

# Public Document Pack



**CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL**

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<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>
<b>PWYLLGOR CYNLLUNIO A GORCHMYNION</b>	<b>PLANNING AND ORDERS COMMITTEE</b>
<b>DYDD MERCHER, 6 CHWEFROR, 2019 am 1.00 o'r gloch yp</b>	<b>WEDNESDAY, 6 FEBRUARY 2019 at 1.00 pm</b>
<b>SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGEFNI</b>	<b>COUNCIL CHAMBER, COUNCIL OFFICES, LLANGEFNI</b>
<b>Swyddog Pwyllgor</b>	<b>Mrs Mairwen Hughes 01248 752516</b>
	<b>Committee Officer</b>

## **AELODAU / MEMBERS**

Cynghorwyr / Councillors:

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

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

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

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

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

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

### **Index**

#### **1 APOLOGIES**

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

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

#### **3 MINUTES\_(Pages 1 - 6)**

To submit, for confirmation, the minutes of the Planning and Orders Committee held on 9 January, 2019.

#### **4 SITE VISITS**

There were no site visits held following the 9 January, 2019 meeting of the Planning and Orders Committee.

#### **5 PUBLIC SPEAKING**

#### **6 APPLICATIONS THAT WILL BE DEFERRED**

#### **7 APPLICATIONS ARISING\_(Pages 7 - 12)**

7.1 14C257 – Cefn Trefor, Trefor

#### **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

#### **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

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## **10 DEPARTURE APPLICATIONS\_(Pages 13 - 24)**

10.1 VAR/2018/4 – Ger y Mynydd, Brynrefail, Dulas

10.2 FPL/2018/21 – Bronallt, Gaerwen

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

None to be considered by this meeting.

## **12 REMAINDER OF APPLICATIONS\_(Pages 25 - 30)**

12.1 41C137A/DA – Afallon, Penmynydd

## **13 OTHER MATTERS**

None to be considered by this meeting.

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**PLANNING AND ORDERS COMMITTEE**

**Minutes of the meeting held on 9 January, 2019**

- PRESENT:** Councillor Nicola Roberts (Chair)  
Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, Trefor Lloyd Hughes MBE, Kenneth Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen, Dafydd Roberts, Robin Williams
- IN ATTENDANCE:** Planning Development Manager (NJ)  
Planning Assistant (DCPS)  
Development Control Engineer (JRPW)  
Legal Services Manager (RJ)  
Committee Officer (ATH)
- APOLOGIES:** None
- ALSO PRESENT:** None
- 

**1. APOLOGIES**

None.

**2. DECLARATION OF INTEREST**

No declaration of interest was made.

**3. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting of the Planning and Orders Committee held on 5<sup>th</sup> December, 2018 were presented and were confirmed as correct.

**4. SITE VISITS**

No site visits were undertaken following the 5<sup>th</sup> December, 2018 meeting of the Planning and Orders Committee.

**5. PUBLIC SPEAKING**

There were no Public Speakers at this meeting of the Planning and Orders Committee.

**6. APPLICATIONS THAT WILL BE DEFERRED**

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

## **7. APPLICATIONS ARISING**

### **7.1 14C257 – 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 purpose of the report to the Planning and Orders Committee was to suggest conditions to be appended to the decision notice in relation to the application which was approved by the Committee at its meeting held on 5 December, 2018 subject to a Section 106 Agreement to ensure the dwelling is developed as an affordable dwelling, contrary to the recommendation of Officers that permission be refused because the application is contrary to Policy TAI 6.

The Planning Development Manager reported that the conditions set out within the Officer's report now before the Committee derive from the nature of the proposal and the responses to the consultation undertaken with regard to the application. However, a question has arisen in relation to the definition of a "local person" for the purpose of the legal agreement also required as part of the planning permission. Since the Officer's report as presented to the Committee deals only with the planning conditions, the recommendation is to defer consideration of the matter to allow the preparation of a report that addresses both the issue of conditions and the definition of a local person in connection with the legal agreement.

Councillor Nicola Roberts proposed that the matter be deferred in accordance with the Officer's recommendation. The proposal was seconded by Councillor Bryan Owen.

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

## **8. ECONOMIC APPLICATIONS**

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

## **9. AFFORDABLE HOUSING APPLICATIONS**

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

## **10. DEPARTURE APPLICATIONS**

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

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

### **11.1 48C182B/MIN – Minor amendments to the 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 Bryn Twrog, Gwalchmai**

The application was reported to the Planning and Orders Committee because the applicant is related to a relevant officer. The file has been reviewed by the Monitoring Officer.

The Planning Development Manager reported that the application is made under Section 96A of the Planning Act which relates to non-material amendments to an existing planning permission to insert a condition on the planning consent for a dwelling which was given in 2014 in order to specify that the development must be undertaken in accordance with the approved plans; this is to allow the applicant to then submit an application under Section 73 to vary the approved design. The proposed changes are

material to the design and cannot be dealt with under existing process. The Officer said that Local Planning Authorities are now required to include such a condition with planning consent with the approved drawings being listed as part of the decision. The amendment is therefore a minor change in the decision notice and does not involve a material change in the application. In addition, following the approval of the original application in 2014, Welsh Government announced on 31 July, 2014 that it was withdrawing the policy that required the inclusion of planning conditions to meet the objectives of the Code for Sustainable Homes, sustainable building standards now forming part of Building Regulations. It is Welsh Government's policy that such conditions are removed from those planning permissions where they still exist so the application also seeks the deletion of the Code for Sustainable Homes conditions that are attached to the permission. The removal of these conditions does not affect the overall character of the scheme. Having regard to the above and all other material considerations, the Officer's recommendation is to approve the application.

Councillor Robin Williams proposed that the application be approved; the proposal was seconded by Councillor Eric Jones.

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

## **12. REMAINDER OF APPLICATIONS**

### **12.1 32LPA1047/CC – Full Application for the erection of 6 dwellings together with the construction of a vehicular access on land at Tre Ifan, Caergeiliog**

The application was reported to the Planning and Orders Committee as the Isle of Anglesey County Council is the applicant and landowner.

The Planning Development Manager reported that part of the proposal entails a new access via the Tre Ifan Estate as well as parking provision for 12 vehicles. Given the proximity of the application site to RAF Valley, a noise assessment has been undertaken and has been found acceptable by the Council's Environmental Services. A condition on consent to require noise mitigation measures to be incorporated in the construction of the dwellings will be necessary and is proposed. Drainage details are currently being assessed and are conditioned to ensure they are acceptable. The Officer said that since the publication of the report, the Lifelong Learning Service has confirmed that no contribution towards education as a result of demand created by the proposed development is required. However, the planning conditions put forward include a condition to ensure that the development provides an element of affordable housing. The proposal is compliant with policy and is considered acceptable in its location. The recommendation is therefore one of approval.

Councillor Kenneth Hughes queried whether the development would go ahead in the event of the local school being full with no room to accommodate any additional pupils.

The Planning Development Manager clarified that the Lifelong Learning Service is consulted on applications such as this to ascertain whether it believes that a financial contribution towards the provision of education in the locality is necessary. In this case the Service has confirmed that it is not seeking a contribution. However the application is being considered and will be determined on planning not education grounds.

Councillor Kenneth Hughes said that this being the position, he believed that asking the Lifelong Service whether it wishes to seek a financial contribution to be a flaw in the process since parents have the right to choose whichever school to send their children to and may choose not to send their children to school at all in preference of home schooling. Councillor Hughes sought clarification of whether in light of these parental rights, the Planning Authority should be asking such a question of the Lifelong Learning Service.

The Planning Development Manager advised that the issue of seeking a financial contribution towards a service or facilities including education where that is deemed necessary, is a policy adopted and acted upon by the Council as part of the Joint Local Development Plan where the requirements with regard to developer contributions are set out. If the Member's concerns relate to policy generally rather than to the specific application under consideration then it is a matter that goes beyond the remit of the Committee.

Councillor Hughes said that it was his opinion that the Planning Authority should give careful consideration to what the implications might be if the policy was to be challenged.

Councillor Vaughan Hughes proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor John Griffith.

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the planning conditions contained therein and subject also to the inclusion of an additional condition in relation to noise mitigation measures.**

## **12.2 FPL/2018/4 – Full application for the demolition of the existing garages together with the erection of 4 single person dwellings with associated parking at Maes yr Ysgol, Holyhead**

The application was reported to the Planning and Orders Committee because the application is made by the Isle of Anglesey County Council.

The Planning Development Officer reported that an application on this site was made earlier in the year and a site visit was undertaken at the time due to concerns about the traffic situation locally. Whilst the layout of the proposed dwellings on the site is similar to that previously approved, the design differs being more traditional in appearance than that which has approval. As part of the previously approved scheme provision was made for 10 parking spaces in response to the concerns locally at the loss of the garages and parking whereas under the scheme presented, 6 parking spaces are provided. The Officer said that she understood that discussions between local residents and the Housing Service have taken place because of the concerns that exist about the loss of parking and that consideration is being given to what measures the Service might implement which will likely follow with further planning applications to be brought to the Committee. However, there are no objections to the proposal on the part of the Highways Service. The Local Members are also supportive of the application. As the application is being made by the County Council, the required affordable housing provision will be ensured via a planning condition as the Council cannot complete a legal agreement with itself. It is the applicant's intention however to provide 100% affordable housing on the site. On the basis of the above therefore, the Officer's recommendation is to approve the application.

Councillor John Griffith queried why the proposal is specifically for dwellings for the elderly when the previously approved application had no such designation. Additionally, the report notes that the rear elevation of the proposed units are closer to the boundary than would generally be permissible being 1 to 1.9m distance from the boundary when the guidance requires a separation distance of 10.5m. Councillor Griffith sought an explanation for the deviation from what is required.

The Planning Development Manager clarified that following discussions with local residents on account of the concerns expressed regarding the previously approved development, the proposal is now for units for the elderly. With regard to the separation distance between the proposal and the boundary, the layout of the development follows that which has received approval. The proposed North Eastern boundary abuts the primary school playground rather than any residential development, 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. It is therefore considered that the development will have no impact on residential amenity in terms of overlooking or loss of light which the guidance on distances is intended to regulate.

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

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

### **12.3 FPL/2018/24 – Retrospective application for the construction of an agricultural access which formed part of Section 4 of the Llangefni Link Road at the A5514, Llangefni**

The application was reported to the Planning and Orders Committee because the application is made by the Isle of Anglesey County Council.

The Planning Development Manager reported that the agricultural access for which approval is sought flanks an existing access (since closed) to the Nant Newydd farm but is located farther away from the roundabout in the interests of highway safety. There are no objections to the proposal from a Highways perspective and it is considered acceptable within the landscape having no effect on or implications for the Environmental Impact Assessment that was carried out as part of the Link Road development.

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

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

### **12.4 39C597 – Full application for the erection of a dwelling together with alterations to the existing vehicular access at the former Cambria Quarry, Cambria Road, Menai Bridge**

The application was presented to the Planning and Orders Committee as the application is submitted on Council owned land and a Local Member has also requested that the application be determined by the Committee.

The Planning Development Manager reported that the application site lies within the Menai Bridge Conservation Area and is close to nearby Listed Buildings. Objections to the proposal have been received the substance of which are set out in the Officer's report. The relevant consultees raise no objections and advise conditional approval. As well as the conditions listed in the Officer's report the Environmental Health Department is requesting that a condition be included to ensure that any contaminated land is dealt with as part of the development. It is the Officer's view that the proposal offers a sustainable use of a redundant site within the town and the recommendation is therefore to approve the application.

Councillor Robin Williams speaking on behalf of Councillor Alun Mummery who had called in the application but who could not be present at this meeting said that there had been concerns when the application was first submitted about ownership of the land and the development's potential effects on parking amenities in the area. Councillor Mummery is now satisfied that those matters have been dealt with and is supportive of the application.

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

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the conditions contained therein and subject also to an additional condition requiring any contaminated land to be dealt with as part of the development.**

**13. OTHER MATTERS**

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

**Councillor Nicola Roberts  
Chair**

**Planning Committee:** 06/02/2019

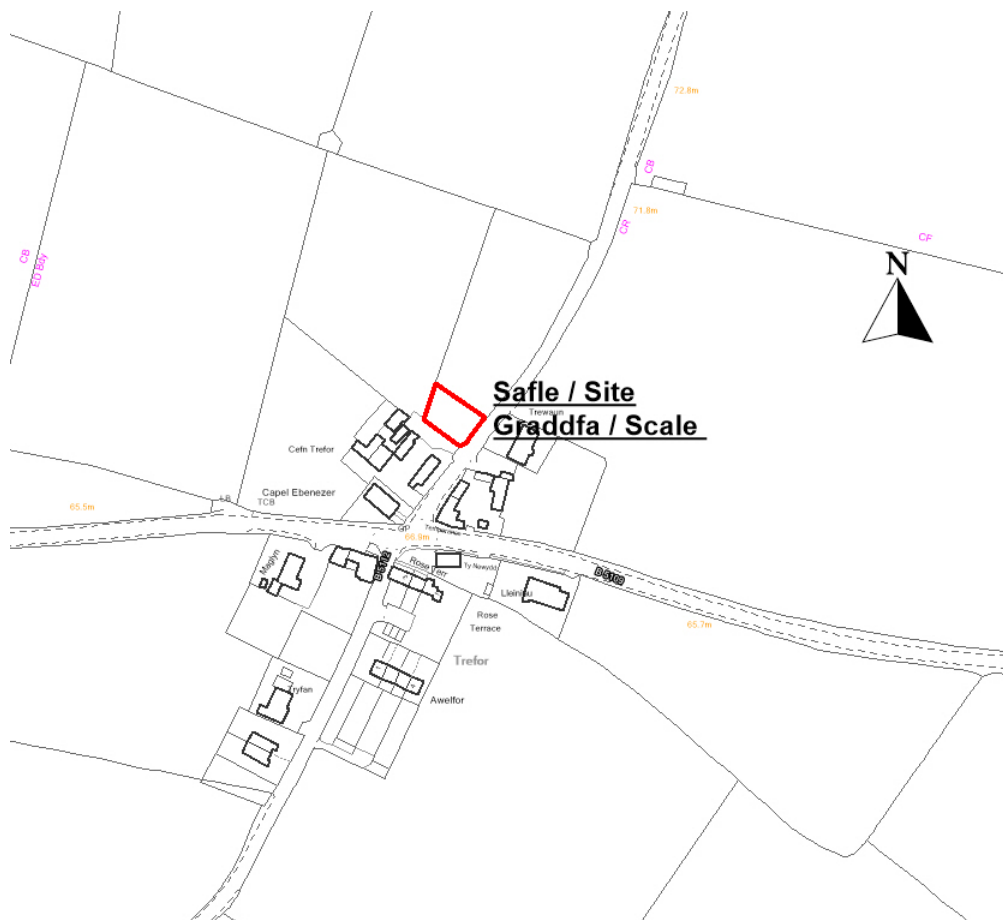
**6.1**

**Application Reference:** 14C257

**Applicant:** Mr Gavin & Mrs Rachel Evans

**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)**

**Recommendation:** Refused

**Reason for Reporting to Committee**

The purpose of the report is to define the term 'Local Need' and 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.

### **Main Planning Considerations**

The applicant has provided a statement with regards to the definition of 'Local Need':

"If the term local person is interpreted too restrictively as, for example, limiting the occupant to a native of Trefor, the development is un-mortgage-able, as no Lender will take the risk of lending because the pool of buyers, in the event of a forced sale, is too limited.

Under past policies, local was taken to mean Anglesey-local which, as we all know, itself posed borrowing difficulty with only a select number of Lenders willing to lend, but at higher rates of interest, than normal.

Members may wish to consider that the JLDP is the adopted policy framework for the whole of Anglesey and Gwynedd so, local in this sense means Anglesey and Gwynedd".

### **Joint Local Development Plan's definition of 'Local Need'.**

Policy TAI 6 in the Plan is clear that only 'local need' affordable housing should be provided in Clusters. The Plan is clear in its definition of 'local need' in relation to different types of applicable settlements. In relation to Clusters 'local need' is defined as being:

**"people in need of an affordable house 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."**

Any variation from this definition would mean a development that would not align with the Plan.

Also, contrary to the statement presented on behalf of the applicant, the occupancy is not restricted (in this case) to residents 'native' to Trefor. It provides for a wider area and provides for residents who were born in the area and those who lived in the area for 5 years in the past, who wish to return to the area, i.e. persons with a strong local connection.

There is no evidence to suggest that the definition of 'local need' in itself restricts the availability of mortgages.

Planning consent will be subject to S106 Agreement, which will be tailored to each individual application, depending on a number of factors, but will include specific elements in order to facilitate the delivery of the affordable housing. The elements will include:

- Protection mechanism for future re-sales (such as pre-emption rights);
- A description of the future re-sales cascade procedure.

The future re-sales cascade procedure will vary in accordance with the type of settlement / proposal in question.

The local policy context has changed with the adoption of the JLDP, in order to align with national planning policy (which has changed since the adoption of the dated Local Plan and un-adopted Unitary Development Plan). Contrary to the applicant's statement the former approach did deliver (build) 220 affordable housing units just in the period 2011 – 2018.

Not only would extending the definition of 'local' in this instance to include the whole Plan area create a dangerous precedent, it would also clearly undermine the Plan's Strategy, objectives and affordable

housing policies. It isn't supported by robust evidence that has been subject to public consultation or independently scrutinised.

The Committee is reminded of the following;

"Clusters are characterised by an ***extremely sensitive social character and environment*** as well as a limited level of services and facilities. In accordance with the intention of the Plan to maintain and strengthen local indigenous communities, this policy only permits affordable houses for local need (as defined in the Glossary of Terms) and only on suitable sites."

The Plan gives priority to households in genuine need of homes that are genuinely 'local' to different categories of settlements. Market housing provides for the demands of other households within the Plan area. Policy TAI 6 provides for the needs of the immediate community and does not seek to promote the movement of households from a larger catchment into much smaller less sustainable communities. For this reason, given the sensitive nature of 'Clusters' and in order to promote sustainable communities and sustainable development, the area within which need for affordable housing will be considered 'local' must be defined as including the Cluster and the surrounding rural area.

A map could be prepared with the Section 106 to show what is meant by the area surrounding the cluster.

### **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:** 06/02/2019

**10.1**

**Application Reference:** VAR/2018/4

**Applicant:** Mr Frank Gibbons

**Description:** Application under Section 73A for the variation of condition (10)(Pedestrian footpath) of appeal decision reference APP/L6805/A/15/3132036 (Erection of a dwelling, installation of a sewage treatment plant together with the construction of a vehicular access) so as to allow for the submission of a scheme for the provision of a pedestrian footway following the expiry of the 4 month period at

**Site Address:** Ger y Mynydd, Brynrefail, Dulas



**Report of Head of Regulation and Economic Development Service (Joanne Roberts)**

**Recommendation:** Permitted

**Reason for Reporting to Committee**

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

**Proposal and Site**

The application is located in the settlement of Brynrefail adjacent to the A5025 at the junction with the minor road which leads to Mynydd Bodafon.

### Key Issues

The key issue in this case relates primarily to the provision of a pedestrian footway as part of the development. A condition of a recent appeal decision required a scheme to be submitted to the Local Planning Authority for approval, however due to apparent miscommunication the details were agreed directly with the Highways Department rather than the planning department resulting in an inadvertent breach of the condition.

This application therefore seeks to regularise the situation such that the details may be formally agreed with the Local Planning Authority, however the subsequent change in policy following the adoption of the Joint Local Development Plan is a material factor which must be taken into account.

### Policies

#### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 2: Development Criteria  
 Policy PCYFF 3: Design and Place Shaping  
 Policy TAI 6: Housing in Clusters  
 Planning Policy Wales (Edition 10, December 2018)

#### Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	No comments relevant to landscape policies.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No ecological comments.
Adain Dechnegol (Draenio) / Technical Section (Drainage)	No response at time of writing report.
Priffyrdd a Trafnidiaeth / Highways and Transportation	The footway details are satisfactory and should be implemented in accordance with the timeframe set out in the appeal decision condition.
Swyddog Llwybrau / Footpaths Officer	No response at time of writing report.
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No response at time of writing report.
Cynghorydd Margaret Murley Roberts	No response at time of writing report.
Cynghorydd Ieuan Williams	No response at time of writing report.
Cynghorydd Vaughan Hughes	No response at time of writing report.
Cyngor Cymuned Moelfre Community Council	No response at time of writing report.

The application was afforded three means of publicity. These were by the posting of notices near the site and serving of personal notification letters on the occupiers of the neighbouring properties together with the publication of adverts in the local press. The latest date for the receipt of representations is the 06/02/2019.

At the time of writing the report no representations had been received.

### **Relevant Planning History**

40C323 - Outline for one dwelling on land opposite Bryn Hyfryd, Brynrefail - Granted 19.12.2013  
40C323A/SCR - Screening for one dwelling Bryn Hyfryd, Brynrefail - EIA not required 19.12.2013  
40C323B - Full application for the erection of a dwelling, installation of a septic tank together with the construction of a vehicular access on land opposite Bryn Hyfryd, Brynrefail. Appeal Allowed (non-determination) 10.12.2015  
40C323C/SCR - Screening opinion for the erection of a dwelling on land opposite - Bryn Hyfryd, Brynrefail. EIA not required 18.05.2015  
40C323D/DIS - Application to discharge conditions (07) being access detail, (10) being creation of a footway and (11) means of enclosure from planning permission reference 40C323B on land opposite Bryn Hyfryd, Brynrefail. Conditions Discharged 15.02.2016  
40C323E/DEL - Application under Section 73 for the removal of condition (10) (Pedestrian Footpath) from Appeal Decision reference APP/L/6805/A/15/3132036 (erection of a dwelling) at Ger y Mynydd, Brynrefail. Refused 23.01.2018 - Appeal Allowed (subject to revised condition) - 20.06.2018  
SCR/2018/6 - Screening opinion for erection of a dwelling, installation of a sewage treatment plant together with the construction of a vehicular access at Ger Y Mynydd, Brynrefail. EIA not required 19.12.2018

### **Main Planning Considerations**

The principle of a dwelling in this location has already been established under planning permission reference 40C323B which was granted on appeal on 10.12.15 and which remains extant. Furthermore the dwelling has since been built and is occupied.

However, since the adoption of the Joint Local Development Plan, Brynrefail is now identified as a Cluster where any new dwelling must be for affordable local need on an infill site. The application is therefore contrary to policy TAI 6 of the Joint Local Development Plan; however a fallback position exists since the development benefits from an extant planning permission for the erection of a dwelling which has since been completed.

As part of the original permission there was a condition requiring the provision of a pedestrian footway from the site and connected into the existing footway along the A5025.

The applicant subsequently sought to have the condition deleted, however the application was refused. A subsequent appeal was allowed on the 20.06.18 subject to the following revised condition:

1) Unless within 4 months of the date of this decision a scheme for the provision of 1.8m wide pedestrian footway along the whole frontage of the site and connected into the existing footway on the A5025 is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 12 months of the local planning authority's approval, the occupation of the dwelling shall cease until such time as a scheme is approved and implemented. If no scheme in accordance with condition 1 above is approved within 9 months of the date of this decision, the occupation of the dwelling shall cease until such a time as a scheme approved by the local planning authority is implemented.

In accordance with the above condition of the appeal decision, a scheme should therefore have been submitted to the Local Planning Authority by 20.10.18, however no such details were submitted consequently a Breach of Condition has occurred.

The Local Planning Authority therefore wrote to the applicant on 22.11.18 regarding the breach and advising that the Local Planning Authority were minded to issue a Breach of Condition Notice in order to address matters.

Thereafter, it transpired that due to an apparent miscommunication between the applicant and the Highways Officer, a scheme had in fact been agreed directly with the Highways Department which the Local Planning Authority had been unaware of and that works had been scheduled to take place in early December.

Notwithstanding the above, there remained a breach of the condition as the footway scheme had not been submitted directly to the Local Planning Authority for approval in accordance with the requirements of the condition such that the condition could be formally discharged.

Since it is not open to the Local Planning Authority to discharge conditions retrospectively and in order that the situation may be resolved without the need for formal action, the applicant was therefore advised that it would be necessary to apply to vary the requirements of the condition in order that the scheme may be formally agreed by the Local Planning Authority following the expiry of the 4 month period, hence the application currently under consideration.

The applicant was further advised that in light of the fact that acceptable details had been agreed with the Highways Department, that in the circumstances the Local Planning Authority had no objection to the works being carried out as planned pending resolution of the planning aspects, which to all intents and purposes is a technical issue arising from the inadvertent failure to have the condition discharged by the Local Planning Authority.

Approval of an application under Section 73A effectively involves the grant of a new permission for the development and notwithstanding that due to the subsequent change in policy since the original permission was granted such that the development is now considered to be a departure from adopted policies, a fallback position nevertheless exists and the fundamental issue in this case relates primarily to the provision of the footway.

It is clearly in the best interests of all concerned that the required footway is constructed in the interests of pedestrian highway safety. As noted above, an acceptable scheme has already been agreed directly with the Highways Department and the current application will therefore enable the Local Planning Authority to formally agree those details such that the works to construct the footway may proceed.

## **Conclusion**

The primary objective in this case is to secure the provision of the pedestrian footway. Whilst it is open to the Local Planning Authority to take formal enforcement action by way of the issuing a Breach of Condition Notice, approval of the current application will serve to achieve the same result.

The application to vary the condition so as to enable the footway scheme to be formally agreed by the Local Planning Authority following the expiry of the 4 month period stipulated in the appeal decision will satisfactorily resolve the situation and is therefore considered to be acceptable.

## **Recommendation**

**(01) Unless within 10 months of the date of this decision the approved scheme for the provision of a 1.8m wide pedestrian footway is implemented in accordance with submitted Proposed Block Plan Site Plan dated 27 June 2018, the occupation of the dwelling shall cease until such a time as the approved scheme is implemented.**

Reason: In order to minimise danger, obstruction and inconvenience to pedestrians, users of the highway and of the access.

**(02) Natural slates of uniform colour shall be used as the roofing material of the dwelling and it shall not be roofed or re-roofed other than with natural slates.**

Reason: To ensure that the development is in the interests of amenity.

**(03) The access shall be retained in accordance with the approved details 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.

**(04) Any new highway boundary wall/hedge/fence 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 sites boundary with the adjoining highway and nothing exceeding this height erected within 2 metre of the said wall/hedge/fence 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.

**(05) No surface water from within the development shall discharge onto the highway.**

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

**(06) The car parking and turning areas shall be retained in accordance with the approved details and thereafter retained solely for those purposes.**

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

**(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 dated 24 February 2015 approved under planning permission reference 40C323B
- Proposed Ground Floor Plan dated 3 June 2015 approved under planning permission reference 40C323B
- Proposed First Floor Plan dated 3 June 2015 approved under planning permission reference 40C323B
- Proposed Front and Rear Elevations dated 3 June 2015 approved under planning permission reference 40C323B
- Proposed Right and Left Elevations dated 3 June 2015 approved under planning permission reference 40C323B
- Soakaway Design drawing no. 08315/004/Rev. A approved under planning permission reference 40C323B
- Block Plan with Planting Details dated 12 February 2016 approved under discharge of condition application reference 40C323D/DIS
- Proposed Block Plan Site Plan dated 27 June 2018

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

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, TAI6.

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:** 06/02/2019

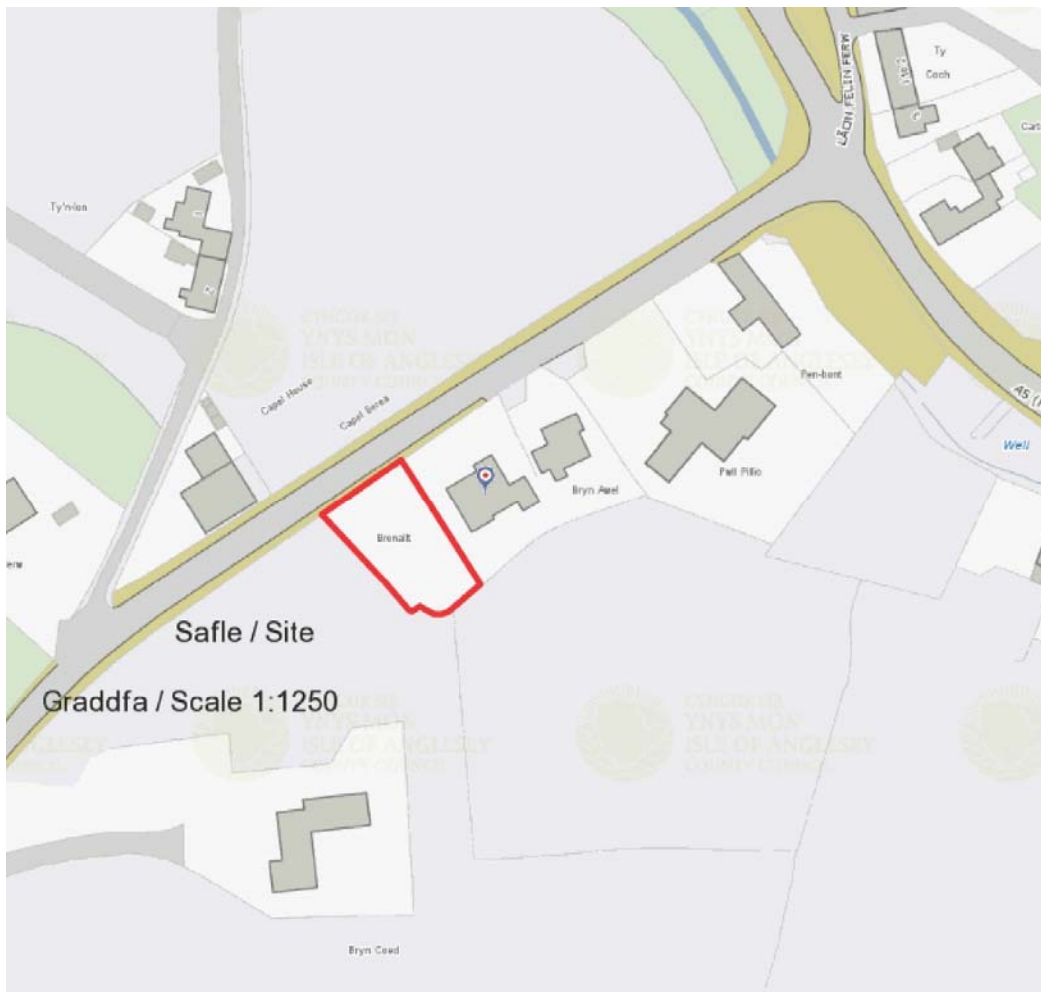
**10.2**

**Application Reference:** FPL/2018/21

**Applicant:** Mr Aled Hughes

**Description:** Full application for the erection of a dwelling together with the creation of a new vehicular access on land adjacent to

**Site Address:** Bronallt, Gaerwen



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

**Recommendation:** Permitted

**Reason for Reporting to Committee**

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

## Proposal and Site

The application is a full application for the erection of a dwelling together with the creation of a new vehicular access on land adjacent to Bronallt, Gaerwen.

## Key Issues

The key issue is whether the proposal is an improvement to that originally approved under application reference 33C231/DA.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy TAI 6: Housing in Clusters  
Policy TRA 2: Parking Standards  
Strategic Policy PS 5: Sustainable Development

## Response to Consultation and Publicity

Consultee	Response
Awdurdod Glo / Coal Authority	No comments
Cynghorydd Eric Wyn Jones	No response at the time of writing the report.
Cynghorydd Dafydd Roberts	No response at the time of writing the report.
Cyngor Cymuned Llanfihangelesceifiog Community Council	No response at the time of writing the report.
Dwr Cymru Welsh Water	Conditional Approval
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval
Adain Dechnegol (Draenio) / Technical Section (Drainage)	No response at the time of writing the report.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Standard Policy Comments.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Standard Response
Ymgynghorydd Tirwedd / Landscape Advisor	No response at the time of writing the report.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditional Approval

The application was afforded two means of publicity. A site notice was placed near the site and neighbouring properties were notified by individual letters. The latest date to receive representations was the 28/12/2018. At the time of writing the report no letters had been received.

## Relevant Planning History

33C231/DA - Detailed application for the erection of a dwelling - Approved 8/6/04



33C311/LUC - Application for a Certificate of Lawfulness for the proposed use for the erection of a dwelling at plot 4 adjacent to - Bronallt, Pentre Berw - Lawful 26/1/16

### **Main Planning Considerations**

The principle of a dwelling has already been established under a historic planning application A/967A. A detailed application was approved under planning application 33C231/DA on the 8/6/04. An application for a lawful use certificate to prove that works had been undertaken to implement planning permission A/967A was proved lawful on the 26/1/16. Therefore planning permission for a dwelling has been safeguarded on the application site.

### **Joint Local Development Plan**

Since the adoption of the Joint Local Development Plan, Pentre Berw is identified as a Cluster under the provision of Policy TAI 6. The policy does not support the provision of open market housing. However, as the application site has an extant planning permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented.
- Are the amendments to the permission better than that previously approved.

A planning application reference A/967A was approved for 4 dwellings and a detailed application subsequently approved under 33C231/DA. On the 26/1/16 a lawful use certificate was issued which confirmed that planning permission for a dwelling on the site had been safeguarded. It is therefore likely that the dwelling will be implemented.

### **Amendments**

The planning application entails a re-design of the dwelling previously approved under 33C231/DA.

The previously approved dwelling was a single storey dwelling with room in the roof which measured 5.9m high x 13.1m wide x 16.9m long. The ground floor area measured 154.2 square metres.

The amended design also entails a single storey dwelling with room in the roof which measures 6m high x 20m wide x 15.7m long. The ground floor area measuring 199.58 square metres.

It is not considered that the proposed changes deteriorate that previously approved under 33C231/DA.

### **Rock Excavation**

The applicant had already excavated rock on the site prior to this planning application being submitted. The applicant has confirmed that further rock excavation will only take place to provide footings for the dwelling.

### **Biodiversity**

An Environmental Mitigation Plan has been received and a planning condition will be placed on the permission specifying that the mitigation as listed in the plan is to be carried out.

### **Adjacent residential properties**

Neighbouring properties have been notified of the development. The expiry date to receive representations being 28/12/18. At the time of writing the report no letters had been received. It is not considered that the proposal will have a negative impact upon adjoining residential properties. The amended scheme will have less of an impact upon the neighbouring property due to a reduction of windows in the side elevation. The proposal also entails the erection of a 1.2m high post and rail fence to the East boundary.

## Conclusion

The application is contrary to Policy TAI 6 of the Joint Local Development Plan; however the fallback position is that the application site has an extant planning permission for an open market dwelling.

It is considered that the previous application 33C231/DA is likely to be implemented and the proposed changes do not deteriorate that previously approved under 33C231/DA. A condition will be placed on the permission which will preclude the implementation of the previous permission.

## 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) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at/ or downstream of manhole reference number SH47722101 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.

**(03) 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.

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

**(05) 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.

**(06) The development shall take place in accordance with the Mitigation Sections measures for bats (Sections 2.1 - 2.5), nesting birds (Section 2.6 – 2.7), replacement hedges (Sections 2.8 – 2.9), trees (Section 2.10 – 2.14) and planting and ground prep details (Sections 2.15 – 2.22), along with any lighting scheme (Sections 2.23 – 2.28), all as contained within the Ecological Mitigation Plan dated 03.01.2019, submitted under application reference FPL/2018/21. A basic report of mitigation actions is to be provided ahead of discharge. The report is to include photos of bat and birds boxes and features as installed, photos of new hedges and trees, and written confirmation from an ecologist that these are to an acceptable standard.**

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

**(07) Natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.**

Reason: To ensure that the development is in the interests of amenity.

**(08) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) and document(s) submitted below received with planning application FPL/2018/21.**

- **Location Plan - 16:001:02.00A**
- **Extent of possible Excavation - 16.001.02 SK11A**
- **Elevations + Section - 16.001.02 PL02G**
- **Plans - 16.001.02. PL01F**
- **Elevations + Sections - 16.001.02 - PL02F**
- **Ecological Mitigation Plan - Salopian Consultancy Ltd dated 3/1/19**
- **Traffic Management Plan - Wray Architects dated 29.11.18**
- **CEMP - Wray Architects dated 16/11/18**

Reason: For the avoidance of doubt.

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: PCYFF2, TAI6, TRA2, PS5

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:** 06/02/2019

**12.1**

**Application Reference:** 41C137A/DA

**Applicant:** Mr Aled Jones

**Description:** Application for reserved matters for the erection of a dwelling, construction of a vehicular access together with the installation of a treatment plant at

**Site Address:** Afallon, Penmynydd



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

**Recommendation:** Permitted

**Reason for Reporting to Committee**

The application is being presented to the Committee due to a call in request by the Local Member Alun Mummery due to concerns by local occupiers regarding the positioning of the proposed dwelling together with concerns on the drainage proposals.

**Proposal and Site**

The application is a reserved matters application for a dwelling, construction of a vehicular access together with the installation of a treatment plant at Afallon, Penmynydd.

### Key Issues

The key issue is whether the proposal complies with the outline permission approved under planning permission 41C137 on the 26/5/16. Consideration must be given to its design and whether the proposal will have a negative impact upon immediate residential properties

### Policies

#### Joint Local Development Plan Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	Landscape condition will be placed on the permission to ensure a suitable landscaping scheme is implemented.
Cynghorydd Robin Wyn Williams	No response at the time of writing the report.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Standard Advice.
Cynghorydd Alun Wyn Mummery	Request to call in the planning application to the planning committee due to neighbours concern with regards to the siting of the dwelling and drainage on site.
Cynghorydd Meirion Jones	No response at the time of writing the report.
Cyngor Cymuned Penmynydd & Star Community Council	Objection as the dwelling/access is located in a dangerous location on a junction with poor visibility.
Dwr Cymru/Welsh Water	Standard Advice.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Standard Advice.
Adain Dechnegol (Draenio) / Technical Section (Drainage)	Further drainage details awaited.

A site notice was placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations was the 12/1/19. At the time of writing the report one letter of objection had been received.

The main reasons for objection as follows:

\*The dwelling has moved to the centre of the plot rather than where outline permission was granted

\*Mains water supply runs through the plot of land under consideration and our soakaway for the septic tank. The drainage scheme would interfere with the drainage system to our property that has been in place for over 50 years.

\*The proposed access and drive is along the perimeter wall to our bedroom windows. This would be detrimental to our lives and detrimentally affect the privacy of our property, i.e. noise, car headlights, also the access is on the narrowest part of the lane.

In response to the objection:-

\*The plan provided at outline stage was indicative only. The property has been located as close as possible to the outline approval. The planning application measurements are in accordance with the upper and lower limits as approved at outline stage.

\*Welsh Water does not have any objection to the proposal and the drainage section of the council has been consulted as part of the application. Drainage comments are awaited and it is requested that committee members approve the planning application upon confirmation that the drainage scheme is acceptable.

\*The access to the application site has already been approved as part of the outline permission. The outline permission also considered the amenities of the adjacent property and a condition was placed on the permission requiring an acoustic fence was placed on the boundary between the plot and the adjacent property known as Afallon. This was in order to address concerns of the neighbouring property.

### **Relevant Planning History**

41C137 – Outline planning permission for the erection of a dwelling, together with full details of access at land adjacent Afallon, Penmynydd – Approved 26/5/16

### **Main Planning Considerations**

#### **Policy Considerations**

Joint Local Development Plan

In the Joint Local Development Plan Penmynydd is identified as an open countryside location where development is strictly controlled and any new planning application for a dwelling will be resisted. However, the application site benefits an extant outline permission that was approved on the 26/5/16 under the former Ynys Mon Local Plan policies. Penmynydd was identified as a Listed Settlement under the provisions of Policy 50 where planning permission was acceptable for infill plots within or on the edge of the settlement.

This is a reserved matters application that complies with the extant outline planning permission previously approved.

Policy PCYFF2: Development Criteria states that proposals should be in line with the plan and national planning policy, make the most efficient use of land, provide appropriate amenity space regard to generation, treatment and disposal of water, where appropriate provision for management and eradication of invasive species. Proposals should not have an adverse impact on health, safety or amenity of occupiers of adjacent users.

Policy PCYFF3: Design and Place Shaping states that all proposals will be expected to demonstrate a high quality design which fully takes into account its context. Innovative and energy efficient design will be particularly encouraged.

Policy PCYFF 4: Design and Landscaping states that all proposals should integrate into their surroundings.

Layout, design and amenity impacts.

In accordance with the provisions of policy PCYFF2 and PCYFF3 the layout of the application site is acceptable with appropriate amenity space provided for the dwelling. The dwelling will be of high quality design and the scale complies with that previously approved at outline stage. The proposal also complies with distances as set out in the Supplementary Planning Guidance on Urban and Rural Environment.

#### Distances to Pen Graig

The proposed dwelling is located between 14.6 – 19.8 metres to the South East boundary and approximately 46m from the property known as Pen Graig. The supplementary planning guidance states that a distance of 10.5m should be achieved from ground floor main to boundary and a distance of 21m should be achieved from ground floor main to main. The proposal complies with distances to Pen Graig.

#### Distances to Afallon

The proposed dwelling is orientated in such a way that the windows does not directly overlook Afallon. The proposed side elevation of new dwelling at its nearest point to the boundary of Afallon is 14.3metres and a distance of 16.74 to the side elevation of Afallon. The Supplementary Planning Guidance states that a distance of 2.5m should be achieved from the side elevation of a property to the boundary of the site and a distance of 3.5 metres should be achieved from the side elevation of the new property to the side elevation of the neighbouring property. The proposed dwelling complies with the distances as set out in the supplementary planning guidance.

An acoustic fence is proposed to the boundary adjoining Afallon, which will alleviate concerns of noise from the new vehicular access.

#### Drainage

The proposed dwelling will be served with a Private Treatment Plant and surface water dealt with by means of a soakaway system. The Drainage Section comments are currently awaited and it is requested that committee members approve the application upon confirmation from the drainage section that the drainage scheme is acceptable.

#### Landscape

The proposal includes a landscaping scheme in accordance with the provisions of Policy PCYFF4 of the JLDP. The landscaping scheme includes details of planting to part of the East boundary and along the South boundary. It is considered that the landscaping scheme complies with the requirement of Policy PCYFF4 and a condition will be included to ensure the planting is undertaken accordingly.

#### Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations was 12/1/19. At the time of writing the report one letter of objection was received.

It is not considered that the proposal will have a negative impact upon the amenities currently enjoyed by existing residential properties. The proposal complies with distances set out within the Supplementary Planning Guidance on Urban and Rural Environment. An acoustic fence is proposed to the boundary adjacent Afallon in order to alleviate concerns of noise from the proposed new entrance.

#### **Conclusion**

Having considered the above and all other material considerations the recommendation is one of approval.



## Recommendation

**(01) Natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.**

Reason: To ensure that the development is in the interests of amenity.

**(02) Notwithstanding drawing number 1567-A3-02 A mixed native species hedge of 75% hawthorn (*Crataegus monogyna*) and 25% blackthorn (*Prunus spinosa*) shall be planted in a double line at 5 plants per metre along the southeast boundary as indicated in green on the with Location/Block Plan drawing number 1567-A3-02, at a minimum distance of 1 metre from the proposed boundary before the use of/ occupation of the development hereby approved or completion of the development, whichever is the sooner. Plants shall be in the size range of 20cm to 40cm and be protected by suitable rabbit guards, to be removed within 5 years from planting. Any plants that are found to be dead, dying, severely damaged or diseased within 5 years of planting, shall be replaced within the hedge by plants of the same specification within 12 months. Once grown, it shall be maintained at a height of between 1.5 and 2 metres, and retained for the lifetime of the development hereby approved.**

Reason: In the interest of amenity

**(03) 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/Block Plan Proposed – 1564-A3-02**
- **Proposed Section – 1564-A3-06**
- **Proposed First Floor Plan – 1564-A3-05**
- **Proposed Ground Floor Plan – 1564-A3-04**
- **Proposed Elevations – 1564-A3-03**

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

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

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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