llanfaethlu to north of Llanfaethlu
6. Section 6: North of Llanfaethlu to north of Llanrhuddlad
7. Section 7: North of Llanrhuddlad to north of Cefn Coch
8. Section 8: North of Cefn Coch to proposed Power Station Access Road Junction.

### **Application description:**

Improvements to the existing A5025 between the A5 east of Valley Junction to the proposed Power Station access road Junction, to include reconstruction and localized widening of the existing pavement and application of a surface dressing. The proposals also comprise a temporary construction compound including a temporary pavement recycling facility, and other associated works such as drainage infrastructure, boundary treatments, planting, new signage and road markings.

The primary elements of the proposal are comprised as follows:

- (i) Reconstruction and localised widening of existing pavement and surface dressing.
- (ii) A temporary construction compound including temporary pavement recycling facilities.
- (iii) Creation of 2 attenuation ponds and maintenance access.
- (iv) Creation/temporary diversion of cycle routes.
- (v) Creation of alternative parking facilities to mitigate loss of layby together with other associated works including drainage.
- (vi) Boundary treatments, planting, new signage and road markings.

The proposed improvements seek to address physical and operational constraints on the stretch of the A5025 between Valley and the proposed Power Station Access Road Junction, south of Treglele.

The improvements are proposed in order to mitigate the predicted impacts of increased traffic associated with the construction and operation of the proposed Wylfa Newydd New Nuclear Build. It is considered that the A5025 Proposals will facilitate the wider Power Station construction whilst also providing much needed improvements to the existing highway.

The Wylfa Newydd New Nuclear Build will be determined by the Secretary of State (SoS), through a Development Consent Order (DCO). The A5025 Online improvements as proposed in this application, if

granted, will enable preliminary works to be undertaken ahead of any decision made by the SoS with respect to the DCO.

In addition to the form of application, land ownership certificates, application plans and drawings, the following information has been submitted in support of the application;

- Planning Statement
- Pre-application Consultation Report
- Environmental Report (ER)
- Code of Construction Practice (CoCP)
- Design Approach & Landscape Strategy
- Flood Consequences Assessment
- Glossary & Abbreviations
- Protected & Legally Controlled Species Compliance Report
- Rapid Health Impact Assessment (HIA)
- Screening Statement (to inform Habitat Regulations)
- Water Framework Directive Compliance Assessment
- Environmental Statement (and Non-Technical Summary)
- Welsh Language Impact Assessment (WLIA)
- Proposed Development Summary
- Design and Access Statement (DAS)
- Welsh Language Report
- Key Plans & Location Plans

Following the outcomes of the Environmental Impact Assessment (EIA) Scoping Opinion (December 2015) for the A5025 Highway Improvements it was accepted that an EIA would not be necessary for this proposal and subsequently was screened out of the application.

In addition to the WLIA submitted in support of the planning application, the applicant has produced a Welsh Language Pledge and a Welsh Language Policy and is currently developing a Welsh Language and Culture Mitigation and Enhancement Strategy.

In the event that planning permission is granted, the proposed works would take place starting as soon as possible, subject to any constraints (whether seasonal or imposed as part of any approval which may be forthcoming).

In the event that the DCO is not granted or the Wylfa Newydd Project does not proceed, the works undertaken will remain in situ and any works yet to be carried out will be completed in accordance with the terms of a Section 278 agreement of the Highways Act between the authority and the applicant.

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

Whilst studies undertaken by the applicant in 2010 - 2011 identified that the stretch of the A5025 between Valley and the proposed Power Station access road has physical and operational constraints in relation to the roads width, alignment, overtaking opportunity and surface condition, the scale and nature of the application will inevitably raise a wide and diverse range of issues. The main points are as follows:

- (i) Is there a Policy framework which supports the proposal.
- (ii) Does the proposed development constitute 'Sustainable Development'.
- (iii) Are there any specific environmental or technical constraints that would prevent the development of the highway taking place.
- (iv) What are the impacts on residential amenity
- (v) What are the transport implications on the highway network during the construction period.
- (vi) Will there be a change in landscape and visual amenity value as a result of the proposed works.

Following the 30-day publicity period, two residents raised objections to the proposal based on the impact to their private means of access at Section 8 (Cefn Coch) and can be summarised as follows:

- Visibility is the primary concern in this section, in particular for vehicles which have parked at the lay-by with oncoming traffic from the south. Visibility is also a concern for vehicles accessing the private means of access, in particular that of Ty'n Yr Odyn which is situated toward the north of

the section. The design approach for the proposed works include heightening the camber of the road to the south of the lay-by as well as introducing a super elevation on the bend toward the north of the section. This is an improvement to the existing situation and improves visibility, safety and drainage. This justification is consistent with that of the other parts of the highway. The local planning authority accepts that these measures have adequately addressed the visibility issue.

- There is concern that the speed of traffic is likely to increase following the completion of the improvement works. Residents are concerned that traffic is likely to travel at faster speeds as a result of the widening and improvements of the road surface and boundary treatments. In the DAS point 5.2.8 the applicant has considered whether the improvements should be designed to operate at existing speed limits or should be designed to a higher design speed. The applicant has confirmed that an assessment of the speed limits along the entire route has been undertaken. . As such, it is justified that a consistent speed limit throughout Section 8 is appropriate and adheres to the Design Manual for Roads and Bridges (DMRB) guidelines. The applicant has agreed to fund speed surveys along the entire route once all improvements have been carried out. The local planning authority accepts this as suitable justification for the concern raised regarding speed.
- The residents raised the issue of the proximity of the road improvements to the existing properties and subsequent loss of parking availability at the lay-by. The proposed works are an improvement from the existing situation and include resurfacing and new road markings making boundary definitions clear. As part of the necessary Compulsory Purchase Order (CPO) requirements for Private Means of Access (PMAs), the applicant is required to ensure access is possible in every location where the road works will be required to 'tie in' to the PMAs. As part of the initial section 61z consultation the applicant, local highways authority and local planning authority visited the residents in section 8 to ensure that their concerns were considered and addressed. The applicant, together with the local highway authority, believe the proposed works improve the existing situation of section 8 and, where possible, have sought to address the concerns raised of the residents.
- The impact on business trade with the reduced space for parking availability was raised. The existing lay-by does not afford parking provision for business use. Subsequently, it is not the responsibility of the Highways Authority nor the applicant to accommodate the parking of vehicles for the adjacent business premises. The responsibility of adequate parking facilities for the benefit of the business in question lies with the owner of the business. It is therefore, the opinion of the local planning authority that the proposal adequately accords with legislation and policy and has undertaken the necessary assessments and consultation with respect to this proposal. The Local Planning Authority does not believe any further measures are necessary.

The Highways Authority has been involved in the formulation of this scheme through their involvement in the design and pre-application discussions. Extensive dialogue between the applicant, Local Authority Highways department and the residents has resulted in the provision of measures to prevent impact on residents at section 8 through design and the provision of mitigation.

It is considered that the safety of residents will be improved as a result of the improvement works. The mitigation approach accords with the Institute of Environmental Management and Assessment guidance.

The visual amenity and boundary treatments will be equal to or an enhancement of that which currently exists. The applicant confirms the influence of the consultation process on the design of the scheme by stating that feedback received from public consultation has confirmed general support for the proposed A5025 On-line Highway Improvements and helped to improve aspects of the proposed construction process, footpath and cycle points and safe access from driveways onto the A5025.

The observations raised above have been taken into account by the Local Planning Authority who deem that any negative impact as a result of the works will be outweighed by the numerous benefits which are proposed as part of the proposal such as:

- A safer road in terms of surface dressing, visibility and road markings;
- Improved boundary treatments;
- Creating additional cycle routes.

### **3. Main Policies**

This section sets out the main planning policy framework relevant to the consideration of the application for the A5025 online highway proposals.

Whilst this development itself is not for the development of a nuclear generating station, the applicant justifies the proposal on the grounds that it will enable the early delivery of a new nuclear power station at Wylfa Newydd.

Section 38(6) of the Planning and Compulsory Act (2004) states that the statutory Development Plan will continue to be the starting point in the consideration of planning applications for the development or use of land. As such local planning authorities must determine planning applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise.

If the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan. Where there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision.

Emerging policies, in the form of draft policy statements and guidance, can be regarded as material planning considerations, depending on the context. Their existence may indicate that a relevant policy is under review; and the circumstances which have led to that review might have to be taken into account.

Local planning authorities may decide to grant planning permission for development which departs from a Development Plan if other material considerations indicate that it should proceed.

In the case of this application, the following policies are considered to be of most relevance;

#### **National Policy Statements for Energy Infrastructure**

Overarching Energy National Policy Statement (EN-1: Part 3)

National Policy Statement (EN-6) Nuclear Power Generation

#### **Planning Policy Wales: Edition 9 (2016)**

#### **Emerging Planning Policy Wales: Edition 10 (2018) (Draft)**

#### **Active Travel (Wales) Act 2013**

#### **Technical Advice Note 5: Nature Conservation & Planning (2009)**

#### **Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)**

#### **Technical Advice Note 11: Noise (1997)**

#### **Technical Advice Note 12: Design (2014)**

#### **Technical Advice Note 13: Tourism (1997)**

#### **Technical Advice Note 15: Development & Flood Risk (2004)**

#### **Technical Advice Note 16: Sport, Recreation & Open Space (2009)**

#### **Technical Advice Note 18: Transport (2007)**

#### **Technical Advice Note 20: Planning & The Welsh Language (2017)**

#### **Technical Advice Note 21: Waste (2014)**

#### **Technical Advice Note 23: Economic Development (2014)**

#### **Technical Advice Note 24: The Historic Environment (2017)**

**Wales Spatial Plan – People, Places, Futures (Welsh Assembly Government, update 2008)**

**Wales Transport Strategy – One Wales: Connecting the Nation**

**Emerging National Transport Plan 2015 (consultation document 2014)**

**North Wales Joint Local Transport Plan 2015 (JLTP)**

**North Wales Regional Transport Plan (2009)**

**Isle of Anglesey County Council Cycling Strategy (2014)**

**The Isle of Anglesey Single Integrated Plan 2013 – 2025**

**The Isle of Anglesey Area of Outstanding Natural Beauty (AONB) Management Plan Review (2015 - 2020)**

**Anglesey Destination Management Plan (2012-2016)**

**Main Policies from the Anglesey and Gwynedd Joint Local Development Plan (2011 – 2026) (JLDP)**

Policy PS 9 Wylfa Newydd and Related Development

Policy PS 19 Protecting and where Relevant Enhancing the Natural Environment

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character

Policy AMG 4 Coastal Protection

Policy AMG 5: Local Biodiversity Conservation

Policy AMG 6: Protecting Sites of Regional or Local Significance

Policy PS 20: Preserving and where Appropriate Preserving Heritage Assets

Policy AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

Policy AT 3: Locally or Regionally Significant Non-Designated Heritage Assets

Policy PS 5: Sustainable Development

Policy PS 1: Welsh Language and Culture

Policy ISA 2: Community Facilities

Policy PS 6: Mitigating and Adapting to Climate Change Impacts

Policy TRA 4: Managing Transport Impacts

Policy ISA 1 Infrastructure Provision

Policy PCYFF 4: Design and Landscaping

**Wylfa Newydd: Supplementary Planning Guidance (SPG) (2018)**

The latest version of the Wylfa Newydd SPG was adopted on the 15<sup>th</sup> May, 2018.

**Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment**

## **Supplementary Planning Guidance-Parking Standards (2008)**

## **Supplementary Planning Guidance- Planning and the Welsh Language (2007)**

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

The consultation period for professional/statutory consultees was issued on 12th December 2017 and allowed consultees 21 days to respond up to 2nd January 2018. A number of consultation responses have been received including responses outside the minimum statutory consultation period which have been taken into account.

Publicity measures were undertaken which included 220 individual letters of notification being distributed to all land / property owners including those where the Works will “tie-in” to their private means of access (PMA). Adverts have also been published in the press and notices posted along the A5025 from Valley to the Wylfa Newydd Site Access Road.

A public consultation period took place from the 20<sup>th</sup> December, 2017 to the 17th January, 2018. This allowed an additional 7 days to accommodate the Christmas period.

Following the close of the consultation period for statutory consultees on the 2<sup>nd</sup> January, 2018, officers continued to work through consultation responses received. Taking into account all of the issues and requests for clarification raised by statutory bodies and members of the public, as well as the issues and requests for further information and clarification raised by IACC’s own technical team, a decision was made to seek further information and clarification from the applicant. This request was made on the 9<sup>th</sup> of February, 2018. The detail requested was subsequently received on the 27<sup>th</sup> April, 2018 and a second round of consultation and publicity was commenced on the 9<sup>th</sup> of May, 2018 closing on the 30<sup>th</sup> of May, 2018 for statutory consultees and 31<sup>st</sup> of May, 2018 for the public.

To date, three letters have been received as a result of the original publicity of the proposal. Two letters specifically object to the proposal whilst the third raised queries with respect to a field access gate which the applicant has subsequently confirmed will not be impacted upon as a result of the works at this point in the highway. No objections were received following the second round of publicity. No representations have been received in support.

Responses to the statutory consultation procedures can be summarised as follows:

#### **Councillor Gwilym O Jones**

No response at the time of writing this report.

#### **Councillor John Griffith**

Response received but no observations made.

#### **Councillor Kenneth P Hughes**

No response at the time of writing this report.

#### **Councillor Llinos Medi Huws**

No response at the time of writing this report.

#### **Councillor Richard Dew**

No response at the time of writing this report.

#### **Mechell Community Council**

The Community Council does not have any objection and welcomes improvements to the A5025 between Valley and the Wylfa site. They realise delays will occur, but have concerns about increased traffic through Llanfechell. They are disappointed with the lack of information and timetable of the application consultation period being over Christmas, impacting on the Community Council’s work load and meetings.

The Community Council has previously stated their disappointment to the applicant regarding the timetable and lack of information.

The Local Planning Authority subsequently contacted Mechell Community Council in an effort to gauge precisely what their concerns were in terms of the lack of information and in an effort to establish precisely what information they believed was missing.

To date however, no response has been received to this request.

Following the receipt of additional information in response to the Authority's request the following was confirmed within the applicant's submissions;

(i) it is acknowledged that traffic delays are likely during the construction process, which are to be monitored and managed by the appointed contractor. As agreed in response to previous public consultation, the intention is to undertake the highway reconstruction works simultaneously within all four construction areas in Section 2, 4, 6 and 8 to reduce the overall duration of the works and impact on traffic.

(ii) The applicant engages regularly with the Community Councils to provide updates on the progress of the Wylfa Newydd Project and related planning applications. The applicant has also offered to attend at Community Council meetings to answer any questions on the proposed development to help inform their responses.

No response was received from Mechell Community Council following the re-consultation process at the time of writing this report.

#### **Cylch Y Garn Community Council**

No objections to the proposal. General comments were offered with respect to the stopping-up procedures and a request was made that any works compounds were restricted to normal working hours, particularly in proximity to residential properties.

No response received to re-consultation at the time of writing this report.

#### **Valley Community Council**

The Community Council raise the request that the disused bus shelter in Llanynghenedl be replaced with it being their intention to adopt the maintenance of the bus shelter once in place.

In relation to pedestrian and cyclists safety the Community Council suggested improved lighting around Junction 4 (Gorad Road) and the consideration of reducing speed limits.

It was also requested that access to Valley Cemetery must be maintained at all times and any disruption to the funeral director require adequate notice. It was also noted that the cemetery car park and water meter were not to be used by contractors.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that;

(i) Valley Community Council will be invited to select a preferred design for the bus shelter from a choice of standard IACC shelter designs.

(ii) The road safety audit undertaken has not identified an issue regarding the need for lighting at this junction. However the applicant will discuss the issue further with the Authority's Highways department.

(iii) The applicant would expect the IACC as the local highway authority, to be responsible for monitoring and enforcing vehicle speeds following completion of the A5025 On-line Highway Improvements. The Highway Authority and would be responsible for amending speed limits along the A5025 if deemed necessary.

(iv) The appointed contractor will not be permitted to obstruct the vehicular access to Valley Cemetery. The applicant would be content to secure this by means of an appropriate planning condition attached to any grant of planning permission.

(v) The appointed contractor will not be permitted to use the Valley Cemetery car park or the water supply.



As a result of the re-consultation process a second response was received from Valley Community Council dated the 20<sup>th</sup> May, 2018. In that response the members appreciated that comments previously submitted had been included within the revised proposals.

However, it was resolved to write once again requesting that consideration be given to reducing the speed limit from Llanynghenedl to Valley to 30mph (currently 40mph) in view of the need to cross the road from Gorad to access the cycle path and because of existing concerns raised by local businesses about speeding traffic along this road, particularly towards the Valley traffic lights.

In light of this request a copy of the Community Council's comments was forwarded to the Authority's Highways Department who have subsequently confirmed that it is proposed to review speed limits on the A5025 between Valley and Cemaes once the Wylfa Newydd improvement works have been carried out. This response has subsequently been forwarded onto the Community Council for information.

### **Llanfaethlu Community Council**

27<sup>th</sup> February - Community Council briefing session where the Community Council raised concern with respect to the fact that they hadn't received a response to the concerns expressed with respect to the A5025 proposal. Llanfaethlu confirmed that they had requested further detail from the IACC and a meeting to discuss their concerns.

5<sup>th</sup> March - IACC Highways and Highways Development Control department confirmed no concerns had been received or invitation to such a meeting.

6<sup>th</sup> March - IACC Local Planning Authority e-mailed Llanfaethlu's clerk in an effort to establish exactly what their concerns are.

7<sup>th</sup> March - Llanfaethlu responded stating that a letter was sent to the Highways Department but no response had been received. It was confirmed that Cllr Ken Hughes had made inquiries but no response was received. There was an invitation to attend the next Community Council meeting on 9<sup>th</sup> April.

15<sup>th</sup> March - The Planning Authority responded by thanking the Community Council for the invitation but confirmed the Local Planning Authority were not in a position to discuss issues relating to vehicle speeds along the A5025. A special meeting was being arranged for April 26<sup>th</sup> to discuss the DCO process, SPC and A5025 TCPAs with members of the Town Councils and Community representatives with an invitation included to Llanfaethlu Community Council.

No reply was received following the Town and Community Councils Forum which was held in the Council Chamber on the 26<sup>th</sup> of April, 2018 or as a result of the re-consultation process at the time of writing this report.

### **Llanfachraeth Community Council**

Response received with no objections.

Following the receipt of additional information from the applicant which resulted in a second round of consultation the Community Council response dated the 6<sup>th</sup> June, 2018 confirmed that their position of 'no objection' remained unchanged.

### **Natural Resources Wales**

NRW note the purpose of the proposal being mitigation to predicted impacts of increased traffic associated with proposal of Wylfa Newydd Power Station.

NRW advise that consideration should be given as to whether the proposal should be interpreted as part of the wider 'project' proposals, and thus whether assessment should be considering the cumulative, in-combination impacts.

NRW state that IACC would need to make a judgement on the correct approach in respect of the HRA and EIA and should take legal advice as it considers appropriate

NRW's requirements and conditions are outlined below:

Requirement 1 - Detailed plans of the balancing pond at CH.700 in Section 2, including positioning in relation to flood risk areas, and additional information on the impact/effectiveness of the pond at this location to be provided as part of the planning submission.

Condition 1: Environmental Management - Detailed Code of Construction Practice (CoCP) to be approved by the local authority, in consultation with NRW

Condition 2: Protected Sites - Biosecurity Risk Assessment / Management Plan to be approved by the local authority, in consultation with NRW

Condition 3: Protected Species - A scheme to minimise or prevent the incidental capture or killing of European species shall be submitted for the approval of the local planning authority in consultation with NRW. Implementation shall accord with the provisions of the approved scheme

Condition 4: Protected Species - Submission and implementation of an approved Ecological Compliance Audit scheme

Condition 5: Protected Species - Detailed Great crested newt (GCN) mitigation measures to be approved by the local authority in consultation with NRW

Condition 6: Protected Species - Detailed hedgerow translocation methodology to be approved by the local authority in consultation with NRW

Condition 7: Protected Species - Detailed otter mitigation measures, including Reasonable Avoidance Measures, to be approved by the local authority in consultation with NRW

Condition 8 Protected Species - Detailed water vole mitigation/compensation measures to be approved by the local authority in consultation with NRW. This to include post construction management and surveillance

Condition 9: Migratory Fish - Detailed measures to avoid impacts on migratory fish to be approved by the local authority, in consultation with NRW

Following the receipt of additional information in response to the Authority's request, which included a Flood Consequences Assessment Technical Note (13<sup>th</sup> April, 2018) it was confirmed within the applicant's submissions that;

(i) There is a clear need for the proposed development to improve the condition of the A5025 between Valley and Wylfa as summarised in the opening paragraphs of the application letter and in section 2.3 of the submitted Environmental Report and paragraphs 8.2.3 and 8.2.4 of the Planning Statement. Notwithstanding the need to bring the proposed development forward as a separate application, the assessment of cumulative effects presented in Chapter 15 of the submitted Environmental Report, has demonstrated that there are no significant impacts as a result of the development taking place cumulatively with other Wylfa Newydd Projects components (intra-project effects).

(ii) This issue was considered by IACC as part of the early EIA Screening exercise of the Proposed development and IACC confirmed in its Screening Opinion dated the 7<sup>th</sup> October, 2017, that the Proposed Development did not constitute EIA development (as set out in 3.2.10 of the submitted Environmental Report). The assessment of cumulative effects is nevertheless presented on a non-statutory basis in Chapter 15 of the Environmental Report.

As a result of the re-consultation process a second response was received from NRW on the 6<sup>th</sup> June, 2018 where it was re-iterated that IACC would need to make a judgement on the correct approach in respect of the HRA and EIA and should take legal advice as it considers appropriate. The response goes on to confirm that their previous requirements have now been met and that planning permission should only be granted subject to the inclusion of their 9 conditions which also formed part of their original response dated the 12<sup>th</sup> January, 2018.

On the matter of Flood Risk it can be confirmed that the additional assessment work undertaken by the applicants within the Flood Consequences Assessment Technical Note dated 13<sup>th</sup> April, 2018 was

considered acceptable in addressing any flood risk concerns associated with both balancing ponds at chainage 300.00 and 700.00 within Section 2 on the approach to Llanyngghenedl. The response goes on to state that the applicants should discuss any future maintenance and surface water discharge requirements with IACC's drainage engineers, as the Lead Local Flood Authority.

### **Dwr Cymru Welsh Water (DCWW)**

Welsh Water outlined their right of access to their apparatus at all times. On the basis that no foul and / or surface connections are being sought into the public sewerage system, Welsh Water have no comments on the proposed foul and surface water drainage arrangements.

Welsh Water provide technical advisory notes with supporting plans regarding water supply and conditions for development near water mains.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that;

(i) The locations of the majority of the foul water crossings are within the areas of surface dressing works only so are therefore considered not to be affected by the works. There is one foul water sewer crossing in Section 6, between junctions 17 and 18 in Llanrhyddlad. DCWW has been consulted on the proposal and has confirmed that there is no impact on any public sewers by the proposed improvements.

(ii) The applicant has been liaising with DCWW and their Developer Service has confirmed that the proposed A5025 On-line Highway Improvements do not impact on any public sewer, and therefore are not located within the protection zones of sewer crossings.

(iii) Should any unrecorded sewer be identified during the construction phase, the applicant will investigate and liaise with DCWW to confirm its status and implement any works that are necessary, should there be a conflict between the proposed works and uncharted sewers.

(iv) The applicant has liaised and agreed the diversion of DCWW apparatus as a consequence of the proposed A5025 On-line Highway Improvements and is content to receive an appropriate planning condition or informative on this point, to be attached to any grant of planning permission.

No further comments were received from DCWW as a result of the re-consultation process.

### **North Wales Fire & Rescue Service (NWFRS)**

NWFRS recognise there may be delays in emergency service response times as a result of the proposed development. It is proposed that the Construction Traffic Management Plan (CTMP) will include Temporary Traffic Management (TTM) procedures. The TTM allows emergency vehicles priority through roadworks. NWFRS wish to engage in the development of such procedures.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) It is acknowledged that traffic delays are likely during the construction process, to be monitored and managed by the appointed contractor in accordance with a CTMP to be prepared by the appointed contractor and submitted to the local planning authority for approval, in response to a planning condition attached to any grant of planning permission. Emergency vehicles would be given priority through the construction areas.

(ii) The appointed contractor will liaise and agree the proposed TTM procedures with the NWFRS. The procedures will then be incorporated as part of the CTMP, and submitted to the Local Planning Authority for approval in response to any appropriate planning condition attached to any grant of planning permission.

As a result of the re-consultation process a second response was received from the NWFRS dated the 29<sup>th</sup> May, 2018 where it was confirmed that the applicants response to matters raised in the NWFRS initial consultation response were noted and would address the points raised.

## **North Wales Police (NWP)**

NWP requests that should the need for enforcement of the temporary speed limits become a requirement, that provision within the temporary works is made for the siting of an enforcement vehicle. Following completion of the works and once operational, monitoring and assessment of vehicles' speeds should be undertaken. This will ensure a reduction in road safety does not occur and necessary measures can be undertaken including changes to speed limits and enforcement.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) There was potential for this requirement to be accommodated in construction areas upon request, in consultation with the appointed contractor, if required.

(ii) If enforcement measures were found to be required during construction works, the plan would be discussed with NWP.

(iii) The applicant would expect the IACC as the Local Highway Authority to be responsible for monitoring and enforcing vehicle speeds following completion of the A/5025 On-line Highway Improvements and would be responsible for amending speed limits along the A5025 if determined necessary.

As a result of the re-consultation process a second response was received from the NWP dated the 4<sup>th</sup> June, 2018 where it was confirmed that they had no further comments to make.

## **North Wales Wildlife Trust (NWWT)**

In general terms NWWT have no outstanding objection to the proposals, however do offer a number of conditions.

It is the view of NWWT that it is not premature to consider the current TCPA application given the conclusions of the Report to Inform Habitats Regulations Screening and that the likely in-combination analysis of the wider DCO will not be compromised by the determination of the current application.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) A 5 year maintenance plan has been included in the Design Access & Landscape Strategy (DALs).

(ii) The replacement stone walls will be constructed with a mortared core such that each face of the wall would be left un-mortared to incorporate natural crevices which could offer potential habitat for reptiles without affecting the long term integrity of the structure.

(iii) The appointed contractor would be responsible for preparing and implementing appropriate species surveys and methodologies as well as the Construction Environment Management Plan (CEMP) and the appointment of an Ecological Clerk of Works.

As a result of the re-consultation process a second response was received from the NWWT dated the 29<sup>th</sup> May, 2018 where it was confirmed that the majority of elements had been adequately addressed through condition ON-LAN-40 which had been suggested by the Authority although certain suggestions were offered with respect to how the undefined elements could also be captured within the conditions tabled. The response also states that the Local Planning Authority should take its lead on this matter from the advice of the statutory agency Natural Resources Wales.

Two elements of the DALs which remain of concern however are the drystone wall specification which has not been reflected in the updated DALs and the fact that wildflower grass seed should be sown on low fertility soils and not top soils. Both matters have been brought to the applicant's attention and are considered to be issues which can be adequately addressed through conditions.

## **Gwynedd Council**

The original response received had no observations to offer.

As a result of the re-consultation process a second response was received from Gwynedd Council as neighbouring Authority dated the 6<sup>th</sup> June, 2018 where it was again confirmed that they had no observations to offer in respect of the application.

### **Conwy Council**

No reply to original consultation

Following the receipt of additional information from the applicant which resulted in a second round of consultation, Conwy Council confirmed in their response dated the 22<sup>nd</sup> May, 2018 that they intended to make no comments on the application.

### **Wales & West Utilities**

Wales & West Utilities provided advisory notes with attached plans for information to the applicant.

Following the receipt of additional information from the applicant which resulted in a second round of consultation, Wales & West Utilities in their response dated the 14<sup>th</sup> May, 2018 stated that they had no apparatus in the area of enquiry, however other gas pipes owned by other gas transporters and also privately owned may be present in this area. It was suggested that information with regard to such pipes should be obtained from the owners.

### **Cadw**

Cadw have no objections to the impact of the proposed development on the scheduled monument AN083 Capel Soar Standing Stone and registered park and garden GD43 Carreglwyd.

No response was received from CADW following re-consultation at the time of writing this report.

### **Gwynedd Archaeological Planning Service (GAPS)**

In general, GAPS believe the Environmental Report accompanying the application contains sufficient information on the historic environment. Whilst concurring with the assessment of significance of effects on monuments, archaeological remains, historic buildings and landscape types along the course of the proposed road improvement works, the assessment of effects underestimates the impacts on potential (as yet undiscovered) archaeological remains and deposits.

GAPS state that detailed specification for the proposed works needs to be agreed in advance of undertaking any mitigation and this should be agreed through a condition on any consent the Local Planning Authority might be minded to grant.

Two conditions are proposed:

1. No development or other ground disturbing works shall commence until a Written Scheme of Investigation (WSI) for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. All subsequent archaeological work shall be completed in strict accordance with the approved details.
2. A detailed report on the archaeological work and findings, as required by condition no.1, shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork or completion of the development, whichever is the sooner.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that;

(i) The proposed re-alignment works close to Asset 129, Rhos y Gaer are located within the vicinity of Asset 370 (line of former field boundary). As referred to in paragraph 13.5.1 of the Environmental Report, this area close to asset 370 had already been identified for an archaeological watching brief to be carried out during the works, which aligns with the advice provided by GAPS.

(ii) Proposed improvement works in the vicinity of Asset 287 (Hilltop enclosure west of Bwlch): Based on the General Arrangement drawing the works comprise surface dressing of the existing carriageway in this

section with no ground excavations and as such there would be no impact on any remains associated with this asset. Therefore, there is no need for mitigation measures in this area.

(iii) The recording of sections of field boundaries to be removed is small scale work. This could be done in advance of construction or during construction as part of a watching brief.

As a result of the re-consultation process a second response was received from GAPS dated the 25<sup>th</sup> May, 2018 which confirmed that they were happy with the fact that the issues were being taken into account as part of the proposed archaeological mitigation and that the detail would be agreed through the submission of a Written Scheme of Investigation.

### **Cultural Heritage**

In general there were no mitigation requirements with respect to historic buildings as the effects which are identified take place during construction only, and are indirect and minor (with respect to listed buildings)

In terms of the Historic Landscape the proposed Level 2 Landscape Survey appears to be sufficient and appropriate. If consent is to be granted then condition should be imposed to require the replanting of hedgerows to replace those lost to development. Additional hedgerow planting, in place of removed post and wire fencing would deliver enhancement. Greater clarity is required over the proposals to translocate hedgerows, particularly the phrase 'where possible'.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that;

(i) Additional text has been added to the DALs in paragraph 2.1.5 to expand on the proposals for translocated hedgerows. Generally, hedgerows would be inspected prior to site clearance by the appointed contractor and overseeing party (ecologist, environmental clerk, or works or arboriculturalist). Hedgerows would be chosen for translocation based on criteria such as species richness, density or intactness. Where hedgerows have gaps or plants have been aggressively cut back, it would be of greater benefit to plant new hedgerows along the highway boundary. New post and wire fencing will be provided behind translocated hedgerows for livestock control.

Following re-consultation the Authority's Technical Consultants responded on the 25<sup>th</sup> May, 2018, whereby it was confirmed that:

(i) It has been confirmed in paragraph 13.4.20 of the Environmental Report (ER) that there would be 19 sections of important hedgerows removed. Further clarification has also been received which confirms that this will involve the total loss of 1.6km of hedgerow which is important under heritage criteria.

(ii) Overall there will be 4km of replacement field boundaries (including hedgerows, stone walls and cloddiau). Overall this supports the conclusions of the ER that the historic landscape will be retained, with loss of field boundaries limited to sections immediately alongside the road and with replacement.

(iii) The revised DALs (Paras 2.1.5-2.1.7) provides some additional information on the proposed approach to the translocation or replacement of hedgerows and this appears to be appropriate.

(iv) The additional information has resolved a slight discrepancy over the number of 'important' hedgerows which would be affected, and provided clarity over the extent and location of 'important' hedgerow loss. The response confirms that overall, the proposed mitigation appears to be acceptable.

### **Welsh Government (Highways)**

Welsh Government as Highway Authority for the A55 trunk road did not issue a direction in respect of this application at the time of original submission.

Following the receipt of additional information from the applicant which resulted in a second round of consultation, the Welsh Government's Department for Economy and Infrastructure in their response dated 11<sup>th</sup> May, 2018 directed that any permission granted by the Authority should include the following condition;

*1. The applicant must ensure that the above works are completed prior to works commencing on the Wylfa Newydd Site.*

*Reason: To maintain the safety and free flow of trunk road traffic.*

In light of the fact that the re-consultation process was undertaken as a result of additional information and clarification received from the applicant in support of the application rather than any fundamental change in the nature of the proposal, the Authority sought further clarification from the Welsh Government (Highways) which provides justification for their latest direction.

In a response which was received on the 8<sup>th</sup> June, 2018 it was stated that the reason for the change in response was due to the concerns they had that if the A5025 improvements were not completed in time, there would be a risk that this may not become the main strategic route to the Wylfa site, and alternative routes using other junctions on the A55 may be used by site traffic, especially those near Britannia Bridge.

Whilst this condition could be considered for inclusion as part of the DCO requirements in the event that that the On-Line Highway Improvements were yet to be carried out/completed, it is not considered to be a condition which complies with the relevant tests laid out within Circular 016/2014 'The Use of Conditions on Planning Permissions' for inclusion within any permission which might be granted as part of the current application.

#### **Ministry of Defence (Safeguarding)**

No response at the time of writing this report.

#### **National Grid (Plant Protection Team)**

No response at the time of writing this report.

#### **National Trust**

Response received with no observations.

No response following re-consultation at the time of writing this report.

#### **Openreach**

No response at the time of writing this report.

#### **Royal Society for the Protection of Birds**

No response at the time of writing this report.

#### **Scottish Power Energy Networks**

No response at the time of writing this report.

#### **Sustrans (Cymru)**

Sustrans state that all new highway improvements take into account the requirements of the Active Travel (Wales) Act and its associated guidance.

IACC Highways department confirm that the Active Travel (Wales) Act has been considered in the design of the scheme.

#### **Tourism Partnership North Wales**

No response at the time of writing this report.

#### **Joint Planning Policy Unit**

Strategic Policy TRA 4 Sustainable transport, development and accessibility promotes proposals that maximise accessibility for all modes of transport, but particularly by foot, cycle and public transport. It clarifies that the Councils will require appropriate transport infrastructure elements to be delivered as part of major infrastructure development schemes either in kind or through section 106 obligations. It sets the

framework to allocate or safeguard land where appropriate to facilitate the key strategic transport schemes.

Policy TRA 1 sets out the parameters to consider improvements to the existing transport network. In recognition of pre-application discussions with Horizon the Policy recognises the need to develop an appropriate scheme of transport solutions to mitigate the effects of the construction and operation of the new power station. Part 4 of the Policy safeguards land that would contribute to one of the transport solutions.

Criterion 3 of Policy PS 9 sets out the need for “Highways and transport proposals for the Wylfa Newydd Project form part of the integrated traffic and transport strategy that has regard to Strategic Policy PS 4 and any relevant detailed Policies in the Plan and minimises adverse transport impacts to an acceptable level, including those arising during the construction, operation and decommissioning stages, and any restoration stages. Proposals should, where feasible, make a positive contribution to transportation policy objectives in the locality, and should include multi-modal solutions and investment that encourages travel by public transport, walking and cycling and other sustainable forms of transport.”

Responses to the consultation from specialist officers within the Council and its partners will determine whether any other criteria in Policy PS 9 apply and which development management policies are relevant to the proposal.

No additional comments were presented by the Joint Planning Policy Unit following re-consultation at the time of writing this report.

#### **Office for Nuclear Regulation (ONR)**

ONR do not advise against the development.

Following re-consultation the ONR confirmed that their position remained unchanged.

#### **IACC - Highways and Transport**

General comments offered by the Highways and Transport department are as follows:

- Further to the on-going discussions held between the IACC and the applicant, the resurfacing specification is to be agreed with the IACC prior to commencement of works.
- The surface dressing specification is to be agreed with the IACC prior to commencement of works.
- The extent of preparatory pre-surface dressing carriageway patching is to be agreed with IACC prior to commencement of works.
- The applicant shall be advised to apply in writing to the Head of Service for Highways, Waste and Property for the necessary consent, as required under Section 278 of the Highways Act 1980 to carry out work within the highway.
- All signage and road markings to be agreed with the IACC prior to commencement of works.
- Any highway to be stopped-up as part of this development shall be dealt with by the Local Authority under Section 247 of the Town and Country Planning Act 1990.

Further commentary was provided on the content of specific documents submitted as part of the application.

A full response was awaited at the time of writing this report. A verbal update will be provided to the Members of the Planning Committee.

#### **IACC - Countryside and AONB**

Comments are provided on review of the landscape and visual amenity response:



- In relation to bus shelters it is suggested that high quality, well designed bus shelters are required. Anglesey tends to have a mix of poor quality bus shelter designs. Bus shelters at Llanfair PG's Park and Share should be considered, for their visual appeal, quality materials and good design for rural setting.
- In relation to boundary treatments it is suggested that hedgerows will improve bio-diversity connectivity.
- In relation to the existing cloddiau it is suggested that continuous section of cloddiau would improve landscape features as well as providing habitat for flora and fauna.
- In relation to condition 4 relating to temporary office cabins it is suggested to reduce light pollution (dawn, dusk and night) external lighting.
- In general terms, the applicant should provide greater certainty in terms of landscape and amenity proposals.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) Valley Community Council will be invited to select a preferred design of bus shelter from a choice of standard IACC designs

(ii) The proposed widening of the A5025 in Section 2 includes the widening of verges either side of the existing private means of access (PMA) The verges will be extended to a maximum width of 6m on the inside of the bend to improve the visibility from the PMA and the two field accesses in this location. The junction improvements include the replacement of existing stone walls with mortared stone walls to be set back from the edge of the highway to maintain visibility splays for road safety purposes. This boundary treatment is preferred to the introduction of hedgerow which may impede the sight lines with overgrown vegetation within the visibility splay

(iii) In discussion with IACC, the landscape proposals have now been amended to provide a hedgerow in the place of the previously proposed mortared stone wall along the western boundary of the new section of highway at Bytheicws to tie-in with existing features

(iv) The proposed widening along Section 6 of the A5025 involves the construction of mortared stone walls which will be set back from the edge of the carriageway to provide sufficient visibility splays at the PMA junction. The boundary treatment is preferred to the use of cloddiau which could impede sight lines with overgrown vegetation. With regards to the regional provenance of plant stock Horizon are currently discussing the potential to gather local seed for the wide Wylfa Newydd Project whilst also limiting plant stock suppliers to north-west wales for the current proposal.

(v) Regarding the cabins within the Site Compound, the applicant seeks flexibility in terms of the potential to use double height cabins rather than being limited to single storey structures. The appointed contractor will also be required to prepare a Lighting Strategy for incorporation within the CEMP

No response was received from the Countryside and AONB Section following re-consultation with the applicants' additional information.

### **IACC - Ecology and Environment**

While referring to protected and legally controlled species, constituting: crested newts; otters; water vole; reptiles; birds; badgers; and fish, it is advised that the various proposed strategies outlined in the documentation are implemented. These strategies include the provision of an ecological clerk of works, protected species licenses, and construction method statements, while also requesting that these should be specified and agreed prior to works beginning by way of planning conditions.

It is also advised that an Invasive Species Control and Eradication Plan be conditioned either as part of the Construction Environmental Management Plan or as a standalone document.

It is advised that the planting of trees, shrubs, various grass seed mixes, the translocation of existing hedges (with infilling of new native planting for greater diversity), and other ecological aspects covered in the Design Approach and Landscape Strategy (and associated Figures) be carried out as given in the Strategy.

In view of the Habitat Regulation Screening it appears that the proposal would not be likely to have any significant impacts on Natura 2000 sites, and therefore it is advised that (unless significant argument(s) for

undertaking Appropriate Assessment are raised, for example, by NRW), this proposal should be deemed to be screened out on the basis of the material provided.

It is requested that the Code of Construction Practice (CoCP) be followed, however serious consideration should be given as to whether all the required ecological construction method statements in CEMPs should be provided by contractors, or whether this should be achieved by the applicant at an earlier stage.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that;

(i) The appointed contractor would be required to prepare the CEMP which would incorporate Construction Method Statements, Invasive Species Control and Eradication Plans.

(ii) The contractor would be required to appoint an Ecological Clerk of Works who would be responsible for the preparation and submission of protected species licence applications.

(iii) The appointed contractor would be required to implement the A5025 On-line Highway Improvements in accordance with the approved DALs in response to an appropriate planning condition attached to any grant of planning permission.

As a result of the re-consultation process a second response was received from the Ecological and Environmental Advisor dated the 9<sup>th</sup> May, 2018 which offered general commentary with respect to minor matters relating to the additional information presented by the applicant. These comments have subsequently been forwarded to the applicants who have in turn confirmed that they have no objection to the requested detail being incorporated into suitably framed conditions.

### **IACC - Economic Development**

The Economic Development response provided by the Regeneration Function covers a combination of matters in relation to the socio-economic impacts of the project. Comments provided are outlined as follows:

- Land use – IACC in agreement with assessment of slight adverse impacts.
- Land access – Regeneration Function of IACC feel appropriate mitigation has been offered to address the issue.
- Economic activity and employment – IACC in agreement with assessment of employment impacts. IACC expect the applicant and its contractors to commit to the Employment and Skills Service and Supply Chain Service. IACC has asked for these to be piloted for the SPC and request it is replicated on the A5025 Online works. IACC wish to see use of local labour monitoring to understand proportion of Welsh speakers in the workforce and use of local labour.
- Tourism – IACC recognise temporary disruption to tourism and request work to be timed seasonally to minimise disruption. IACC would expect a tourism mitigation fund to address impacts on tourism businesses and facilities in line with proposed mitigation for other aspects of the WN project. To understand whether further mitigation is required to address unforeseen impacts, as a minimum IACC request the applicant to monitor impacts on businesses throughout the duration of the works and wider WN project.
- Other – IACC highlight the opportunity to install broadband/fibre ducting along the A5025 simultaneously with the improvement works. This would avoid further unnecessary disruption to the road network. IACC welcome further discussion on the matter. Reference is also made to opportunity for facilitation of mains gas, whilst recognising the associated practical challenges.
- Community severance – IACC believe the conclusion of community severance impacts is reasonable and propose mitigation in the form of social media/local radio updates. IACC expect similar provision of community benefits as with similar contracts (e.g. Llangefni Link road).
- Cumulative impacts
  - a) IACC require a business and community mitigation fund to address adverse impact on socio-economic receptors by combination of different topic impacts. (i.e. air quality, noise and vibration, traffic)
  - b) Intra project impacts – IACC welcome positive effects of employment but note displacement of labour and wage inflation.

- c) Inter project impacts – ES states potential impact on tourism businesses and visitors. IACC see this as further justification for tourism fund and monitoring measures addressing issues as they arise.
- Employment and investment – IACC highlight potential displacement of labour.
- Economic impact assessment and Skills and employment plan – no standalone document presented but IACC note economic impacts assessed within the ES.
- IACC expect principles of draft skills and employment plan (produced by the applicant but not within application) to be applied to A5025 application.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) Temporary access arrangements and relevant signage to indicate that businesses are still operational during the construction works would be considered for inclusion as part of the CTMP, to be prepared and implemented by the appointed contractor. The proposed measures would be agreed in consultation with the IACC.

(ii) The appointed contractor would be required to appoint a Community Liaison Officer, who must be a Welsh speaker, to communicate with local residents and businesses throughout the construction stage. This would ensure that any issues of concern raised during the construction works are managed and coordinated through a single point of contact and managed proactively with local stakeholders by communicating early regarding construction activities.

(iii) Local employment is a key priority of the Framework Contract for Highways Construction, which requires the appointed contractor to adhere to the applicant's Supply Chain Charter and to promote contract opportunities within Wales and the local area. This would include measures such as attendance at "Meet the Buyer Events" and advertising contractor and sub-contracting opportunities through a suitable internet-based platform. The majority of workers (assessed as 75%) would commute to the construction areas and Temporary Construction Compound on a daily basis from their homes based in the local area. For those workers who may want to stay close to site during the construction period, the appointed contractor would manage their accommodation as required, which is likely to be visitor accommodation, lodgings or short term private rented property, with workers returning to their homes at weekends.

(iv) Monitoring the use of local labour and the proportion of Welsh Speakers in the workforce would be considered for inclusion as part of the CEMP prepared and implemented by the appointed contractor.

(v) The proposed duration of the works is 66 weeks and it will not be practicable to time the works seasonally to reduce impacts in particular seasons. However, the appointed contractor would be responsible for implementing such requirements which would include any traffic embargos and special arrangements for events such as the annual Tour de Mon cycling sportive. Construction works would also not take place on bank holidays.

(vi) The scale and duration of the proposed construction works are not expected to present significant adverse effects on tourism. As stated previously the appointment of a Welsh speaking Community Liaison Officer will assist local residents and businesses throughout the construction stage to inform them of the timing and duration of the works and to ensure any issues related to traffic disruption are addressed.

(vii) On the matter of installing broadband/fibre ducts along the route the applicants' response confirms that the improvements have been designed to ensure that the surface and width of the road is appropriate for future traffic levels. The use of adjoining land for other proposals would be subject to other consenting provisions. In a similar vein, the provision of a gas supply along the route would also not be considered as part of the proposed development, particularly given the re-construction works are not continuous along the full length of the A5025.

(viii) The scale and duration of the works are not expected to present significant in-combination effects upon sensitive receptors, including residents and businesses. As agreed in response to previous consultation exercises the intention is to undertake the highway reconstruction works simultaneously within all four construction areas in sections 2, 4, 6 and 8 to reduce the overall duration of the works and impacts on traffic and associated environmental effects. The effects of the construction process will be monitored and managed by the appointed contractor, with regular liaison with local communities impacted by the works to ensure any issues arising are addressed efficiently. It is therefore not considered necessary to provide business and community mitigation funds, particularly given that once implemented,

the A5025 On-line Highway Improvements will be beneficial to the local area in terms of providing a high quality transport route, improving road safety and increasing accessibility.

(ix) IACC Highways- Major Projects (which is separate to Highways Consenting) and the applicant have established a Framework contract for Highways construction, which enables companies to become part of a 'pool' of potential contractors that can be approached directly by the IACC to bid for work, when required. Three of the four eligible contractors are based in north Wales. While it is not possible to guarantee the percentage of workers contracted from the local area it is highly likely that the contractors would appoint workers local to the proposed works, primarily to take advantage of the locally skilled workforce. Local employment is key priority of the Framework Contract for Highways Construction, which requires the appointed contractor to adhere the applicant's Supply Chain Charter and to promote contract opportunities within Wales and the local area.

Following the re-consultation process a response was received from the Authority's Regeneration Function which states that they look forward to undertaking further consultation as part of the preparation of the CEMP to address some of the issues outlined above.

- Regarding the Framework Contract, it is suggested that regular monitoring is required;
- Given the duration of works it is questioned whether there is an opportunity to minimise disruption during peak hours of the day;
- The appointment of a Welsh Community Officer is welcomed and will be reviewed;
- It is not considered that the applicant's response to the issue of Tourism as a 'standalone' item has been adequately addressed and requires further discussion;
- It is expected that the applicant share their Communications Plan and maintain dialogue with the Authority throughout construction;
- It is acknowledged that the works once completed will provide a lasting benefit to the area however potential still exists for businesses to suffer harm during construction and it is therefore imperative that further dialogue is held on this issue;
- It is considered that continued monitoring and reporting in any instances of displacement are managed;
- The Framework Contract for Highways Construction is welcomed as a positive step for local employment opportunities however it is again imperative that regular monitoring and reporting is undertaken in an effort to maximise upon the opportunities on offer.

### **IACC - Education**

The Education Department reiterated points made in previous iterations of the consultation process (i.e. PAC 3). These include reference to effects of:

- Dust, noise and traffic on Ysgol Rhyd y Llan;
- School start and end times should be avoided by construction traffic to avoid impact on school transport routes for the whole area; and in particular the increased dangers for pupils on foot who must cross the main road to the school or to reach their bus stop;
- Effect of dust, noise and vibration on pupils at Ysgol Cemaes. It was noted in the applicant's PAC 3 documentation that effects of dust, noise and vibration on the school were deemed 'moderate to severe' at the time. The Education Department expect HNP to provide mitigation against any predicted impact on vulnerable young children both within the school building and particularly during breaks and lunchtimes within this current application.

The scoping exercise carried out by the applicant concluded that an air quality assessment associated with construction road traffic emissions was unnecessary as the potential effect on local air quality would be negligible.

The proposed works have had thorough consideration for the impact on air quality in the context of relevant adopted planning policy as well as technical guidance. In particular PPW Edition 9 where reducing dust emissions is an important objective.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) As identified in the ER, the Rhyd y Llan school was included as one of the sensitive receptors considered in the dust assessment. This identified that the school and the adjacent residential users would have a high sensitivity to dust impacts. The proposed works for Section 5 involving surface

dressing, which would result in a low level of dust emission. As a result of this, it has been concluded that the risk is causing dust effects on human health is low. As a consequence, no additional mitigation to that already included in the CoCP for the control of dust is required.

(ii) The effects of the noise levels are taken into account in the Environmental report, where the villages adjacent to the scheme have been considered as receptors, rather than individual residential, community and business users. The village of Llanfaethlu is considered to be a sensitive receptor to noise, which would include the school. The proposed surface dressing works have been assumed to be undertaken relatively quickly where 300m sections would be able to be completed daily. In the submitted ER it has been assumed that receptors located within 10m of the road are predicted to be exposed to noise levels exceeding 80- dB LAeqT. As the school is more than 10m from the A5025, the noise levels would be much lower. Furthermore, given the assumed rate of the works, such noise levels are likely to be received by receptors for a very short duration of a few hours. Low noise road surfacing will be used to reduce the effects associated with traffic flows and provide noise reduction benefits. No additional mitigation to that already included in the CoCP for construction noise reduction measures is required.

(iii) The effect on traffic flows in the vicinity of the school has been assessed in ER. For sections where the works involves surface dressing, such as section 5, the construction traffic flows have been considered to have be insignificant. The mitigation for any impacts from traffic will be in the form of the management of the construction areas along the highway during the A5025 On-line Highway Improvements, along with traffic management systems and communication with residents along the route. All of these measures would form essential elements of the CTMP to be prepared and implemented by the appointed contractors and agreed with the IACC in response to a planning condition attached to any grant of planning permission.

(iv) In order to minimise and mitigate the impacts of HGV and bus traffic on existing flows and recreational cyclists, a delivery window on the A5025 for the construction materials has been identified with restrictions during school tart and end times and 07:00 – 13:00 on Saturdays, in advance of the A5025 On-line Highway Improvements being operational. It is anticipated that deliveries may occasionally be undertaken outside of these times, but they will be limited whenever practicable. The appointed contractor will be required to operate deliveries in accordance with the requirements set out in the submitted CoCP.

Following the re-consultation process no additional comments were received from the Education Department.

### **IACC - Emergency Planning**

No response at the time of writing this report.

### **IACC - Environmental Health**

It is considered that information, assessment and methodology of the proposals are sufficient and meet the required policies and standards. In agreement with the conclusions of the assessed environmental impact. Recognition is given to the intra and inter development complexities and the cumulative effects of the proposal in the wider development proposals.

Expected that the applicant will capture and mitigate against noise, vibration, air quality, artificial light, soil contamination, and odour and water issues through the CoCP.

Further mitigation strategies and CEMP's to be supported by additional site-specific management plans.

IACC welcome opportunity to assist with on-site noise and vibration monitoring to be implemented as soon as possible, emphasising long-term monitoring to be web-based and publicly available. Would also wish to be part of any community liaison committee proposed by the applicant.

Adoption of the Section 61 Prior Consent agreements made under the Control of Pollution Act 1974 application process between the applicant and IACC, must afford protection and mitigation for residents and communities bordering the site boundaries.

Progression of development along the A5025 could result in varying degrees of magnitude which requires continuous monitoring.

Timings of all associated traffic should not impact on school arrival and departure routes between 8:00-9:00 and 15:00-16:00 weekdays.

Following the receipt of additional information from the applicant which resulted in a second round of consultation the Environmental Health Department in their response dated the 10<sup>th</sup> May, 2018 confirmed that the applicant had sufficiently addressed the points and comments initially raised provided that the applicant adhere to the controlling mechanisms within the application; namely the Code of Construction Practice, the Contractor Environmental management plans and the formal adoption of the Section 61 Prior Consent agreements made under the Control of Pollution Act 1974 application process between the applicant and the Authority.

### **IACC - Footpaths**

The IACC Footpaths Officer is in agreement with proposals for the Public Rights of Way.

No response following re-consultation at the time of writing this report.

### **IACC - Technical Section (Drainage)**

The proposed highway improvement works are partially located in areas served by public sewer systems and this application should therefore be forwarded to the sewerage undertakers, for their consideration and comment.

Greater detail of intended disposal of surface water is required.

The surface water management and land drainage philosophy as detailed in the supporting documentation, appears to be satisfactory in principle.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) The applicant has consulted with DCWW regarding the implications of the proposed A5025 On-line Highway Improvements on existing public sewers.

(ii) There would be no change to catchment areas as a result of the A5025 On-line Highway Improvements, with only a slight increase in impermeable area which will be mitigated by implementing either an extension or enhancement to the existing drainage provision or filter drains, or strips where appropriate. These details will be designed by the appointed contractor and submitted to IACC for approval, in response to a planning condition attached to any grant of planning permission.

(iii) Details relating to culvert design and construction will be provided by the appointed contractor once on site and the culverts exposed. These details would then be submitted to IACC for approval in response to a planning condition attached to any grant of planning permission.

(iv) The appointed contractor will undertake further investigation work to confirm ground water levels to inform the final design for the pond construction.

(v) Additional topographical survey information will be undertaken to finalise the shape and depths of each attenuation pond and confirm their position and invert levels into adjacent watercourses. Horizon is content to receive a appropriate planning condition on this point

(vi) All required details will be prepared and presented to the local planning authority for approval prior to the commencement of any drainage elated development in response to a planning condition attached to any grant of planning permission. This includes ground investigations into either an infiltration design or attenuation system required to serve the new parking area at Bryn Tirion Terrace in Section 4.

As a result of the re-consultation process a second response was received from the Technical Section dated 8<sup>th</sup> of June, 2018 which confirmed that there was no objection to the proposals in principle. However, there were still certain aspects of the scheme which required further clarification at this juncture: namely;

- The connectivity of the new road gully and drainage network at chainage 900.00 and;

- The percolation value of the ground in the vicinity of the soakaway intended to serve the parking area at Bryn Tirion Terrace.

These matters will be reported verbally at committee in the event that the requested details have not been presented to the local planning authority in sufficient time for consideration and analysis as part of this report.

#### **IACC - Destination**

No response at the time of writing this report.

#### **IACC - Housing Service**

No reference is made to the possible impact on housing within the immediate area identified within the proposal.

No assessment / information has been presented with regards to the impact on housing. It is stated that 'up to 125 construction workers being present for 70 weeks' and proposes that 'a high proportion of the construction workers to be employed from the local area,'. If this is not achieved workers would be expected to travel from outside the area and would require accommodation during the construction stage within the immediate area. No mitigation measures are proposed to deal with this risk. The Rapid Health Impact Assessment does not consider housing as part of the proposed development.

As no impact assessment has been carried out and the no mitigation measures have been presented to deal with displacement of local families should there be a need to accommodate workers from outside the immediate area. It is not set out what the impacts would be should 125 workers need accommodation within the area. The application should include an assessment of how contractors will be accommodated within the area.

Proportion of the workers would be expected to be housed within the area if they area outside the immediate area with a threshold agreed should local families become displaced and additional burden placed on Housing Services due to homelessness.

A suggestion for monitoring and mitigation measures was also put forward (to be included within any Section 106 agreement) should local residents become displaced due to workers moving into the private rented sector during the construction stage.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that;

(i) Following the best practice approach set out in the Homes & Communities Agency Additionality Guide which has informed the socio-economic assessment for the Proposed Development, 75% of the workers are expected to be employed from within the Daily Construction Commuting Zone (DCCZ). The remaining 25% are likely to live outside of the DCCZ, who may stay on Anglesey for part of the construction period

(ii) If there was increase in the 25% proportion of workers living outside of the local area, this would not have a significant impact upon housing supply with sufficient capacity within the existing supply of visitor accommodation and private rented housing stock to accommodate 31+workers on a short term basis

(iii) The displacement of local families to accommodate construction workers is considered extremely unlikely for the reasons set out above.

No response was received from Housing Services following re-consultation.

#### **IACC - Minerals and Waste**

Proposals are in accordance with relevant policy and it is recommended that both the submission of Materials Management Plan and Waste Management Plan documents are requested as part of a pre-commencement condition.

The development of a temporary construction compound including a temporary pavement recycling facility is welcomed. However, as commented in the Waste and Minerals Oversight Group meeting (WaMOG) dated 18th May 2017, the compound appeared confined and somewhat unpractical considering the

tonnages, equipment and machinery required for operation. Although some amendments were made to the original compound footprint, further concerns were voiced in the WaMOG of the 7th December 2017.

The importation of material for the development is not considered a significant impact on the local/regional infrastructure.

In relation to waste of onsite material and site-won recycled material, it is assumed that a decision and/or plan together with the appointment of a contractor dealing with waste will follow permission, if granted. Should the waste from the development be destined to landfill, inert landfill capacity locally is problematic and could prove difficult, notwithstanding the main project in its entirety.

The North Wales Minerals and Waste Service are in agreement with the methodology and outcomes with the proposal as a standalone application, but not if inter/intra project cumulative effects need to be considered.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) The appointed contractor will be required to produce a CEMP, which will incorporate the preparation of a Materials Management Plan and a Site Waste Management Plan, in accordance with the principles set out in the CoCP. The CEMP will be submitted to IACC for approval prior to the commencement of works, in response to an appropriate planning condition attached to any grant of planning permission.

(ii) Once the contractor has been appointed, the layout of the Temporary Construction Compound will be further developed in liaison with IACC Highways, to be included in the CEMP. This will be submitted to the Local Planning Authority for approval, in response to a condition attached to any grant of planning permission.

(iii) The 52,480 tonnes of waste stated in the waste arisings summary includes approximately 33,000 tonnes of bituminous material with an assumption that 95% of this material will be re-cycled and used as part of the highway re-construction works. The appointed contractor will be required to prepare and adopt a Site Management Waste Plan (as part of the CEMP) to deal with the waste arisings, in accordance with the principles set out in the submitted CoCP. Discussions with the prospective contractor will be carried out prior to appointment in all aspects of the construction works including waste management, to ensure a strategy is developed early in the process.

(iv) The contractor will be responsible for identifying an appropriate landfill site (or sites) with sufficient capacity to receive the inert waste generated by the proposed development. The site(s) would be selected on Anglesey if possible, or across a wider catchment within the north Wales region, as appropriate.

(v) The principles of the Site waste management Plan set out in the submitted CoCP, align with those of the overall Wylfa Newydd Project CoCP, to ensure the approaches to waste management are compatible.

(vi) Documents relating to the waste mass balance document are confirmed as issues which will be considered by the applicants in response to a requirement attached to the Development Consent (subject to its granting).

As a result of the re-consultation process a second response was received from the North Wales Mineral and Waste Planning Service dated 7<sup>th</sup> of June, 2018 which expressed concern with the fact that there is limited capacity within the North West to accommodate the 52,840 tonnes of inert waste. The Service however confirmed that it was confident that there was sufficient aggregate available regionally to service the development. On the matter of the 'Site Waste Management Plan' and 'Materials Management Plan' the Service has requested that any conditions drafted and attached to the permission are framed such that the details are presented to the local planning authority within an appropriate time scale rather than prior to the commencement of works on site. This would allow sufficient opportunity for all parties to establish whether there is sufficient capacity to control the waste which is associated with the development without adversely impacting upon the current local market.

A copy of these comments has been forwarded onto the applicant for their information. A verbal update will be provided to the members at committee in the event that a response may not have been received from the applicants beforehand.



## **IACC - Landscape and Visual Amenity**

Primary points can be summarised as follows:

- No assessment on the impacts or in-combination effects between both applications. (A5025 and SPC).
- Clarification on the timing of the works required.
- Assessment on the condition of existing footpaths.
- Signage should be implemented for crossing points following a speed survey of the highway.
- Continuity of field boundaries (four locations).
- Local provenance should be collected for local seed.
- No indication of translocation of hedgerows.
- The maintenance period should be 5 years.
- No detail on hard landscaping.

Additional information and assessments requested include:

1. Detailed survey of the existing landscape components - stone walls, cloddiau, etc and all footpath routes, surfacing and means of access, including gates, styles, etc. where these would be affected by the works (see suggested Condition 1 below).
2. Assessment of the effects on landscape components/elements taking into account the baseline condition, the natural heritage, landscape character and visual amenity value of these elements, and the amounts that will be lost and replaced.
3. Assessment of the effects on the statutory purpose of the Isle of Anglesey AONB.
4. Assessment of the in-combination effects with the SPC works (if there is likely to be any overlap in the proposed programmes for these two developments).

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

- (i) Lengths of hedgerows (including important hedgerows) and trees to be removed are now quantified and their locations illustrated.
- (ii) Improvements have been made at one of the four locations where boundary enhancements (rather than like for like) was requested. This is along the new section of highway at Bytheicws where a hedgerow is now proposed along the western boundary.
- (iii) Regional provenance has now been defined as North West Wales.
- (iv) The applicant confirms that they are discussing the potential to gather local seed and support a nursery to grow stock for the Wylfa Newydd Project.
- (v) Method proposed for determining whether hedgerows should be translocated.
- (vi) Landscape maintenance period increased for soft landscaping works from 3 years to 5 years.

The DALs has now been amended such that the main issues raised in its original consultation response have been addressed.

## **IACC - Public Protection Trading Standards**

No response to original consultation

Following the receipt of additional information from the applicant which resulted in a second round of consultation the Trading Standards Department in their response dated the 18<sup>th</sup> May, stated that there were no issues of relevance within the application with respect to Trading Standards requirements.

## **Community Cohesion Co-ordinator**

No response at the time of writing this report.

### **IACC - Welsh Language and Culture**

It is necessary for the A5025 On-line Highway Improvements CoCP to reflect the principles within the Welsh Language and Culture Mitigation and Enhancement Strategy (WLCMS) in relation to the Welsh Language to ensure a consistent approach.

However, the IACC still has significant concerns with the contents of the further revised version of the WLCMS (revision 0.2) since some mitigations proposals still have been amended/diluted and even omitted. The IACC wishes to reiterate that on a point of principle, the wording in many instances, has moved from commitment to consideration.

The IACC welcomed the initiative to appoint the independent language planners ARAD to facilitate the creation of the draft strategy via an inclusive and collaborative, and collective process. The March 2017 version of the document reflects the outputs from workshops conducted with partner organisations, one-to-one consultation and a review of relevant documentation and literature. The actions are based on best practice adopted elsewhere and local need.

The IACC wishes to reiterate that it is still gravely disappointed that the further revised version has still been diluted by the applicant without the provision of an evidence base. This dilution and condensing process is seen as undermining the transparency and legitimacy of revised strategy as it was undertaken without reference to the Steering Group which was established by the applicant to engage with Key stakeholders.

It was requested that a statement is required outlining that the applicant and associated contractors will adhere to the IACC's Welsh Language Policy in all aspects of the project and communication with the public.

Specifically a requirement is made for all internal communications to be made available bilingually. Opportunities should be identified at all times on the main site to provide opportunities for Welsh speakers and learners to use Welsh in the workplace environment. Inductions should include Welsh language awareness raising provision.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) The WLCMS relates specifically to the Wylfa Newydd DCO Project. The strategy is therefore not applicable to the A5025 On-line Highway Improvements in terms of mitigation measures relating to Welsh language, which have been informed by the WLIA.

(ii) The Framework Contract for Highways Construction sets out the requirements for the appointed contractor to adhere to the IACC's Welsh language Policy objectives and the Welsh Governments Welsh Language Standards. As a minimum, the contractor will be required to appoint a Welsh speaking Community Liaison Officer and to install bilingual signage throughout the construction process.

(iii) The appointed contractor will adhere to the IACC's Welsh language Policy objectives and the Welsh Governments Welsh language Standards, and will be required to appoint a Community Liaison Officer who must be a Welsh Speaker.

(iv) The WLIA demonstrates that overall the Proposed Development, is expected to have a beneficial effect on the Welsh language and Culture, particularly in terms of providing direct employment, including supply chain and job creation opportunities. These in turn will encourage Welsh Speakers to remain in the area and attract further Welsh speakers to Anglesey for employment opportunities.

(v) Chapter 4 of the ER demonstrates that based on the 66 week duration of works and nature of the construction works, it is anticipated that the number of personnel required would be a peak of 125 workers. According to the Homes & Communities Agency Additional Guide (Fourth Edition 2014) which has informed the socio-economic assessment for the Proposed development, 75 % (94) of the workers are expected to be employed from within the Daily Construction Commuting Zone (DCCZ) which is an area that is a 90 minute commute time from the Wylfa Newydd development area. The remaining 25% (up

to 31 workers) are likely to live outside of the DCCZ, who may stay on Anglesey for part of the construction period.

(vi) Local employment is a key priority of the Framework Contract for Highways Construction which requires the appointed contractor to be adhere to the applicant's Supply Chain Charter and to promote contract opportunities within Wales and the local area.

(vii) If there was an increase in the 25% proportion of workers living outside of the local area, this would not have a significant impact on the Welsh language and culture in schools and communities, given that it is unlikely that the construction workers would seek long term accommodation on Anglesey for the duration of the works.

(viii) The WLIA demonstrates that overall the Proposed development is expected to have a beneficial effect on Welsh language and culture, particularly in terms of providing direct employment, including supply chain and job creation opportunities.

In response to these comments a response was received from the Authority's Policy and Strategy Manager which acknowledges, following legal advice, that the current proposal for the On-Line Highway Works are a standalone project. The policies which apply are therefore no different to those which have been applied to other similar projects such as the Llangefni 'Link-Road'.

(ii) In this respect there will be a requirement for Welsh language signage. The fact that IACC Transport officers are in constructive dialogue with the applicant regarding procurement measures which support the aims of the draft WLCMS for Wylfa Newydd with regard to the engagement of local welsh speaking construction workers and local suppliers and contractors is also welcomed.

(iii) Whilst it is recognised that the current application is a 'stand-alone' project for planning consenting purposes these however are seen in the eyes of the public as the commencement of the overall Wylfa Newydd project. It is therefore imperative that the comments previously suggested with respect to Welsh Language and Culture are captured within the Authority's Local Impact Report to be prepared by the IACC as part of the DCO process.

### **Magnox & Nuclear Decommissioning Authority (NDA)**

Defueling transportation of the spent fuel via the Valley rail head is critical for the NDA. Closing the road entirely during daylight hours should be avoided, as this would result in re-routing which would require regulatory approval. Magnox would request that a minimum of 1 weeks' notice is provided for any proposal for closure of the road entirely, however this should be an extreme and rare case.

The fuel transporter is subject to prearranged timings according to the train schedule. Delay of the transporter should be avoided and should be given priority through traffic lights and control both in its outbound and inbound journeys. Magnox are concerned that fencing and any other items could encroach onto the carriageway possibly creating a risk to the transporter.

Magnox require prior notice to lane closures and request contact details for the duration of the works. It is recommended that roadworks are subject to an inspection at the start of each working day to ensure any threats to security of the transporter are emitted.

Loading in the carriageway and the threat of collapse in the area of excavation is also a concern when taking into account the weight of the transporter. Magnox request that load calculations are reviewed, and that no residual risk of collapse exists. Sufficient width for the vehicle should also be included in the calculation.

Following the receipt of additional information in response to the Authority's request it was confirmed within the applicant's submissions that:

(i) The applicant does not anticipate full closure of the A5025 will be required to deliver these works. The intention will be to retain one side of the carriageway open for traffic to pass through the construction works, which would be traffic light controlled. If temporary full closure is required, the applicant will liaise with Magnox and the NDA to ensure it does not affect their off-site operations. This will be done a minimum of 1 week in advance of the proposed closure.

(ii) An appropriate arrangement with Magnox will be agreed to ensure effective and efficient movement of the vehicles. The Traffic Safety Control Officer for the highway works will act as the point of contact.

(iii) The applicant confirms that it will continue to liaise with Magnox through the construction process to monitor the effectiveness of these arrangements.

(iv) The applicant anticipates that a minimum unobstructed carriageway width of 3m will be maintained along the works (in line with Department of Transport Code of Practice) which will allow enough space for the transporter to pass through safely.

No response was received from Magnox and the NDA as a result of the re-consultation process at the time of writing this report.

#### **Betsi Cadwaladr University Health Board**

No response at the time of writing this report.

#### **Welsh Ambulance Service**

No response at the time of writing this report.

#### **The Ramblers Association**

No response at the time of writing this report.

#### **North Wales Economic Ambition Board**

No response at the time of writing this report.

#### **Conclusions on Consultation and Publicity Responses:**

The initial consultation, of which the responses are summarised above, highlighted that additional key information was required in order for a number of consultees to adequately assess the application and any potential impacts and necessary mitigation. Following a second round of consultation and publicity, it is considered that there are no fundamental objections to the application which merit refusing the application. It is acknowledged, however that there are outstanding issues incorporated within the Design Approach & Landscape Strategy as well as in respect of Surface Water Drainage proposals at Section 4 that have been raised and which are discussed further in the main body of the report.

Notwithstanding the above, the Local Planning Authority has undertaken a thorough review of the information presented and assessed the development and the anticipated impacts (both positive and negative) against development plan policy and other material considerations. Consultation responses of statutory consultees and the local communities has also been considered in its assessment of matters.

#### **5. Relevant and Adjoining Planning History**

The planning history for the A5025 section from Valley to the existing Wylfa access road consists of 89 individual applications.

Considering the extensive number of applications, a separate appendix has been prepared and attached at the end of the report (Appendix A).

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

##### **Is there a Policy Framework that supports the Proposed Development?**

It is recognised that this application is not for a Nationally Significant Infrastructure Project itself, but the policy context of National Policy statements EN-1 and EN-6 is a material consideration given the purpose of the application.

The weight of the NPSs needs to be considered in the context of an application submitted in advance of an application for a Development Consent Order being made.

In analysing the national planning policy position in relation to this application it is considered that the weight of the National Policy Statements should carry significant weight and be regarded as a significant material consideration.

The UK Government support for the early delivery of a new nuclear power station therefore adds significant in principle support to this application.

At a Welsh Government level, the 9<sup>th</sup> edition of Planning Policy Wales published in 2016, provides the Land Use planning policies of the Welsh Government, translating the commitment to sustainable development into the planning system so the Government can play an appropriate role in moving towards sustainability and a low carbon economy.

Given its recent revision, the document can be afforded significant weight as an up to date representation of Welsh Government Policy.

At the local level, the statutory development plan for Anglesey comprises the recently adopted Anglesey and Gwynedd Joint Local Development Plan (JLDP) (2011-2026). Strategic Policy PS9 of the JLDP recognises the possibility that early works may need to be undertaken to develop the power station. Point 4 of the Policy states that the need for early nuclear work must be justified in order to:

- ensure the timely delivery of the project or
- that it is designed to provide mitigation measures to address the impacts of the construction or operation of the Project, and

Other criteria in Policy PS9 apply to the various elements of the planning application as well as national planning policies and guidelines.

The principal justification given by the applicant for supporting the application (in addition to the positive economic benefits, improvements and reconstruction of the highway, and early time benefits) is to address the physical and operational constraints on this stretch of the A5025, in relation to its width, alignment, overtaking opportunities and surfacing condition.

The A5025 On-line Highway Works are part of the enabling works to help facilitate the construction and operation of the Wylfa Newydd DCO Project, which is in the national as well as local interest and which complies with the above policy criteria.

A number of Supplementary Planning Guidance documents have been published by the IACC to further inform development plan policies, the most relevant of which for the project is the Wylfa Newydd SPG (2018).

The Wylfa Newydd SPG recognises the important contribution new nuclear power can make to the UK's energy mix and security of supply and supports the principle of development of a new nuclear power station at Wylfa.

Overall it is considered that development plan policies and guidance notes (which includes the guidance contained within the Wylfa Newydd New Nuclear Build SPG and associated Topic Papers) together with the advice contained within well-established National Policy, are on balance supportive of the proposal. It is therefore considered by the Local Planning Authority that there is a suitable policy framework which supports the principle of the proposed development.

### **Does the proposed development constitute Sustainable Development?**

One of the key aspects of national policy is the emphasis on sustainability. In Wales this is defined to mean; 'enhancing the economic, social and environmental well-being of people and communities, achieving a better quality of life for our own generations in ways which;

- Promote social justice and equality of opportunity; and
- Enhance the natural and cultural environment and respect its limits-using only our fair share of the earth's resources and sustaining our cultural legacy

Sustainable development is the process by which we reach the goal of sustainability.'

Critical to achieving the above is the creation of a resilient low carbon economy and the creation of communities where people can live and work. On balance, it is considered that a persuasive case has been made that the economic and social benefits that will accrue from the development together with the environmental safeguards proposed, will positively contribute to these goals.

In terms of its economic credentials, it is acknowledged that the proposed development is a stand-alone application. Chapter 4 of the applicant's ER demonstrates that for the 66 week duration of the works, it is anticipated that the number of personnel required at peak would be 125 workers. Given that a proportion of the work will be specialist road construction, it is anticipated that some of the skilled labour will need to be sourced from outside the local area. However, based on the best practice approach set out in the Homes & Communities Agency Additionality Guide (Fourth Edition, 2014) which has informed the socio-economic assessment for the Proposed Development it is expected that 75% (94) of the workers at peak, are expected to be employed from within the Daily Construction Commuting Zone (DCCZ). The remaining 25% (up to 31 workers) are expected to live outside the DCCZ, who may stay on Anglesey for part of the construction period.

While it is not possible to guarantee or formally secure the percentage of workers contracted from the local area, it is highly likely that the contractors will appoint workers local to the proposed works, primarily to take advantage of the locally skilled workforce and to reduce travel and accommodation costs.

In an effort to facilitate this process the IACC Highways Major Projects Team (non-consenting) and the applicant, have worked collaboratively in establishing a Framework Contract for Highways Construction, which enables companies to become part of a 'pool' of potential contractors that can be approached directly by the IACC to bid for work, when required. Three of the four eligible contractors are based in north Wales (two in Gwynedd, one in Denbighshire and one in Manchester).

Local employment is a key priority of the Framework Contract for Highways Construction, which requires the appointed contractor to adhere to the applicant's Supply Chain Charter and to promote contract opportunities within Wales and the local area.

Whilst the following section considers in more detail the environmental credentials of the proposal it will be seen that again the contribution towards sustainable development overall is a positive one.

A pavement evaluation carried out on the A5025 identified substances indicative of the presence of tar in the asphalt layers. Subsequently, chemical testing confirmed this. In order to mitigate the risks associated with tar, it was decided to recycle the existing pavement into Cold Recycled Bound Material (CRBM) as part of the A5025 improvements.

The scheme length is approximately 10km, and it comprises full pavement reconstruction to a depth of 300mm and widening of the existing carriageway. A study was carried out to calculate the total CRBM required for the works. It is expected that the total asphalt arising will be approximately 40,000 tonnes; from which approximately 17,000 tonnes will be handled as tar contaminated materials. The total CRBM needed for the new base layer is approximately 27,850 tonnes; therefore, all tar contaminated asphalt arisings can be recycled into CRBM.

The temporary construction compound also contains a temporary pavement recycling facility. The purpose of this facility would be to process and recycle the excavated pavement arisings, such that these could be reused as part of the proposed development in the form of a base layer in the pavement reconstruction and thereby reduce the need for materials importation and disposal.

Recycling the need for materials and their disposal through this CRBM process for recycling and processing pavements demonstrates that the applicant proposes measures which are deemed sustainable.

As part of the design development process, the applicant concluded that the proposed development should include the provision of a Temporary Construction Compound (TCC) with the overall design (including the temporary pavement recycling facility as mentioned above). The decision to include a TCC was influenced by the need to accommodate the temporary pavement recycling facility close to the proposed works which would significantly reduce the number of vehicle movements.

The TCC site was selected following an optioneering process which was informed by consideration of planning, engineering and logistics, land use and environmental context. The process of optioneering consisted of the following tasks:

- Review of available mapping and aerial photography.
- Analysis of the proposed site boundaries, existing topography, settlement patterns, and their relationships to the A5025 corridor.
- Identification of environmental topics of relevance to the potential sites.
- Identification and mapping of known sensitivities and constraints within designed areas of search, which could be directly and/or indirectly affected by the construction and operation of the proposed recycling compound.
- Development of criteria, against which each site has been tested and appraised to evaluate their relative advantages and disadvantages from an environmental perspective (Land use; hydrology; landscape and visual; noise; ecology; cultural heritage).

The applicant has demonstrated that the indicative layout of the TCC has been considered and selected as the most suitable location, therefore the LPA accepts that the TCC is in the most sustainable location.

The proposed development has been subject to a process of design evolution informed by public consultation, stakeholder engagement and the iterative environmental assessment. These processes have helped to develop the scope of the A5025 On-line Highway works, the approach to construction, and the refinement of designs to reduce, where practicable, their potential environmental effects.

The applicant and IACC Highways Major Projects Team have jointly developed the engineering design for the Proposed Development.

The location, layout and design of Public Rights of Way (PRoW) diversions and new cycle path connections have been discussed and agreed with the IACC PRoW Officer and Sustrans.

A sustainable drainage design, including measures to minimise flood risk, have been developed with the agreement of IACC Drainage engineers and the advice of NRW, particularly the function and capacity of the attenuation ponds in Section 2 of the Proposed Development and the general drainage arrangement at the rear of Bryn Tirion Terrace in Section 4.

Elements of the Landscape and Visual Impact Assessment and the landscape design, including planting specifications and replacement boundary features, have been informed by discussions with the IACC and NRW. The Local Planning Authority are now satisfied that the issues raised following the initial consultation have been sufficiently addressed such that the sum total of benefits associated with the proposal in terms of landscape are clearly sufficient to outweigh the likely short term impacts.

PPW Edition 9 (para 8.7.1) states that a range of different transport modes should be considered when determining planning applications related to transport and accessibility. Para 11.1.13 states that local authorities should seek to protect and enhance the PRoW network. This is supported by TAN18: Transport (2007) and TAN 16: Sport, Recreation and Open Space (2009) which promotes encouragement of walking, cycling and the use of PRoWs.

Policy PS4 of the JLDP states that the Council will support improvements that maximise accessibility for all modes of transport and that this will be achieved by, inter alia, securing convenient access via footways and cycle infrastructure.

The design of the proposed development incorporates the inclusion of facilities to ensure continued accessibility to existing footways and cycle routes. The proposal has incorporated improved access to PRoWs, new crossing locations and sections of surfaced cycle ways as part of the works to connect existing cycle routes that cross the A5025.

This aspect of the proposal is testament to the proposed works accounting for the PPW Edition 9 and the guidance in TAN 18 and TAN 16 which promotes walking, cycling and the use of the PRoW network, thus constituting sustainable development.

**Are there any specific environmental or technical constraints that would prevent the development of the highway taking place?**

Key issues which were identified are as follows:

**Drainage**

As part of the development submission the applicant produced a Flood Consequences Assessment which describes the requirements of the drainage design and how these have been assessed. The outcome of the assessment highlighted that in Section 2, 4, 6 and 8 of the proposal there was some risk of fluvial flooding at river crossings. In Section 2 there are additional fluvial flood risks associated with the crossing of the Afon Alaw floodplain.

The design of drainage has addressed the minor increase in impermeable areas associated to the proposed road widening. The principle of the new infrastructure has been developed to match the existing system, installing new drainage components as required.

In order to manage the risk of flooding, attenuation ponds have been incorporated in Section 2 as well as formal drainage being installed along the roadside where there are none at present. Filter drains have also been incorporated into the design to meet Sustainable Drainage Systems requirements. The applicant has demonstrated that no formal drainage system is necessary for the Temporary Construction Compound, except to prevent over-land flow of any sediment contaminated run-off into adjacent watercourses during intense periods of rainfall.

Following the receipt of additional information from the applicant it can be confirmed that the NRW's Flood Risk concerns have subsequently been addressed by way of a Flood Consequences Assessment Technical Note (13<sup>th</sup> April, 2018) which was prepared in response to the NRW's original concerns. These concerns related to the positioning of a balancing pond in a flood zone. The additional assessment work undertaken and contained in the submitted note was considered acceptable in addressing any flood risk concerns associated with two new balancing ponds at chainage 300.00 and 700.00 within Section 2 on the approach from Valley to Llanynghenedl.

It is acknowledged that there are additional queries outstanding which have been raised by the Authority's own Technical Services Department which relate to clarification relating to connectivity of the new road gully and drainage network at chainage 900.00 and the percolation value of the ground in the vicinity of soakaway intended to serve the parking area at Bryn Tirion Terrace within section 4. In the event that these details are not presented to the Authority for consideration prior to the determination of the application it is considered that a suitably framed condition would be appropriate to deal with the matter.

## **Ecology**

In line with Strategic Policy PS 16 and 19 of the JLDP which states that planning authorities should ensure that appropriate regard is given to the relative significance of international, national and local designations in considering the weight to be attached to acknowledged interests, ensuring that international or national responsibilities and obligations are fully met in accordance with National Policy, when determining applications.

The construction of the highway works has the potential to impact on ecological features through loss of habitat through activities such as site clearance, earthworks and excavation, landscaping and the establishment of the Temporary Construction Compound. To ensure that ecological impacts are adequately recorded and addressed the applicant will be required to conduct pre-construction ecological surveys.

The applicant has implemented the following embedded measures within the design of the development to minimise the potential impacts on ecology:

1. Translocation of hedgerows and reuse of stone walling pertinent to each Section.
2. Application of a 10m buffer around watercourses to avoid potential hydrological connectivity with the development.
3. Limitation of the clearance of suitable bird nesting habitat outside of the bird breeding season where possible and supervision in instances where the main breeding season cannot be avoided.

In addition to the above, the applicant also proposes, where possible, to enhance and maintain natural habitats as detailed in the Design Approach and Landscape Strategy (para 2.2.2).

Furthermore, the applicant has also agreed to the imposition of suitably framed planning conditions relating to the appointment of an Ecological Clerk of Works who would be responsible for the preparation and submission of protected species licence applications as well as the CEMP's and implementing improvements in accordance with the approved DALs in response to an appropriate planning condition attached to any grant of planning permission.



## Highways

The applicant and IACC Highways Major Projects Team have jointly developed the engineering design for the Proposed Development.

The proposed development has been subject to a process of design evolution informed by public consultation, stakeholder engagement and the iterative environmental assessment. These processes have helped to develop the scope of the A5025 On-line Highway works, the approach to construction, and the refinement of designs to reduce, where practicable, their potential environmental effects.

### Area of Outstanding Natural Beauty (AONB)

It is acknowledged that a section of new highway verge traverses within the boundary of the AONB (Section 2). However, the Local Planning Authority is satisfied that the mitigation measures incorporated are sufficient to offset any negative landscape and visual impacts.

The proposals in the area entail the removal of two sections of existing rendered stone wall (along the boundary of the AONB) and their replacement with a new stone wall to the rear of a widened roadside verge which will extend into the AONB and is required to provide better visibility around an existing residential access. The provision of the new stone wall in place of the existing rendered stone wall along this highway boundary is considered to be an enhancement which reflects the fact that the new boundary is within the AONB. These proposals offer benefits to landscape character and amenity both within and adjacent to the AONB. On balance it is considered that the proposal accords with the requirements of Planning Policy Wales Edition 9 (2016) in terms of Policy Statement in Chapter 5:

Para 5.5.5 Statutory designation does not necessarily prohibit development, but proposals for development must be carefully assessed for their effect on those natural heritage interests which the designation is intended to protect.

Para 5.5.6 In National Parks or AONBs, special considerations apply to major development proposals which are more national than local in character. Major developments should not take place in National Parks or AONBs except in exceptional circumstances. This may arise where, after rigorous examination, there is demonstrated to be an overriding public need and refusal would be severely detrimental to the local economy and there is no potential for locating the development elsewhere or meeting the need in some other way. Any construction and restoration must be carried out to high environmental standards. Consideration of applications for major developments should therefore include an assessment of:

- the need for the development, in terms of national considerations, and the impact of permitting;
- it or refusing it upon the local economy;
- the cost of and scope for providing the development outside the designated area or meeting the need for it in some other way;
- any detrimental effect on the environment and the landscape, and the extent to which that could be moderated.

With respect to measures of landscape component 'loss and replacement' it can also be confirmed that the implementation of the development will, upon completion, result in an overall net gain in terms of replacement meterage for stone walls, cloddiau trees and hedgerows.

### What are the impacts on residential amenity?

A development of this scale and nature will inevitably cause some disruption to the amenity of local residents. As demonstrated below the applicant has incorporated measures to ensure that such impacts are mitigated, and where possible resolved.

PPW Edition 9 (para 8.7.1) states that when determining applications relating to transport, accessibility by a range of different transport modes should be taken into consideration. The applicant has demonstrated that the proposal has incorporated sections of surfaced cycle paths to connect the existing cycle routes that cross the A5025.

In accordance with Strategic Policy PS4 in the JLDP, the applicant has prepared the proposal to take into account the possible impact on pedestrian and vehicular traffic matters, PRoWs, cycling and accessibility of vehicle access. As far as possible the applicant has limited the effects on PRoWs and NCNs and

through the CoCP has set out the measures to manage footpath closures and limited the adverse impacts as far as practicable.

To ensure that concerns and queries of the resident communities living in close proximity to the development works are addressed, the applicant states that in line with the CoCP, there will be a dedicated Welsh speaking Community Liaison Officer for the A5025 On-line highway works. This individual will have knowledge regarding the construction and be best placed to address community queries and concerns.

### **What are the transport implications on the highway network during the construction?**

It is anticipated that, as a result of the proposed Works, there will be implications upon the existing transport network during the construction phase of the A5025 On-line Highway Works.

As stated in the Code of Construction Practice submitted as part of the application, the applicant intends to deliver a series of improvements of the A5025 between Valley and the proposed Power Station Access Road Junction as part of its wider transport strategy, these include:

- Upgrade the route, both in terms of standard of construction and road geometry, such that it can support increased levels of traffic, and improve safety and accessibility;
- Ensure that all relevant abnormal loads can pass along the full length of the A0525;
- Reduce any potential increase in road accidental risk;
- Reduce any adverse impacts on local communities;
- Reduce any adverse impact on the environment; and
- Seek opportunities where possible to achieve improvements for local communities and the environment through road design measures.

The implementation of the Works will largely be within the existing highway boundary and include:

- Improvement of the existing pavement through the application of a surface dressing through Section 1, 3, 5 and 7;
- Reconstruction and localised widening of the existing pavement through Sections 2, 4, 6 and 8;
- Modifications and improvements to existing signage and road markings through Sections 1-8; and
- The construction of a Temporary Construction Compound (incorporating a temporary pavement recycling facility) within Section 7, immediately adjacent to the A5025.

The Works will be undertaken by an appointed contractor who will be subject to the conditions set out within the CoCP and CEMP.

In addition to the above, the contractor will be required to adopt and develop a CTMP for each phase of the proposed development and will agree the CTMP with IACC.

As stated within the CoCP, in order to manage the impacts of HGV traffic on existing flows, the CTMP will identify a delivery window for construction materials on the A5025. The delivery window is proposed to run from 07:00 to 19:00, Monday to Friday, with restrictions during school start and end times. It is anticipated that deliveries may occasionally be undertaken outside of these times, but they will be limited.

Within the Traffic and Transport Management Strategy the applicant proposes a number of mitigation proposals which seek to minimise disruption to the existing transport network during construction.

Whilst it is recognised that there will be some inevitable disruption as a result of the proposed development, the scale and duration of the works are not expected to present significant in-combination effects upon sensitive receptors, including residents and businesses. As agreed in response to previous consultation exercises the intention is to undertake the highway reconstruction works simultaneously within all four construction areas in sections 2, 4, 6 and 8 to reduce the overall duration of the works and impacts on traffic and associated environmental effects. The effects of the construction process will be monitored and managed by the appointed contractor, with regular liaison with local communities impacted by the works to ensure any issues arising are addressed efficiently.

### **Will there be a change in landscape and visual amenity value as a result of the proposed works?**

While efforts have been made to ensure a minimum impact on the landscape and the visual amenity of boundary treatments, it is inevitable that such works will have some impact on the character and appearance of the landscape.

As outlined in the design approach and landscape strategy that accompanies the application, site clearance is required as part of the widening works for the proposal. Where possible, the applicant intends to retain many of the existing roadside boundary features as these are part of the character of the landscape and also provide valuable wildlife habitat.

However, in some locations, where the road is to be widened or to achieve visibility splays, the works would involve the removal of existing boundary features such as cloddiau, stone walls, hedgerows and fences, and the loss of grass verges and other areas of vegetation.

Therefore, where it is not possible to retain boundary features, these would be either translocated (dug up and replanted in the new location) or replaced. Where replacement is necessary, the applicant has agreed with landowners that these boundary features would be replaced on a like-for-like basis.

The design of the replacement boundary treatments has been influenced by the surrounding landscape character, in particular the proposed species mixes of each type of planting, the seeding areas and the types of boundary features, such as stone walls and cloddiau.

The proposal for grass verges along the route would be to establish amenity grassland, similar to the existing highway verges and, in some locations, species rich grasslands. All plants and seed mixes would be of regional (North Wales) provenance.

The proposed landscape strategy states that the detailed design and implementation and specific maintenance specification would be a requirement of the contractual agreement with the contractor implementing the scheme. The contractor would thus be responsible for the implementation of the planting and seeding works and the construction of fences, walls and cloddiau, plus the 5 years' maintenance.

At the end of the 5 year maintenance period, handover of the maintenance to IACC would take place. Therefore, the long term maintenance of the landscape strategy, post the contractor maintenance period of 5 years, would be undertaken by the Isle of Anglesey County Council as per the agreement between the applicant and IACC Highways Department.

National and local planning policy requires that new development should be sustainable, demonstrate high quality design, take into account the local context and minimise adverse effects on the natural environment. Additionally, the AONB Management Plan Review 2015 – 2020 requires that development within 2km of the AONB adopts the highest standard of design and ensures the special qualities of the AONB are enhanced. It further sets out that new highway improvements take into account the rural setting of the road.

The applicant states that the landscape character, including within the AONB, has been taken into account in the design-development process. With this in mind the aim has been to embed mitigation measures into the design of the proposed development to improve integration into the receiving landscape and address adverse effects on the natural environment. Special qualities within the AONB have also been considered as part of the mitigation, in order to maintain the current conditions, with a single carriageway in a rural landscape, with hedge, tree, cloddiau, stone and fence boundaries to the adjacent agricultural fields.

Key views and visual receptors have been taken into account to minimise visual impacts.

The implementation of the landscape strategy as part of the Online Works would also contribute to the Anglesey Biodiversity Action Plan's objectives for ancient hedgerows, ponds, flower rich road verges, water vole, otter and great crested newts.

In some locations where the visibility splay does not meet the necessary highway requirements, like-for-like replacement of existing vegetation may not be possible. The applicant proposes to replace the vegetation with as close a match to the original as possible. It is also proposed that some hedgerows which are proposed for removal will be translocated.

Approximately 3km of hedgerows would be removed and replaced during site clearance. This can be broken down by section as follows: 0.9km in Section 2; 1.6km in Section 4; 0.3km in Section 6; and 0.2km in Section 8. Of the hedgerows identified in each section above, approximately 0.5km are considered

important hedgerow from an ecological perspective which meet the criteria within the Hedgerows Regulations 1997. Although minimal in length, the applicant has proposed mitigation for this loss by translocating these hedges where feasible or improving the overall species diversity of all replacement hedgerows which will provide a long term benefit. On balance, this compensation would result in neutral impact.

It is proposed that native planting of regional provenance will be provided in conjunction with the two attenuation ponds proposed for Section 2 (North of Valley). This will help integrate into the existing landscape and filter views. The proposed planting would be in keeping with local landscape character.

The applicant proposes a period of landscape maintenance after the construction of the proposal which includes monitoring by the appointed contractor's landscape manager. This will ensure successful establishment of seeding and planting. At the end of the maintenance period, handover of the maintenance to IACC would take place as per the agreement of the contract.

## **7. Conclusion**

The application falls to be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004; that is, it is to be determined in accordance with development plan policies unless material considerations indicate otherwise.

In this respect it is considered that National Policy Statements provide a framework that can be used to support the development and that other up to date development plan policies and local guidance notes also provide a similarly supportive context.

It can also be confirmed that there are no technical or environmental reasons that would prevent the highway improvements from being implemented. Furthermore it is considered that the development constitutes 'sustainable development'.

On balance it is considered that the development, subject to suitable mitigation measures, will make a positive contribution in helping to develop the economy without causing irreparable harm to the environment or the local community. The proposal will:

- Facilitate Low Carbon Energy Generation sooner than would otherwise be possible.
- Facilitate the delivery of economic benefits in the area and wider region.
- Ensure a less intensive main construction phase for any future nuclear development thus reducing the impacts on the amenities of local residents.
- Result in an improvement to an extensive section of the highway addressing safety concerns and surface conditions, providing a new carriageway pavement with a design life of approximately 20 years and an important legacy for future generations.

It is believed that the information provided with the application, the views and comments received from consultees (and interested parties) together with the other material considerations discussed above provides a persuasive and compelling argument that on the facts of this particular case the development ought to be supported.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The recommendation takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

## **8. Recommendation**

The recommendation is that the application is **approved** subject to the following conditions:

### **General conditions**

#### **1. Time Limit – Commencement of Development**

The Development and works hereby permitted shall be commenced before the expiration of two years from the date of this permission.

*Reason: In accordance with Section 91(1)(b) of the Town and Country Planning Act 1990.*

## **2. Pre-commencement**

Environmental Management- Prior to the commencement of works on site a detailed Code of Construction Practice (CoCP) shall be submitted to and approved by the local planning authority, in consultation with Natural Resources Wales. Implementation shall accord with the provisions of the approved scheme.

Protected Sites- Prior to the commencement of works on site a Bio-Security Risk Assessment/Management Plan shall be submitted to and approved by the local planning, in consultation with Natural Resources Wales. Implementation shall accord with the provisions of the approved scheme.

Protected Species- Prior to the commencement of works on site an Ecological Compliance Audit Scheme shall be submitted to and approved by the local planning authority. Implementation shall accord with the provisions of the approved scheme.

Protected Species- Prior to the commencement of works on site detailed Great Crested Newt (GCN) mitigation measures shall be submitted to the local planning authority in consultation with the Natural Resources Wales. Implementation shall accord with the provisions of the approved scheme.

Protected Species- Prior to the commencement of works on site, detailed otter mitigation measures, including Reasonable Avoidance Measures, shall be submitted to and approved by the local planning authority in consultation with Natural resources Wales. Implementation shall accord with the provisions of the approved scheme.

Protected Species- Prior to the commencement of works on site detailed water vole mitigation/compensation measures, to include post construction management and surveillance shall be submitted to and approved by the local planning authority in consultation with Natural Resources Wales. Implementation shall accord with the provisions of the approved scheme.

Migratory Fish- Prior to the commencement of works on site detailed measures to avoid impacts with migratory fish shall be submitted to and approved by the local planning authority, in consultation with Natural resources Wales. Implementation shall accord with the provisions of the approved scheme.

*Reasons- To prevent disturbance and damage to designated sites and to prevent offences under protected and controlled species legislation and nature conservation policy and guidance.*

## **3. Approved Drawings / Documents**

The Development and works hereby permitted shall be carried out in accordance with the approved drawings and documents.

*Reason: To ensure that all works are properly implemented and retained.*

## **Construction Management**

### **4. Construction and Environmental Management Plan**

No development shall commence until a Construction and Environmental Management Plan (CEMP) has been prepared in accordance with the principles set out in the Code of Construction Practice, and submitted to and approved in writing by the Local Planning Authority, in consultation with NRW and other stakeholders. The CEMP will incorporate the following elements:

- a) **General Site Management Strategy**, which shall include details of the proposed construction works to be carried out to implement the Proposed Development; working hours and delivery windows; site layout of all compounds and construction areas; temporary site lighting; and construction site security measures; site clearance on completion of activities.
- b) **Construction Traffic Management Plan (CTMP)** for each phase of the development, which shall include Temporary Traffic Management (TTM) procedures; details of the construction traffic and

Heavy Goods' Vehicle route; working hours and delivery windows; and the appointment of a Traffic Safety Control Officer (see condition 4).

- c) **Public Access Management Strategy**, which shall provide details of the management of Public Rights of Way (PRoW), Private Means of Access (PMAs) and cycle routes, including their access during the construction period. The Strategy shall include details of any necessary closures and/or diversions of PRoWs, to be obtained by means of Temporary Traffic Regulation Orders under the Road Traffic Regulations Act 1984.
- d) **Dust and Air Quality Management Plan**, which shall provide details of the dust control measures to be adopted during the construction process, the dust and air quality monitoring system, monitoring locations and appropriate alert thresholds.
- e) **Noise and Vibration Management Plan**, which shall provide details of the noise and vibration control measures to be adopted during the construction process, the noise and vibration monitoring system, monitoring locations and appropriate alert thresholds.
- f) **Materials Management Plan (MMP)**, which shall provide details of measures and standards of works required to be followed throughout the construction process. The appointed contractor will ensure an appropriately qualified person is employed to review, approve and verify materials management.
- g) **Site Waste Management Plan (SWMP)**, to ensure site waste is described accurately and managed appropriately. The SWMP shall include the most appropriate management route for each type of site waste, available capacity (permitted or exempt), details of compliant waste carriers and waste management companies, their capacities and proximity to the project, provision of an accurate description of any hazardous waste, maintenance of waste transfer or waste consignment records and monthly reporting to IACC.
- h) **Site Drainage** details for compounds, materials/equipment storage areas, construction areas and access tracks, which shall provide details of sustainable methods utilised for discharges including site drainage, surface runoff and dewatering discharges.
- i) **Water Management Strategy**, which shall provide details of working methods to protect surface water and groundwater from pollution and other impacts, including changes to flow, flood storage volume, water levels and water quality.
- j) **Biosecurity Risk Assessment, Method Statement and Management Plan**, which shall provide details of how Invasive Non-Native Species will be identified and eradicated from within the Site and immediate surroundings.
- k) **Ecology and Landscape Strategy**, which shall include details of pre-construction surveys and measures to ensure that ecological survey data is up to date; measures to obtain and comply with the requirements of any protected species licences; and details of the management of landscape features and landscape planting to align with the approaches presented in the Design Approach and Landscape Strategy.
- l) **Welsh Language and Culture Protocol**, which shall provide details of how the relevant Welsh Language Standards Regulations will be incorporated into the construction process, including communication with the public.
- m) **Details of the Temporary Construction Compound**, which shall include information on ground levels and the proposed layout to include drainage and means of vehicular access to the site.
- n) **Details of the Phases and Phasing of the Development**
- o) **Lighting Strategy**, which shall include information with respect to the type of lighting to be provided, baffles, cowls and directional requirements to avoid sensitive locations such as watercourses, hedgerows or buildings. The lighting specification should detail the mechanism to ensure that lighting is switched off when not required for all working areas during the operational phase which would include the temporary construction compounds, set down zones and material processing areas.

- p) **Soil Management**, which shall include a strategy for the transportation, handling, spreading, storage of topsoil and subsoil and information relating to the use of low fertility soils in locations identified for species rich grassland
- q) **Construction Details**, which shall include details for mortared and drystone walls, cloddiau, post and wire fences and gates.

The development hereby permitted shall be undertaken in accordance with the CEMP approved by the Local Planning Authority under this condition.

The CEMP will be updated as and when required to ensure the methods used reflect the changing needs of the works during construction and, for example, any relevant updates to industry guidance or legislation, or as a result of preconstruction. Any updates to the CEMP shall be submitted to and approved in writing by the Local Planning Authority before they take effect.

*Reasons:*

*To prevent pollution to the land and/or water environment, protect the amenities of local residents and occupiers and to safeguard the natural environment within the Site and its surroundings.*

*To safeguard the amenities of local residents and occupiers and to safeguard the natural environment within the Site and its surroundings.*

*To safeguard and mitigate the impacts on a protected species and to avoid offences under the Conservation of Habitats and Species Regulations 2010 (as amended).*

*In the interests of road safety and amenity of transport and to minimise the impacts of the Development on the highway network.*

#### **5. Traffic Safety Control Officer**

No works shall commence until a Traffic Safety Control Officer (TSCO) has been appointed. The TSCO shall manage the effective, efficient and safe movement of vehicles throughout the construction process and ensure that these are carried out in accordance with the Construction Environmental Management Plan and any other plan approved under this permission.

*Reason: In the interests of road safety, the amenity of road users and to minimise the impacts of the Development on the highway network.*

#### **6. Ecological Clerk of Works**

No works shall commence until an Ecological Clerk of Works (ECoW) has been appointed to manage the supervision of site clearance and construction activities during the development to ensure that these are carried out in accordance with the Construction Environmental Management Plan and any other plan approved under this permission.

*Reason: To prevent disturbance and damage to designated sites and to prevent offences under protected and controlled species legislation and nature conservation policy and guidance.*

#### **7. Community Liaison Officer**

No works shall commence until a Community Liaison Officer has been appointed to liaise and communicate with the public during the construction process. The Public Liaison Officer must be a Welsh speaker (bilingual).

*Reason: To notify occupiers of nearby properties in advance of works taking place and to provide information to the public about the works to be carried out, including the timing and duration of the works.*

#### **Hours of Working**

#### **8. Working Hours**

No development, works or construction activity, (including Maintenance and Security) other than emergency works: shall take place outside the hours set out below without prior approval from the Local Planning Authority

Time of week	Construction staff		Office staff (Temporary Construction Compound)
	Summer shift	Winter shift	
Weekday	07:00-19:00	08:00-16:00	09:00-17:00
Saturday	07:00-13:00	08:00-13:00	Not applicable

There shall be no working outside of these hours, or at all on Sundays and public holidays.

Reason: To safeguard the amenity of local residents and occupiers.

### 9. Delivery Hours

No deliveries shall arrive, be received or dispatched from the site outside the hours of 07.00 to 19.00 Monday to Friday and 07.00 to 13.00 on Saturdays and there shall be no deliveries outside these times or at all on Sundays or Bank Holidays unless otherwise agreed in writing in with the Local Planning Authority or unless the applicant has demonstrated to the satisfaction of the Local Planning Authority that there are exceptional circumstances (i.e. emergency works).

Reason: To safeguard the amenities of local residents and occupiers.

### 10. School arrival and departure times

No traffic movements associated with the development are to be undertaken on school arrival and departure routes, to include workers arriving or departing from sites, construction traffic routes and deliveries, during the hours of 08:00 to 09:00 and 15:00 to 16:00 on weekdays, unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of Public Protection and highway safety.

## Nature Conservation

### 11. Ecological Pre-construction Surveys

No works on any Phase of the development hereby permitted shall commence until ecological pre-construction surveys (including surveying for protected species) of that Phase have been undertaken and the results of such surveys have been submitted to the Local Planning Authority and NRW for information.

Reason: To safeguard protected species.

### 12. Protected Species Scheme

No works shall commence until a scheme to minimise or prevent the incidental capture or killing of European species has been submitted for the approval of the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the Protected Species Scheme approved by the Local Planning Authority under this condition.

Reason: To safeguard Protected Species.

### 13. Hedgerow Translocation Method Statement

No works in areas identified for hedgerow translocation shall commence until a detailed method statement for the translocation of hedgerows has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the Hedgerow Translocation Method Statement approved by the Local Planning Authority under this condition.

Reason: To safeguard and mitigate the impacts on hedgerows.



## **Landscape Assessment, Mitigation and Management**

### **14. Assessment of boundary features**

No development shall take place until a general scope of the survey and assessment of boundary features to be affected by the construction works in locations where sections of existing footpaths are to be affected by the development has been submitted to and approved by the Local Planning Authority. The agreed scope of the survey and assessment shall be implemented prior to the removal of relevant boundary features.

*Reasons: To safeguard and mitigate the impacts on visual amenity and landscape character.*

### **15. Landscape Maintenance Plan**

Within 6 months of the date of the implementation of the development a 5-year Maintenance Plan shall be submitted for approval by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the approved Maintenance Plan.

*Reason: To safeguard and mitigate the impacts on visual amenity and landscape character.*

## **Cultural Heritage**

### **16. Archaeological Watching Brief**

No ground disturbance works shall commence on any Phase until a specification for the locations and methodology of Watching Brief in respect of archaeology has been submitted to and approved in writing by the Local Planning Authority. All subsequent archaeological work shall be completed in accordance with the approved Watching Brief.

*Reason: To ensure that features of archaeological or architectural importance are recorded before their destruction.*

17. A detailed report on the archaeological work and findings, as required by condition 15, shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork or completion of the development, whichever is the sooner.

*Reason: To allow for the recording of any archaeological remains which may be present on site.*

## **Drainage**

### **18. Surface Water Drainage Scheme**

Prior to the commencement of works the applicant will be required to provide outstanding drainage details for the assessment and written approval of the Local Planning Authority, including:

- Additional supporting details confirming the viability of the drainage network aspects in the Flood Consequences Assessment.
- Soakaway design and construction details.
- Design and construction details for the proposed extensions to existing culverts required to accommodate the highway works (to be discussed with the Local Lead Flood Authority (LLFA) prior to submission to the Local Planning Authority for their assessment and written approval).
- Confirm ground water levels, to inform the final design for the pond construction in Section 2 through further investigation work.
- Finalised shapes and depths of each attenuation pond, confirming their position and invert levels of the outfall structure into adjacent watercourses in Section 2 through topographical survey information.
- Detail of porosity tests and subsequent additional filter strips dependent on the success of the tests in Section 2.
- Design and construction detail for the surface water drainage system serving the new access/parking area for the properties at Bryn Tirion Terrace in Section 4.
- Confirm assumptions made as part of the proposed designs in Section 8.
- Confirmation of alternative options available should the submitted proposals not be viable.
- Assessment of the existing condition of all outfalls and existing drainage apparatus.

*Reason: To ensure that the proposed drainage details are satisfactory.*

### **Additional highway provisions**

#### **19. Highway signage and road markings**

Prior to the completion of the construction works, a scheme detailing the appropriate signage and road markings on the approaches to cycle and pedestrian crossing points shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be undertaken in accordance with the scheme for signage and road markings approved by the Local Planning Authority under this condition.

*Reason: In the interests of highway safety.*

#### **20. Construction Traffic Management Plans**

The developer will be required to submit a full comprehensive and robust Construction Traffic Management Plan (CTMP) for each phase/section for approval before any works commence which detail the following:-

- (i) The parking of vehicles for site operatives and visitors
- (ii) The loading and unloading of plant and materials
- (iii) Storage of plant and materials used for the works
- (iv) Wheel washing facilities
- (v) Hours and days of operation and the management and operation of construction and delivery vehicles
- (vi) The timings of construction traffic movements along the A5025

*Reason: In the interest of highway safety*

**21.** Prior to the commencement of any works, the developer shall submit for approval a Traffic Management Plan for both the construction and operational phase of the temporary construction compound. The plan(s) shall identify suitable safety measures required to mitigate the increased volume of HGV traffic.

*Reason: In the interest of highway safety*

#### **22. Bilingual highway signage**

All temporary construction signage and permanent highway signage installed as part of the development shall be provided in Welsh and English.

*Reason: For the avoidance of doubt.*

#### **23. No access to Valley Cemetery**

The appointed contractor will not be permitted to use or obstruct the vehicular access to Valley Cemetery at any stage during the construction process, or use any facilities within the cemetery including the water supply.

*Reason: In the interests of the amenity of Valley Cemetery and highway safety.*

### **Contaminated Land**

#### **24. Contaminated Land Verification Report**

Following completion of the A5025 On-line Highway Improvements a Contaminated Land Verification Report shall be submitted to and agreed in writing with the Local Planning Authority.

*Reason: In the interest of Public Protection and to ensure protection of identified sensitive environmental receptors.*

### **Monitoring**

**25.** The Local Planning Authority will require prior notification of the appointment of a qualified Traffic Safety Control Officer, Ecological Clerk of Works, and Community Liaison Officer.

*Reason: To assist with monitoring of works.*

**26.** The Local Planning Authority will require immediate notification, including details, of any instances of local people being displaced as part of the works.

**Reason: To protect the interests of local work places and residents.**

### **Informatives**

1. All tree works required in connection with this planning permission shall be undertaken in accordance with "BS 3998:2010 Tree Work – Recommendations" (December 2010). All works undertaken shall where required have a licence issued by the relevant licensing body pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 (as amended) (or any Regulations revoking or re-enacting these Regulations) authorising the specified activity/development to go ahead.

2. Adoption of the Section 61 Prior Consent agreements made under the Control of Pollution Act 1974 application process between Horizon and IACC, must afford protection and mitigation for residents and communities bordering the site boundaries. The appointed contractor will be responsible for the preparation and submission of Section 61 Prior Consent application(s) to the IACC for approval.

3. The appointed contractor shall introduce any Temporary Traffic Regulation Orders (TTRO) during construction as necessary, in liaison with IACC (and submit the relevant applications to IACC for approval). The TTROs would cease upon the highway becoming fully operational.

4. The Highways Authority will be utilising Section 59 of the Highways Act 1980 "Recovery of expenses due to extraordinary traffic", to recover compensation for any damage done to the public highway as a consequence of these works.

5. The applicant is advised to apply in writing to the Head of Service for Highways, Waste and Property, Isle of Anglesey County Council, for the necessary consent to temporarily store material on the public highway, as required under Section 171 of the Highways Act 1980.

6. A joint inspection of all laybys will be required between the IACC and Horizon to determine suitability of the existing road surface and agree the extent and specification of resurfacing works required.

7. There are public footpaths and cycle paths that cross the application site. Any diversion, stopping up or amendment would require permission under separate legislation or other provisions and is not granted by this planning permission.

8. This decision notice relates solely to the Town and Country Planning Act 1990 (as amended) and does not purport to grant any approval, which may be required under separate European or UK legislation in relation to protected species. Under the Wildlife & Countryside Act 1981 (as amended) and the Conservation (Natural Habitats &c) Regulations 1994 all nesting birds are protected and the act prohibits disturbance to the birds while they are nesting during the breeding season 1 March – 30 September.

9. This decision notice relates solely to the Town and Country Planning Act 1990 (as amended) and does not purport to grant any approval, which may be required under separate European or UK legislation in relation to protected species. Under the Wildlife & Countryside Act 1981 (as amended) and the Conservation (Natural Habitats &c) Regulations 1994, it is an offence to disturb a bat in its place of shelter, to kill or injure a bat or to damage, destroy or prevent access to its roosting site, whether or not the roost is occupied at the time. If evidence of use by bats is found a licence may be required from the relevant regulatory authority.

10. Wales & West Utilities (WWU) has confirmed that there is an intermediate / high pressure gas main (1050mm diameter), reference HN052 / 01050 (R0390), in proximity to the proposed A5025 On-line Highway Improvements at Valley. WWU has advised that no excavations are to take place above or within 10m of the confirmed position of these mains without prior consultation with WWU. WWU has advised that the contractor would require risk assessment approval before any works commence over the pipeline and a plant protection officer on site at all times whilst working near the pipe, adhering to WWU's specification

WW/SP/SSW/22: Safe Working in the Vicinity of Pipelines and Association Installations Operating Above 2 Barg – For Third Parties, June 2013.

11. Safe digging practices, in accordance with HS(G)47 must be used to verify and establish the presence of mains, pipes, services and other apparatus on site before a mechanical plant is used.

12. Any culvert piping of any land drainage ditch or watercourse will require the approval of the Environment Agency under section 23 of the Land Drainage Act 1981.

13. Where the proposed drainage systems involve the installation of new outfall structures, diversions or culvert extensions to an ordinary watercourse, consent for these works will be required from the Lead Local Flood Authority, under Section 23 of the Land Drainage Act 1991.

14. Should any amendments be required to the existing outfall structure into the main river in Section 4, the application may require consent for the works from Natural Resources Wales.

15. Surface water run-off from the roadway should be managed to the equivalent greenfield rate, with sufficient on-site attenuation being provided to comply with the requirements of TAN15 AT Section 4 serving the residential properties at Bryn Tirion Terrace.

16. The proposed development site is crossed by 150mm and 70mm foul rising mains, together with 150mm and 375mm gravity sewers (approximate position marked on Statutory Public Sewer Record). Under Section 159 of the Water Industry Act 1991, Dwr Cymru Welsh Water has rights of access to its apparatus at all times, and as such would require an easement of 3m either side of the centreline of these pipes. Should the proposed development be located within the protection zones of the sewer crossings, there would be a requirement to divert the public sewers, which can be applied for under Section 185 of the Water Industry Act 1991.

17. The applicant is also advised that some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

18. The proposed development is crossed by a trunk and/or distribution watermain (DCWW has provided a list and location plan). Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access their apparatus at all times. It may be possible for watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must adhere to DCWW's Conditions for Development near Watermain(s) and consult DCWW before any development commences on site.

19. The construction works will be carried out in accordance with the procedures and specifications required by Dwr Cymru Welsh Water, as follows:

- No structure to be sited within a minimum distance of 3m from centre line of Distribution Watermain and 6m from centre line of Trunk Watermain.
- Adequate precautions are to be taken to ensure the protection of the water main during the course of site development.
- If heavy earthmoving machinery is to be employed, then the routes to be used in moving plant around the site should be clearly indicated. Suitable ramps or other protection will need to be provided to protect the water main from heavy plant.
- The water main is to be kept free from all temporary buildings, building material and spoil heaps etc.
- The existing ground cover on the water main should not be increased or decreased.
- All chambers, covers, marker posts etc. are to be preserved in their present position.
- Access to DCWW's apparatus must be maintained at all times for inspection and maintenance purposes and must not be restricted in any way as a result of the development.

In addition the Head of Service will 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 of or go to the heart of the permission/ development.

**ATODIAD A: HANES CYNLLUNIO**

**APPENDIX A: PLANNING HISTORY**

Rhif /No	Cyfeirnod y Cais / Application Ref	Cynnig / Proposal	Lleoliad / Location	Dilyswyd / Validated	Penderfyniad / Determination
1	27C112/LB	Caniatâd Adeilad Rhestredig ar gyfer gosod system gwres canolog yn / Listed Building Consent for the installation of a central heating system at	Bryn Glas, Llanfachraeth	20170727	Wedi'i ganiatáu gydag amodau / Granted with conditions 07/11/17
2	27C104C	Cais llawn ar gyfer gosod 2 paced trin carthffosiaeth yn / Full application for the installation of 2 package treatment plants at	Bytheicws, Llanfachraeth	20170620	Wedi'i ganiatáu gydag amodau / Granted with conditions 15/08/17
3	38C310D/CONS	Ymgynghoriad mwynau a gwastraff yn ymwneud gyda datblygiadau cysylltiedig oddi ar y safle mewn perthynas â'r bwriad / Minerals and waste consultation in respect of the off-site associated developments in respect of	Wylfa Newydd, Cemaes	20160426	Ddim yn y system / Not in system
4	38C310D/CONS	Ymgynghoriad mwynau a gwastraff yn ymwneud gyda datblygiadau cysylltiedig oddi ar y safle mewn perthynas â'r bwriad / Minerals and waste consultation in respect of the off-site associated developments in respect of	Wylfa Newydd, Cemaes	20160426	Ddim yn y system / Not in system
5	18C114	Cais llawn ar gyfer codi anecs yn/Full application for an erection of an annexe	Tyn yr Odyn Llanfechell LL68 0SW	20180213	Ddim yn y system / Not in system
6	29C143	Cais llawn ar gyfer newid yr adeilad allanol presennol i 3 annedd ynghyd â gosod system trin carthffosiaeth yn / Full application for the conversion of the outbuilding into 3 dwellings together with the installation of a sewerage treatment plant at	Bytheicws, Llanfachraeth	20140903	Dim dyddiad yn y system / No date in system
7	27C104	Cais llawn ar gyfer newid yr adeilad allanol presennol i 3 annedd ynghyd â gosod system trin carthffosiaeth yn / Full application for the conversion of the outbuilding into 3 dwellings together with the installation of a sewerage treatment plant at	Bytheicws, Llanfachraeth	20140903	Wedi'i ganiatáu gydag amodau / Granted with conditions 19/03/2015
8	27C104A	Cais llawn ar gyfer dymchwel yr estyniad presennol ynghyd ag addasu ac ehangu i greu fflat nain hunan-gynhaliol yn / Full application for the demolition of the existing extension together with alterations and extensions to create a self-contained granny flat at	Bytheicws, Llanfachraeth	27C104A	Wedi'i ganiatáu gydag amodau / Granted with conditions 21/11/2014
9	20C300A	Cais i bennu a oes angen caniatâd blaenorol ar gyfer dymchwel yr adeiladau allanol presennol yn / Application to determine whether	Ty Baner, Tregele	20140903	Datblygiad a ganiateir / Permitted

		prior approval is required for the demolition of existing outbuildings at			development 18/09/2014
10	27C106/FR	Cais llawn ar gyfer gwaith archwilio'r ddaear fel y gellir gwneud gwelliannau i'r briffordd (A5025) mewn pedwar o leoliadau gwahanol: / Full application for proposed ground investigation works for highway improvements (A5025) at four separate locations:	Cyffordd / Junction 3 A55 Y Fali / Valley, Llanfachraeth, Llanfaethlu a/and Cefn Coch	20150612	Wedi'i ganiatáu gydag amodau / Granted with conditions 18/09/2015
11	27C106C/CONS	Ymgynghoriad cyhoeddus yng nghyswllt y gwelliannau arfaethedig i'r briffordd ar yr / Public consultation in respect of the proposed highway improvement on	A5025 Y Fali / Valley i / to Wylfa, Cemaes	20160516	Cyhoeddwyd ymateb / Response issued 26/05/2016
12	27C106D/SCR	Barn sgrinio am Welliannau Priffyrdd A5025 Ar-lein rhwng Y Fali a Cemaes /Screening opinion for A5025 On-line Highways Improvements between Valley and Cemaes	Ynys Môn / Anglesey	20160830	Dim angen Aseiad o'r Effaith Amgylcheddol / EIA not required 07/10/2016
13	20C94E/VAR	Cais o dan Adran 73 i dynnu amodau (07), (08) a (09) (Côd Cartrefi Cynaliadwy), ynghyd a newid amod (01) (amser cychwyn y datblygiad) i adael 3 mlynedd ychwanegol o caniatâd cynllunio rhif 20C94D (addasu ag ehangu siop ynghyd a codi dau fflat) yn / Application under Section 37 to remove conditions (07), (08) and (09) (Sustainable Homes Code), and amend condition (01) (development start time) to allow an additional 3 years for planning permission 20C94D (adapt and extend shop and build 2 flats) in	Gorsaf Gwasanaethau/Service Station, Tregele, Cemaes	20170118	Wedi'i ganiatáu gydag amodau / Granted with conditions 10/03/2017
14	29LPA1008D/DIS /CC	Cais i ryddhau amod (05) (cynllun i weithredu a darparu trefn cyfyngu dŵr) o ganiatâd cynllunio 29LPA1008A/CC / Application to discharge condition (05) (provision and implementation of surface water limitations) from planning permission 29LPA1008A/CC	Ysgol Rhyd y Llan, Llanfaethlu, Caergybi, LL65 4PQ	20160706	Rhyddhau'r amod / Condition discharged
15	29LPA1008B/CC/ DIS	Cais i ryddhau amodau (02) (03) (04) (dŵr wyneb, dŵr budr a dŵr draenio), (05) (cynllun i ddarparu a gweithredu trefn cyfyngu dŵr wyneb), (06) (Cynllun Rheoli Traffig), (07) (manylion am ddyluniad ac adeiladwaith troedffrydd cyhoeddus), (08) (cynllun ti / Application to discharge conditions (02) (03) (04) (surface water, foul water and drainage water), (05) (scheme to provide and implement a surface water limitation scheme), (06) (Traffic	Rhos Ty Mawr, Llanfaethlu	20160210	Rhyddhau'r amod / Condition discharged

		Management Scheme), (07) (design and construction details of public footways), (08) (landscaping scheme			
16	29LPA1008C/CC/ MIN	Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatâd cynllunio 29LPA1008A\CC er mwyn lleihau maint yr adeilad ar dir ger / Minor amendments to scheme previously approved under planning permission 29LPA1008A\CC as to decrease the sc	Rhos Ty Mawr, Llanfaethlu	20160215	Wedi'i ganiatáu / Granted 14/03/2016
17	29C12H	Cais llawn ar gyfer codi cytiau ci ar dir yn / Full application for the erection of standalone kennels on land at.	Bodowen, Lon Las, Llanrhuuddlad	20160621	Wedi'i ganiatáu gydag amodau / Granted with conditions 15/12/2016
18	29LPA1008E/DIS/ CC	Cais i ryddhau amod (10) (goleuni allanol) o ganiatâd cynllunio 29LPA1008A/CC yn / Application to discharge condition (10) (external lighting) of planning permission 29LPA1008A/CC at	Ysgol Rhyd y Llan, Llanfaethlu	20161109	Ddim ar feil / Not on file
19	29LPA1008F/CC/ VAR	Cais o dan Adran 73 i ddiwygio amod (10) o ganiatâd cynllunio rhif 29LPA1008A/CC (codi ysgol gynradd newydd) er mwyn caniatáu rhywfaint o oleuni i lifo o'r safle dros y ffiniau yn / Application under Section 73 for the variation of condition (10) of plan	Ysgol Rhyd y Llan, Llanfaethlu	20170111	Wedi'i ganiatáu gydag amodau / Granted with conditions 03/03/2017
20	29LPA1008G/CC/ SCR	Barn sgrinio ar gyfer yr ysgol gynradd a gafodd ei gymeradwyo o dan rhif cais 29LPA1008A/CC gyda newidiadau i amod (10) (goleini) yn / Screening opinion for the erection of a primary school approved under planning application 29LPA1008A/CC with amendmen	Ysgol Rhyd y Llan, Llanfaethlu	20170111	Dim angen Asesiad o'r Effaith Amgylcheddol / EIA not required 30/01/2017
21	20C257A	Cais llawn ar gyfer codi annedd ar dir yn / Full application for the erection of a dwelling on land at	Plot wrth / Plot Adjacent to Ty Baner Tregle	20170220	Wedi'i ganiatáu gydag amodau / Granted with conditions 05/04/2017
22	38C310C/CONS	Ymgynghoriad cyhoeddus yng nghyswllt cynigion paratoi a chlirio'r safle i'r / Public consultation or site preparation and clearance proposals for	Prosiect Wylfa Newydd Project, Cemaes	20160516	Cyhoeddwyd ymateb / Response issued 26/05/2016
23	38C310A/SCO	Barn sgopio ar gyfer cynigion paratoi a chlirio'r safle i'r / Scoping opinion for site preparation and clearance proposals for	Prosiect Wylfa Newydd Project, Cemaes	20160209	Wedi darparu SO / SO provided 27/04/2016



24	29LPA1008/CC/S CR	Barn sgrinio ar gyfer codi ysgol gynradd newydd ar dir gyferbyn â / Screening opinion for the erection of a new primary school on land opposite	Rhos Ty Mawr, Llanfaethlu	20141205	Ddim ar ffeil / Not on file
25	38C310F/EIA/EC ON	Gwaith paratoi a chlirio'r safle ar gyfer datblygu gorsaf bŵer Wylfa Newydd, yn cynnwys y gweithgareddau canlynol: clirio'r safle (gan gynnwys clirio a rheoli llystyfiant, tynnu ffensys, waliau, giatau, ffiniau caeau, strwythurau presennol (gan gynnwys / Site clearance and preparation work to develop the Wylfa Newydd power station, including the following activities: site clearance (including clearing and managing vegetation, removal of fences, walls, gates, field boundaries, existing structures (including	Wylfa Newydd, Cemaes	20171116	Penderfyniad heb ei gyhoeddi eto / Determination not yet issued
26	29EL1529/E	Cais o dan Adran 37 o'r Ddeddf Trydan 1989 i uwchraddio'r linell 11Kv uwchben i un tair gwifren ynghyd a chodi polyn pren yn / Application under Section 37 of the Electricity Act 1989 to upgrade the existing 11Kv overhead line to a three phase and the	Ysgol Rhyd Y Llan, Llanfaethlu	20170511	Wedi'i ganiatáu / Granted
27	27C106B/DIS	Cais i ryddhau amodau (03) cynllun tynnu gwaith a strwythurau atodol, (04) datganiadau dull a chynlluniau rheoli amgylcheddol, (05) archeolegydd a (07) lliniaru hanesyddol o ganiatâd cynllunio 27C106/FR mewn lleoliadau gwahanol yn / Application to discharge conditions (03) removal schedule for ancillary works and structures, (04) method statements and environmental management plans, (05) archaeologist and (07) historic mitigation from planning permission 27C106/FR at several locations at	Y Fali / Valley, Llanfachraeth, Llanfaethlu & Cefn Coch	20151030	Wedi rhyddhau'r amodau / Conditions discharged 23/12/2015
28	49C324	Cais llawn i newid defnydd o cae amaethyddol i maes parcio preifat ynghyd â gwella mynedfa bresennol ar dir gyferbyn â / Full application for the change of use of an agricultural field into a private car park together with the improvement to the existin	Preswylfa, Y Fali / Valley		Wedi'i dynnu'n ôl / Withdrawn
29	49C91D/ENF	Cais ôl-weithredol ar gyfer addasu ag ehangu ynghyd â chadw pwll/ Retrospective application for alterations and extensions together with retention of a pond	Ty Gwyn Barns Llanynghenedl Y Fali / Valley	20170220	Wedi'i ganiatáu gydag amodau / Granted with conditions 13/04/2017

30	27C106A/SCO	Barn sgopio ar gyfer gwelliannau ar hyd y briffordd A5025 rhwng Y Fali a Cemaes / Scoping Opinion for highway improvements along the A5025 between Valley and Cemaes	Ynys Môn\Anglesey	20150703	Wedi darparu SO / SO provided
31	49C2E/FR	Cais llawn ar gyfer codi modurdy 3 bae ar dir yn / Full application for the erection of a 3 bay garage on land at	Preswylfa, Y Fali / Valley	20140728	Ddim ar ffeil / Not on file
32	49C2E	Cais llawn ar gyfer codi modurdy 3 bae ar dir yn / Full application for the erection of a 3 bay garage on land at	Preswylfa, Y Fali / Valley	20140728	Wedi'i ganiatáu gydag amodau / Granted with conditions 17/11/2014
33	29C135A/VAR	Cais o dan Adran 73 i diwygio amod (01) (terfyn 5 mlynedd) o caniatâd cynllunio rhif 29C135 (addasu ag ehangu) er mwyn ychwanegu terfyn 5 mlynedd arall yn / Application under Section 73 for the variation of condition (01) (5 year limit) from planning permission number 29C135 (alterations and extensions) so as to allow a further 5 year limit at	Tyn Cae, Llanfaethlu	20150224	Wedi'i ganiatáu gydag amodau / Granted with conditions 21/04/2015
34	29LPA1008A/CC	Cais llawn i godi ysgol gynradd newydd ynghyd a chreu llwybr cerdded newydd wrth Stad Bryn Llwyd a chreu mynedfa newydd i gerbydau i'r A5025 ar dir gyferbyn a / Full application for the erection of a new primary school together with the creation of a new entrance for vehicles to the A5025 on land opposite	Rhos Ty Mawr, Llanfaethlu	20150901	Wedi'i ganiatáu gydag amodau / Granted with conditions 19/10/2015
35	27C106E/FR/EC ON	Cais llawn i wella'r briffordd gyfredol (yr A5025) rhwng y gyffordd ar yr A5 i'r dwyrain o'r Fali at gyffordd y lôn i'r Orsaf Bŵer arfaethedig mewn wyth o leoliadau gwahanol ynghyd ag ailadeiladu a lledu mewn mannau y pafin cyfredol a gorffenwaith y lôn / Full application for improvements to the existing highway (A5025) between A5 East of Valley Junction to the proposed Power Station Access Road Junction at eight separate locations together with reconstruction and localised widening of existing pavement and surface dressing	A5025 rhwng Cyffordd Dwyrain y Fali'r A5 a'r Orsaf Bŵer Cemaes / A5025 between A5 East of Valley Junction to Power Station Cemaes	20171207	Y CAIS DAN SYLW / APPLICATION IN QUESTION
36	49C105A	Cais llawn ar gyfer addasu ac ehangu yn / Full application for alterations and extensions at	Glyn Villa, Y Fali / Valley	20160902	Wedi'i ganiatáu gydag amodau / Granted with conditions 14/10/2016
37	49C109D/DEL	Cais o dan Adran 73 i dynnu amodau (Cod Cartrefi Cynaliadwy), ynghyd a ddiwygio amodau (06)	Abernant, Llanyghenedl	20150910	Wedi'i ganiatáu gydag amodau / Granted with

		(manylion llawn y ffiniau), (07) (manylion y deunyddiau gorffen allanol) a (08) (manylion y system draenio) er mwyn cyflwyno gwybodaeth ar ôl i ddatblygiad gychwyn / Application under Section 73 to discharge conditions (Sustainable Homes Code), and amend conditions (06) (full details of boundaries), (07) (details of external finishing materials) and (08) (drainage system details) to present information after the development begins			conditions 04/01/2016
38	49C336	Cais llawn i addasu ac ehangu er mwyn creu swyddfeydd ychwanegol, ystafell aros ac estyniad i'r gweithdy i'r capel gorffwys yn / Full application for alterations and extensions so as to provide additional offices, waiting room and extension to the works	Preswylfa, Y Fali/Valley	20170612	Wedi'i ganiatáu gydag amodau / Granted with conditions 19/09/2017
39	27C111	Cais llawn i godi modurdy preifat gyda stordy uwch ben yn / Full application for the erection of a private garage with storage area above at	Cartref, Llanfachraeth	20170609	Wedi'i ganiatáu gydag amodau / Granted with conditions 27/07/2017
40	27C107	Cais amlinellol ar gyfer codi annedd gyda'r holl faterion wedi'u cadw'n ôl ar dir ger / Outline application for the erection of a dwelling with all matters reserved on land adjacent to	Penrhos Newydd, Llanfachraeth	20150619	Gwrthodwyd / Refused 14/08/2015
41	27C108	Cais llawn i addasu ag ehangu mynedfa gerbydau presennol yn / Full application to alter and extend the existing vehicular access at	Ty Newydd, Llanfachraeth	20150910	Wedi'i ganiatáu gydag amodau / Granted with conditions 30/10/2015
42	19C1195/RE/SC O	Barn sgopio ar gyfer y datblygiad cysylltiedig ar y glannau a'r lleoliad tirlenwi ceblau sy'n gysylltiedig â datblygiad arfaethedig Parth Datblygu Llanwol Morlais oddi ar arfordir Caergybi ar rhannau o / Scoping opinion for the on-shore associated development and cable landfill location in association with the development of the proposed Morlais Tidal Development Zone off the coast of Holyhead on parts of	Caergybi a'r Fali / Holyhead and Valley	20170110	Wedi darparu SO / SO provided
43	18C4H	Trosi beudai yn 2 uned gwyliau ac estyniad / Conversion of outbuilding into 2 holiday units and extension	Awelfryn, Allt Cichle, Llandegfan, Porthaethwy / Menai Bridge	20110412	Wedi'i ganiatáu gydag amodau / Granted with conditions 09/01/2013
44	49C309	Dymchwel, codi cyntedd yn / Demolition, erection of porch at	1 tai Cyngor, Llanyghenedl	20130121	Wedi'i ganiatáu gydag amodau / Granted with

					conditions 27/02/2013
45	27C23B	Dechrau deunydd arfaethedig LUC / LUC proposed material start 27C23A	Ysgol Gynradd, Llanfachraeth	20130207	Ardystiwyd yn gyfreithiol / Certified lawful 24/09/2013
46	20C265	Gwaith ymchwiliadau tir a chompond / Ground investigation works and compound	Gorsaf Bŵer Wylfa Power Station, Cemaes	20101015	Wedi'i ganiatáu gydag amodau / Granted with conditions 01/12/2010
47	38C80D	Adnewyddu 38C80C / Renewal of 38C80C	Wedi'i dynnu'n ôl / Withdrawn	20100521	Wedi'i dynnu'n ôl / Withdrawn
48	38C80E	Amrywio amod 2 o 38C80C i gad gwaith fel yr oedd wedi'i adeiladu yn / variation of condition 2 of 38C80C to retain works as built at	Groes Fechan, Tregele	20100526	Wedi'i ganiatáu gydag amodau / Granted with conditions 14/02/2011
49	20C300	Hysbysiad dymchwel / Demolition notice	Ty Banner, Tregele	20140324	Dim angen cymeradwyaeth ymlaen llaw / Prior approval not required.
50	20C94D	Addasu ac ymestyn a chodi 2 fflat ar y llawr cyntaf yn / alts & exts & erection 2 apartments at first floor at	Gorsaf Betrol Tregele Service Station, Tregele	20110801	Wedi'i ganiatáu gydag amodau / Granted with conditions 20/01/2012
51	20C267	Addasu ac ymestyn ynghyd â chodi garej yn / Alt & ext together with erection of garage at	Glan Rhyd, Llanfechell	20101208	Wedi'i ganiatáu gydag amodau / Granted with conditions 02/03/2011
52	29C135	Addasu ac ymestyn gan gynnwys yr addasiadau i greu llety llawr cyntaf gyda theras to yn / Alterations and extensions including the alterations to create first floor accommodation with roof terrace at	Tyn Cae, Llanfaethlu	20110412	Wedi'i ganiatáu gydag amodau / Granted with conditions 12/07/2010
53	29C12G	Dymchwel y sied 'lean to' a'r ystafell haul presennol a chodi sied 'lean to' newydd ynghyd â chodi sied domestig yn / Demolition of the existing lean to shed and conservatory and erection of new lean to shed together with domestic shed at	Bodowen Farm, Llanfaethlu	20110412	Wedi'i ganiatáu gydag amodau / Granted with conditions 25/10/2010
54	29C115D & 29C115E/LB	COU adeilad i greu rhan o'r Black Lion yn / COU of building to form part of Black Lion at	Siop Soar, Llanfaethlu	20130307	Wedi'i ganiatáu gydag amodau / Granted with conditions 19/07/2013
55	49C308	Cadw COU mewn annedd yn / Retention COU into dwelling at	Capel Hermon, Llanynghenedl	20120810	Wedi'i ganiatáu gydag amodau / Granted with conditions 04/12/2012

56	49C91B	Addasiadau yn / Alterations at	Ty Gwyn, Llanynghenedl	20110915	Wedi'i ganiatáu gydag amodau / Granted with conditions 08/12/2011
57	29C41F	Trosi i annedd yn / Conversion into dwelling at	Bryn Maethlu	20120516	Wedi'i ganiatáu gydag amodau / Granted with conditions 09/07/2012
58	49C301	Amlinellol – tir annedd wrth ymyl / Outline - dwelling land adj to	Bryncoed, Llanynghenedl	20100507	Amser wedi do di ben / Lapsed
59	49C109C	Cais llawn ar gyfer codi annedd a garej a thanc septig yn / Full application for the erection of a dwelling and garage together with septic tank at	Lon Deg, Llanynghenedl	20130712	Wedi'i ganiatáu gydag amodau / Granted with conditions 08/10/2013
60	27C54D	Cynllunio llawn ar gyfer 19 carafán statig, gwaith cloddio, plannu coed a phlanhigion a newid defnydd tŷ allanol yn annedd i'w osod yn / Full planning for 19 static caravans, earth works, tree and hedge planting and change of use of outbuilding to dwelling for let at	Parc Carafanau Dronwy Caravan Park, Llanfachraeth	20110412	Wedi'i ganiatáu gydag amodau / Granted with conditions 08/04/2010
61	27C54E/LB	Cydsyniad adeilad rhestredig ar gyfer newid defnydd tŷ allanol yn anheddau i'w gosod yn / Listed building consent for the change of use of outbuilding to dwellings for let at	Parc Carafanau Dronwy Caravan Park, Llanfachraeth	20110412	Wedi'i ganiatáu gydag amodau / Granted with conditions 09/05/2011
62	49C297/AD	Cadw 2 arwydd yn / Retention of 2 signs at	Gorsaf Gwalia Station, Valley	20110406	Wedi'i ganiatáu gydag amodau / Granted with conditions 27/05/2010
63	20C235A	Cais llawn ar gyfer codi annedd un llawr ar dir wrth ymyl / Full application for the erection of a single storey dwelling on land adjacent to	Gorsaf Betrol / Service Station, Tregele	20080613	Wedi'i ganiatáu gydag amodau / Granted with conditions 29/07/2008
64	20C94C	Cais amlinellol ar gyfer dymchwel y garej presennol ynghyd â chodi dau annedd yn / Outline application for the demolition of the existing garage together with erection of two dwellings at	Gorsaf Betrol / Petrol Station, Tregele	20070614	Wedi'i ganiatáu gydag amodau / Granted with conditions 10/01/2008
65	20c257	Codi annedd ar blot wrth ymyl / Erection of a dwelling on plot adj	Ty Baner, Tregele	20090515	Wedi'i ganiatáu gydag amodau / Granted with conditions 15/06/2009
66	20C235	Cais llawn i godi annedd a garej, ynghyd â thanc septig ar dir wrth ymyl / Full application for erection of dwelling and garage, together with septic tank on land adjacent to	Ty Baner, Tregele	20060818	Wedi'i ganiatáu gydag amodau / Granted with conditions 09/10/2006
67	49C91A	Trosi tai allanol / Conversion of outbuildings	Ty Gwyn, Llanynghenedl	20060208	Wedi'i ganiatáu gydag amodau /

					Granted with conditions 01/02/2007
68	49C283	Addasu ac ymestyn yn / Alterations and extensions at	Tegfa, Llanynghenedl	20070914	Wedi'i ganiatáu / Granted 24/10/2007
69	27C94	Addasu ac ymestyn yn / Alterations and extensions at	Madryn, 7 Glanllyn, Llanfachraeth	20090112	Wedi'i ganiatáu gydag amodau / Granted with conditions 16/12/2009
70	27C82	Ystafell haul yn / Conservatory at	1 Bont Llwyd, Llanfachraeth	20050112	Wedi'i ganiatáu gydag amodau / Granted with conditions 09/02/2005
71	18C4B	Addasu'r fynedfa bresennol, tanc LPG newydd a thriniaeth yn / Alterations to the existing access, new LPG tank and treatment at	Tyddyn Waen, Llanrhuuddlad	20060512	Wedi'i ganiatáu gydag amodau / Granted with conditions 27/06/2006
72	18C4D/LB	Cydsyniad Adeilad Rhestredig ar gyfer symud lleoli porth, adeiladu / Listed Building Consent for re siting of gateway, construct	Tyddyn Waen, Llanrhuuddlad	20060517	Ddim ar ffeil / Not on file
73	18C4E	Codi cyntedd i'r blaen, gan godi estyniad deulawr yn / Erection of a porch to the front, together with erection of two storey extension at	Tyddyn Waen, Llanrhuuddlad	20070125	Wedi'i gymeradwyo gydag amodau / Approved with conditions
74	18C4F/LB	Cydsyniad Adeilad Rhestredig ar gyfer codi cyntedd i'r blaen, codi estyniad deulawr ac addasiadau mewnol yn / Listed Building Consent for the erection of a porch to front, erection of a two storey extension together with internal alteration at	Tyddyn Waen, Llanrhuuddlad	20070125	Wedi'i ganiatáu gydag amodau / Granted with conditions 12/10/2007
75	18C29H	Cais amlinellol i godi byngalo ar dir wrth ymyl / Outline application for the erection of a bungalow on land adjacent to	Ysgoldy Pedair, Llanrhyddlad	20060817	Wedi'i ganiatáu gydag amodau / Granted with conditions 15/12/2006
76	18C29J	Cais amlinellol ar gyfer codi dau annedd ar dir yn / Outline application for the erection of two dwellings on land at	Ysgoldy Pedair, Llanrhyddlad	20071116	Wedi'i ganiatáu gydag amodau / Granted with conditions 07/01/2008
77	18C29K/DA	Cynlluniau manwl ar gyfer codi dau annedd deulawr ar dir yn / Detailed plans for the erection of two, 2 storey dwellings on land at	Ysgoldy Pedair, Llanrhuuddlad	20080128	Wedi'i ganiatáu gydag amodau / Granted with conditions 28/02/2008
78	49C159B	Addasu ac Ymestyn / Alt and Ext	1 & 2 Tyddyn Y Gof, Llanynghenedl		Ddim ar ffeil / Not on file
79	49C159B	CODI YSTAFELL HAUL YN / ERECTION OF A CONSERVATORY AT	1 & 2 Tyddyn Y Gof, Llanynghenedl	20050725	Wedi'i ganiatáu gydag amodau / Granted with

					conditions 14/09/2005
80	49C196A	ADDASU AC ESTYNIAD DORMER YN / ALT AND DORMER EXT AT	Hen Gyfnewidfa Ffôn / Old Telephone Exchange, Llanynghenedl	20050210	Ddim ar ffeil / Not on file
81	49C9W/AD	Codi 2 arwydd panel wedi'u goleuo yn / Erection of 2 illuminated panel signs at:	Ty Hapus, Y Sgwâr, Croesfordd y Fali / The Square, Valley Crossroads	20051024	Wedi'i ganiatáu gydag amodau / Granted with conditions 25/11/2005
82	27C71C	Cais amlinellol ar gyfer codi annedd ar dir yn / Outline application for the erection of a dwelling on land at	Penrhos Newydd, Llanfachraeth	20070814	Wedi'i ganiatáu gydag amodau / Granted with conditions 07/04/2008
83	27C23A	Codi 5 annedd ynghyd ag addasu'r fynedfa i gerbydau ar dir wrth ymyl / Erection of 5 dwellings together with alterations to the existing vehicular access on land adjacent to	Ysgol Gynradd Llanfachraeth Primary School	20050808	Wedi'i ganiatáu gydag amodau / Granted with conditions 05/02/2008
84	27C84	Amlinelliad ar gyfer annedd newydd a thanc septig ar ran o gae yn / Outline for new dwelling and septic tank on part of field at	Tremoelgoch, Llanfachraeth	20050517	Gwrthodwyd / Refused
85	49C272	Addasu ac ymestyn / alt & ext	Hafan, Llanynghenedl	20060508	Wedi'i ganiatáu gydag amodau / Granted with conditions 19/06/2006
86	49C267	Caniatâd llawn i godi byngalo dormer ynghyd ag adeiladu mynedfa newydd i gerbydau a gosod tanc septig newydd yn / F/P for the erection of a dormer bungalow together with the construction of a new vehicular access and installation of a new septic tank at	Tir wrth / Land adj, Tegfan, Llanynghenedl	20050729	Wedi'i ganiatáu gydag amodau / Granted with conditions 21/09/2005
87	29C12F	Addasu ac ymestyn yn / alt & ext at	Bodowen farm, Llanfaethlu	20090528	Wedi'i ganiatáu gydag amodau / Granted with conditions 20/07/2009
88	29C115	Newid defnydd tafarn yn ddwy uned breswyl / Change of use of public house into two residential units	Black Lion, Llanfaethlu	20050718	Gwrthodwyd / Refused
89	29C115A/LB	Cais am gydsyniad adeilad rhestredig ar gyfer y newid defnydd / Application for listed building consent for the change of use	Black Lion, Llanfaethlu	20050914	Gwrthodwyd / Refused

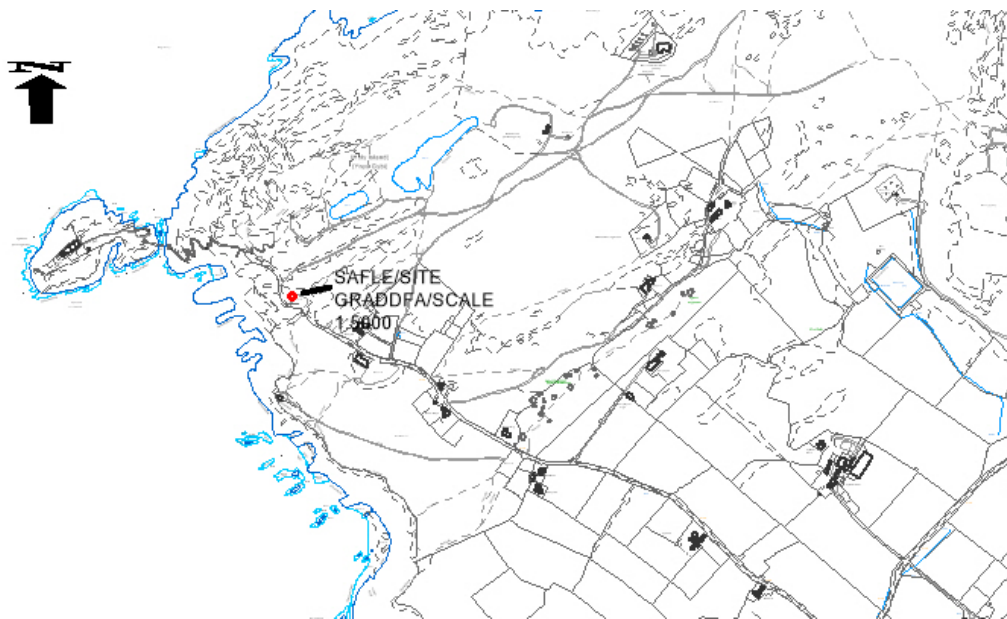
Rhif y Cais: **46C615/AD** Application Number

Ymgeisydd Applicant

**Mrs Laura Kudelska**

**Cais i leoli arwydd heb ei oleuo ynghyd â gosod mesurydd parcio ym maes parcio uwchben y /  
Application for the siting of a non-illuminated sign together with the installation of car parking  
meter at the car park above the**

**Canolfan Ymwelwyr/Visitor Centre, Ynys Lawd/South Stack, Caergybi/Holyhead**





## Planning Committee: 04/07/2018

### Report of Head of Regulation and Economic Development Service (GJ)

#### Recommendation:

Permit

#### Reason for Reporting to Committee:

The application has been called into the planning committee by two local members, Cllr Trefor Lloyd Hughes and Cllr Dafydd Rhys Thomas due to concerns that motorists will park on the highway and that there is no pedestrian walkway available on the road.

At its meeting held on the 6<sup>th</sup> June, 2018 the planning committee resolved to refuse the planning application contrary to officers recommendation.

The reason given for recommending refusal of the planning application was as follows:

- The application is unacceptable due to the negative effects of traffic parking on the road which has no footway and which could lead to health and safety issues.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

1. The application entails installation of a parking meter and erection of associated signage. The principle of charging for parking and the amount charged are not planning considerations. Concern is expressed that allowing the development will lead to unacceptable traffic and highway safety impacts. It is clear however that the area is frequently congested already. The Highway Authority does not object to the application. There are other means of managing traffic on the highway.

It has been shown above that the reason for refusal given my members are not clear cut and cannot be weighted to such an extent that a refusal of this application could be soundly defended at an appeal.

#### 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: For the avoidance of doubt

**(02) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) and document(s) submitted below:**

<b>Date Received</b>	<b>Plan Description</b>
<b>26/2/18</b>	<b>Location Plan</b>
<b>26/2/18</b>	<b>Parking Meter</b>
<b>26/2/18</b>	<b>Proposed Signs</b>

**under planning application reference 46C615/AD.**

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.

7.3

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **49C333A/FR** Application Number

Ymgeisydd Applicant

**Mr Brendan Creaney**

**Cais llawn i newid defnydd y capel gwag i annedd ynghyd ag addasu a codi balconi ar y llawr cyntaf yn / Full application for change of use of disused chapel into a dwelling together with alterations and the construction of a first floor balcony at**

**Capel Hermon, Field Street, Y Fali/Valley**



**Planning Committee: 04/07/2018**

**Report of Head of Regulation and Economic Development Service (GJ)**

**Recommendation:**

Refuse

**Reason for Reporting to Committee:**

The application has been called into the planning committee by both local members, Cllr Richard Dew and Cllr Gwilym O Jones.

At its meeting held on the 6th June, 2018 the planning committee resolved to approve the planning application contrary to officers recommendation.

The reasons given for recommending approval of the planning application was as follows:

1. The existing finished floor levels are acceptable and would withstand any future flooding. It was considered that the proposal would comply with the requirements of TAN 15.
2. Works recently carried out to the culvert have alleviated the flooding problems in the area, therefore there is no longer a flooding risk to the area.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

1. The site is identified as being in a C2 Flood Zone. TAN 15 states that new development should be directed away from zone C. The application site lies entirely within zone C2. Residential development within a C2 flood zone is classed as highly vulnerable development which cannot be supported under the provisions of TAN 15. A Flood Assessment Report submitted by the applicant on a previous application, indicated that there would be a need for finished floor levels to be raised by 2 metres to meet TAN 15 requirements.
2. The members stated that works had been undertaken to the culvert in recent years which has addressed the flooding problem. The Flood Consequence Assessment submitted with the previous planning application confirms that if flooding would occur, it would be directed from Tyddyn Cob and not from the culvert, therefore the risk of flooding remains the same.

**Recommendation:**

**Refuse**

(01)The application is for a residential development located within zone C2, as defined by the Development Advice Maps referred to under Technical Advice Note 15 'Development and Flood Risk' (July 2004). The proposal is therefore contrary to Policy PCYFF 2 of the Gwynedd and Anglesey Joint Local Development Plan and Technical Advice Note 15 – Development and Flood Risk (July 2004).

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10.1

Ceisiadau'n Tynnu'n Groes

Departure Applications

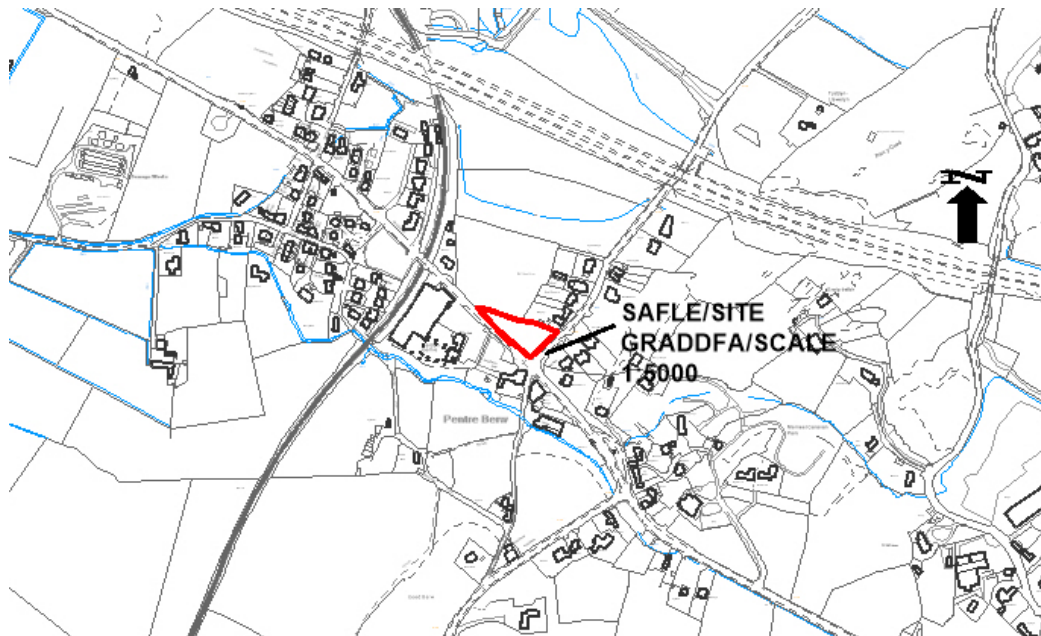
Rhif y Cais: **33C284B/DEL** Application Number

Ymgeisydd Applicant

**AMP Construction Ltd**

Cais dan Adran 73 i gael gwared ar amodau (10) (côd ar gyfer cartrefi cynaliadwy), (11) (côd ar gyfer cartrefi cynaliadwy), (12) (côd ar gyfer cartrefi cynaliadwy), (20) (troedffordd ynghyd a rhyddhau amodau (07) (disgrifiadau masnach a deunyddiau), (08) (dull amgáu) a (09) (manyllion draenio), er mwyn darparu disgrifiadau masnach o'r deunyddiau y bwriedir eu defnyddio ar arwynebeddau allanol, manyllion llawn am y dulliau amgáu y bwriedir eu defnyddio o fewn ac o gwmpas y safle a'r manyllion draenio fel rhan o'r cais cynllunio gyfredol. Amrywio amodau (13) (ffnestri) a (21) (yn unol â'r cynlluniau a gymeradwywyd) er mwyn diwygio'r cynlluniau a gymeradwywyd mewn perthynas â chaniatâd cynllunio 33C284A (codi 3 annedd newydd ynghyd â chreu mynedfa i gerbydau) ar dir gyferbyn â/Application under Section 73 for the removal of conditions (10) (code for sustainable homes), (11) (code for sustainable homes), (12) (code for sustainable homes) and (20) (footway) together with the discharge of conditions (07) (trade descriptions and materials), (08) (means of enclosure) and (09) (drainage details), so as to provide details of trade descriptions of the materials proposed to be used on external surfaces, full details of the proposed means of enclosure around and within the site and drainage details as part of the current planning application together with variation of conditions (13) (windows) and (21) (in accordance with approved plans) so as to amend the approved plans of planning permission reference 33C284A (erection of 3 new dwellings together with the creation of a vehicular access) on land opposite

Holland Arms, Pentre Berw



## **Planning Committee: 04/07/2018**

### **Report of Head of Regulation and Economic Development Service (GJ)**

#### **Recommendation:**

Permit

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

The application is being presented to the Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve

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

The proposal entails the change of size and design of the 3 dwellings previously approved on the site. Due to the reduction in size of the dwellings it will no longer be required to remove the existing stone wall to the South West of the application site. As the stone wall is to remain there is no requirement to provide an extended pedestrian footway adjacent to the A5.

This is an application under Section 73 for the removal of conditions;

- (10) (code for sustainable homes),
- (11) (code for sustainable homes),
- (12) (code for sustainable homes)
- (20) (pedestrian footway)
- (07) (trade descriptions and materials),
- (08) (means of enclosure) and
- (09) (drainage details).

Details of trade descriptions of the materials proposed to be used on external surfaces, full details of the proposed means of enclosure around and within the site and drainage details has been provided as part of the current planning application.

Variation of conditions (13) (windows) and (21) (in accordance with approved plans) so as to amend the approved plans of planning permission reference 33C284A (erection of 3 new dwellings together with the creation of a vehicular access) on land opposite Holland Arms, Pentre Berw.

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

The application's key issue is the existence of the fallback position (extant planning consent), what likelihood exists of the extant permission coming forward and that any harm that is generated by the extant permission being balanced against the proposed scheme and any improvement or betterment the proposal offers over and above the fall-back position.

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

##### **Joint Local Development Plan**

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

TAI6 – Housing in Clusters

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

**Community Council** – No comments

**Local Member (Cllr Dafydd Roberts)** – No response

**Local Member (Cllr Eric Wyn Jones)** – No response



**Drainage Section** – Conditional approval

**Welsh Water** – No objection

**Highways Authority** – Supportive of the proposal.

Site notices was placed near the site and neighbouring properties were notified by letter. The planning application was also advertised in the local newspaper as the development is contrary to policies of the Joint Local Development Plan. The expiry date for receiving representations was the 14th May, 2018. At the time of writing the report no letters were received.

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

33C284 - Outline application for residential development on land opposite Holland Arms, Pentre Berw – Granted 22/12/10.

33C284A - Full application for the erection of 3 new dwellings together with the creation of a vehicular access on land opposite to Holland Arms, Pentre Berw – Granted 17/09/13.

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

Pentre Berw is identified as a Cluster in the Joint Local Development Plan.

Full planning permission has been granted on the site under planning application reference 33C284A which was approved on the 17/9/13. No development has commenced on the site to date.

#### **Removal of Conditions (10), (11) and (12)**

The current application entails the removal of conditions (10), (11) and (12) of planning permission 33C284B/DEL which relate to Code for Sustainable Homes. Since matters relating to method of construction with respect to climate change are no longer governed by the planning regime but Regulation 26, Part L of Building Regulations, it is considered that the conditions are no longer necessary. It is therefore reasonable that they are removed as stated with the Welsh Government letter 016/2014: The use of planning condition for Development Management.

#### **Removal of Condition (20)**

Condition (20) of the previous planning application involved removing the existing stone wall and extending the site up to the A5. This required the applicant to extend the existing pedestrian footway to the A5. As the proposal no longer involves removal of the existing stone wall to the South West of the site, it will no longer encroach onto the A5 and therefore no requirement to extend the pedestrian footway.

#### **Discharge of Conditions (07), (08) and (09)**

Condition (07) requested that details of trade descriptions and materials were produced prior to the commencement of work on the site. Details have been received and it is considered that the materials are acceptable and will match that of existing dwellings in the vicinity.

Condition (08) requested that details of the means of enclosure was provided prior to the commencement of work on the site. Details have been received and it is considered that details are acceptable and will fit into the landscape.

Condition (09) requested that no development shall commence on the site until surface water drainage details were submitted to the Local Planning Authority. Surface water details have been received and have been confirmed as acceptable in principle by the drainage section.

#### **Variation of Conditions (13) and (21)**

The application also seeks the variation of condition (13) (windows) restricted plot 3 to obscured glazing only and no new openings should be made to the side elevation fronting Gwyndy. The planning application has now been amended and the proposal has less windows in the side elevation facing Gwyndy. The only window facing Gwyndy is a first floor bathroom window which will be obscurely glazed and the details are considered acceptable.

Variation of condition (21) (as approved drawings). The design of the dwellings has been amended. The previous permission approved under planning application 33C284A was for 2 no 3 bedroom houses (plot 2 and 3) with a floor area of 147.38 square metres and a larger 4 bedroom house on (plot 1) with a floor area of 201.88 square metres. The design of the amended dwellings are identical with a floor area of 129.62 square metres.

**Policy Context** – The principle of the erection of three dwellings on the site has been established under planning application 33C284A approved on the 17/9/13.

**Joint Local Development Plan** – Pentre Berw is identified as a cluster where housing proposals can only be supported for affordable housing for local need between or adjacent to buildings coloured on the Inset Map under Policy TAI 6.

The application currently under consideration does not comply with the requirements of Policy TAI 6 as the dwellings are open market houses. However, as the application site has an extant planning permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented.
- Are the amendments to the permission an improvement over that previously approved.

Application reference 33C184A was approved on the 17/09/13, however no work has commenced on site. No details have been submitted to discharge conditions of the previous permission.

The amendments to the planning application are considered to be an improvement;

- The dwellings have been reduced in size
- The scale and design of all 3 dwellings will be identical.
- The existing stone boundary wall to the South West of the application site will not be removed; therefore, allowing the existing grass verge to the South West of the application to remain unchanged.

### **Affect on amenities of surrounding properties**

Neighbouring properties have been notified of the proposed development. The expiry date to receive representations was the 14<sup>th</sup> May, 2018. At the time of writing the report no objections were received.

It is considered that the amended plans will have less of an impact upon neighbouring properties than the previously approved permission due to the properties being reduced in scale and less windows located on the side elevation facing Gwynfa.

### **7. Conclusion**

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

The application is contrary to Policy TAI 6 of the Joint Local Development Plan; however, the fallback position is that the application site has an extant planning permission for 3 dwellings.

It is considered that the proposed changes are an improvement to the previous application approved under 33C284A.

## **8. Recommendation**

### **Permit**

**(01) The development to which this permission relates shall be begun not later than 17/09/2018.**

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

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

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

**(03) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system.**

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

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

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

**(05) The 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 interest of the amenities of the locality.

**(06) The window on Plot 3 outlined in blue on the attached plan ref 2078:18.4 received 03/04/2018 shall be obscure glazing and any replacement windows shall be similarly glazed. No new openings shall be made on the side elevation fronting the property known as Gwyndy without the prior approval of the Local Planning Authority.**

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

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

Reason: In the interest of amenity and highway Safety

**(08) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 metre above the level of the adjoining county road carriageway along the whole length of the site's boundary with the adjoining highway and nothing exceeding this height erected within 2m. of the said wall.**

Reason: To secure adequate visibility at the access.

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

Reason: To secure adequate access.

**(10) The car parking accommodation shall be completed in full accordance with the**

**details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.**

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

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

Reason: In the interests of highway safety.

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

Reason: In the interest of highway safety.

**(13) Prior to the laying of permeable paving shown on drawing number 2078:18:3a, a management and maintenance plan for the permeable paving lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. This management and maintenance plan shall provide that any replacement permeable paving required during the lifetime of the development shall be on a like for like basis. The development shall thereafter proceed in accordance with the details as approved.**

Reason: To ensure the development does not increase the risk of surface water flooding.

**(14) The development permitted by this consent shall be carried out strictly in accordance with the plans submitted under planning application reference 33C284B/VAR.**

Description	Reference	Date Received
Proposed Site Plan	2078:18:3a	19/6/18
Proposed Site Plan (Drainage Information)	2078:13:3A	22/05/18
Proposed Site Plan (Highways and Access detail)	2078:13:3A	10/5/18
Proposed Floor Plans and Elevations	2078:18:4	03/04/18
Existing and Proposed Site Sections	2078:18:5	03/04/18
Location Plan	2078:18:1	03/04/18
Drainage Layout	BP/HA/01	22/05/18

Reason: For the avoidance of doubt.

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

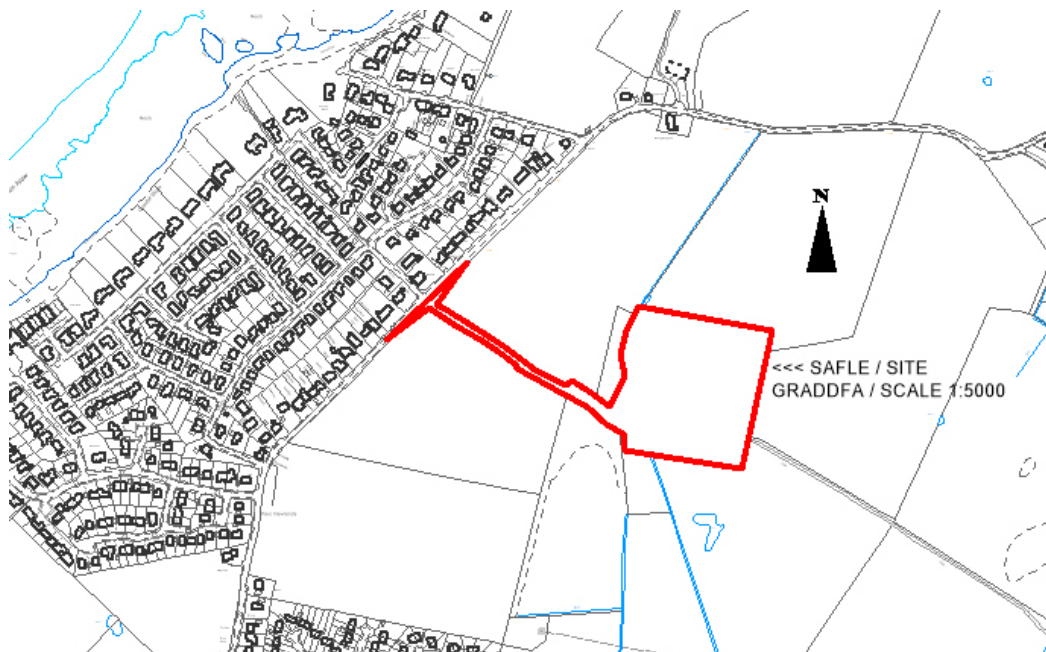
Rhif y Cais: **49C289/VAR** Application Number

Ymgeisydd Applicant

**Cleifiog Fawr Ltd**

Cais o dan Adran 73A i ddiwygio amodau (02) er mwyn caniatáu diwygiadau i gosodiad y safle a dyluniad o unedau 2, 3, 4, 5, 6, 7, 8, 9 a 12, (06) er mwyn caniatáu i'r rhaglen o waith archeolegol cael ei gyflwyno a'i ryddhau wedi'i waith cychwyn, (09) er mwyn caniatáu diwygiadau i'r darpariaethau parcio moduron ynghyd a dileu amod (11) (lefelau llawr gorffenedig) o caniatâd cynllunio rhif 49C289 (newid adeiladau allanol i 12 annedd) yn / Application under Section 73A for the variation of conditions (02) so as to amend the site layout and the design of units 2, 3, 4, 5, 6, 7, 8, 9 and 12, (06) so as to allow for the submission and discharge of the programme of archaeological works post commencement, (09) so as to amend the car parking provision together with the deletion of condition (11) (finished floor levels) of planning permission reference 49C289 (conversion of outbuilding into 12 dwellings) at

Cleifiog Fawr, Lôn Gorad Road, Y Fali/Valley



**Planning Committee: 04/07/2018**

**Report of Head of Regulation and Economic Development Service (JBR)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

The application is being presented to the Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve.

**1. Proposal and Site**

The application site is located off Gorad Road, Valley and comprises a listed farmhouse and granary together with associated outbuildings.

The application is submitted under Section 73A for the variation of conditions (02) so as to amend the site layout and the design of units 2, 3, 4, 5, 6, 7, 8, 9 and 12, (06) so as to allow for the submission and discharge of the programme of archaeological works post commencement, (09) so as to amend the car parking provision together with the deletion of condition (11) (finished floor levels) of planning permission reference 49C289 (conversion of outbuildings into 12 dwellings) at Cleifiog Fawr, Valley

**2. Key Issue(s)**

The key issue is whether the proposals represent an improvement to the scheme originally approved under planning permission reference 49C289.

**3. Main Policies**

PCYFF2 – Development Criteria

PCYFF 3 – Design and Place Shaping

TAI 7 – Conversion of Traditional Buildings in the Open Countryside to Residential Use

**4. Response to Consultation and Publicity**

**Cllr Gwilym O Jones** – No response at time of writing report.

**Cllr Richard Dew** – No response at time of writing report.

**Drainage** – No objection

**Gwynedd Archaeological Planning Service** – No objection

**Welsh Water** – No objection

**Natural Resources Wales** – No objection

**Highways** – No objection

**Public Rights of Way Officer** – No objection subject to provision of a pedestrian access across the flood defence structure.

**Community Council** – No objection

**Environmental Health** – General environmental protection comments relating to good practice and drainage.

**Joint Planning Policy Unit** – No response at time of writing report.

**Response to publicity**

Site notices were posted near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper. The expiry date for receipt of representations was 13.4.18.

At the time of writing the report, no representations have been received.

## **5. Relevant Planning History**

49C289 - Change of use of the existing dwelling and outbuildings to 12 residential units together with installation of a treatment plant at Cleifiog Fawr, Valley – Granted 2.5.2012

49C289A/LB - Listed Building Application for the change of use of outbuildings (no.s 1-4) into 4 dwellings at Cleifiog Fawr, Valley – Granted 2.5.2012

49C289B/LB - Listed Building Application for the change of use of outbuilding (no. 5) into a dwelling together with alterations and extensions at Cleifiog Fawr, Valley – Granted 2.5.2012

49C259C/LB - Listed Building Application for the change of use of the outbuildings (no.s 6 - 7) into two dwellings at Cleifiog Fawr, Valley – Granted 2.5.2012

49C289D/LB - Listed Building Application for the change of use of the outbuilding (no. 8) into a dwelling together with alterations and extensions at Cleifiog Fawr, Valley – Granted 2.5.2012

49C289E/LB - Listed Building Application for change of use of outbuilding (no. 9) into a dwelling together with alterations and extensions at Cleifiog Fawr, Valley – Granted 2.5.2012

49C289F/LB - Listed Building Application for the change of use of outbuilding (no. 10) into a dwelling together with alterations and extensions at Cleifiog Fawr, Valley – Granted 2.5.2012

49C289G/LB - Listed Building Application for the change of use of outbuilding (No. 11) into a dwelling at Cleifiog Fawr, Valley – Granted 2.5.2012

49C289H/LB - Listed Building Application for the change of use of outbuilding (no. 12) into a dwelling together with alterations and extensions at Cleifiog Fawr, Valley – Granted 2.5.2012

## **6. Main Planning Considerations**

Planning permission was granted on the 5<sup>th</sup> October 2016 for the change of use of the existing dwelling and outbuildings into 12 residential units together with the installation of a treatment plant, consequently the principle of the development has already been established, furthermore works have commenced to implement the permission.

On the 31<sup>st</sup> July 2017, the Joint Local Development Plan (JLDP) was formally adopted and as such the application must therefore be assessed against relevant policies of the JLDP.

Policy TAI 7 of the JLDP which relates to the conversion of traditional buildings in the open countryside to residential use states that they will only be permitted if employment use of the buildings is not viable and that the development provides affordable units for the community's local need or the residential use is a subordinate element of a wider business use, amongst other listed criteria.

The proposal is therefore contrary to the provisions of Policy TAI 7 of the JLDP, however since the site benefits from an extant and implemented planning permission, consideration must be given to the following:

- Whether the proposals represent an improvement of the scheme originally approved.

The application is submitted under Section 73A for the variation of conditions (02) so as to amend the site layout and the design of units 2, 3, 4, 5, 6, 7, 8, 9 and 12, (06) so as to allow for the submission and discharge of the programme of archaeological works post commencement, (09) so as to amend the car parking provision together with the deletion of condition (11) (finished floor levels) of planning permission reference 49C289 (conversion of outbuilding into 12 dwellings) at Cleifiog Fawr, Valley.

Condition (02) of planning permission reference 49C289 required that the development be carried out in accordance with the submitted plans and the current application is seeking to vary the condition so as to amend the site layout and the design of units 2-4, 5, 6-7, 8, 9 and 12.

The amendments to units 2-4 and 6-7 are of a relatively minor nature comprising minor amendments to doors and windows, an increase in the roof height of unit 3 and small extensions to units 6 and 7 to provide entrance porch, wc and utility rooms.

The amendments to units 5, 8, 9 and 12 propose more significant changes to their design, but which are of a more traditional appearance than the scheme originally approved.

It is therefore considered that the proposed amendments represent an improvement to the scheme originally granted.

Condition (06) of the planning permission stated that no development shall take place until the applicant or their agents or successors in title, has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and agreed by the Local Planning Authority.

Although the LPA were not provided with the information required by the condition such that it could have been formally discharged, information has been submitted as part of the current application.

Following consultation with Gwynedd Archaeological Planning Service as part of the current application, they have confirmed that the information had been supplied directly to them in December 2016. They have further confirmed that the information was satisfactory and that they subsequently approved the details.

In light of the above, the condition may therefore be deemed to be discharged and will not therefore be included on any subsequent approval issued.

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

The variation of condition (09) is therefore linked to the variation of condition (02) relating to the site layout.

The amendments will lead to a slight reduction in the overall amount of hardstanding areas, amendments to the parking layout surrounding the complex and the removal of the approved secondary access road into the site in order to minimise breaches of the flood defence structure required to protect the development from flood risk.

The proposed amendments are considered to be acceptable and an improvement to the layout originally approved.

Finally, deletion of condition (11) relating to finished floor levels is sought.

The original permission included conditions requiring that finished floor levels be set no lower than 4.5m above Ordnance Datum to reduce the risk of flooding along with a separate condition requiring the construction of a formal flood defence structure with a minimum crest level of 5.0m above Ordnance Datum to safeguard the development from flooding.

However, it is clear following analysis of the response received from NRW to the original application that their recommendation required the inclusion on one, not both of the above conditions, presumably in recognition of the fact that achieving a minimum finished floor level may not be possible given that the application was for the conversion of existing buildings and that it may have been necessary to raise floor levels considerably to meet their requirement.

In light of the above and that a flood defence structure is to be constructed to address any flood risk, the deletion of condition (11) is therefore considered acceptable.



From a Listed Building perspective, the Senior Planning and Conservation Officer has been consulted on the proposed amendments and has confirmed that he is supportive of the proposals. Separate Listed Building Consents will need to be sought and is being attended to by the applicant's agent.

## **7. Conclusion**

The application is contrary to Policy TAI 7 of the JLDP, however the fallback position is that the site benefits from an extant and implemented planning permission for the conversion scheme.

It is further considered that the proposed amendments represent an overall improvement to the scheme originally granted.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

## **8. Recommendation**

(01) Natural slates of uniform colour shall be used as the roofing material of the proposed buildings.

Reason: In the interests of amenity.

(02) The formal flood defence structure shall be constructed at a minimum crest level of 5.0m Above Ordnance Datum in accordance with the details submitted before any of the dwellings are occupied and thereafter maintained for the lifetime of the development.

Reason: To safeguard the development from flooding.

(03) All stonework proposed to be used in the construction of the dwellings shall be natural local stone of uniform colour.

Reason: In the interests of amenity.

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

Reason: In the interests of amenity.

(05) The access shall be laid out and constructed strictly in accordance with the details as submitted before any of the dwellings are occupied and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

(07) The access shall be constructed with 2.4 metre by 70.0 metre splays on either side before any of the dwellings are occupied. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

Reason: In the interests of highway safety.

(08) The minimum track level shall be 3.75m above Ordnance Datum. The access track culvert shall be replaced with a 750mm diameter pipe before the dwellings are occupied and the overflow channel opening shall be maintained for the lifetime of the development.

Reason: To protect the access and egress from flooding.

(09) The pedestrian access across the flood defence structure shall be constructed in accordance with the submitted details before any of the dwellings are occupied.

Reason: In order to maintain the public right of way which traverses the site.

(10) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted under planning application reference 49C289K/VAR and listed below:

Drawing number	Plan Description
SYL-703	Sylfaen Associates Ltd – Structural Survey
	Flood Consequences Assessment – Brian Killingworth September 2016
	Bat Roost and Breeding Bird Survey – Environmental Business Solutions 02 March 2016
SYL717/APP/B/PR	Design and Access Statement & Historical Assessment and Listed Building Justification June 2017
SYL717.01B	Location Plan and Existing Site Plan
SYL717.02B	Proposed Site Plan
SYL717.05C	Proposed Floor Plans and Elevations (Units 1-4)
SYL717.06C	Proposed Floor Plans and Elevations (Unit 5)
SYL717.08B	Proposed Floor Plans and Elevations (units 6-7)
SYL717.11A	Proposed Floor Plans and Elevations (Unit 12)
SYL717.12B	Proposed Floor Plans and Elevations (Unit 8)
SYL717.13A	Proposed Floor Plans and Elevations (Unit 9)
SYL717.15C	Contours and Pond
SYL717.16A	Proposed Site Plan and Access Route
SYL717.PR.17B	Public Footpath

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.

12.1

Gweddill y Ceisiadau

Remainder Applications

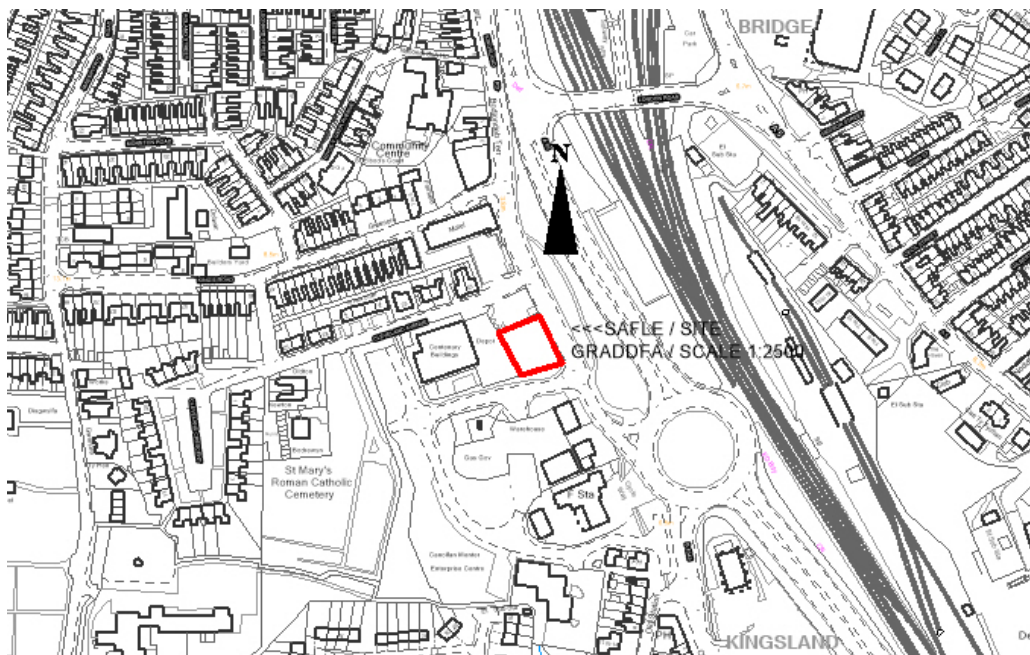
Rhif y Cais: **19C251U/FR/TR** Application Number

Ymgeisydd Applicant

**Foden Estate**

**Cais llawn ar gyfer newid defnydd tir gwag i safle rhentu ceir sydd yn cynnwys swyddfa ar dir gyferbyn â / Full application for change of use of vacant land into a car rental site which includes an office on land opposite**

**Travel Lodge, Ffordd Kingsland Road, Caergybi/Holyhead**



**Planning Committee: 04/07/2018**

**Report of Head of Regulation and Economic Development Service (DPJ)**

**Recommendation:**

Permit

**Reason for Reporting to Committee:**

The planning application has been called to the planning committee by the local member.

**1. Proposal and Site**

The application site comprises previously developed land located on Kingsland Road amounting to an area of nearly 0.1 hectares. It is understood that the site was formerly occupied by some vacant shop units.

To the north the application site is bounded by the car park of the Travelodge, to the west there is a distribution depot. To the south there is a public highway leading to a builders merchants and a container storage yard. To the east there is the A55 Expressway which is raised above the application site and terminates in close proximity. The nearest residential properties are located on Cleveland Avenue.

The planning application is made for the change the use of the application site into a car rental use with an associated office in a porta-cabin and car valet canopy, where vehicles would be cleaned. The proposals entail the creation of a tarmacked compound for the parking of 22 rental vehicles and 7 customer car parking spaces. Surface water drainage arrangements in respect of the development are yet to be finalised but it is stated in the Flood Consequence that attenuation is likely to be required before surface water is discharged to the public sewer. Foul drainage will be connected to the public sewer.

**2. Key Issue(s)**

- Principle and sustainability of the development
- Flood risk
- Highways and Parking
- Impact of the development on the character and appearance of the area

**3. Main Policies**

**Anglesey and Gwynedd Joint Local Development Plan (2017)**

PS 4: Sustainable Transport, Development and Accessibility

TRA 2 Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable Development

PS 6: Alleviating and Adapting to the Effects OF Climate Change

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PS 13: Providing Opportunity for a Flourishing Economy

CYF 8: Holyhead Regeneration Area

Planning Policy Wales Edition 9 (2016) "PPW"

**Technical Advice Note (TAN) 12: Design (2016) "TAN 12"**

**Technical Advice Note (TAN) 18: Transport (2007) "TAN 18"**

## **Technical Advice Note (TAN) 23: Economic Development (2014)**

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

**Holyhead Town Council** – No objections.

**Councillor Trefor Lloyd Hughes** – Called to the planning committee on the grounds that the member has concerns regarding parking adjacent to the A55 that could create problems on the adjacent roads.

**Councillor John Arwel Roberts** - Delegate to Officers.

**Highways** – Conditional permission requiring a construction management plan dealing with the construction and the operation of the proposed development.

**Drainage** – No comments received at the time of writing.

**Environmental Services** – Further information was requested and supplied by the applicant in relation to the equipment to be used and the hours of operation of the proposed development. This is being assessed at the time of writing.

**Welsh Water** – The application site is crossed by a public sewer and Welsh Water require an easement 3 metres either side of this apparatus.

**Natural Resources Wales “NRW”** – In terms of flood risk as the site has no valid planning use, the Flood Consequences Assessment “FCS” submitted with the planning application has not demonstrated compliance with TAN 15 A1.14 (design to be flood free during the 1% fluvial flood) and A1.15 (during an extreme event the site will flood beyond allowable depths of 600mm) and should therefore be refused. The Flood Evacuation Plan in the FCS would be useful to reduce the impact of the flooding on the development if there were a valid planning use on the site or if no use exists and your authority determine to grant permission contrary to NRW’s advice. If you are minded to grant planning permission, the Evacuation Plan should be reviewed on a regular basis (minimum annually) and the flood mitigation as suggested incorporated, which should include a minimum floor level on the office (of 6.10meters Above Ordnance datum) and flood resilience measures in the office building, such as the use of suitable materials and services fed from ceiling level.

**Economic Development Unit** – The former buildings on the site were demolished using public regeneration grant support as they were an eyesore with a view to facilitating alternative new employment development. As far as the EDU are aware there has not been another use of the site since. The EDU considered that the site was still suited to a commercial re-use and also falls within the Holyhead Town Centre Health Check Area Boundary. Concern is expressed if this prominent previously developed site were to remain vacant long term as it would inevitably become a dumping ground and nuisance for local residents. The proposal appears to be an ideal use for the site in providing a beneficial commercial use creating physical and economic regeneration benefits whilst keeping the area/volume occupied by buildings to a minimum.

In a separate consultation response it is confirmed that the EDU support the proposal on several grounds which include the creation of 5 jobs, the development supports Holyhead’s role as a transport hub/international port, its location close to the port/town centre and the A55 and the opportunity to attract income for local business.

The applicant also supplied information to the EDU as regards recruiting local people to the positions, provision of visitor information and the use of bi-lingual signage.

**Welsh Government (Highways)** – No objection

**Response from members of the public**

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 publicity period expired on 17.04.18. At the time of writing no observations have been received.

## **5. Relevant Planning History**

19C970/ECON Outline application for demolition of existing buildings and the erection of a Class A1 retail food-store, associated service yard, car parking, access and landscaping works. Refused 25.01.07.

19C251L/ECON Outline application for the erection of a retail food store Refused 11.09.07, appeal dismissed 13.05.08.

19C251M/ECON Outline application for the erection of a retail food store Refused 10.01.08.

19C251N/ECON Full application for the erection of a retail food-store Withdrawn 16.12.09.

19C251T/FR Outline application for the erection of a café/restaurant with all matters reserved, refused on flood risk grounds 31.01.18.

## **6. Main Planning Considerations**

**Introduction** – The planning application is being reported to the planning committee because of a call in by a local member because of concerns in relation to car parking and the consequent impacts of the development on the highway adjacent which includes a junction with the A55 in proximity. There is also an objection from NRW on flood risk grounds to the development of the application site for the purposes being applied for. As members will see from the planning history section of this report there have been a number of previous applications for retail uses have been unsuccessful over recent years due to a variety of reasons but the last application was refused for flood risk reasons.

**Principle of Industrial Development on the Application Site** – The application site is located within the settlement boundary of Holyhead under the provisions of PCYFF 1 of the JLDP. Strategic policy PS 13 of the JLDP states that the council will facilitate appropriate sites which become available to satisfy additional needs to that identifies in the plan and which accord with policies PS 5 and PS 6 in order to ensure that economic opportunities are maximised.

Policy PS 5 states that development will be supported where it is demonstrated that it is consistent with sustainable development and comply with the listed criteria. Of relevance to the proposal subject to this report are whether the development alleviates the causes of climate change and this material consideration is assessed in more detail in relation to flood risk below. These criterion also include giving priority to the development of previously developed land and to sites which are within settlement boundaries such as the application site. Other criterion of PS 5 require compliance where appropriate, of relevance to this proposal are the promotion of a varied and responsive local economy to support the settlement and the need to site development in sustainable locations with the emphasis on non-car modes of transport.

In terms of economic development and urban regeneration the council's EDU support the development for the reasons provided in their consultation response. A policy basis for this support is contained in CYF 8 of the JLDP which states that within the Holyhead Regeneration Area development proposals which encourage Holyhead becoming a more attractive location to live and work will be supported subject to the listed criteria. The proposal is indirectly associated to port and in accord with the policy it will support tourism in the town, improve connectivity of the town with the port, support opportunities to work in the town and contribute towards improving the town's physical environment. On this basis substantial weight can be attributed to the positive economic development and urban regeneration aspects which would accrue from the development.

In terms of sustainability the application site is located in a highly sustainable location being accessible by non-car modes of travel in a central location in the town and close to the port.

Policy PS 6 states development will be permitted where appropriate evidence taking into account and responding to the listed criterion are provided. Criterion 4. requires development to be located away from flood risk areas taking account of a 100 and 75 years of flood risk in terms of the lifetime of the development, unless it can be clearly demonstrated that there is no risk or that the risk can be managed, and this material consideration is assessed in relation to flood risk.

Given the considerations described above the principle the of the development is clearly acceptable in policy terms given the location within the settlement boundary, the sustainability credentials of the development and the positive weight which can attached to the development in terms of economic development and regeneration. The policies assessed also require that the development is sustainable in terms resilience to climate change in flood risk areas and NRW have objected to the development on these grounds.

**Flood Risk** – In terms of flood risk the application site is located within a zone C2 flood risk zone which is at risk of fluvial flooding from a watercourse 163 metres to the south of the site. The development being applied for would be categorised as less vulnerable development under the provisions of TAN 15, where the occupants have the ability to decide whether they wish to accept the risk of being located in a flood –zone (as opposed to a residential use which is categorised as Highly vulnerable development). The development of less vulnerable development in a C2 flood risk zone has to be justified in accord with tests in paragraph 6.2 of TAN 15.

The first part of the tests requires that either the location in the flood risk zone is required as part of a local authority strategy required to sustain an existing settlement or secondly to contribute to a key employment objective supported by the local authority. As explained in the preceding section the proposal is compliant with the policies described in the preceding section which are intended to sustain the settlement and contribute to a key employment objective supported by the local authority.

The third criterion is mandatory and requires that the development is made on previously developed land and the proposal complies with this requirement.

The fourth criterion requires that the potential consequences of a flooding event for a particular type of development have been considered in relation to TAN 15. The application is accompanied by a FCS in accord with TAN 15 which NRW consider does not comply with TAN 15 A1.14 (design to be flood free during the 1% fluvial flood) and A1.15 (during an extreme the site will flood beyond allowable depths of 600mm) and are recommending refusal on this basis. The nub of NRW's objection is that the frequency and depth of the flooding on the application site cannot be mitigated in accord with the requirements of TAN 15. The NRW consultation also states that if the site had any form of lawful use they would be prepared to withdraw their objection.

Since the former buildings on the application site were demolished the site does not benefit from a lawful use of any sort. On this basis NRW would likely object to any development on this site on the grounds described above, which effectively sterilises any development of this site. As explained previously the proposals are categorised as less vulnerable development and the applicant's accept that the site is subject to flood risk and mitigation is proposed in their FCS. Given, that the use being applied for entails the siting of a port-cabin (which can be elevated to mitigate flood risk) and the parking of vehicles the proposal is likely to be one of the more optimal schemes which could come forward for this site.

NRW'S consultation also states that should the Local Planning Authority decide to grant planning permission conditions should be recommended as regards the evacuation plan, floor levels and materials to mitigate the effects of flooding. The indication here therefore is that the risk can be managed.

To sum up therefore that the proposal is compliant in most regards as regards flood risk apart from criterion iv of TAN 15 for the reasons described. If the site had any form of lawful use NRW state that they would not object on this basis. Their objection needs to be weighed on this basis, having regard to the mitigation available in association with the other material considerations described in this report.

**Highways and Parking** - The planning application has been called to the planning committee by the local member due to concerns regarding parking adjacent to the A55 which could create problems on the adjacent roads. These observations have been passed to the council's Highways Section who are content subject to the approval by the Local Planning Authority of a construction traffic management plan by way of a planning condition. The Welsh Government has confirmed it has no objections.

**Impact of the development on the Character and Appearance of the Area** – The application site is located in a relatively prominent position on the approach to Holyhead adjacent to the A55. Whilst the former buildings on the site have been cleared in the past on amenity grounds it still appears as an undeveloped plot in the midst of existing commercial/industrial developments. Overall it's a high quality development by a national company incorporating landscaping and sustainability principles in relation to items such as lighting would have a positive impact on the character and appearance of the area and can therefore be attributed positive weight.

**Other Issues** – The comments of the council's Environmental Services are awaited at the time of writing in relation to the machinery proposed to be used on the application site to clean vehicles. Given the location in proximity to the A55 with the nearest noise sensitive developments being the Travel Lodge and residential properties at Cleveland Avenue it is understood that there is unlikely to be a noise issue which would unacceptably affect residential amenities.

## 7. Conclusion

This site has remained vacant since it was cleared to improve the visual amenity of the area and facilitate redevelopment through a local authority initiative. The last planning application for the redevelopment of the site were unsuccessful due to the site being within a C2 flood risk zone. In terms of sustainability and other material planning policies the proposal is compliant in most regards with the exception of criterion iv of the tests in paragraph 6.2 of TAN 15, as it cannot be designed to be flood free or below the allowable depths specified in the guidance, in all other regards it fulfils the requirements of the TAN and mitigation has been recommended by NRW. Refusal of the application on flood risk grounds would effectively sterilise this site and deny this proposal which is regarded as one of the optimum solutions in the individual circumstances of this site. Added to this substantial positive weight substantial weight can be attributed to the economic development in terms of the creation of 5 jobs, urban regeneration and improvement to the visual amenities which would accrue from the development. Given these compelling arguments the application is recommended for approval incorporating conditions which include the mitigations measures recommended by NRW.

## 8. Recommendation

That planning permission is **permitted** subject to the planning conditions listed below:

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

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act, 1990.

**(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the approved plans, and contained in the form of application and in any other documents accompanying such application as listed below, unless specified otherwise in any conditions of this planning permission:**

Drawing / Report	Reference / Revision	Date
Site Location Plan	0127/L01	
Proposed Site Plan	0127/L02-C	Feb 18
Car Rental – Plans & Elevs	0117/P03	



Flood Consequences Assessment (LK Consult Limited)	FCA 18 1012	March 2018
Flood Evacuation Plan: Enterprise Car Hire – Holyhead (or any amended or updated version approved under the provisions of condition (05) of this planning permission)		
Transport Statement (VIA Solutions)		March 2018

Reason: To ensure that the development is implemented in accord with the approved details.

**(03) No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.**

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

**(04) The porta-cabin illustrated on drawing number 0117/P03 reference “Porta-cabin” shall have a minimum floor level of 6.10 metres above Ordinance Datum. The Porta-cabin hereby approved (or any subsequent replacement Porta-cabin) shall not be sited on the application site until full details of the flood resilience measures to be incorporated in Porta-cabin have been submitted to an approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details approved under the provisions of this condition and shall be operated and maintained in accordance with the approved details for the lifetime of the development.**

Reason To mitigate the effects of climate change and reduce the impact of flooding on the development.

**(05) The Flood Evacuation Plan: Enterprise Car Hire – Holyhead hereby approved shall be reviewed every 12 calendar months and the results submitted to and approved in writing by the Local Planning Authority.**

Reason To safeguard occupants and property in the event that the development is flooded.

**(06) The commencement of the Development shall not take place until there has been submitted to, approved in writing by, and deposited with the Council, a Construction Traffic Management Plan (CTMP). The CTMP shall include as a minimum, but not limited to:**

**(i) The routing to and from the site of construction vehicles, plant and deliveries, including any Temporary Traffic Management Measures and Traffic Regulation Orders that may be necessary to facilitate safe construction of the development including any advance, preparatory and demolition works;**

**(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**

**(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the**

highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;

(iv) Measures to minimise and mitigate the risk to road users in particular non-motorised users;

(vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;

(vi) The arrangements for loading and unloading and the storage of plant and materials;

(vii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

(viii) Details of measures to be implemented to prevent damage to the highway and infrastructure from activity relating to the development.

**The construction of the Development shall be completed in accordance with the approved Plan except in so far as any variation to it has been approved in writing by the Council.**

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety and to minimize the potential for damage to the highway that could otherwise lead to action under Section 59 of the Highways Act 1980.

**(07) The cycle rack illustrated on drawing number 0127/L02-C (Proposed Site Plan) and required to be approved under the provisions of condition (10) of this planning permission shall be installed prior to the initial occupation of the development hereby permitted and this cycle rack shall not thereafter be used for any other purpose.**

Reason: To ensure that adequate provision for safe and secure cycle storage is made to encourage occupiers of the development to travel by cycle.

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

Reason: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

**(09) No development shall commence until full details of a lighting scheme which shall include full specifications of all external light(s), a plan showing any light spillage on the application site and surrounding land; specification(s) and height(s) of any column(s), bollard(s) or other such fixture(s) for the development have been submitted to and approved in writing by the Local Planning Authority "Lighting Scheme". The Lighting Scheme shall be designed to maximise energy efficiency and to prevent light pollution. The development shall thereafter be carried out in accordance with the Lighting Scheme approved under the provisions of this condition and shall be operational before the use hereby permitted is commenced and then operated and maintained in accordance with the approved scheme for the lifetime of the development.**

Reason: In the interests of highway safety, prevent light pollution, safeguard the amenities of the area and to ensure an energy efficient design.

**(10) No development shall commence until full details of all external materials and finishes (which shall include such details for all building(s)), Hard Landscaped Areas, engineering operations, Valet Canopy, bin/refuse store(s), cycle rack(s) fencing and other works associated with the development) which shall include colours, construction details (where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The details approved under this condition shall be implemented in full and adhered to in the completion of the development hereby approved.**

Reason: In the interests of visual amenities of the locality.

Informative

It may be necessary to submit a separate applications under The Town and Country Planning (Control of Advertisements) Regulations 1992 for advertisements to be displayed on the site.

12.2

Gweddill y Ceisiadau

Remainder Applications

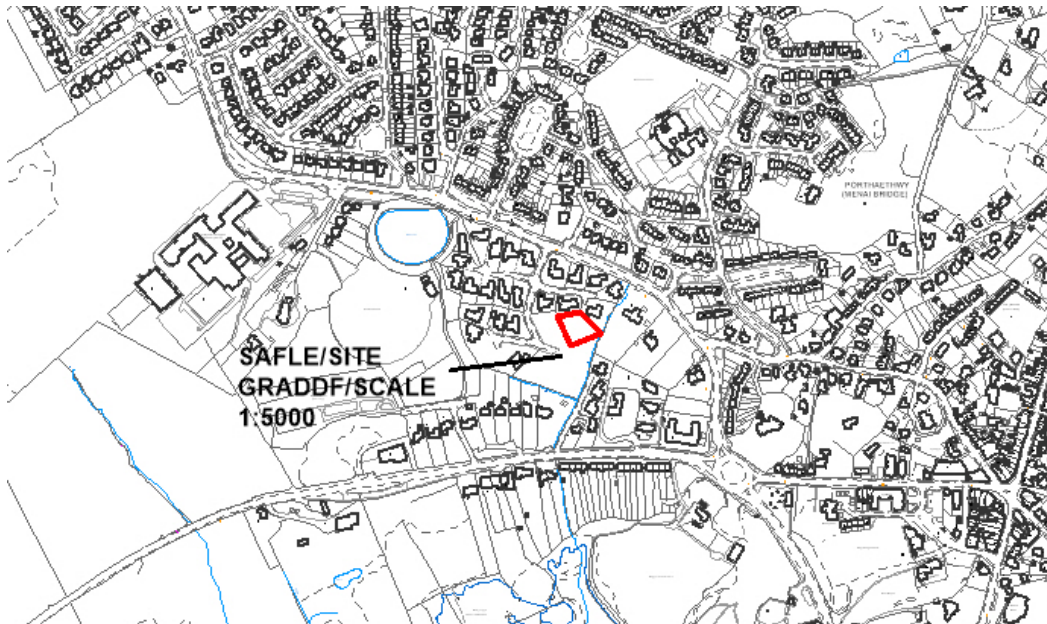
Rhif y Cais: **39C18C/2/VAR** Application Number

Ymgeisydd Applicant

**Mr Christopher Hutchinson**

**Cais o dan Adran 73 i ddiwygio amod (09) o ganiatâd cynllunio rhif 39C18H/DA (codi 21 o dai) er mwyn diwygio yr edrychiad allanol yn / Application under Section 73 for the variation of condition (09) of planning permission reference 39C18H/DA (erection of 21 dwellings) so as to amend the external appearance at**

**Plot 10, Ty Mawr, Porthaethwy/Menai Bridge**



**Planning Committee: 04/07/2018**

**Report of Head of Regulation and Economic Development Service (MTD)**

**Recommendation:**

Permit.

**Reason for Reporting to Committee:**

The application has been referred to the Planning Committee by Cllr M Jones.

**1. Proposal and Site**

This application has been made to change the design of the previously approved dwelling the planning permission for which is extant.

It is proposed to build a 4 bedroom bungalow with a bedroom in roof space. There will also be a detached double garage.

This vacant site is located on land which is currently being developed. It is identified as plot 10 and is positioned alongside plots 8 and 9 to the west and 5 and 6 Ty Mawr to the north and north east.

Numbers 5 and 6 Ty Mawr are positioned at a higher level and have windows overlooking the site. The new bungalow will be 9m (closest point) from the boundaries with no 5 and 6.

**2. Key Issue(s)**

- Is the design acceptable in this location?
- Will there be harm to residential amenity?

**3. Main Policies**

Strategic Policy PS 5 Sustainable Development  
Policy PCYFF 3 Design and Place Shaping  
Policy PCYFF 4 Design and Landscaping

Technical Advice Note 12 Design  
Technical Advice Note 18 Transport

SPG Design Guide for the Urban and Rural Environment.

**4. Response to Consultation and Publicity**

**Menai Bridge Town Council** - No observations.

**Cllr M Jones** has referred the application to the Planning Committee as he considers the development would be harmful to neighbours.

**Cllr R Williams** - No comments.

**Cllr A Mummery** - No comments.

**Highways** - No comments.

4 letters / emails have been received points raised include;

- Concerns regarding finished floor level (FFL) of extant permission in comparison to that proposed

- There has been backfill which has changed the levels since planning permission was granted
- Are FFL's which the agent refers to valid?
- The new house has twice the spatial volume of that approved and the ridge height from eaves will be more than double the ridge height of the original
- The footprint with garage will be 50% larger
- The massing and scale will be double that approved
- The FFL should be at least 5.5m below plot 6 this will lessen harm.

## 5. Relevant Planning History

39C18H/DA - Detailed plans for the erection of 21 dwellings on land at Ty Mawr, Menai Bridge, approved 25/04/96

## 6. Main Planning Considerations

The key issues have been identified as

- Is the design acceptable in this location?

It is proposed to build a bungalow on a sloping site. There are other similar modern bungalows in the vicinity and it is not considered that the design or size of the building will detract from the character or appearance of the location.

- Will there be harm to residential amenity?

Concerns have been raised in respect of the impact the new bungalow will have on those properties nearby namely numbers 5 and 6. The occupants of those properties have made representations making comparisons with what has been approved and what is proposed. Of especial concern is the matter of the height of the new build, where the FFL.s should be, and how it is unclear where the approved FFL's are set.

Recognizing this concern, sections through the site have been requested showing the proposed dwelling in relation to those surrounding. These show the heights of numbers 5 and 6 and also the proximity of the new bungalow and its height and floor levels. Additionally the submitted plan indicated the height and outline of the approved dwelling.

The new dwelling will have a roof construction which is hipped on four sides sloping up towards a narrow ridge. This reduces the impact over that approved which has a long central ridge and gable ends. Additionally, the narrow ridge will be 200mm lower than the approved scheme.

Notwithstanding what has been approved, what is to be determined here is whether or not the new proposal is acceptable. It is considered that given the form of the roof construction the impact on nearby properties is not so great as to be unduly harmful to their amenities. The roof will be sloping away from those properties from a single storey height of 2.5. to eaves and given the hip construction the maximum height of the dwelling will only be realized at the centre of the construction. Furthermore the distance from 5 and 6 which is a minimum of 9 m is considered acceptable for a single storey construction especially when the plots lower position is taken into account.

Whilst this will inevitably interrupt the views currently enjoyed by the residents to the side and rear this is not a reason to refuse this application which could be justified at appeal.

Furthermore, given the relationship between the properties with 5 and 6 being higher there will be no direct overlooking from the new bungalow.

The scale of the dwelling is similar to those surrounding and its single storey construction albeit built up at front, will not seem obtrusive or out of place.

## 7. Conclusion

Whilst it is acknowledged that there will be impact on those dwellings surrounding the form of the proposal ensures that what impact there will be are of an acceptable level not unreasonably detracting from the amenities of the occupants thereof.

The recommendation considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The recommendation takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

## 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 development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted below:**

Drawing number	Date Received	Plan Description
PL: Hutchinson PL 01	01/03/2018	Proposed floor plan
PL Hutchinson PL 02	01/03/2018	Proposed elevations
PL Hutchinson PL 03	01/03/2018	Proposed elevations
PL Hutchinson PL 04	01/03/2018	Proposed plans and elevations (Garage)
PL Hutchinson PL 05	01/03/2018	Proposed site plan
PL Hutchinson PL 06	01/03/2018	Proposed first floor plan
PL Hutchinson PL 07	15/05/2018	Proposed context sections (FFL 31.82)

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.

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