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**CYNGOR SIR
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ISLE OF ANGLESEY
COUNTY COUNCIL**

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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 9 IONAWR, 2019 am 1.00 o'r gloch y.p.	WEDNESDAY, 9 JANUARY 2019 at 1.00 pm
SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGFNI	COUNCIL CHAMBER, COUNCIL OFFICES, LLANGFNI
Swyddog Pwyllgor	Ann Holmes 01248 752518
	Committee Officer

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 - 8)

To submit, for confirmation, the minutes of the previous meeting of the Planning and Orders Committee held on 5th December, 2018.

4 SITE VISITS

There were no site visits held following the 5th December, 2018 meeting of the Planning and Orders Committee.

5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED

None to be considered by this meeting.

7 APPLICATIONS ARISING_(Pages 9 - 12)

7.1 14C257 – Cefn Trefor, Trefor

8 ECONOMIC APPLICATIONS

None to be considered by this meeting.

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9 AFFORDABLE HOUSING APPLICATIONS

None to be considered by this meeting.

10 DEPARTURE APPLICATIONS

None to be considered by this meeting.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS_ (Pages 13 - 16)

11.1 48C182B/MIN – Bryn Twrog, Gwalchmai

12 REMAINDER OF APPLICATIONS_ (Pages 17 - 42)

12.1 32LPA1047/CC – Tre Ifan, Caergeiliog

12.2 FPL/2018/4 – Maes yr Ysgol, Holyhead

12.3 FPL/2018/24 – Section 4 of the Llangefni Link Road

12.4 39C597 – Cambria Quarry, Cambria Road, 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 5 December 2018

- PRESENT:** Councillor Nicola Roberts (Chair)
Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, T LI Hughes MBE,
K P Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen
(present for introductions only), Dafydd Roberts and
Robin Williams.
- Councillor R A Dew – Portfolio Holder for Planning
- IN ATTENDANCE:** Planning Development Manager (NJ),
Senior Planning Officer (GJ),
Administrative Assistant (WT),
Development Control Engineer (JRPR),
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** None.
- ALSO PRESENT:** Local Members: Councillors Bob Parry OBE FRAGS (for
application 7.1); Shaun Redmond (for application 12.1).
-

1 APOLOGIES

None received.

2 DECLARATION OF INTEREST

None received.

3 MINUTES

The minutes of the meeting held on 7 November, 2018 were confirmed as correct.

4 SITE VISITS

There were no site visits held following the 7 November, 2018 meeting of the
Planning and Orders Committee.

5 PUBLIC SPEAKING

There was a Public Speaker in respect of application 12.3.

6 APPLICATIONS THAT WILL BE DEFERRED

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

7 APPLICATIONS ARISING

7.1 Outline application for the erection of an affordable dwelling together with full details of the vehicular access and drainage with all other matters reserved on land adjacent to Cefn Trefor, Trefor

The application was reported to the Planning and Orders Committee at the request of a Local Member on the grounds of proximity to the cluster and a local need. At its meeting held on the 7th November, 2018 the Committee resolved to approve the application contrary to Officer's recommendation.

Councillor Bob Parry OBE FRAgS, Local Member said that the applicants have lived most of their lives within the Canolbarth Môn area. He referred to the designs of the properties in Trefor and did not believe that approving this application would be intrusive within the community. Councillor Parry said that the applicants wish to build a home for their young family of four children and asked the Committee to reaffirm their previous decision to approve the application.

The Planning Development Manager reported that the application is for an affordable dwelling on land adjacent to Cefn Trefor, Trefor. The application was approved contrary to the Officer's recommendation as it was considered that the dwelling fits into the area and would not look out of place and that the applicants are local to the area as the application site is within Canolbarth Môn where they were brought up and so the proposal complies with Criterion 4 of the Policy. She said that as was highlighted at the last meeting the definition of local to Canolbarth Môn does not comply with the definition within the policy as being 'local'. The policy supports proposals for affordable dwellings for local need providing all the criteria are met. The policy defines local need as 'people in need of an affordable dwelling who have resided within the cluster or in the surrounding rural area for a continuous period of 5 years or more, either immediately before submitting the application or in the past.' The applicants lived at RAF Valley before selling their home. The policy does not permit individuals to move out of other villages to clusters in order to obtain an affordable dwelling; the policy is for people who live within clusters to be able to submit applications for affordable dwellings. The Planning Development Manager said that whilst accepting that there is an 'affordable need' by the applicants the application does not conform to specific criteria within planning policies.

Councillor Eric W Jones that the site is adjacent to a coloured building on the inset map and is within the curtilage of the property in front of it and therefore conforms with policy 6.2 within the joint development plan. Councillor Eric W Jones proposed reaffirm the previous decision to approve the application contrary to the Officer's recommendation.

The Planning Development Manager said that as stipulated within the Officer's report to the Committee at its previous meeting, this proposed application does satisfy some of the planning criteria. It is accepted that the dwelling will be located within the Trefor cluster area and that there is evidence as regards to the need for an affordable dwelling, however, the criteria notes that a person needs to have lived within the cluster or within the surrounding rural area for a period of 5 years in succession. This definition clearly stipulates that they must have lived within the cluster area and not within the electoral ward.

The Legal Services Manager said that the law stipulates that that decisions on planning application needs to be undertaken in accordance with the Joint Local Development Plan and the Committee needs to interpret the Development Plan correctly. He further said that if the Committee decides not to accept the interpretation the Joint Local Development Plan correctly then any decision will be unsound and could be open for challenge by judicial review or referred to the Ombudsman.

Councillor K P Hughes said that he considered that the proposed application conforms within the definition of 'local need'. He further said if the Welsh Government's vision to create thriving and prosperous communities and also protecting the Welsh culture and language is to materialise it is essential to support young families to be part of those communities and to protect rural communities. Councillor K P Hughes seconded the proposal to reaffirm the previous decision to approve the application contrary to the Officer's recommendation.

Councillor Richard O Jones said that until the policy within the Development Plan has been reviewed he would have to propose that the application be refused in accordance with the Officer's recommendation. There was no seconder to the proposal of refusal.

The Planning Development Officer said that as part of the policy within the Joint Local Development Plan a S106 legal agreement needs to be attached to any approval as regards to the 'affordable dwelling' criteria.

It was RESOLVED to reaffirm the previous decision to approve the application contrary to the Officer's recommendation subject to a S106 agreement in respect that the dwelling is to be an 'affordable dwelling'.

(Councillor John Griffith abstained from voting).

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

10.1 43C182F/VAR - Application under Section 73A for the variation of condition (10) (approved plans) of planning permission reference 43C182A (erection of a dwelling with a balcony together with the erection of a detached garage) so as to allow amendments to the design of the garage after works have commenced on site on land adjacent to Troiad y Llanw, Rhoscolyn

The application was reported to the Planning and Orders Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve.

The Planning Development Manager reported that the original planning permission on this site was approved in 1961; the approval was to erect 14 dwellings on the site. Permission was granted in December 2015 for the erection of a dwelling and garage at Troiad y Llanw, Rhoscolyn and the application before this Committee is for the variation of condition 10 so as to allow amendments to the design of the garage.

Councillor Robin Williams proposed that the application be approved and Councillor John Griffith seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report.

10.2 49C308A/DEL – Application under Section 73a for the removal of condition (03) (access and parking area) from planning permission reference 49C308 (Retrospective application for the retention of the change of use of the chapel into a dwelling house together with the construction of a new vehicular access) at Capel Hermon, Llanyghenedl

The application was reported to the Planning and Orders Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve.

The Planning Development Manager reported that the application site has an extant planning permission which was afforded in December 2012 to change the use of the chapel into a dwelling. The application before this Committee is to amend condition 3 as regards to access and parking area. The applicants consider that adequate car parking facilities exist in front of the site. The Planning Development Manager said that the Highways Authority has confirmed that they have no objection to the deletion of the condition.

Councillor Robin Williams proposed that the application be approved and Councillor Dafydd Roberts seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12 REMAINDER OF APPLICATIONS

12.1 19C411N/ENF – Retrospective application for the sub-division of the dwelling to form two separate dwellings at 20 Parc Felin Ddŵr, Llaingoch, Holyhead

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

Councillor Shaun Redmond, a Local Member said that planning approval was granted in 2009 for an extension at 20 Parc Felin Ddŵr. He said that the owner has taken advantage of extending the dwelling to form two separate dwellings without planning approval which is a significant breach of planning policies. Councillor Redmond questioned if a planning application was put forward to convert a dwelling at Parc Felin Ddŵr to form two separate dwellings would it have been approved. He said that legal intervention needs to take place to deter such breaches of planning policies. He further said that he did not accept that sub-division of the dwelling will have no detrimental effect on the adjoining properties; he said that parking issues will occur and there will be added vehicles to the property.

The Planning Development Manager outlined the local objections to the application as noted within the report. She said that planning permission was approved to erect an extension to the dwelling at Parc Felin Ddŵr but following enforcement visits to the property it is apparent that the dwelling has been sub-divided into two properties. The Parc Felin Ddŵr estate has 18 dwellings which share an access to the estate. The proposed application will not have a detrimental effect on the adjoining properties due to the existing use of the site as a residential dwelling. Whilst acknowledging that planning permission was originally granted for alterations and extensions the applicant has in fact sub-divided the dwelling following extending the property. The application is currently under consideration is a retrospective application. The Planning Development Manager referred to the main planning considerations contained within the Officer's report and referred to Paragraph 14.2.3 Welsh Government Development Management Manual which states :- *'The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought, but with is otherwise acceptable'*. She further said that the Planning Authority administers retrospective applications as any other new planning

applications it receives; applications are dealt with in line with current planning policies and decided whether they are acceptable.

Members of the Committee expressed concerns as to continued retrospective applications being submitted to the Planning Authority. It was suggested that the Council needs to forward more evidence to Welsh Government as to continued retrospective applications being received and that policies in respect of such applications needs to be reviewed.

Councillor Robin Williams proposed that the application be approved and Councillor John Griffith seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report.

12.2 19C448B – Outline application for the erection of 2 dwellings which includes full details of the access on land between Mountain View, Greenfield Terrace, Holyhead

The application was presented to the Planning and Orders Committee at the request of a Local Member due to drainage concerns and the site has footpaths around the site but no details of these are part of the application.

The Planning Development Manager reported that a letter of objection has been received by a resident within the community which has right of way across the entrance to the application site. The site was previously a coal yard and the access to the site was part of the business use. She noted that private access disputes is a private matter and not a planning consideration when dealing with such proposed application. The Planning Development Manager further reported that the footpaths/back lanes around the development site will be retained. Policy TAI 15 seeks appropriate provision of affordable housing; in Holyhead 10% affordable housing is required. As the proposal falls below 1 unit a pro-rata commuted sum payment of £20k is required for affordable housing. The Education Department have confirmed that no contribution is required for education in this instance.

The Officer further reported that the Highways Authority has no objection to the application as they have carried out a speed survey within the location of the proposed development. The foul drainage will connect into the existing main sewer. Welsh Water has confirmed that they are satisfied with the proposal as major works have been undertaken in Holyhead to rectify sewerage works over the last few years. However, the Drainage Section has confirmed that further surface water drainage details will be required with any reserved matters application. The Environmental Health Section has also expressed that a condition needs to be attached to any approval of the application as to the remediation of the contaminated land. The recommendation is of approval of the application subject to a S106 legal agreement for contribution towards affordable housing.

Councillor T LI Hughes said that he agreed with his fellow local elected members (as noted within the Officer's report) that the development of houses would benefit the area as the land is being used for dumping litter and waste. He reiterated his concerns as regards to highways and parking issues in Holyhead as he has in numerous Committees. He further raised that the development site has footpaths around the site but no details of these are part of the application. The Planning Development Manager responded that the applicant has submitted development plans as regards to the site and there will be no effect to the footpaths around the site.

Councillor Eric W Jones proposed that the application be approved and Councillor Robin Williams seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report.

12.3 39C589A/VAR/ENF – Application under Section 73A for the variation of condition (02) of planning permission reference 39C589 (Full application for alterations and extensions which includes a sun deck) so as to amend the design of the approved scheme, including the demolition and rebuilding of part of the ground floor at 1 Tros y Môr, St George's Road, Menai Bridge

The application was reported to the Planning and Orders Committee at the request of a Local Member.

Mr Sam Wilson (**in support of the application**) said that on the commencement of works on the site under the original approval of the application in 2007, it was discovered that there were no adequate foundations to the rear extension and they had to take necessary action to rectify this issue. He noted that one objection had been received by one of their neighbour but he considered that the Planning Officer's report to the Committee has adequately covered the concerns of the objector.

The Planning Development Manager reported that the objector to the application had submitted a request to speak but she was unable to attend the meeting due to unforeseen circumstances. She noted that the objector had forwarded her concerns through correspondence with the Planning Department this morning. The Planning Development Manager said that she considered that the matters raised had been addressed within the Officer's report to the Committee.

The Planning Development Manager further reported that the original planning permission was granted in July 2017 for a first floor rear extension comprising a kitchen, sun lounge and sun deck. She noted that as the applicant has stated that during commencement of the works it became apparent that the foundations of the existing extension was inadequate and demolition of the extension took place. It was noted that that this application to amend the design of the extension is a retrospective application as the building has

already taken place. The design and character of the extension is not dissimilar to the previous building. The Planning Development Manager said that it is not considered that the proposed amendments to the extension to the property gives rise to significant impacts than the originally approved application and therefore the recommendation was of approval of the application.

Councillor K P Hughes proposed that the application be approved and Councillor Eric W Jones seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendations subject to the conditions within the written report.

13 OTHER MATTERS

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

**COUNCILLOR NICOLA ROBERTS
CHAIR**

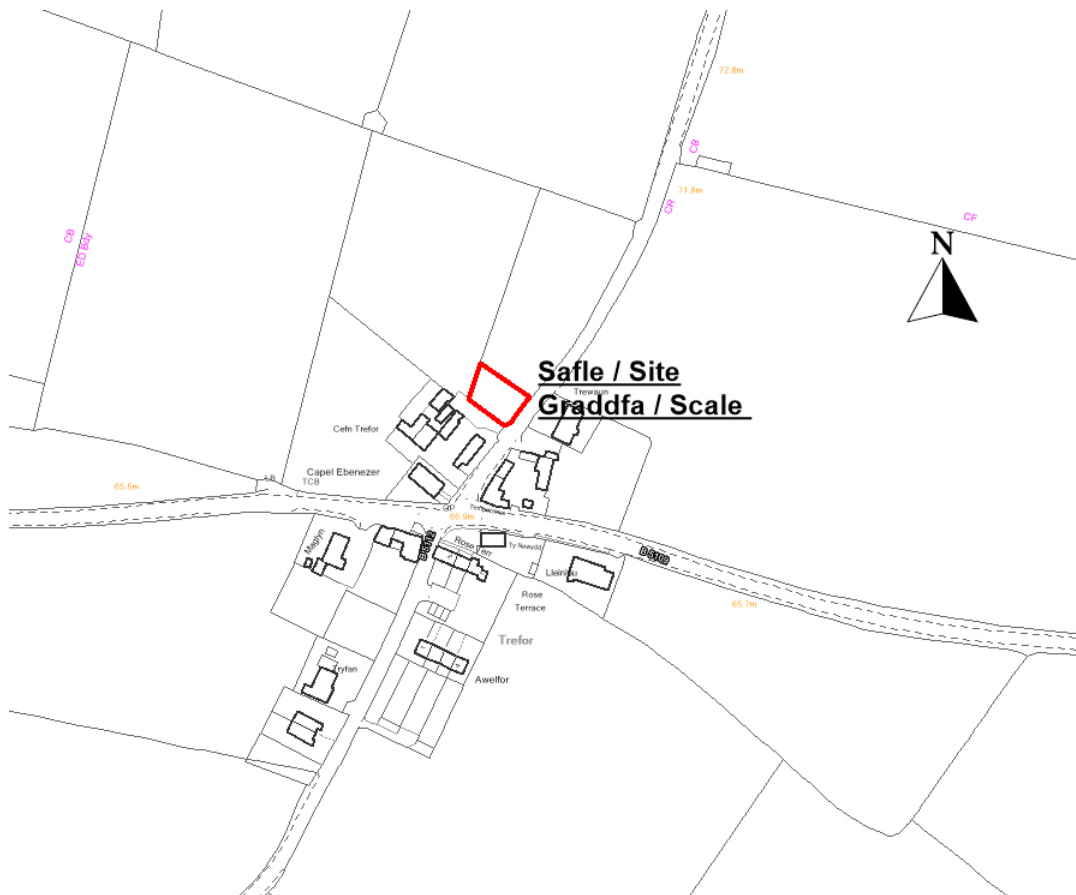
Planning Committee: 09/01/2019

7.1

Application Reference: 14C257

Description: Outline application for the erection of an affordable dwelling together with full details of the vehicular access and drainage with all other matters reserved on land adjacent to

Site Address: Cefn Trefor, Trefor



Report of Head of Regulation and Economic Development Service (Gwen Jones)

Reason for Reporting to Committee

The purpose of the report is to suggest conditions to be appended to the decision notice as the Planning and Orders Committee resolved to approve the application at its meeting held on 5th December 2018 subject to a S106 agreement to ensure the dwelling is developed as an affordable dwelling, contrary to the recommendation of officers to refuse permission as the application is contrary to policy TAI 6.

Recommendation

To attach the conditions to the planning permission

(01) Details of the appearance, landscaping, layout (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is for outline planning permission.

(02) Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990.

(03) The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To prevent the accumulation of planning permission: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990

(04) Natural slates of uniform colour shall be used as the roofing material of the proposed buildings.

Reason: To ensure a satisfactory appearance of the development

(05) Any application for the approval of the layout of the development under condition (01) above shall include details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the use of the development and retained in perpetuity.

Reason: In order to ensure that the development is adequately drained.

(06) The scale of the development shall not exceed the upper limits as indicated in the Design and Access Statement dated 11th May, 2018.

Reason: To define the scope of this permission

(07) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.

- Location Plan - Revised 1/10/18
- Block Plan - Revised 28/9/18

Reason: To ensure that the development is implemented in accord with the approved details.

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

Reason: In the interests of residential and visual amenity.

(09) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include:

- (i) The routing to and from the site of construction vehicles, plant and deliveries, including any Temporary Traffic Management Measures and Traffic Regulation Orders necessary to facilitate safe construction of the scheme 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) Identification of the routing strategy and procedures for the notification and conveyance of indivisible “out of gauge” loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers’ plant and equipment; and for the temporary removal of street furniture;**
- (v) 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;**
- (vii) The arrangements for storage of plant and materials and the loading and unloading of plant and materials**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

The construction of the development shall be completed in accordance with the approved plan .

Reason: To ensure reasonable and proper control is exercised over construction and demolition traffic and construction activities in the interests of highway safety.

(10) The car parking accommodation shall be completed in accord with the details hereby approved before the use hereby permitted is commenced.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

(11) 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: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

(12) The landscaping details approved under condition (01) above shall be completed before the dwelling is occupied and thereafter retained for the lifetime of the development.

Reason: In the interests of the amenity of the area.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF1, PCYFF2, PCYFF3, PCYFF4, TAI6, TAI8, TRA2

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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Planning Committee: 09/01/2019

11.1

Application Reference: 48C182B/MIN

Description: Minor amendments to scheme previously approved under planning permission 48C182 so as to remove conditions (12), (13) and (14) (code for sustainable homes) together with the addition of a condition (the development shall be in accordance with the submitted plans) under planning permission 48C182A/DA on land adjacent to

Site Address: Bryn Twrog, Gwalchmai



Report of Head of Regulation and Economic Development Service (Gwen Jones)

Recommendation: Permitted

Reason for Reporting to Committee

The applicant is related to a relevant officer and the file has been reviewed by the Monitoring Officer.

Proposal and Site

The application site is located outside the development boundary of Gwalchmai. The plot of land is located next door to a property known as 2 Bryn Twrog, Gwalchmai.

Key Issues

Whether or not the proposed changes have a material effect and whether the changes proposed are minor in nature compared with the approved application.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping

Response to Consultation and Publicity

Consultee	Response
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There is no requirement to carry out publicity with Minor planning applications. Therefore no publicity was carried out on this occasion.

Relevant Planning History

48C182 - Outline application for the erection of an affordable dwelling, construction of a vehicular access together with the installation of a treatment plant on land adjacent to Bryn Twrog, Gwalchmai - Approved 18-3-14

48C182A/DA - Application for approval of reserved matters for the erection of a dwelling on land adjacent to - 2 Bryn Twrog, Gwalchmai - 14/5/15 - Granted

Main Planning Considerations

The Welsh Government have published "Planning Guidance: Approving Non-material amendments to an Existing Planning Permission" which is helpful in setting out the "starting point" in determining what may be deemed as being "non-material". It states:

"2.6 In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. When assessing and determining whether or not a proposed change would qualify as non-material amendment, local planning authorities may wish to consider the following tests:

- (a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved scheme; and
- (a) (ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?
- (b) would the interests of any third party or body be disadvantaged in planning terms; or
- (c) would the proposed change conflict with national or development plan policies?

2.7 The tests are considered a 'starting point' for local planning authorities in their consideration of non-material amendments. There may be other considerations that will identify if a proposed amendments is non-material depending on the circumstances of each case.

The proposed amendments to the permission are as follows:-

Deletion of the Code for Sustainable Homes conditions attached to the planning permission along with the insertion of a condition to specify that the development must be undertaken in accordance with the approved plans in order to allow the applicant to submit an application under s73 to vary the approved design.

Under TAN 22 new housing development was required to meet the requirements of the Code for Sustainable Homes and there was a policy requirement to impose planning conditions to meet that objective. In its clarification letter of 5th June 2014 however the Welsh Government through its Minister for Housing and Regeneration announced the withdrawal of the policy on 31st July 2014. The removal of these conditions does not affect the overall character of the scheme.

Inclusion of a condition specifying that the development must be undertaken in accordance with the approved drawings is a minor change in the decision notice. Decisions are now required to list the approved drawings.

Conclusion

Minor changes to the conditions are proposed which are not considered to affect the character of the scheme or the amenities of the locality.

Having considered the above and all other material considerations my recommendation is that the proposed amendments are deemed to be non-material and therefore be approved under Section 96A of the Town and Country Planning Act 1990. This decision should be read in conjunction with conditions imposed on planning permissions 48C182 and 48C182A/DA.

Recommendation

Approved under Section 96A of the Town and Country Planning Act 1990.

The decision should be read in conjunction with the conditions imposed on planning permission 48C182 and 48C182A/DA

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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Planning Committee: 09/01/2019

12.1

Application Reference: 32LPA1047/CC

Description: Full application for the erection of 6 dwellings together with the construction of a vehicular access on land at

Site Address: Tre Ifan, Caergeiliog



Report of Head of Regulation and Economic Development Service (David Pryce Jones)

Recommendation: Permitted

Reason for Reporting to Committee

The Isle of Anglesey Council is the applicant and the landowner.

Proposal and Site

The application site comprises an open grassed area which is bounded by an existing hedgerow along the northern and eastern boundaries. Access to the application site is via the Tr Ifan Estate and there are residential properties to the west and south. To the south of the application site there is an existing children's play area.

The application is made for six two bedroom semi detached houses in three pairs, The proposal entails utilising an existing parking and turning area for car parking and a bin store in connection with the proposed development.

Key Issues

- Principle of Development
- Character and Appearance of the Area
- Open Space Considerations
- Landscape, Ecology and Biodiversity.
- Noise Considerations.
- Residential Amenity

Policies

Joint Local Development Plan

Policy ISA 1: Infrastructure Provision
Policy ISA 4: Safeguarding Existing Open Space
Policy ISA 5: Provision of Open Spaces in New Housing Developments
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Policy PCYFF 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Policy TAI 4: Housing in Local, Rural & Coastal Villages
Policy TAI 8: Appropriate Housing Mix
Policy TAI 15: Affordable Housing Threshold & Distribution
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
Policy AMG 5: Local Biodiversity Conservation
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Planning Policy Wales (Edition 9, November 2016)
Technical Advice Note 2: Planning and Affordable Housing (2006)
Technical Advice Note 5: Nature Conservation and Planning (2009)
Technical Advice Note 12: Design (2016)
Technical Advice Note 15: Development and Flood Risk (2004)

Technical Advice Note 18: Transport (2007)

Technical Advice Note 20: Planning and the Welsh Language (2017)

Response to Consultation and Publicity

Consultee	Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional permission.
Cyngor Cymuned Llanfair yn Neubwll Community Council	
Adain Dechnegol (Draenio) / Technical Section (Drainage)	Subject to the submission of suitable soak-away test results, there would be no objection to the provision of the surface water drainage details being conditioned.
Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	No objections.
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No observations.
Iechyd yr Amgylchedd / Environmental Health	Considerations listed in terms of construction operating hours, pneumatic rock breaking and contaminated land. Given the proximity to RAF Valley a noise assessment was requested.
Gwasanaeth Addysg / Education Service	Comments awaited at the time of writing
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	It is understood that the existing hedgerows adjacent to the application site are to be retained, mitigation and enhancement measures should be followed.
Dwr Cymru/Welsh Water	Conditional permission.
Cynghorydd Richard Dew	
Cynghorydd Gwilym O Jones	
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objections an informative is recommended as regards pollution prevention measures.
Pennaeth Gwasanaeth (Eiddo) / Head of Service (Property)	Confirmed that the application site is within the council's ownership and that there are underground services present.
Pennaeth Gwasanaethau Tai / Head of Housing Services	Confirmed the need in terms of number and type of dwelling in the relevant geographical area based on the council waiting and Tai Teg waiting lists.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Policy considerations are listed main conclusions as follows: The site is within the development boundary but not allocated for a specific use in the JLDP. Policy PCYFF 1 and Policy TAI 4 support residential

	<p>development on windfall sites within development boundaries.</p> <p>Policy TAI 15 seeks the provision of affordable housing on schemes of 2 or more in Villages.</p> <p>Policy TAI 8 requires an appropriate housing to improve the balance of housing in the community.</p> <p>Consideration should be given under Policy ISA 4 whether the site forms an open space of recreational, amenity or wildlife value.</p>
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The planning application was publicised by way of site notice and adjacent properties were notified in writing, the publicity period expired on 02.11.18. No representations have been received within the statutory time period.

Relevant Planning History

The enquiry site has no material planning history.

Main Planning Considerations

Acceptability of Residential Development on the Enquiry Site - The enquiry site is located on an un-allocated site within the settlement boundary of Caergeiliog under the provisions of PCYFF 1 and the principle of residential development is therefore acceptable under the provisions of TAI 4. The JPPU have also confirmed that at present there is capacity within the indicative housing provision of the settlement for the number of units proposed in this development.

The proposal is made for 6 residential units and whilst it is understood that all the units proposed would be affordable for rent from the council under relevant planning polices twenty percent being 1.2 affordable housing units would be required as part of any planning permission granted. Since the council is the applicant it is not possible for the council to complete a legal agreement with itself and a planning condition has been recommended which requires affordable housing in accord with the requirements of TAI 15.

The mix of housing types comprises 3 pairs of 2 bedroom houses. The planning application is supported by justification in terms of the need for affordable housing and the consultation response of the council's Housing Services confirms that the tenure and mix in the proposal aligns with the requirements of TAI 8 and TAI 15 of the JLDP,

Character and Appearance of the Locality - Policy PCYFF 2 (Development Criteria) of the JLDP states that to make the most efficient use of land there should be a minimum of 30 housing units per hectare unless there are local circumstances or site constraints which dictate a lower density. The number of dwellings proposed aligns with this density guidance.

In terms of the area's character policies PCYFF 3 (Design and Place Shaping) and PCYFF 4 (Design and Landscaping) of the JLDP require that new developments demonstrate a high quality design and that they integrate into their surroundings. The proposed developments is made for two storey units which are considered high quality, incorporating a contemporary appearance including timber/slate cladding and slate roofs. Housing present in the settlement varies from traditional cottages terraces to more recent estate type developments. As there is no distinct vernacular in the settlement it is considered that the development will integrate into these surroundings.

Safeguarding Existing Open Space – Policy ISA 4 of the JLDP seeks to protect existing open space within settlements and states proposals which would lead to the loss of such open spaces will be refused unless they conform to the listed criteria. The applicant has indicated that the area is not a public open space and not recognised by the Council as an 'informal' play area. Further that all play areas have been

leased to the Community Councils, these areas are also maintained by the Community Council. In addition it is stated that the area is not defined as a 'protected green space' in the JLDP. The advice of the JPPU is that if there is no evidence to the contrary then the applicant's submission should be accepted, this would mean that the provisions of policy ISA 4 are not applicable. Taking into account the applicant's submission and the advice of JPPU and the fact that no representations have been received as a result of consultations or publicity it is not considered that policy ISA 4 is material in this instance.

Noise - Given the location of the application site in proximity to RAF Valley and the resultant noise which is generated from jet aircraft the council's Environmental Services have requested a noise assessment. This report is awaited at the time of writing and it is anticipated that any noise mitigation measures made in this report would relate to measures to be incorporated in the construction of the dwellings which could be regulated via planning condition. No objections have been raised by the MOD on this basis.

Residential Amenity - Vehicular access to the development is via an existing residential estate. As explained above there is also a children's play area in proximity to the development. The application site also encompasses part of an area used for communal car parking and turning, and there are residential properties to the west and south east adjacent.

The council's Environmental Services have recommended that the construction of the development should not result in amenity problems as described in their consultation. A condition has been recommended regulating working hours in the construction of the development given the proximity of existing properties abutting and in proximity.

Given the distances and orientation of the development from the existing residences it is not considered that the proposal will unacceptably impact the amenities of their occupants by way of overlooking or other impacts.

Other Matters - The comments of the council's Education Section as regards any contribution required towards education as a result of demand created by the proposed development are awaited at the time of writing .

As detailed in the consultation section of this report all other consultees including highways are content with the proposals subject to planning conditions as detailed in the recommendation of this report.

Conclusion

The development is considered compliant with policy in all regards as described in the report. There are outstanding matters but it is envisaged that these are matters which can be regulated by way of planning conditions.

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more prosperous and resilient Wales in terms of the economic improvements that would accrue as part of the development and being for affordable housing a more equal Wales.

Recommendation

Subject to the comments of the councils' Environmental Services and Lifelong Learning that planning permission is granted subject to the following planning conditions.

(01) The development shall begin not later than five years from the date of this decision.

Reason: To comply with the requirements of Section 91(1) of the Town and Country .

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.

**Site Location Plan As Existing 3821 EX 001
Site Location Plan As Proposed 3821 P 200
Bike and Bin Store As Proposed 3821 P 420
Axo View of Unit As Proposed 3821 V 900 B
Side Elevations As Proposed 3821 P 410 B
Side Unit Elevation As Proposed 3821 P 402 B
Side Unit Elevation As Proposed 3821 P 403 B
Rear Unit Elevation As Proposed 3821 P 401 B
Front Unit Elevation As Proposed 3821 P 400 B
Roof Unit Plan As Proposed 3821 P 391 A
Site Roof Plan As Proposed 3821 P 390 B
Ground Floor Unit Plan As Proposed 3821 P 311 A
First Floor Unit Plan As Proposed 3821 P 321 A
Site Ground Floor Plan As Proposed 3821 P 310
Site First Floor Plan As Proposed 3821 P 320
Site Landscaping Plan As Proposed 3821 P 201
Site Drainage Plan As Proposed 3821 ME 201
Extended Phase 1 Habitat Survey (19.10.18)**

Reason: To ensure that the development is implemented in accord with the approved details.

(03) The construction of the development hereby approved shall not take place outside the hours of 0800 - 1800 hours - Monday to Friday; 0800 - 1300 hours - Saturday's and there shall be no working on Sunday's or Bank Holidays.

Reason To protect the residential amenities of adjacent residential properties.

(04) Notwithstanding the plans hereby approved no development shall commence until full details of a scheme indicating all means of enclosure in connection with the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The means of enclosure approved under this condition shall be constructed or erected prior to the occupation of the dwelling(s) to which it relates and it shall thereafter be retained in the lifetime of the development hereby approved and any replacement wall or fencing shall be to an equivalent specification.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to protect the amenities of adjacent residential properties.

(05) Notwithstanding the plans hereby approved no development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason: In the interests of the visual amenity of the locality.

(06) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the visual amenity of the locality.

(07) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Technical Advice Note 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it. The scheme shall include:

the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;
the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved);
the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure that the development provides an element of affordable housing in accord with development plan policy.

(08) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include;

- (i) The routing to and from the site of construction vehicles, plant and deliveries.**
- (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;**
- (v) 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;**
- (vii) The arrangements for loading and unloading and the storage of plant and materials;**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

The construction of the development shall be completed in accordance with the approved plan.

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety.

(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: In order to minimise danger, obstruction and inconvenience to users of the highway and the development.

(10) The car parking accommodation shall be completed in accord with the details hereby approved before the use hereby permitted is commenced.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

(11) All construction, maintenance, repair work(s) in connection with the development hereby approved shall proceed strictly and entirely in accord with the Extended Phase 1 Habitat Survey (19.10.18).

Reason: To safeguard any protected species present .

(12) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number SH30787701 and SH30787604 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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.

(13) Notwithstanding the plans hereby approved no development shall commence until a surface water (including highway drainage) and land drainage scheme for the development which shall include detailed designs, levels and specifications of any grease and silt traps has been submitted to and approved in writing by the local planning authority "approved scheme". The "approved scheme" shall be completed and operational before the development hereby approved is occupied and thereafter shall be retained and maintained in working order for the lifetime of the development.

Reason: In order to ensure that the development is adequately drained.

(14) No development shall take place until details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and surrounding land have been submitted to an approved in writing by the Local Planning Authority. The development shall be constructed in accord with the slab and proposed levels approved under the provisions of this condition.

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

(15) Notwithstanding the plans hereby approved no development shall take place until trade descriptions and colours of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development.

Reason: To ensure a satisfactory appearance to the development.

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.

Planning Committee: 09/01/2019

12.2

Application Reference: FPL/2018/4

Description: Full application for demolition of the existing garages together with the erection of 4 single person dwellings with associated parking at

Site Address: Maes yr Ysgol, Caergybi/Holyhead



Report of Head of Regulation and Economic Development Service (Gwen Jones)

Recommendation: Permitted

Reason for Reporting to Committee

The application is made by the Isle of Anglesey County Council.

Proposal and Site

The proposal is a full application for the demolition of the existing flat roof garages together with the erection of 4 number single storey units for the elderly.

The site is located within the development boundary of Holyhead and lies on land adjoining Ysgol Llanfawr and adjoins the boundaries of the properties known as 64 Ffordd Tudur and 26 and 27 Maes yr Ysgol. The site is currently occupied by single storey garages which are rented by members of the public.

Key Issues

The application's main issues are whether the proposal complies with current policies, whether the proposal will have a detrimental impact on the amenities of neighbouring properties or on highway safety.

Policies

Joint Local Development Plan

Strategic Policy PS 17: Settlement Strategy
Policy PCYFF 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Policy TAI 1: Housing in Sub-Regional Centre & Urban Service Centres
Policy TAI 15: Affordable Housing Threshold & Distribution
Policy TAI 8: Appropriate Housing Mix

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Glyn Haynes	
Cynghorydd Robert Llewelyn Jones	Supportive of the application
Cynghorydd Shaun James Redmond	Supportive of the application
Cyngor Tref Caergybi / Holyhead Town Council	No response
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval
Adain Dechnegol (Draenio) / Technical Section (Drainage)	No response
Strategol Tai / Housing Strategy	No response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	
Internal (Environmental Health)	Standard Comments
Env Health / NRW	Standard Comments
Joint Planning Policy Unit	Sylwadau Safonol

The application was afforded two means of publicity. These were by the posting of a notice near the site and the serving of personal notification letters on the occupiers of the neighbouring properties. The latest

date for the receipt of representations is 16th January, 2018. At the time of writing this report no letters of representation had been received at the department.

Relevant Planning History

19C1195/RE/SCO - Scoping opinion for the on-shore associated development and cable landfall location in association with the development of the proposed Morlais Tidal Development Zone off the coast of Holyhead on parts of Holyhead and Valley - ~Scoping Opinion given 14/02/2017

19LPA1038/CC - Full application for demolition of the existing garages together with the erection of 4 single person dwellings with associated parking at - Maes Yr Ysgol, Holyhead - Permitted 07/02/2018

Main Planning Considerations

Principle of the Development – The site is located within the development boundary of Holyhead under the provision of PCYFF 1 of the JLDP. Holyhead is classified as an Urban Service Centre under the provisions of policy TAI 1 of the JLDP and this policy permits housing proposals on suitable windfall sites within the settlement boundary. Policy PS 17 of the JLDP states that housing will be distributed based on the settlements strategy with a higher proportion of developments required to take place in Urban Service Centres such as Holyhead based on the settlement's level of service provision but subject to environmental, social and infrastructure capacity to accommodate the development.

Policy TAI 8 (Appropriate Housing Mix) states that proposals should contribute towards meeting the identified needs of the community through meeting the listed criteria which include maximizing the delivery of affordable housing and ensuring the sustainable use of land through an efficient density of development compatible with local amenity. In terms of need for the development the council's Housing Services have stated that there is a high demand for affordable housing in Holyhead and that the application is the right mix of accommodation to meet this demand.

Whilst the applicant is intending to provide 100% social housing on the site the provision of a condition will ensure that affordable housing in line with Policy TAI 15 is provided should the site be sold prior to development. Though it is understood that the application will be built by the Council and will be added to the Council's social housing stock, and will be for rent to qualifying persons for the Council's housing waiting list for persons aged 60+, it would normally be necessary to complete a legal agreement requiring 10% of the units to be affordable in accord with policy TAI 15 (Affordable Housing Threshold & Distribution) as the planning permission could still be developed for general market purposes. In this case it is not possible for the council to complete a legal agreement with itself and a planning condition has been recommended which requires not less than 10% of housing units to be affordable.

The application site also comprises previously developed land and it is government policy in section 4.9 of PPW on the grounds of sustainability to re-use such sites in existing settlements where there is vacant or under-used land for suitable uses such as that being applied for. Additionally the application site is located in a highly sustainable location within walking distance of the town centre and other retail, community and travel facilities and on a main bus route.

The proposal lies on land next to a residential housing estate and the local primary school. The proposal is to demolish the existing garages which are rented by both local residents and people from the nearby villages.

Character and Appearance of the Locality: Policy PCYFF 2 (Development Criteria) of the JLDP states that to make the most efficient use of land that there should be a minimum of 30 housing units per hectare unless there are local circumstances or site constraints which dictate a lower density. The proposal is for 4 no 1 bedroom properties as there is a housing need in Holyhead for this type of development.

In terms of the area's character policies PCYFF 3 (Design and Place Shaping) and PCYFF 4 (Design and Landscaping) of the JLDP requires that new developments demonstrate a high quality design and that

they integrate into their surroundings. The proposed developments is made for 2no detached single storey units, and 2 semi-detached single storey units with a communal garden area and parking facilities on site for motor vehicles within the site. The units would be rendered and timber effect panelling and have concrete tiled roofs. The layout and design of the proposals are considered to be reflective of the varied housing types which can be seen in the area and on this basis is acceptable having regard to the impact on the character and appearance of the area.

Impact on the Residential Amenities of Adjacent Properties & Occupants of the Proposed Development: The impact of the development in terms of potential overlooking and overshadowing on the existing properties adjoining and in proximity to the application site is material. The council's SPG Design provides guidance in relation to minimum distances from existing and proposed dwellings and their boundaries. The rear elevation of the dwellings are closer to the boundary than would generally be permissible. The guidance would generally require around 10.5 metres but the proposal is between 1 -1.9 meters away. No objections are raised in this instance and the proposed North Eastern boundary abuts the primary school playground. There is an extant planning permission on the site for 4 units previously approved under planning application 19LPA1038/CC. Consideration has also been given to the fact that the units are single storey and the means of enclosure entails a 2m high fence adjacent to the primary school and a 2m high block wall on the South and West boundary, therefore it is considered that it will have no impact on residential amenity in terms of overlooking, loss of light and so on which the guidance on distances is intended to regulate.

Impact on Highway Safety – The existing vehicular access is to be utilised for the proposed development and no alterations are proposed to the access. The Highway Authority have raised no objection to the scheme subject to the inclusion of a standard highway condition in regards to car parking facilities

Conclusion

The proposed development is made on previously developed land in a highly sustainable location in the largest settlement on Anglesey. It is considered that the proposal complies with current policies and will not have a detrimental impact on the amenities of the occupants of neighbouring properties or on highway safety.

Recommendation

(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 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.

(03) The existing highway boundary wall/fence/hedge or any new boundary erected fronting the highway shall at no time be higher than 1 metre above the level of the adjoining county road carriageway along the whole length of the site's boundary with the adjoining highway and nothing exceeding this height erected within 2 metres of the said wall/fence/hedge or any new boundary.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

(04) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include:

- (i) The routing to and from the site of construction vehicles, plant and deliveries, including any Temporary Traffic Management Measures and Traffic Regulation Orders necessary to facilitate safe construction of the scheme 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) Identification of the routing strategy and procedures for the notification and conveyance of indivisible "out of gauge" loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers' plant and equipment; and for the temporary removal of street furniture;**
- (v) 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;**
- (vii) The arrangements for storage of plant and materials and the loading and unloading of plant and materials**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

Reason: To ensure reasonable and proper control is exercised over construction and demolition traffic and construction activities in the interests of highway safety.

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

- **Detached Option Proposed Elevations, Floor Plan and Sections - D618A.05**
- **Semi-Detached Option, Proposed Elevations, Floor Plan and Sections - D618A-04**
- **Proposed Site Plan - D618A.03 Rev C**
- **Location Plan - D618A.01**
- **Preliminary Survey dated 4th October, 2017**

under planning application reference FPL/2018/4.

Reason: For the avoidance of doubt.

(06) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Technical Advice Note 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it. The scheme shall include:

- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;**
- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;**
- the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved);**
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**

the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure that the development provides an element of affordable housing in accord with development plan policy.

(07) Prior to the commencement of work on the application site, a detailed plan for the communal garden should be submitted to and approved in writing by the local planning authority. The detailed plan should specify planting and maintenance details, with suitable native trees and shrubs. The trees and shrubs would thereafter be maintained for the lifetime of the permission.

Reason: In the interest of visual amenity.

(08) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number SH25822104 and SH25823102 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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.

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.

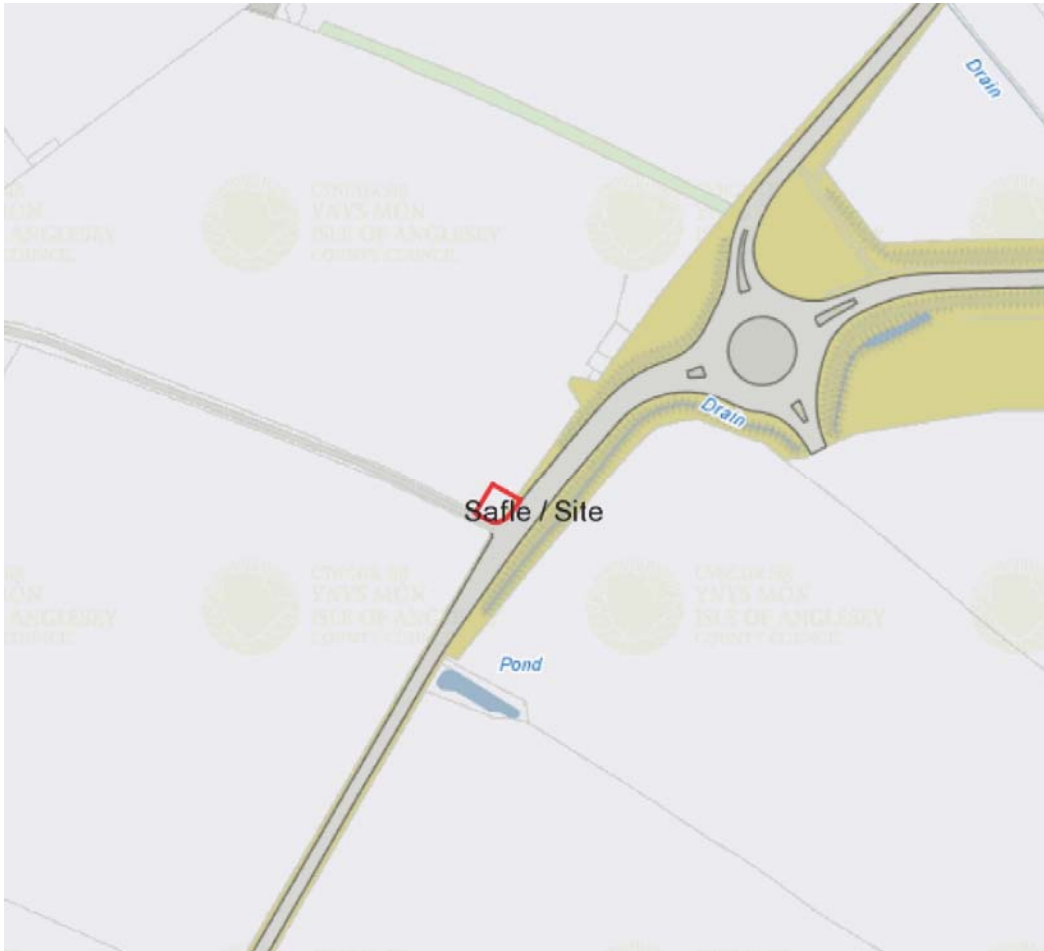
Planning Committee: 09/01/2019

12.3

Application Reference: FPL/2018/24

Description: Retrospective application for the construction of an agricultural access which formed part of Section 4 of the Llangefni Link Road at

Site Address: A5514, Llangefni



Report of Head of Regulation and Economic Development Service (Sion Hughes)

Recommendation: Permitted

Reason for Reporting to Committee

The application is made by the Isle of Anglesey County Council.

Proposal and Site

The site is located beside the A5514 which provides a link between the A55 and the town of Llangefni. The access flanks an existing access to the Farm 'Nant Newydd'. The site is level and has been surfaced

with broken slate. The boundary is formed by post the wire fencing as the site adjoins agricultural land which at the time of the site visit is use as grazing land.

The application is a retrospective one for the retention of the access which was formed as a part of Section 4 of the Llangefni Link Road.

Key Issues

The application's key issues are whether the proposal will affect highway safety and whether or not the proposal will affect the Environmental Impact Assessment that was carried out as part of 34LPA1013/FR/EIA/CC.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping
 Technical Advice Note 12: Design (2016)
 Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Response to Consultation and Publicity

Consultee	Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	H.1 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. The access shall remain ungated for the first 8m from the nearside edge of the county highway.
Cyngor Cymuned Llangristiolus Community Council	No response
Cynghorydd Dafydd Roberts	No response
Cynghorydd Eric Wyn Jones	No response

The proposal was advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of representation was 21/12/2018. At the time of writing this report, no letters of representation had been received at the department.

Relevant Planning History

34LPA1013/FR/EIA/CC - Full application for the construction of a link road comprising of a new roundabout on the A5114, highway improvements between the A5114 and the existing roundabout at the southern end of the Industrial Estate Road and construction of a new road between this point and Bryn Cefni Business Park and from the north of Bryn Cefni Business Park to Coleg Menai via the B5420, Penmynydd Road together with associated work on land to the east of Stad Ddiwydiannol Bryn Cefni Industrial Estate, Llangefni - Permitted - 18/12/2015

34LPA1013A/CC - Screening opinion for section 3 of the link road on land to the east of - Stad Ddiwydiannol Bryn Cefni Industrian Estate, Llangefni – EIA Not Required - 14/12/2015

34LPA1013C/CC - Full application for the creation of a vehicular access off Section 3 of the link road on land to the south of - Stad Diwydianol Llangefni Industrial Estate, Llangefni - Permitted - 14/02/2018

Main Planning Considerations

Highway Safety - The highways department had no concerns over the scheme and as a part of their response only asked that the access remain ungated for the first 8 meters.

Environmental Impact Assessment – Prior to the development, the site was part of an agricultural field which now surrounds the site. The application site did not contain any features which rendered it more important than the agricultural land surrounding it. The Environmental Impact Assessment did not identify any features which would have been considered relevant and it is therefore concluded that the proposal would not change the consideration of the Environmental Impact Assessment.

Conclusion

The access will not be detrimental to highway safety therefore it is deemed acceptable.

Recommendation

(01) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.

- **Site Location / WRJH2**
- **Layout Plan / WRJ1**

Reason: To ensure that the development is implemented in accord with the approved details.

(02) 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: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

(03) The access shall remain ungated for the first 8m from the nearside edge of the county highway.

Reason: In the interest of Highway Safety.

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.

Application Reference: 39C597

Description: Full application for the erection of a dwelling together with alterations to the existing vehicular access on land at the former

Site Address: Chwarel Cambria Quarry, Ffordd Cambria Road, Porthaethwy/Menai Bridge



Report of Head of Regulation and Economic Development Service (Iwan Jones)

Recommendation: Permitted

Reason for Reporting to Committee

The application is submitted on Council owned land. Local Member – Councillor Alun W Mummery has also requested that the application be referred to the planning committee for determination.

Proposal and Site

The application is for the erection of a dwelling together with amendments to the existing vehicle access on land at the Former Cambria Quarry, Cambria Road, Menai Bridge.

The application site is a parcel of land located to the north of Cambria Road. There are dwellinghouses located to the south of Cambria Road. Garages are located to the north of the site. To the east are two detached two storey dwellinghouses positioned in an elevated position.

Key Issues

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, amenity of the area, Conservation Area, nearby Listed Buildings and highway safety.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 6: Water Conservation
Policy PCYFF 5: Carbon Management
Policy TAI 2: Housing in Local Service Centres
Policy TAI 8: Appropriate Housing Mix
Policy TAI 15: Affordable Housing Threshold & Distribution
Policy AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 1: Welsh Language and Culture
Strategic Policy PS 2: Infrastructure and Developer Contributions
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Policy ISA 1: Infrastructure Provision
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts

Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	Rock excavation works will be undertaken as part of the trench fill mass concrete foundations. The department have therefore recommended that the hours of construction works will be limited by means of a condition.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Confirmation that the land is within the ownership of the Council, however is not classed as Common Land. Conditional Approval with respect to the proposed access

Minerals & Waste Officer	Informative advice that rock excavated at the application site should be recycled during the construction phase.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments with respect to the Joint Local Development Plan. The principle of the development is acceptable since the site is located within the development boundary and can be considered under policy TAI 2
Adain Dechnegol (Draenio) / Technical Section (Drainage)	The porosity test appears satisfactory and the ground conditions seem to be acceptable for suitably designed soakaways to be utilised as a means of surface water disposal.
Cynghorydd Robin Wyn Williams	No Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditional approval with respect to Invasive Species Control and an appropriate eradication plan.
Ymgynghorydd Tirwedd / Landscape Advisor	Direct effects on the trees on site are negligible. The proposal is compliant with relevant policies in relation to tree retention and landscape features. A condition is requested with respect to a Tree Protection Plan and Arboricultural Method Statement.
Cyngor Tref Porthaethwy / Menai Bridge Town Council	No Objection
Cynghorydd Meirion Jones	No Response
Cynghorydd Alun Wyn Mummery	Request that the application be referred to the Planning Committee for determination.
Ymgynghorydd Treftadaeth / Heritage Advisor	Proposed development would not have a significant adverse visual impact on views into or out of the conservation area or on the setting of the nearby Listed Buildings.
Dwr Cymru/Welsh Water	Welsh Water have requested that a condition be imposed requesting the no surface water and / or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

The proposal was advertised with the posting of notifications to adjacent properties. Site notices have also been displayed near the application site. The expiration of the publicly period was the 17th November, 2017.

Three letters of representation were received as a result of the publicity afforded to the application. The main points raised are summarised below:

- Recommendation within the Tree Survey are implemented as part of the application.
- Query whether or not the site has any geological importance.
- Concerns regarding construction of the access, vehicle turning area within the site and the construction disruption including property damage.
- The application has been used as a quarry, dump, overspill parking and an allotment space for local residents. It would be more beneficial for the Authority to use the site for another purpose.
- Concerns regarding the stability of the land.
- Application is common land owned by Menai Bridge Town Council.

- Concerns that Japanese Knotweed and red squirrels are present at the site.
In response the points raised, the Authority comments as follows:

- A condition will be attached requesting that a Tree Protection Plan and Arboriculture Method Statement is submitted.
- The application site was a previous quarry, however the Minerals and Waste Section have raised no objection to the proposal.
- The Local Highway Authority have assessed the application and are satisfied with the proposal subject to condition. Property damage is a civil matter.
- The application is being determined based upon the proposed development.
- A retaining wall collapsed near the application site which the Authority have since rebuilt. The Authority are not aware of any subsidence in relation to the application site itself. Notwithstanding this fact, the landowner is responsible to ensure that the land is stable and can be developed without causing injury to residents or damage to neighbouring properties.
- The application is not classed as common land.
- The Ecological department are satisfied with the proposal subject to an appropriate eradication programme for invasive species being agreed by the Authority.

Relevant Planning History

No Planning History

Main Planning Considerations

The two storey proposed dwellinghouse follows the narrow dimensions of the application site. The length of the dwelling is measured at 16.5 meters whilst the width is measured at 5.9 meters. The ridge height of the proposed dwelling is 7.2 meters.

The site is accessible from Cambria Road at the south of the application site. The proposed parking spaces are positioned directly from the access.

Policy Considerations:

In the JLDP Menai Bridge is identified as a Local Service Centre under policy TAI 2. This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based upon the indicative provision shown within the Policy. This site lies within the development boundary and is not allocated for a specific use.

In relation to Menai Bridge this means the site subject to this application falls within the development boundary and can be considered under policy TAI 2. The indicative windfall provision for Menai Bridge over the plan period stands at 45 units. This windfall provision includes a 10% 'slippage allowance', which means that the calculation has taken account of potential unforeseen circumstances that could influence delivery of housing due to, e.g. land ownership issues, infrastructure constraints, etc). In the period 2011 to 2016 a total of 24 units have been completed in Menai Bridge and 23 of these were on windfall sites. The windfall land bank, i.e. sites with existing planning consent, at April 2016 stood at 13 units. This means that at present there is capacity within the indicative provision for the settlement of Menai Bridge.

Policy TAI 8 'Appropriate Housing Mix' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Regard should be given to the LHMA, Council Housing Register, Tai Teg Register etc. to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market. The Housing Service have been consulted regarding the application and have concluded there is a need within the settlement for an open market dwellinghouse.

Due to the history and nature of the site with respect to Minerals and and Waste, the Authority requested that a topographical survey showing the existing and proposed levels of the application site and the extent of any rock excavation be submitted as part of the application.

The drawings confirmed there will be minimal variations in the levels of the site as part of the development and as such the Minerals and Waste department have confirmed that a construction management plan will not be required as part of the proposal.

Affect upon Amenities of the Area and Neighbouring Properties:

The application site located within a relatively dense residential area of Menai Bridge. Two storey dwellinghouses are located to the north, east, west and south of the application site.

The application site follows the narrow pattern of the land. Dense vegetation is located the west of the site, whilst land raises steeply to the east onto residential curtilages. Existing single storey garages are located to the north of the site. Access to the site is to the south of application site via Cambria Road beyond which lies further residential development on a lower level than the application site.

No changes to level of the land are proposed as part of the application. The existing trees along the eastern boundary are to be retained as part of the proposal.

The proposed dwelling is measured at approximately 7.5 meters height. First floor windows are located on the southern, western and southern elevation with only Velux windows proposed on the eastern elevation. A first floor balcony is also proposed on the southern elevation.

There is a distance of approximately 8 and 12 meters respectively from the nearest point of the proposed dwelling to the nearest part of the dwellinghouses located at the east of the application site. A distance of approximately 17 meters is between the nearest part of the balcony and residential curtilages located on the opposite side of the Cambria road to the south.

Although the development does not fully comply with the guidance contained within Supplementary Planning Guidance in regards to separation distances, due to the fact there is currently a degree of overlooking from the existing highway, that the site lies within a relatively built up high density residential area and its relationship with existing properties are typical of the area, existing vegetation, alignment and existing level of land, it is considered acceptable and will not detrimentally harm the amenities currently enjoyed by the occupants of the surrounding properties to such a degree as to warrant the refusal of the application in which an appeal can be sustained upon this ground.

It is considered the proposed dwelling will be partially screened form local views, is sympathetic to the area in terms of design and as such not considered out of character with the existing townscape.

Built Environment:

The site lies within the Menai Bridge Conservation Area. Policy AT1 'Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens' states that proposals within or affecting the setting and / or significant views into and out of Conservation Areas should where appropriate have regard to adopted conservation areas character appraisals, conservation area plans and delivery strategies. It also states that development should be supported by a Heritage Impact Assessment, where appropriate.

The Built Environment section have been consulted regarding the application and confirmed that the development would not have a significant adverse visual impact on views into or out of the conservation area or on the setting of the nearby Listed Buildings.

Local Highway Authority:

The Local Highway Authority have assessed the application and are satisfied with the proposal subject to conditions.

Conclusion

The amenities of the area and neighbouring properties have been taken into account, however it is not considered that the proposed development will harm the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application. Various material considerations have been considered and assessed by the specialist Officers of the Authority who have not raised any objection to the scheme subject to conditions.

It is not considered that the proposed development will have a detrimental impact upon the designated Conservation Area, nearby Listed Buildings or highways safety.

Recommendation

(01) The development shall begin not later than five years from the date of this decision.

Reason: To comply with the requirements of Section 91(1) of the Town and Country .

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents accompanying such application unless included within any provision of the conditions of this planning permission.

- **Proposed Site Layout / A-02-4 Rev A**
- **Proposed Plans and Elevations / A-02-1**
- **Proposed Elevations / A-02-2**
- **Soakaway Deign / A-02-5**
- **Proposed Images / A-02-3**

Reason: To ensure that the development is implemented in accord with the approved details.

(03) Construction works shall only be carried out between the hours of 08:00 - 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No works shall be carried out on Sunday or Bank Holidays.

Reason: In the interest of amenity

(04) No surface water and / or land drainage shall be allowed to connect directly or indirectly with the public sewage network.

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.

(05) No land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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

(06) The access shall be laid out and constructed strictly in accordance with the submitted plan reference number A-02-4 Rev A 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: In the interest of highway safety.

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

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

(08) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 meter 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 comply with the requirements of the Local Highway Authority.

(09) The access shall be completed with a bitumen surface for the first 5 meters 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: To comply with the requirements of the Local Highway Authority.

(10) The car parking accommodation shall be completed in full accordance with the details as submitted under drawing reference number A-02-4 Rev A before the use hereby permitted is commenced and thereafter retained solely for those purposes.

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

(11) No development shall commence until a Council, a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

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

Reason: To comply with the requirements of the Highway Authority to ensure reasonable and proper control is exercised over construction activities in the interests of road safety.

(12) No surface water from the within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. The dwelling hereby approved shall not be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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

(13) No development shall commence until an eradication programme for invasive species has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details for the lifetime of the development.

Reason: To eradicate invasive species from the application site.

(14) No development shall commence until a Tree Protection Plan and Arboriculture Method Statement is submitted and agreed in writing by the Local Planning Authority. Development shall

thereafter be carried out in accordance with the approved details for the lifetime of the development.

Reason: Required to safeguard and enhance the character and amenity of the area, and to enhance its setting within the immediate locality.

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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