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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, 7 GORFFENNAF, 2021 am 1.00 o'r gloch yp	WEDNESDAY, 7 JULY 2021 at 1.00 pm
CYFARFOD RHITHIOL WEDI'I FFRYDIO'N FYW (AR HYN O BRYD, NID OES MODD I'R CYHOEDD FYNCHU)	VIRTUAL, LIVE STREAMED MEETING (AT PRESENT MEMBERS OF THE PULBIC ARE UNABLE TO ATTEND)
Swyddog Pwyllgor	Mrs Mairwen Hughes 01248 752516
	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
Dafydd Roberts
Nicola Roberts (Cadeirydd/Chair)
Ieuan Williams
Robin Williams**

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A g e n d a

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.

MEMBERS OF THE COMMITTEE

Councillors:-

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

INDEX the link to the Public Register is given for each individual application as shown

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 - 12)

To submit, for confirmation, the minutes of the previous meeting of the Planning and Orders Committee held on 2 June, 2021.

4 SITE VISITS_(Pages 13 - 14)

To submit the minutes of the virtual site visits held on 16 June, 2021.

5 PUBLIC SPEAKING

Please note that meetings of the Committee are streamed 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 live stream will be retained in accordance with the Authority's published policy.

6 APPLICATIONS THAT WILL BE DEFERRED

None to be considered by this meeting.

7 APPLICATIONS ARISING_(Pages 15 - 52)

7.1 – HHP/2021/35 – 54 Pennant, Llangefni

https://ioacc.force.com/s/papplication/a1G4H00000NCnVPUA1/hhp202135?language=en_GB

7.2 - FPL/2021/71 – Bryn Gollen Newydd, Llanerchymedd

https://ioacc.force.com/s/papplication/a1G4H00000I2AJgUAN/fpl202171?language=en_GB

7.3 – FPL/2021/38 – Gwel y Mor, Trearddur Bay

https://ioacc.force.com/s/papplication/a1G4H00000NCsEOUA1/fpl202138?language=en_GB

7.4 - VAR/2021/27 – Christ Church, Rhosybol

https://ioacc.force.com/s/papplication/a1G4H00000I28EkUAJ/var202127?language=en_GB

7.5 – FPL/2020/247 – Y Bryn Estate, Llanfaethlu

https://ioacc.force.com/s/papplication/a1G4H00000NB0iuUAD/fpl2020247?language=en_GB

7.6 – HHP/2020/253 – Plot H Lleiniog, Penmon

https://ioacc.force.com/s/papplication/a1G4H00000NAFcQUAX/hhp2020253?language=en_GB

7.7 – FPL/2020/165 – Outbuilding 1, Lleiniog, Penmon

https://ioacc.force.com/s/papplication/a1G4H00000MiUpaUAF/fpl2020165?language=en_GB

8 ECONOMIC APPLICATIONS

None to be considered by this meeting.

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 53 - 56)

11.1 – DAG/2021/12 - Tre Angharad, London Road, Bodedern

https://ioacc.force.com/s/papplication/a1G4H00000OKA3rUAH/dag202112?language=en_GB

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12 REMAINDER OF APPLICATIONS_ (Pages 57 - 68)

12.1 – FPL/2021/56 – Cae Llechwen, Llangristiolus, Bodorgan

https://ioacc.force.com/s/papplication/a1G4H000001tpMUAR/fpl202156?language=en_GB

12.2 – FPL/2019/338 – Cerrig, Penmon

https://ioacc.force.com/s/papplication/a1G4H00000lxyHqUAJ/fpl2019338?language=en_GB

13 OTHER MATTERS_ (Pages 69 - 70)

13.1 – HHP/2020/278 – Pen y Gaer, Llanddaniel

https://ioacc.force.com/s/papplication/a1G4H00000NAyYDUA1/hhp2020278?language=en_GB

PLANNING AND ORDERS COMMITTEE

Minutes of the virtual meeting held on 2 June, 2021

- PRESENT:** Councillor Nicola Roberts (Chair)
Councillor Richard O. Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, Trefor Lloyd Hughes MBE, Kenneth Hughes, Vaughan Hughes, Eric Wyn Jones, Dafydd Roberts, Ieuan Williams, Robin Williams.
- Local Members: Councillors Llinos Medi (application 7.1), R. Meirion Jones and Alun Mummery (application 7.2), J. Arwel Roberts and Dafydd Rhys Thomas (application 7.3), Alun Roberts (applications 12.1 and 12.2), Aled M. Jones (application 12.3), Dylan Rees and R.G.Parry, OBE, FRAgS (application 12.6)
- IN ATTENDANCE:** Development Management Manager (NJ)
Senior Planning Officer (GJ)
Senior Planning Officer (JBR)
Senior Engineer (Traffic and Parking) (AR)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** None received
- ALSO PRESENT:** Councillor Richard Dew (Portfolio Member for Planning and Public Protection), Development Management Engineer (Highways) (WIH), Chief Planning Officer (DFJ)
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1. APOLOGIES

There were no apologies for absence.

2. DECLARATION OF INTEREST

Councillors Eric Jones and Dafydd Roberts declared a personal and prejudicial interest with regard to application 7.2 on the agenda.

Councillor Aled Morris Jones (not a member of the Committee) declared an interest with regard to application 12.3 and clarified that a complaint in connection with the application had been lodged with the Public Services Ombudsman but had since been dismissed. He confirmed that he had discussed the matter with the Monitoring Officer and in the circumstances was permitted to speak on the application.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous virtual meetings of the Planning and Orders Committee held on 5 May, 2021 and 18 May, 2021 (election of Chair and Vice-Chair) were presented and were confirmed as correct.

4. SITE VISITS

The minutes of the virtual site visit held on 19 May, 2021 were presented and were confirmed as correct.

5. PUBLIC SPEAKING

There were two Public Speakers registered to speak in connection with applications 12.1, 12.2 and 12.5.

6. APPLICATIONS THAT WILL BE DEFERRED

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

7. APPLICATIONS ARISING

7.1 FPL/2021/10 – Retrospective application for the erection of a garage on land adjacent to Bron Castell, Llanfairynghornwy

The application was reported to the Planning and Orders Committee as it had been called in by a Local Member due to the local community's concerns regarding the scale, location and design of the garage. At its meeting held on 7 April, 2021 the Committee resolved to undertake a site visit prior to determining the application. A virtual site inspection was subsequently carried out on 21 April, 2021. At its meeting held on 5 May, 2021, the Committee resolved to refuse the application contrary to the Officer's recommendation because it deemed the proposal would have an effect on the amenity of the adjoining property which is contrary to planning policy PCYFF 2.

Councillor Llinos Medi, a Local Member reiterated that there was no objection to the dwelling which has been approved and is under construction, and that the residents of Bron Castell are pleased that it will be occupied by a local family. The concerns are focused on the re-siting of the garage and its increased scale. Referring to the Officer's report on the matter, the Local Member said that although the conditions under which a proposed development can be refused under criterion 7 of Policy CYFF 2 are listed, she felt there was insufficient acknowledgment of the adverse impact the development in question would have on the privacy of the occupants of Bron Castell as well as its shadowing effect. Whilst the report does acknowledge that part of the garden at Bron Castell will be subject to a certain degree of shadowing during the day it does not take account of the garden's incline which the objector had sought to convey at the Committee's previous meeting, and it does not therefore fully reflect the actual situation. Councillor Llinos Medi said that she appreciated the report refers to the issues raised by Members as being legitimate planning considerations and she added that the matter is a cause for sadness in that the application for a dwelling was approved with full support for the applicants as a local family but the unapproved re-siting of the garage has had a detrimental impact on another family who were denied the usual opportunity to voice their objections because planning procedure was not followed. She asked the Committee to adhere to its previous decision to refuse the application.

The Development Management Manager reported that the application was refused by the Committee at its 5 May, 2021 meeting contrary to the Officer's recommendation because Members thought the garage as currently positioned would have an unacceptable adverse impact on the amenities of the occupants of Bron Castell. The Officer's report addresses the reason for refusing the application and maintains the view that the impact of the proposal is not such as to warrant refusal and that concerns about the effect on neighbours have been mitigated as part of the application. A letter in support of the application has been submitted by the applicant. The Officer's recommendation remains to approve the application.

Councillor John Griffith a Local Member and member of the Committee, in agreeing with Councillor Llinos Medi said that there are significant differences between the garage approved and that constructed in terms of scale and position for which additional planning permission was required but was only sought upon the intervention of the Enforcement section – neither was there consultation with the occupants of Bron Castell. Councillor Griffith thought the virtual site visit showed the extent of the impact of the re-sited garage on Bron Castell with regard to shadowing, and the loss of privacy resulting from the garage's proximity to Bron Castell as well as the toing and froing that would ensue. The plot is large enough to allow the garage to be sited elsewhere in a more suitable position that would not have affected Bron Castell. It was Councillor Griffith's view that the proposal would by virtue of its size, positioning, use, proximity and overlooking adversely affect the amenities of the occupants of Bron Castell and that criterion 7 of Policy PCyff 2 does apply and is relevant in this case. He therefore proposed that the Committee's previous decision of refusal be reaffirmed. The proposal was seconded by Councillor Kenneth Hughes who also believed that the development as it is, has a detrimental effect on the amenities of Bron Castell's occupants and that the situation need not have arisen.

It was resolved to reaffirm the Committee's previous decision to refuse the application contrary to the Officer's recommendation because it is deemed the proposal would have an effect on the amenity of the adjoining property contrary to planning policy PCYFF 2.

7.2 FPL/2020/98 – Retrospective application for the retention of engineering works creating a hard standing surface for agricultural storage use and permitted development use as a car boot site together with the retention of the alterations made to the vehicular access on land at Cae Prytherch, Llanfairpwll

The application was reported to the Planning and Orders Committee as the applicant is an Elected Member. At its meeting on 5 May, 2021 the Committee resolved to refuse both the retention of the alterations made to the vehicular access to the site and the retention of the engineering works to create a hard surface to be used for agricultural storage. The Committee's refusal of the retention of the alterations made to the vehicular access to the application site is contrary to the Officer's recommendation and was made on the basis that they are deemed contrary to Policies CYFF 2 and 3.

Having declared a personal and prejudicial interest in the application, Councillors Eric Jones and Dafydd Roberts withdrew from the meeting during the discussion and voting thereon.

Councillor R. Meirion Jones, a Local Member in addressing the meeting referred to the results of a traffic survey undertaken by a local resident which he had mentioned at the previous meeting which saw 88 vehicles going by the application site in one 15 minute period and another 95 vehicles in a subsequent 15 minute period in the week prior to the Committee's 5 May meeting. The local resident thought that the application and the conduct of the applicant in disregarding planning procedure and proceeding in his own way was an affront to the Council. Should the application be approved it would likely open the door to every farmer to be able to hold a car boot sale. However it is important to differentiate between the application and the fact that it is being made retrospectively and to consider the nature of the proposal regardless of the process. Regarding the recommended approval of the access, Councillor Meirion Jones said that it is likely that most agricultural fields on the Island and beyond would benefit from having a wider access but that is not a reason for approving this or any such similar applications; also as one objector highlighted, the access has an industrial look rather than an entrance to an agricultural field on the fringe of a village. Referring to the Officer's report and specifically the comparison drawn between the gates and fencing erected on the application site which are described as robust and larger than the

previous agricultural gate, and those found at the car park of the Co-op supermarket and the rear boundary of James Pringle Weavers, the Local Member said that he did not recognise this characterisation of the area – the fence alongside the rear boundary of the James Pringle Weavers separates the site from the main railway line and has to be robust for that purpose; but there is no such fence to the street facing aspect of the site. Neither is there a fence to the front of the Co-op supermarket with the only substantial fence being to the rear around the car parking area. Additionally he could not see how a valid comparison could be made between sites that have different class usage – the Co-Op supermarket and James Pringle Weavers have a retail use whereas the application site does not. Councillor Meirion Jones said that if the Committee could not accept the points he was making then he would have to request a deferral for a site visit to be made; otherwise he was asking the Committee to reject the application.

In response to a question by the Chair about whether the local community is opposed to the widening of the access or the industrial nature of the gate and fencing, or both, Councillor Meirion Jones confirmed that the local community opposes all the elements that were rejected at the last meeting.

The Development Management Manager reported that the application was refused in its totality by the Committee at its last meeting despite the Officer's recommendation that the alterations to the vehicular access to the site be approved. The Officer's report to this meeting addresses the Committee's reasons for refusing that element of the application and maintains the view that the alterations to the access are acceptable. The Highways Authority and Welsh Government's Department for Economy and Infrastructure have raised no objections to the altered access and consider that the increase in the width of the entrance and the setting back of the gate further from the road improve accessibility and safety in and out of the site. With regard to the visual appearance of the gate and fence the report provides an assessment of similar features in the locality and concludes that the subject gate and fence are not incongruous in their context, and they have not formed part of the enforcement notice. The recommendation remains to refuse the engineering works to create a hard surface and to approve the alterations to the vehicular access to the site.

Councillor Trefor Lloyd Hughes, MBE sought clarification of how the application could be split into two elements and not dealt with as one composite application. The Development Management Manager clarified that where circumstances permit, it is possible to make a split recommendation; the development under consideration is divisible into two distinct elements even though they form one application – the hard surface element is capable of standing alone as is the access and associated gate and fence. Where one element is acceptable and the other is not as in the present case it is possible to split the recommendation.

Councillor Robin Williams thought that it would have been helpful had the development been divided into three elements – the hard surface, the access, and the fence and gate on the basis that if the hard surface area is to be restored to an agricultural field then there is no need for a fence and gate on the scale of that in situ which is out of keeping with the surrounding area; the comparison made with the fence to the rear of the Co-op supermarket and that to the rear of the James Pringle Weavers site is inappropriate and inaccurate. Had the development been in three parts he would have been prepared to reconsider and to support the widened access on its own but as the Officer's recommendation links the access with the fence and gate, he saw no alternative but to propose that the application be refused in its entirety because it is contrary to Planning Policies PCYFF 2 and PCYFF 3.

In response to a query by the Chair about whether it would be permissible to come to a separate decision on the hard surface, the access, and the gate and fence, the Development Management Manager confirmed that that is possible; the recommendation has been made

on the basis that it is the Officer's view that the alterations to the access including the gate and fence are acceptable. However, if it is the Committee's view that the widening of the access is acceptable but the installation of the gate and fence is not, then it can split the decision further than that which is recommended by the Officer's report.

In light of the Officer's advice Councillor Robin Williams said that he would therefore like to amend his proposal for the following - that the retention of the engineering works to create a hard surface on site be refused in accordance with the Officer's recommendation, and that the alterations to the vehicular access be retained apart from the existing gate and fence which he proposed be refused with a condition that they be replaced with a structure more in keeping with an agricultural field. The proposal was seconded by Councillor Richard Owain Jones and was carried in the ensuing vote.

It was resolved –

- **To reaffirm the Committee's previous decision to refuse the retention of the engineering works to create a hard surface on site.**
- **To approve the retention of alterations made to the vehicular access in the form of the widening of the access.**
- **To refuse the retention of the alterations made to the vehicular access in the form of the installation of the metal gate and fence and to recommend requiring their replacement with a structure in keeping with an agricultural field.**

7.3 FPL/2021/38 – Full application for the siting of 2 glamping pods together with the creation of a new access and associated development on land adjacent to Gwel y Môr, Penrhosfeilw

The application was reported to the Planning and Orders Committee at the request of a Local Member due to there being a touring park and holiday lets nearby and two shepherd huts in close proximity to the application site. At its meeting held on 5 May, 2021 the Committee resolved to visit the site. A virtual site inspection was subsequently held on 19 May, 2021.

Councillor J. Arwel Roberts, a Local Member read out a letter by the applicant and his wife which emphasised their credentials as a local family who take a passionate interest in the local community and environment both of which they are keen to promote and preserve. Their aim is to start a small intimate glamping business consisting of a maximum of two wooden glamping pods which would each accommodate a maximum of two persons. Each pod would be kitted out with a shower room, a kitchenette, a bed and a small table and chairs. To maintain the integrity of the landscape each pod has been custom built and fitted with wheels so that they can be easily relocated out of season. Waste water will be dealt with by means of a flat tank whose flat, slide under design allows it to be positioned above ground tucked underneath the glamping pod. A system called grass road has also been incorporated within the overall design which eliminates the need for a hardstanding area for parking. Two electric charging points have been added and cycle racks have been included to encourage sustainable travel both to and within the locality. Hedge and tree planting along the perimeter of the field which would contain the pods has begun with the aim of both providing screening and a habitat for local wildlife. No objections to the proposal have been received.

The letter proceeds to note the applicant and his wife's devastation at being refused planning permission on three points – the first is that the proposal is not well sited due to the fact there are no local bus stops or pavements within walking distance. The site is right next to a popular cycle route and dozens of cyclists pass the property hourly as do a copious

amount of walkers and runners without problems. The family has completed several traffic surveys during daytime hours in August 2020 and found that on average 108 motor vehicles and 12 bicycles passed the site. It is assumed that this number will increase in future due to the investment in the South Stack visitor centre and the lifting of Covid 19 restrictions. It is not felt that two extra vehicles would have any impact especially if both were electric vehicles. The second point of refusal is that the pods need be connected to a business idea e.g. a fishing lake so that anglers could use the pods. There is no fishing lake and to create such a lake would go against many of the other planning policies. The applicant's market is aimed at cyclists and potentially astronomers, the application site having no light pollution and being a fantastic place for star gazing. The final point of refusal is in relation to the impact on neighbours. The applicant emphasises that each pod would have a maximum occupancy of only 2 persons per pod thereby making them unsuitable for families with children and reducing the likelihood of any rowdy behaviour or loud noise which would cause a negative impact. There would be no facilities such as an outdoor hot tub or similar which are notoriously responsible for rowdiness and noise. The applicant expresses his frustration at having to walk past so many properties within 1.5 miles of the application site which have caravan sites with no other business connections and expresses his view that the impact on the landscape and environment of a single white caravan is far more imposing than a wooden pod and is far less sustainable. The applicant's aim is to create an environmentally friendly intimate glamping site with a maximum of 2 pods and only 2 people per pod, which will blend into the landscape.

Councillor J. Arwel Robert, speaking as a Local Member said that he fully supported the application and pointed out that no statutory body has objected to the proposal despite its being situated in an AONB. The Council's Landscape Advisor has not provided a response and the Ecological and Environmental Advisor recommends conditional approval as does the Highways Authority. A few campsites can be found in the locality as well as shepherd huts in a nearby field. In addition, many properties have had large extensions built or have been completely demolished and rebuilt in the area which is an AONB. Councillor Roberts in referring to the main grounds for refusal based on the Supplementary Planning Guidance (SPG) for Tourism Facilities and Accommodation, which were the siting of the proposal which is considered obtrusive having only limited screening and its not being a site of high quality development, highlighted that the SPG even though it may carry some weight, has not been adopted as is acknowledged by the Officer's report. He said that interpretation of the SPG is subjective and a matter of opinion. He referred to the details provided in the applicant's letter about the pods they wished to install which were wooden and custom made and the planting that had commenced to reduce visual impact as well as the grass road design which is not visible. Whilst the road past the application site is well used, the applicants are seeking to attract walkers, bird-watchers, and cyclists and star gazers and have provided charging points for electric cars. He referred to ambiguity with regard TAN 18 which states that "most" developments should be in development areas accessible by a range of travel modes implying that some developments could be acceptable. He further referred to planning applications as being white, black or grey and felt that the application in this case falls within a grey area meaning it is open to interpretation – the Officer's report makes use of the words, could, might, may suggesting that the application can be seen in another way as well. As regards the proposal's impact on close neighbours, they have not objected and no objections have been raised with himself as a Local Member; the applicant is willing to abide by any restrictions imposed by Committee and has had regard for the amenities of his neighbours in limiting the occupancy of the pods to two, thereby reducing any impact from noise and general disturbance. Additionally the report states that should the application be acceptable there would be a condition restricting the site's operational period to between 2 March and 31 October of the same year.

Councillor Dafydd Rhys Thomas, also a Local Member said that although he was initially doubtful about the proposed development and was in agreement with the Officer's

recommendation of refusal because it is considered contrary to the policies of the Joint Local Development Plan, having listened to his fellow Local Member his views had shifted and he agreed that the application is “borderline.” In noting that the Trearddur Community Council is not overly keen on the proposal he confirmed that he did not oppose it believing it to be an application by a local family for a modest, “green” enterprise.

The Development Management Manager reported that the proposal is located in open countryside within an Area of Outstanding Natural Beauty on the coast of Ynys Cybi. Whilst Policy TWR 5 permits new touring caravans, camping and temporary alternative camping sites, the criteria require that such sites are high quality in terms of design, layout and appearance and that they are sited in an unobtrusive location which is well screened by existing landscape features and/or where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape. It is the Officer’s view that the proposed development is obtrusive and as such would be harmful to the open landscape around the application site; although landscaping is proposed as part of the scheme, there are concerns that due to the exposed location, planting is slow to establish and could take many years to have any effect. Additionally, when they are not in use during the winter months all such units are expected to be removed from the site; the proposal although it states that the pods will be removed off site, they will not be stored in an existing building but will be stored in the open and will be visible from the main highway and further afield. It is the Officer’s conclusion that the proposed development is not high quality and is not in a sustainable location being some distance away from the nearest service centre, and although there is no objection from the occupants of the adjoining property, the Officer considers that the proposal would by virtue of noise and general disturbance have an unacceptable impact on the immediate residential properties. The recommendation is therefore to refuse the application.

Councillor Trefor Lloyd Hughes, MBE highlighted that the application site is large for 2 pods and although saying that he did not oppose the application as such he would prefer if any permission could be conditional upon limiting the number of pods on site to two.

The Development Management Manager advised that whereas placing a condition to limit the number of pods on site is possible, consideration has to be given to whether in the event of a further application for additional pods, the condition would hold water in an appeal. Once the principle of development on site is accepted, the policy does not place a limit on numbers and the Committee if it were to refuse a further application for the same, would have to be able to demonstrate that any additional units would result in more harmful impacts than the two it had approved.

Councillor John Griffith said that consideration has to be given to the proposal’s location in the open countryside within the AONB and to whether it would harm the natural beauty of the surrounding landscape. He was particularly worried that approving the application would set a precedent for similar applications across the Island and in agreeing with the Officer’s views, he proposed that the application be refused in accordance with the Officer’s recommendation.

Councillor Ieuan Williams thought the application was a difficult one to determine and that the SPG which is unadopted, might need to be revisited in light of the increase in glamping pods as well as a high number of static caravans on the Island which are incidental to properties many of which are in breach of planning rules. He was concerned about the cumulative effect of the pods and although he had initially been minded to support the application, after careful thought and because of his concerns about the haphazard development of pods across the Island he seconded Councillor John Griffith’s proposal of refusal.

Councillor Richard Owain Jones although he agreed that consideration needs to be given to the proliferation of such developments was of the view that the proposal had been well thought out as supported by the details provided in the applicant's letter and on that basis he proposed that the application be approved contrary to the Officer's recommendation. Councillor Glyn Haynes in seconding the proposal said that he was very familiar with the site and believed that the proposed development would not be obtrusive. A caravan camping site situated almost opposite the application site is unscreened and highly visible from afar. He acknowledged the letter by the applicant and thought the proposal would be beneficial to the area.

In the ensuing vote the proposal to approve the application contrary to the Officer's recommendation was carried by 6 votes to 3. Councillor Trefor Lloyd Hughes, MBE abstained from voting because he felt he could only support the application if the development was restricted to 2 pods.

It was resolved to approve the application contrary to the Officer's recommendation because it was deemed the proposal would not result in an obtrusive and unsustainable development of holiday accommodation in the countryside nor would it have an unacceptable impact on the immediate residential properties (Councillor Trefor Lloyd Hughes, MBE abstained from voting).

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

8. ECONOMIC APPLICATIONS

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

9. AFFORDABLE HOUSING APPLICATIONS

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

10. DEPARTURE APPLICATIONS

10.1 FPL/2021/47 Full application for amended plans for the erection of a dwelling previously approved under outline application reference 34C716 and reserved matters application reference RM/2020/9 on land adjacent to Pen Bryn, Rhosmeirch

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 Development Management Manager reported that the application is to amend the design of a dwelling approved as an open market dwelling under previous planning policies. The proposal is contrary to Policy TAI 6 of the Joint Local Development Plan under which Rhosmeirch is identified as a cluster where new dwellings will be approved provided there is a need for an affordable house for local need. No objections to the proposal have been received to date although the publicity period does run until the 23 June, 2021. The Officer's report sets out the proposed design amendments and confirms that the amended design is of a higher quality than the previously approved permission and will have no greater impact on the amenity of adjacent residential properties or the wider area. As the details submitted with the planning application are considered acceptable and given the fall-back position, the recommendation is to approve the application provided no new issues are raised before the expiry date for receiving representations.

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

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the planning conditions listed therein and subject also to no new issues being raised before the expiry of the publicity period on 23 June, 2021.

10.2 VAR/2021/14 – Application under Section 73A for the variation of condition (03) (Passing bays), (05) (Nesting birds) of planning permission reference 29C8J (Conversion of outbuildings into 2 holiday units and a dwelling) so as to allow submission of details after the development has commenced and variation of condition (03) to provide 1 passing bay not 2 passing bays at Stabl Bach, Llanfaethlu

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

The Development Management Manager reported that the principle of converting the outbuildings into 2 holiday units and 1 residential dwelling has already been established under planning application 29C8J. While the conversion of one unit into a residential dwelling has been completed and is being lived in, condition (03) (Passing bays) and condition (05) (Nesting Birds) were not discharged before development commenced. However, the Council's Ecologist did check the outbuilding for the presence of nesting birds and confirmed that the outbuilding due to be converted did not contain nests currently occupied by breeding birds. Although condition (05) can therefore be discharged with regard to the residential element of the development, it still applies to the remaining outbuildings that are yet to be converted. The applicant has completed one passing bay to the satisfaction of the Highways Department which has also confirmed that one passing bay is sufficient meaning that condition (03) can also be discharged. Although part of the application is contrary to Policy TAI 7 of the Joint Local Development Plan, the details submitted with the application are acceptable and the fall-back position is that a material start has commenced on the previous permission. The recommendation is therefore to approve the application.

Councillor Kenneth Hughes proposed, seconded by Councillor John Griffith, that the application be approved in accordance with the Officer's recommendation.

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

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12. REMAINDER OF APPLICATIONS

12.1 HHP/2020/253 – Retrospective application for alterations and extensions at Plot H, Lleiniog, Penmon

The application was reported to the Planning and Orders Committee having been called in by a Local Member.

Councillor Alun Roberts, a Local Member said that the development has been a source of much local concern and that he was therefore requesting that the Committee carry out a virtual inspection of the application site to gain a better appreciation of the nature of development.

Councillor Trefor Lloyd Hughes, MBE proposed, seconded by Councillor Robin Williams, that a virtual site visit be carried out.

It was resolved to conduct a virtual site visit in accordance with the Local Member's request.

12.2 FPL/2020/165 – Full application for the conversion of an outbuilding into a holiday let at Outbuilding 1, Lleiniog, Penmon

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

Councillor Alun Roberts, a Local Member said that as with the previous application he was requesting the Committee undertake a virtual site visit since the proposal is on the same site and is a matter of local concern.

Councillor Robin Williams proposed, seconded by Councillor Trefor Lloyd Hughes, MBE that a virtual site visit be carried out.

It was resolved to conduct a virtual site visit in accordance with the Local Member's request.

12.3 VAR/2021/27 – Application under Section 73 for the variation of condition (02) (Approved plans) and (03) (Access and parking accommodation) of planning permission reference FPL/2019/322 (Conversion of a church into a dwelling together with the construction of a new vehicular access) so as to amend the parking accommodation to omit the provision of a turntable at Christ Church, Rhosybol, Amlwch

The application was reported to the Planning and Orders Committee having been called by a Local Member due to highways issues and impact on the landscape surrounding the church.

Councillor Aled Morris Jones, a Local Member in saying that there was immense concern locally about this application referred to correspondence dated 3 March, 2021 by the Rev. Kevin Ellis to the Planning Department which he read out and which set out the author's reservations regarding the application at that time on the grounds that the deeds of sale preclude any changes to the wall and size of gate, (which the Local Member pointed out had been pulled down), the proximity of the proposed turntable to the graves and evidence of stillborn children being laid to rest at the edge of the graveyard. Councillor Jones highlighted that while a previous application at today's meeting dealt with the importance of privacy this application is about the importance of having respect for the dead. Although it is now proposed that the turntable be omitted, the cemetery surrounds the church on all sides and burials are still accepted. While he would like the Committee to consider making the planning conditions on the consent more rigorous, he first wanted to ask the Committee to conduct a further virtual site visit so that members can see the effect of the demolished wall and appreciate the proximity of the graves to the church building.

Councillor Richard Owain Jones said that in passing the application site he had noticed that the wall had been pulled down and that the space within for manoeuvring a vehicle was restricted; he was therefore prepared to propose that a virtual site inspection be carried out. Councillor Ieuan Williams seconded the proposal.

Councillor Dafydd Roberts highlighted that the documentation pack contains a proposed access plan which shows how a Volvo V40 can manoeuvre in and out of the access.

In the ensuing vote the proposal that a virtual site inspection be made was carried with a request that if possible a video be taken of a car manoeuvring in and out of the access to the application site.

It was resolved that a virtual site visit be conducted in accordance with the request of the Local Member.

12.4 FPL/2021/78 – Full application for the creation of an outdoor play area on land at Breakwater Country Park, Holyhead

The application was reported to the Planning and Orders Committee as the land is owned and maintained by the Isle of Anglesey County Council.

The Development Management Manager reported that permission to create a heritage play area on the application site was awarded in 2019 but that the details of the proposal and the equipment to be provided have since changed. A landscaping scheme has been received and will need to be incorporated within the conditions to be attached to consent if the proposal is approved. Whilst no objection have been raised by the local community, a Local Member Councillor R. Llewelyn Jones has referred to traffic issues in the locality as well as the effects on the AONB and Dark Skies. The principle of a play area has received consent and although the application site is not situated within the AONB, the principle of landscape effects is a relevant consideration. The site is located with the Park's main area and as the play area is to be used during daytime hours it is not considered that it will have an unacceptable impact on the surrounding landscape nor on the Dark Skies. The recommendation is therefore to approve the application.

In proposing that the application be approved, Councillor Glyn Haynes said he very much welcomed the proposed development as did young families in the locality to whom he had spoken; his proposal was seconded by Councillor Kenneth Hughes.

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the conditions contained therein and the addition of a condition with regard to a landscaping scheme.

12.5 FPL/2021/71 – Full application for the retention of the existing structure and continuation of works for the erection of a new holiday unit with associated works on land at Bryn Gollen Newydd, Llanerchymedd

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

Councillor Kenneth Hughes, a member of the Committee and a Local Member with regard to the application proposed that a virtual site visit be conducted as he considered it would be helpful in enabling Members to gain a better appreciation of the development and site.

Councillor John Griffith seconded the proposal.

It was resolved to conduct a virtual site visit in accordance with the Local Member's request.

12.6 HHP/2021/35 – Full application for alterations and extensions at 54 Pennant, Llangefni

The application was reported to the Planning and Orders Committee having been called in for Committee determination by a Local Member amid concerns that the development would cause loss of light and that the character would be contrary to the local area.

Councillor Dylan Rees, a Local Member requested that due to concerns about the scale and suitability of the proposal the application site be inspected virtually by the Committee with particular attention to the view from the rear garden of 53 Pennant.

It was resolved to conduct a virtual site visit in accordance with the Local Member's request.

13. OTHER MATTERS

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

**Councillor Nicola Roberts
Chair**

PLANNING SITE VISITS

Minutes of the virtual meeting held on 16 June, 2021

- PRESENT:** Councillor Nicola Roberts (Chair)
- Councillors John Griffith, Glyn Haynes, Kenneth Hughes, Trefor Lloyd Hughes, MBE, Vaughan Hughes, Eric Jones, Dafydd Roberts, Ieuan Williams, Robin Williams.
- IN ATTENDANCE:** Development Management Manager (NJ)
Senior Planning Officer and Case Officer for application 2 (CR)
Senior Planning Officer and Case Officer for application 1 (GJ)
Planning Assistant and Case Officer for applications 3,4 and 5 (SOH)
Senior Engineer (Traffic and Parking) (AR)
Committee Officer (ATH)
- APOLOGIES:** None
- ALSO PRESENT:** Local Members: Councillors Alun Roberts, Carwyn Jones and Gary Pritchard (for applications 3 and 4), Aled Morris Jones (for application 1) R.G. Parry, OBE, FRAGS (for application 5)
-

1. VAR/2021/27 – Application under Section 73 for the variation of condition (02) (Approved plans) and (03) (Access and parking accommodation) of planning permission reference FPL/2019/322 (Conversion of a church into a dwelling together with the construction of a new vehicular access) so as to amend the parking accommodation to omit the provision of a turntable at Christ Church, Rhosybol, Amlwch

Members were shown three videos of the application site – the first showed the public road to the application site, the access and the proposed parking area to the front of the subject building. Also shown on this video were the graves closest to the parking area and alterations made to the wall including an area which had been cleared. The second video showed a car being manoeuvred within the parking area in order to exit the application site. The third video showed the immediate area surrounding the church including the proximity of the graves to the church building on all sides.

The Planning Case Officer also showed an access plan showing how a vehicle would manoeuvre in and out of the application site relative to the boundary wall. Also shown was the access plan under the original consent incorporating a proposed vehicle turncircle which would have required the removal of part of the wall. A question was asked about parking requirements.

Councillor Aled Morris Jones, a Local Member requested that when the application is next presented to the Planning and Orders Committee, the Committee be shown a video taken for a previous virtual site visit when the wall was intact and the first video shown to the Committee at today's meeting showing the entrance, access and alterations to the wall. The Committee's Members agreed to the request.

2. FPL/2021/71 – Full application for the retention of the existing structure and continuation of works for the erection of a new holiday unit with associated works on land at Bryn Gollen Newydd, Llanerchymedd

Members were shown a video which showed the application site in its wider context which included the Bryn Gollen Newydd property and two outbuildings which had been converted into holiday units under previous consent. The view to the rear of the application site was shown including an adjacent field at a higher level than the application site. The part built structure and stone works of the proposed holiday unit were viewed and the location of the structure in the open country side was highlighted.

3. HHP/2020/253 – Retrospective application for alterations and extensions at Plot H, Lleiniog, Penmon

Members were briefed about the nature of the alterations and extensions and were shown a video which showed the application site in its context within the outbuildings complex comprising of outbuildings that had been converted into holiday lets and a residential dwelling under previous consents.

4. Full application for the conversion of an outbuilding into a holiday let at Outbuilding 1, Lleiniog, Penmon

As with application 3 above members were shown a video which showed the subject building in its context within the outbuildings complex which comprised of outbuildings that had been converted into holiday lets and a residential dwelling under previous consents.

5. HHP/2021/35 – Full application for alterations and extensions at 54 Pennant, Llangefni

Members were informed that the application had been withdrawn.

**Councillor Nicola Roberts
Chair**

Planning Committee: 07/07/2021

7.1

Application Reference: HHP/2021/35

Applicant: Mr. Jamie Roberts

Description: Full application for alterations and extensions at

Site Address: 54 Pennant, Llangefni



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

Recommendation: Withdrawn

Application Reference: FPL/2021/71

Applicant: Mr Alun Lewis

Description: Full application for the retention of the existing structure and continuation of works for the erection of a new holiday unit together with associated works on land at

Site Address: Bryn Gollen Newydd, Llanerchymedd



Report of Head of Regulation and Economic Development Service (Colette Redfern)

Recommendation: Refuse

Reason for Reporting to Committee

At the request of the Local Member - Councillor Kenneth P Hughes.

At it's meeting that was held on the 2nd June, 2021 Members resolved to carry out a site visit prior to determining the application.

A virtual site inspection was carried out on 16th June, 2021 and Members will now be familiar with the site and its setting.

Proposal and Site

The application is a retrospective application to retain the existing structure that has been built without planning permission and the continuation of the works for the erection of a new holiday unit together with associated works.

The application site is located in the open countryside to the West of the settlement of Llanerchymedd. The application site lies approximately 0.64 km (as the crow flies) away from the settlement boundary of the village as defined under Policy TAI 3 of the Anglesey and Gwynedd Joint Local Development Plan.

Key Issues

The applications main issues are:

- i. Whether the development complies with current local and national planning policies; and
- ii. Whether the development is acceptable in this location.

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Policy TWR 2: Holiday Accommodation
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Policy AMG 5: Local Biodiversity Conservation
Strategic Policy PS 1 – Welsh Language
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 14: The Visitor Economy

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)
Technical Advice Note 18: Transport (2007)
Technical Advice Note 23: Economic Development (2014)

Supplementary Planning Guidance: Tourist Facilities and Accommodation (2021)
Supplementary Planning Guidance: Replacement dwellings and Conversions in the Countryside (2019)

Building Better Places: Placemaking and the Covid 19 Recovery (July, 2020)

Response to Consultation and Publicity

Consultee	Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments
Priffyrdd a Trafnidiaeth / Highways and Transportation	Recommended conditional approval
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Requested further information in relation to proposed planting scheme. Following receipt of

	additional information confirmed details were acceptable.
Ymgynghorydd Tirwedd / Landscape Advisor	Requested further information regarding proposed planting. Additional information has been received at the department and at the time of drafting this report no response had been received from the Landscape Advisor.
Iechyd yr Amgylchedd / Environmental Health	Standard comments regarding Environment and Health and Safety aspects
Cynghorydd John Griffith	No response to date
Cynghorydd Kenneth P. Hughes	Call-in to ensure compliance with relevant policies
Cynghorydd Llinos Medi Huws	No response to date
Cyngor Cymuned Llanerchymedd Community Council	No response to date
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection
Draenio Gwynedd / Gwynedd Drainage	Development does not require a SuDS application
Dwr Cymru Welsh Water	Standard comments regarding private treatment works
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No comments
Ymgynghorydd Treftadaeth / Heritage Advisor	No response to date

The proposal has been 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 any representation was 26/04/2021. At the time of writing this report, 1 letter of representation in support of the application had been received at the department. The reason for supporting the proposal was;

The property lies directly opposite us and provides a visually pleasing stone external leaf which sits well with our own properties.

Relevant Planning History

25C259 - Full application for conversion of outbuilding into a dwelling, erection of a private garage together with the installation of a package treatment plant on land opposite to Bryn Gollen Newydd, Llanerchymedd – Approved 17/08/2016

25C259A/MIN - Minor amendments to scheme previously approved under planning permission 25C259 so as to amend height of wall and additional windows at Bryn Gollen Newydd, Llanerchymedd – Refused 15/06/2017

25C259B/VAR - Application under Section 73 for the variation of condition (11) of planning permission reference 25C259 (conversion of outbuilding into a dwelling) so as to amend the design of the dwelling on land opposite Bryn Gollen Newydd, Llanerchymedd – Approved 10/01/2018

FPL/2020/189 - Full application for the retention of the existing structure and continuation of works for the erection of a new dwelling together with the installation of a new private treatment plant and associated works on land opposite - Bryn Gollen Newydd, Llanerchymedd – Refused 23/12/2020

ENF/2019/53 – Without planning permission, operational development consisting of the part erection of a building intended for use as a dwelling on the land at Bryn Gollen Newydd, Llanerchymedd – Enforcement Notice issued 29/01/2020 – Appeal allowed under ground (g). Enforcement Notice varied by substituting ‘6 calendar months’ for ‘9 calendar months’ as the time for compliance set out in section 6 of the Enforcement Notice. Subject to this variation, the appeal dismissed and the Enforcement Notice upheld.

Main Planning Considerations

Background - The original application under application reference number FPL/2020/189 for the retention of the existing structure and continuation of works for the erection of a new dwelling together with the installation of a new private treatment plant and associated works on land opposite Bryn Gollen Newydd was submitted to the local planning authority for consideration as a result of an enforcement investigation. A complaint was received on the 3rd May, 2019 informing the local planning authority that the agricultural outbuilding was not being converted in accordance with the approval but had been demolished with a new building being constructed in its place.

Following initial enforcement investigation the owner was contacted and advised that he was in breach of planning control and that he should cease all works on site. This advice was disregarded and the unauthorised works continued on site.

As a result, a Planning Contravention Notice was subsequently issued and based on the information provided by the applicant in response a Planning Enforcement Notice (PEN) was issued on 29th January, 2020. Following the issuing of the PEN an appeal was lodged by the applicant.

In the appellants grounds of appeal it was claimed that in determining planning application reference 25C259B/VAR, the Council had failed to properly and adequately consider the nature of the development, and due to the ambiguous nature of the approved plans and submitted structural survey, it essentially granted planning permission for a scheme which could be interpreted as a new build dwelling.

In Paragraph 8 of the appeal decision the Planning Inspectorate stated;

“...whilst I appreciate the structural report for the two recent permissions were practically identical, notwithstanding any differences in the approved schemes, nonetheless, the information submitted in support of the subsequently approved application made specific reference to the outbuilding being structurally suitable to be renovated and converted for residential use as shown on the submitted drawings with only minimal re-building (my emphasis) of a wall required to repair an isolated section that was leaning; the report was quite clear on this point and specifically refers to less than 5% of the existing walls as a total”.

In Paragraph 9 and 10 of the appeal decision the Planning Inspector went on to state;

9. “Notwithstanding the appellant’s assertions in terms of lack of existing/proposed ground levels in terms of works to be carried out or the nature of ‘tanking’ works, there is no clear or significant reference within the structural survey or indeed the approved plans that the height of the existing walls were required to be increased.”

10. “I appreciate there is reference within the submitted structural survey recommending that the concrete floor slab is laid above the rock surface to a void excavation, however this is a recommendation not an absolute requirement. To my mind it is clear when planning permission Ref: 25C259B/VAR and the accompanying documents are considered in their totality, the development permitted was for a conversion of a structure with minimal re-building; the structure on the site is a completely new building and this was not granted planning permission. As a matter of fact, and degree, I conclude that the operational development as” described in the Enforcement Notice has taken place; it does not benefit from planning permission...”

The appeal was allowed under ground (g) (time to comply with the requirement of the notice) and the Planning Enforcement Notice was varied by substituting '6 calendar months' for '9 calendar months' as the time for compliance set out in section 6 of the Enforcement Notice. Subject to this variation, the Planning Inspectorate dismissed the appeal and the Enforcement Notice was upheld.

Policy Context – The site lies outside the defined development boundary of Llanerchymedd and is therefore, for the purposes of the Joint Local Development Plan, within the open countryside.

The proposal involves the conversion of a building, which was constructed without planning permission. Since policy TWR 2 relates to the conversion of buildings with lawful planning use, the proposal will have to be considered as a new build. Furthermore, it is not considered that the application can be considered as previously developed land since:

- a) the existing building was built without planning permission;
- b) the original building which was demolished was a traditional agricultural building, and therefore excluded from the definition of previously developed land as set out in Planning Policy Wales.

Policy PCYFF 1 of the adopted Anglesey and Gwynedd Joint Local Development Plan states that development will be resisted outside development boundaries unless it is in accordance with specific policies of the Plan or national planning policy, or that the proposal demonstrates that its location in the countryside is essential.

Policy PCYFF 2 of the Joint Local Development Plan states that a proposal should demonstrate its compliance with relevant policies in the plan, and national planning policy and guidance.

Policy TWR 2 states that proposals for the development of new permanent serviced or self-serviced holiday accommodation will be permitted, provided that they are of a high quality in terms of design, layout and appearance and that all the following criteria can be met;

- i. In the case of new build accommodation, that the development is located within a development boundary, or makes use of a suitable previously developed site;*
- ii. That the proposed development is appropriate in scale considering the site, location and/or settlement in question;*
- iii. That the proposal will not result in a loss of permanent housing stock;*
- iv. That the development is not sited within a primarily residential area or does not significantly harm the residential character of an area;*
- v. That the development does not lead to an over-concentration of such accommodation within the area.*

The application relates to a new build development, located within the open countryside, which is not sited on previously developed land. Consequently, the proposal does not conform to the requirements of criteria (i) above, and fundamentally conflicts with policy PCYFF 1 of the LDP. Since the proposal does not meet the requirements of criterion (i) of the policy, and conflicts with policy PCYFF 1, the proposal therefore cannot conform to the requirements of criterion (ii) of the policy.

In terms of criteria (v) a business plan has been submitted as part of the application. However, it is considered that the business plan provides insufficient detail to satisfy the requirements of criterion (v) of the policy in terms of the 'existing self-catering market and competitors within the local area' (i.e. what is the current provision within the area? What is the demand for additional provision?).

Paragraph 3.60 of Planning Policy Wales (11th Edition) states that new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

Paragraph 2.7 of the Planning Statement, submitted in support of the application, states that prior to the commencement of works on the conversion of the outbuilding, it became apparent that planning permission had been granted for an ambiguous scheme where the approved plans and the advice set out in the accompanying Structural Survey contradicted each other, which meant that the permission was open to more than one interpretation and it was impossible for the permission to be implemented fully in accordance with the approved documentation.

The statement goes on to state that several meetings took place with the local planning authority. It is acknowledged that these meetings took place between the applicant, his agent and a Planning Officer when the informal advice given to both the applicant and his agent at the time was to implement the approved planning permission or alternatively to submit a new planning application and provide evidence and justification for the new proposal.

Paragraph 2.12 of the Planning Statement state that it is considered that the applicant had unknowingly purchased a site with planning permission that was un-implementable, but this was only discovered after he had made a substantial start on site and had already invested a considerable amount of money and time into the development.

As stated above the applicant and his professional agent had met with a Planning Officer and was were made aware that if it wasn't possible to implement the development in accordance with the approved plan an alternative application should be submitted. It was incumbent on the applicant to seek alternative planning permission prior to the demolition of the outbuilding.

The proposal currently before the Authority is a new build holiday accommodation which lies within an open countryside location. The proposal therefore clearly conflicts with Policy PCYFF 1, PCYFF 2 and TWR 2 of the Anglesey and Gwynedd Joint Local Development Plan and the guidance contained in Planning Policy Wales (11th Edition).

Sustainability – As stated above the site lies in open countryside where developments must be strictly controlled. Paragraph 6.3.65 of the Joint Local Development Plan states that the aim of policy TWR 2 is to support the principle of providing high quality self-serviced holiday accommodation in sustainable locations.

Policy PS 5 (Sustainable Development) supports development which is consistent with sustainable development principles, and where appropriate, development should:

“Reduce the need to travel by private transport and encourage opportunities for all user travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with Strategic policy PS 4;” (Bullet point 12, Policy PS 5)”

This principle is further emphasised by bullet point 4 of PS 14 (The Visitor Economy) which states:

“Supporting appropriately scaled new tourist provision and initiatives in sustainable locations in the countryside through the reuse of existing buildings, where appropriate, or as part of farm diversification, particularly where these would also benefit local communities and support the local economy and where they are in accordance with sustainable development objectives;”

This is consistent with national policy guidance with paragraph 3.39 of PPW (11th Edition) which states;

“In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable place making outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.”

This is further supported by paragraph 3.11 of Technical Advice Note 18: Transport, which states:

“Development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.”

The principle of siting new developments in sustainable locations is reiterated in the Welsh Government’s Building Better Places: Placemaking and the Covid-19 Recovery (July 2020) which states that:

“The planning system needs to support developments which are sited in the right locations, where they can be easily accessed by active and sustainable travel modes without the need for a car. The planning system must ensure the chosen locations and resulting design of new developments support sustainable travel modes and maximise accessibility by walking and cycling. New development should improve the quality of place and create safe, social, attractive neighbourhoods where people want to walk, cycle and enjoy. We should not be promoting sites which are unlikely to be well served by walking, cycling and public transport.”

Although proposals necessitating the use of private vehicles are not prohibited through the Joint Local Development Plan, Policy PS5 promotes the application of sustainable development principles in all new developments, including directing developments towards the most appropriate locations and reducing the need to travel by private transport. As stated above the site lies outside the settlement of Llanerchymedd, which lies a distance of 0.65 miles away from the application site. The road network that serves the site from the village is an unlit single carriageway with no pedestrian footway. Whilst there is a local grocery shop and public house in the village visitors to the site would be dependent on cars to visit surrounding areas.

In terms of public transport the local bus service stops in the village four times daily which further serves to demonstrate that the occupants of the holiday unit would be dependent on the private motor car.

The development would lead to a significantly increased number of trips by private car to this location and the proposal is not entirely accessible via non-car modes of transport. The proposed development by its very nature would be car dependent and would not minimise the need to travel, contrary to several of the National Sustainable Placemaking Outcomes set out in Planning Policy Wales.

Due to the site being in open countryside and not on previously developed land, away from local infrastructure, and the reliance on private transport, it would not constitute a suitable location as required by Strategic Policy PS4, PS5 and TAN 18.

Conclusion

The proposal is a new build holiday unit situated in an open countryside location. The proposal conflicts with Policy TWR 2, PCYFF 1 and PCYFF 2 of the Anglesey and Gwynedd Joint Local Development Plan. The site is not located within a sustainable location and the proposal would be highly dependent on private car use. The site is not entirely accessible via non-car modes of transport. The development therefore conflicts with Policy PS 4, PS 5, TWR 2, TAN 18 and the guidance contained within Planning Policy Wales (11th Edition) and Welsh Government’s Building Better Places: Placemaking and the Covid-19 Recovery (July 2020).

Recommendation

Refuse

(01) The Local Planning Authority considers that the erection of a new build holiday unit is contrary to the provisions of Policy TWR 2 and PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan and the advice contained in Technical Advice Note 23: Economic Development and Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside (September 2019).

(02) The Local Planning Authority consider the site to be in an unsustainable location in the open countryside contrary to the provisions of policies PS 4, PS 5 and PS 14 of the Anglesey and Gwynedd Joint Local Development Plan and the advice contained in Technical Advice Note 18: Transport and Welsh Government's Building Better Places: Placemaking and the Covid-19 Recovery (July 2020).

Application Reference: FPL/2021/38

Applicant: Mr Richard Ward-Davis

Description: Full application for the siting of 2 glamping pods together with the creation of a new access and associated development on land adjacent

Site Address: Gwel y Mor, Penrhosfeilw



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

Recommendation: Refuse

Reason for Reporting to Committee

The Local Member called the planning application to the Planning Committee for consideration due to there being a touring park nearby, holiday lets nearby and two shepherd huts in close proximity of the application site.

A site visit took place on the 19th May and at its meeting held on the 2nd June, 2021 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

- The application site is unobtrusive and beneficial for the area.

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

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution." Paragraph 4.6.12.2 requires that;

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

This report will therefore give consideration to these matters;

The site is within the AONB in an open location close to the Highway. Gwel y Mor is visible on the approach from Trearddur Bay and on the approach from South Stack where the highway approaches the site from several aspects.

Criteria 1 of Policy TWR 5 states that these types of developments should be in an unobtrusive location and well screened by existing landscape features and/or where units can be readily assimilated into the landscape without the need for excessive man made features such as hard-standing and fencing. It is considered that the application site is obtrusive as it is an open site with only a limited amount of existing screening. The pods will be removed from the field; however, the pods will be located on land near the applicant's dwelling; therefore, there will be all year round visual impacts arising from the development. The application site is visible and is not adequately screened by existing landscape features. The proposed planting proposed would be slow to establish and would take 7-10 years to have any effect.

The proposal is contrary to several policies of the Joint Local Development Plan (PCYFF2, PCYFF3, PCYFF4, AMG3, TWR5, PS4, PS5), and the economic benefit arising from the development does not outweigh the policy objection.

The proposal is also considered to be located in an unsustainable location, there are no shops in the immediate area, the nearest town which offers a number of services is Holyhead which is located approx. 3.30km away. The development would lead to a significantly increased number of trips by private car to this location and the proposal is not entirely accessible via non-car modes of transport. Due to the site being in open countryside, away from local infrastructure, and the reliance on private transport, it would not constitute a suitable location as required by Strategic Policy PS5, Strategic Policy PS14, Planning Policy Wales and TAN 18

It is also considered that the proposal would impact on the amenity of the adjacent residential property. The closest pod would be located within approx. 15m of the boundary of the neighbouring property known as Glan Gorsgoch Uchaf and it is considered that the proposal would have a negative impact upon the amenities of these residential properties due to increased activity of holiday makers coming and going, and noise generation within such a close distance to their property, this would be contrary to the provisions of policy PCYFF2.

Recommendation

(01)The proposed development is located in an isolated open countryside location and it is not considered to be well-sited or high quality development contrary to the requirements of policy PCYFF3, PCYFF4, AMG3 and TWR 5 of the Joint Local Development Plan, Planning Policy Wales (Edition 11), and Supplementary Planning Guidance Tourism Facilities and Accommodation.

(02)The local planning authority considers that the development undermines the Welsh Governments commitment to sustainability in terms of its location. The proposal would thus result in isolated and unsustainable development of holiday accommodation in the countryside which would conflict with Strategic Policy PS4 and PS5 of the Joint Local Development Plan, Planning Policy Wales (Edition 11), Technical Advice Note 18: Transport.

(03) It is considered that the proposed development would by virtue of noise and general disturbance have an unacceptable impact on the immediate residential properties. This would contravene the provisions of Policy PCYFF2 of the Joint Local Development Plan and Planning Policy Wales (Edition 11).

Proposal and Site

This is an application under Section 73 for the variation of condition (02) (Approved plans) and (03) (Access and parking accommodation) of planning permission reference FPL/2019/322 (conversion of a church into a dwelling together with a construction of a new vehicular access) so as to amend the parking accommodation to omit the provision of a turntable at Christ Church, Rhosybol.

Key Issues

The key issue is whether there is a need for the applicant to provide a turntable as part of the planning application.

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 5: Carbon Management
Policy TAI 15: Affordable Housing Threshold & Distribution
Policy TAI 4: Housing in Local, Rural & Coastal Villages
Policy ISA 2: Community Facilities
Policy ISA 1: Infrastructure Provision
Strategic Policy PS 2: Infrastructure and Developer Contributions
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts

Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Griffiths	No response
Cynghorydd Aled Morris Jones	A request made for the application to be presented to the Planning and Orders Committee for consideration due to Highway concern and impact on the surrounding landscape.
Cynghorydd Richard Owain Jones	No response
Cyngor Cymuned Rhosybol Community Council	No response
Priffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with the proposal.

The application was advertised by the distribution of letters to neighbouring properties. The expiry date to receive representations being the 27th May, 2021. At the time of writing the report 6 letters of objection had been received.

The main reasons for objecting were as follows:-

- The access to the cemetery is on the brow of a hill which in turn is very dangerous when vehicles would exit the cemetery onto the main road.
- Graves and gravestones being disturbed as space is very limited. Thoroughfare for loved ones visiting the cemetery would also be impacted.
- Reservations with regards to whether the applicant can guarantee exit of vehicles in the correct way.
- Boundaries should be permanent fixtures to protect the graves.

In response to the objections raised.

- From the information provided by the applicant, there is adequate space to manoeuvre within the site without the need to provide a turntable.
- The red line of the application has not changed. The applicant has provided information that the turning area can be provided without having an impact upon existing graves and gravestones.
- The principle of the change of use has already been established by the extant planning permission.
- Conditions of the previous consent are still valid and should be complied with and there is a specific condition requiring the applicant to provide details of boundary treatments.

Relevant Planning History

44C325 - Full Planning - Cais llawn i newid defnydd o hen eglwys i annedd yn / Full application for conversion of the former church into a dwelling at - Christ Church, Rhosybol – Withdrawn 31/10/16

FPL/2019/322 - Full application for conversion of a church into a dwelling together with a construction of a new vehicular access at - Christ Church, Rhosybol - Permit

Main Planning Considerations

The proposal is an application under Section 73 for the variation of condition (02) (Approved plans) and (03) (Access and parking accommodation) of planning permission reference FPL/2019/322 (conversion of a church into a dwelling together with a construction of a new vehicular access) so as to amend the parking accommodation to omit the provision of a turntable at Christ Church, Rhosybol.

There is an extant planning permission on the site under planning application FPL/2019/322 was approved by the Planning Committee on the 13/1/21 for the change of use of the former church into a residential dwelling.

As part of the previous permission the Highways Authority confirmed that a turntable was required to ensure that cars could leave the site in forward gear without having the need to reverse onto the highway.

Amendments

Since the planning permission has been approved, the applicant has removed a section of the front wall and cleared the overgrowth on the site. It has become apparent that there is no need for a turntable and that adequate space is available to turn within the site without the need for a turntable.

The proposed Access Plan provided with the planning application shows the manoeuvring that could be achieved on the site and confirms that the car can leave in forward gear. The Highways Authority has confirmed that they are satisfied with the information submitted.

Conclusion

The amended access plan provided with the planning application indicates that there is sufficient room to manoeuvre from within the site and cars can leave the site in forward gear. The Highways Authority has confirmed that they are satisfied with the information submitted.

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 Planning Act 1990 (as amended).

(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.

- Location Plan – Submitted with planning application FPL/2019/322
- Cross Section - fccr10a/002 - Submitted with planning application FPL/2019/322
- Floor Plans and Elevations - fccr10a/001 - Submitted with planning application FPL/2019/322
- Access Plan submitted with planning application VAR/2021/27
- Proposed Drainage Plan - Submitted with planning application FPL/2019/322
- Cambrian Ecology LTD - Bat & Protected Species Survey - Submitted with planning application FPL/2019/322

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

(03) No other part of the development hereby approved by this permission shall begin until the access is laid out and constructed together with the car parking accommodation completed in full accordance with the details hereby approved. The car parking accommodation shall thereafter be retained solely for those purposes and the access retained and kept free from permanent obstruction and used only for access purposes.

Reason: 1. 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. 2. In order to minimise danger, obstruction and inconvenience to users of the highway and of the access

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

Reason: In the interests of residential and visual amenity.

(05) Construction works shall not take place outside the hours of 8:30 to 17:30 Mondays to Fridays and 9:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

(06) No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

(07) Prior to the occupation of the residential unit hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the use is commenced.

Reason: To ensure a satisfactory appearance of 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.

Application Reference: FPL/2020/247

Applicant: Mr Nigel Ingram

Description: Full application for the erection of 9 dwellings together with associated works on land adjacent to

Site Address: Y Bryn Estate, Llanfaethlu



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

Recommendation: Permit

Reason for Reporting to Committee

The application has been called to the planning committee by a local member.

It was resolved to approve the planning application at the April Planning Committee subject to the completion of a legal agreement. In the course of this process an amended ownership certificate C was submitted by the applicants giving notice to the council as landowner. It is considered necessary to publicise, consult and report back on this change to the planning committee.

Proposal and Site

The application site adjoins the south west of Llanfaethlu and it adjoins and is accessed through Y Bryn residential Estate. There is an access track along the eastern boundary which forms part of the route of a

Public Right of Way. There are 3 listed buildings adjacent at Capel Ebenezer to the north east. Part of the village adjacent is within an Area of Outstanding Natural Beauty “AONB”.

This is a full planning application for 9 dwellings comprising 7 detached and two semi-detached houses. The housing mix of the development is as follows:

Five 3 bedroom detached
Two 3 bedroom detached
One 3 bedroom affordable
One 2 bedroom affordable.

The application site encompasses part of the track along the eastern boundary of the application site and a new road and pavement is proposed connecting with the public highway leading through Y Bryn. Foul drainage would be connected to the public sewer. Surface water drainage would be connected to a local authority drain in the public highway. The planning application is being reported back to the planning committee as the applicant has now submitted an amended certificate C giving notice to the highway authority as landowner of the aforementioned foul and surface water connections in the public highway.

The planning application is supported by a Housing Mix Assessment, Ecological Report, Heritage Impact Assessment and in the course of determining the planning application additional drainage information was submitted.

Key Issues

- Principle of Development
- Highway & Sustainability Considerations
- High Quality Development
- Built Heritage & Archaeology
- AONB
- Ecology and Biodiversity
- Foul and Surface Water Drainage Foul drainage

Policies

Joint Local Development Plan

Anglesey and Gwynedd Joint Local Development Plan 2011 – 2026

PS 1: Welsh Language and Culture

ISA 1: Infrastructure Provision

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable Development

PS 6: Alleviating and Adapting to the Effects of Climate Change

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PCYFF 6: Water Conservation

PS 17: Settlement Strategy

TAI 4: Housing in Local, Rural and Coastal Clusters

TAI 8: Appropriate Housing Mix

AMG 1: AONB Management Plans

AMG 3: Protecting and Enhancing Features and Qualities that are distinctive to the local Landscape Character

AMG 5: Local Biodiversity Conservation
PS 19: Conserving and where appropriate Enhancing the Natural Environment
PS 19: Conserving and where appropriate Enhancing the Natural Environment
PS 20: Preserving and where appropriate enhancing heritage assets

Planning Policy Wales (Edition 11)
Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)
Technical Advice Note 5 (TAN): Nature Conservation and Planning (2009)
Technical Advice Note (TAN) 12: Design (2016)
Technical Advice Note (TAN) 18: Transport (2007)
Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017)
Technical Advice Note (TAN) 23: Economic Development (2014)
Technical Advice Note (TAN) 24: The Historic Environment (2017)

Supplementary Planning Guidance IOCC Design Guide for the urban and Rural Environment (2008) "SPG Design Guide"
Supplementary Planning Guidance Parking Standards (2008)
Supplementary Planning Guidance Planning Obligations (Section 106 Agreements) (2019)
Supplementary Planning Guidance Housing Mix (Oct 2018)
Supplementary Planning Guidance Affordable Housing (April 2019)
Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (July 2019)

Isle of Anglesey AONB Management Plan 2015-2020.

Response to Consultation and Publicity

Ymgynghoriadau Cynllunio YGC: We are aware that an objection letter has been submitted which raises mainly land drainage concerns. With regard to the issues raised in the objection letter I offer that the development is to be subject to SAB consent, and will need to clearly demonstrate the following within the application:

- The discharge point for the surface water system is appropriate, and does not differ from the current surface water run-off destination (i.e. that of the undeveloped field)
- The existing greenfield run-off rate has been applied to the proposed development

Having reviewed the drainage strategy we expect that these tests can be met within the SAB application, and will thereby provide reassurance that no adverse impacts are expected upon neighbouring land. We agree that 3rd party agreement should be sought before any new surface water connections are made on/in private land.

Dwr Cymru Welsh Water: Advisories recommended regarding SuDs approval and lateral drains.

Priffyrdd a Trafnidiaeth / Highways and Transportation: Subject to the approval of the proposed drainage scheme by the SAB / LLFA, the layout is acceptable from a 'highways' perspective subject to the listed planning conditions.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Recommends conditioning of Invasive Species Control and Eradication Plan and conditioning the following of methodology from S9.2 of the Ecological Assessment for site vegetation removal.

Ymgynghorydd Tirwedd / Landscape Advisor: The landscaping details shown on the proposed landscape plan used the same species and mix as proposed and approved under RM/2019/4. Although it does not number plans densities are noted and it is acceptable in relation to PCYFF 4.

Ymgynghorydd Treftadaeth / Heritage Advisor: The proposed development site lies adjacent to three listed building situated directly to NW (Ebenezer Chapel including chapel house and hall, Outbuilding, Ebenezer Chapel, and Gate and gateposts, wall and railings, Ebenezer Chapel). The submitted Heritage

Impact Assessment "HIS" has considered the effect the proposed development would have on the above Chapel Group, and I would concur with its finding that the proposals would not lead to harm of the significance of these listed buildings.

Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer: Comments awaited at the time of writing.

Strategol Tai / Housing Strategy: Have provided information in relation to the Social Housing Register and the Tai Teg Affordable Housing Register. Also confirmed that the Rural Housing Enablers conducted a survey of the Llanfaethlu and Llanfwrog Community Council area during July 2016 and found that there is a need for 3 to 5 affordable houses in the area. Based on a target of 20% two of the units should be provided for affordable housing and it is confirmed that need exists for two affordable dwellings. Are also satisfied with the Housing Mix Assessment submitted.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: Planning policy considerations listed.

Gwasanaeth Addysg / Education Service: No contribution required.

Cynghorydd John Griffith: No observations received.

Cynghorydd Kenneth P. Hughes: Called the application to the planning committee because of local concern regarding the number, problems with surface and foul drainage.

Cynghorydd Llinos Medi Huws: No observations received.

Cyngor Cymuned Llanfaethlu Community Council: No problems with an estate of houses but some of the residents are already worried about standing water around their houses and gardens. The new housing estate is higher than the existing houses and it is therefore only natural for them to worry about the water situation. Will the measures proposed be sufficient that is underground tanks and over size pipes? Has the developer met and discussed with adjacent properties? Therefore the community council were unable to decide.

In further comments the community council look forward to see this type of development in the village but is concerned about the possibility of water problems worsening in The Bryn. Owners of houses and landowners are not content with the situation.

AONB Officer: No observations received.

GCAG / GAPS: Given the potential for archaeology in the locality conditional permission is recommended requiring archaeological mitigation.

Iechyd yr Amgylchedd / Environmental Health: Matters in relation to nuisance due to construction times, the use of pneumatic rock machinery during construction and contaminated land are listed.

Cyfoeth Naturiol Cymru / Natural Resources Wales: No objections. Protected Species: We note that the bat report submitted in support of the above application (Cambrian Ecology, January 2020) has identified that bats were not using the application site. We therefore have no comments.

Welsh Government Agricultural Division: This response is made in accordance with Technical Advice Note 6, Annex B6 and relates to technical information only; not the merits or otherwise of the proposal.

Agricultural Land Classification (ALC):

The Department has not previously surveyed the site. According to the Predictive ALC Map, the land is likely to be Grade 2.

2. Advice:

An ALC survey is not required for the site as it is within the development boundary of Llanfaethlu and therefore BMV policy would have been considered in development of the LDP.

The planning application was previously advertised on two occasions with notification letters, site notices and notices in the newspaper. On the second occasion additional information relating to surface water drainage was submitted addressing matters raised in objections and the publicity period for this expired on the 11.03.21. Objections have been received on the following grounds:

- Objector will not accept additional surface water draining onto their land.
- The additional information submitted in relation to surface water drainage is challenged because of alleged vagueness in the drainage strategy and mitigation of surface water run-off.
- Access road is unsuitable.
- Entrance from Y Bryn is inadequate due to a lack of visibility.
- Surface water run off onto adjacent properties and the adjacent stream
- Adequacy of the foul drainage system.
- Lane is included within red line plan and is owned by a third party and the formal agreement of the landowner will be required.
- Impact on the prices of adjacent properties.
- No need for the project/additional dwellings in the current climate.
- Conditions recommended as regards local needs, surface water design for disabled occupants.
- Impact on the footpath.

Following the submission of an amended certificate C the planning application was re-advertised and notification period expires on the 01.07.21. At the time of writing one objection has been received on the specifically in relation to surface water drainage as follows:

- There is no existing surface water drainage pipe leading to the west which the development can connect to. On this basis it is contended that the proposal will this change the existing water outflow in terms of both volume and direction.
- The results of the submitted porosity test are questioned.
- Impact of the development on the adjacent farmland.

Relevant Planning History

RM/2019/4 - Cais am faterion a gadwyd yn ôl ar gyfer codi 6 annedd ar dir yn / Application for reserved matters for the erection of 6 dwellings on land at - Bryn Estate, Llanfaethlu - Caniatáu / Permit 21.08.2019.

DIS/2019/60 - Cais i ryddhau amod (05) (Disgrifiad llechi) (06) (Disgrifiad deunyddiau gwynebau allanol) (13) (Traenio dwr gwyneb)o ganiatâd cynllunio 29C112B/VAR ar dir yn / Application to discharge condition (05) (Slate trade description) (06) (External surface material trade descriptions) (13) (Surface water drainage) of planning permission 29C112B/VAR on land at - Stad Bryn Estate, Llanfaethlu - - Amod wedi'i Ryddhau / Heb ei Ryddhau / Condition Discharged / Not Dis 21,08.2019.

DIS/2019/102 - Cais ar gyfer rhyddhau amod (13) (cynllun a dor wyneb) o ganiatad cynllunio 25.10.2019.

29C112B/VAR Application under Section 73 for the variation of condition (02) of planning permission reference 29C112A (renewal of planning permission reference 29C112 for the erection of 6 dwellings on land adjacent to) so as to extend the outline planning permission by a further three years together with the deletion of conditions (25), (26) and (27) (Code for Sustainable Homes) Conditionally approved 01.11.2017.

29C112A - Renewal of outline planning permission for the erection of 6 Conditionally approved 07.12.2012.

29C112 - Outline app. for the erection of 6 dwellings Conditionally approved 14.12.2007.

Main Planning Considerations

Introduction

As explained in the planning history section above outline planning permission was initially granted in 2007 for the development of 6 residential units on the application site. This was renewed twice and it appears that the most recent planning permission is extant because it can be implemented within the statutory time period; further all planning conditions have been discharged. The principle of developing the application for 6 residential units would appear to have been established. The planning application subject to the current application increases the number of units by 3 to 9 and the acceptability of the principle of the development is considered in relation to the development plan below.

Principle of Development

Policy PS 17 states that housing development will be distributed in accord with the settlement strategy based on a settlements level of service provision, function and size (population) and subject to its environmental, social and infrastructure capacity to accommodate development. Llanfaethlu is classified as a Local Village under the provisions of policy TAI 4 and such settlements are described in the JLDP as having generally fewer services and facilities. Policy TAI 4 permits in Local Villages provided that the size, scale and design of the development corresponds with the settlements character. There are also more generic policies in this regard and these matters are considered under the High Quality Development heading below.

The enquiry site is located on an unallocated within the settlement boundary of Llanfaethlu as defined under the provisions of policy PCYFF 1 and the principle of the development is thus acceptable. The JPPU's comments state that there is capacity within the indicative supply for the settlement of Llanfaethlu. In light of this the JPPU explain that under criterion (1b) of Policy PS 1 currently there is no need for a Welsh language statement to support the application. Criterion (1c) of Policy PS 1, however, states that a Welsh Language Statement is required for proposals of 5 or more residential units where it does not address evidence of need and demand for housing recorded in a Local House Market Assessment "LHMA" and other relevant local sources of evidence.

Policy TAI 8 of the JLDP states that the council will work with partners to promote sustainable mixed communities by ensuring that all new residential developments contributes to improving the balance of housing and meets the identified need of the whole community by adherence to the listed criteria including maximising the delivery of affordable housing, contributing to redress an identified imbalance in the local housing market, providing the correct mix in terms of type and tenure to meet the area current and future communities, making provision for people with disabilities and ensuring a high standard of design. The Supplementary Planning Guidance Housing Mix (October 2008) provides detailed guidance in this regard. The submission explains that housing mix (which was detailed in the Proposal and Site Section of this report) does not comply with the ideal mix in the LHMA and on this basis a Housing Mix Assessment has been submitted with the planning application. The Housing Mix Assessment indicates that the evidence indicates that 3 bedroom open market housing is acceptable and that if smaller units were proposed these would likely not be taken up. Further that the applicant is will to provide two affordable housing units in accord with policy requirements. The council's Housing Strategy have confirmed that they are satisfied with the Housing Mix Assessment and that there is need based on the evidence they have provided for the affordable housing units.

The JPPU's comments explain that even when the proposal does not require a Welsh language statement under criterion (1b) in line with Diagram 10 of the SPG Maintenance and Creation of Distinctive and Sustainable Communities a record of how consideration was given to the Welsh language when drawing up the planning application should be sought. This information has been provided in the Planning Support Statement and includes consideration of the modest scale of the construction and completed development, suitability of the dwellings for Welsh speaking families and that affordable housing is provided and that the applicant is agreeable to naming the development in Welsh.

The Planning Support Statement states that the proposal attains a density of just under 30 dwellings per hectare which aligns with the requirements of policies PCYFF 2 and TAI 8. Whilst the density of the development align with these policy requirements its acceptability is also subject to other more generic policies below.

Highway & Sustainability Considerations

The application site can be regarded as being in a relatively sustainable location in Anglesey's rural context. There is a retail shop present in the village in addition to a new primary school which serves a large rural catchment. Public transport facilities are available with regular bus services available to higher order settlements at Holyhead and Amlwch.

From the a layout perspective no objections are raised to the development nor to the use of the access through Y Bryn estate.

High Quality Development

It is material to consider the relationship of the development with its surroundings having regard to the relevant policies in the JLDP. Policy PCYFF 2: Development Criteria and PCYFF 3: Design and Place Shaping, and PCYFF 4: Design and Landscaping are the primary considerations in assessing the proposal from this aspect. National planning policies in PPW and TAN 12 are also material.

Llanfaethlu is a rural village part of which is within the AONB adjacent to the application site. The size, scale, design and density of the development should be appropriate to this context. There are other larger estate type developments present in the village and the scale and density of the proposal would not be excessive in this context. The proposal is made for houses which would have slated roofs and again this would not be out of context given that there are existing two storey estates in the village.

The council's SPG Design Guide provides guidance on acceptable distances on various elevations to the boundaries and adjacent properties. The distances provided in this guidance are intended to prevent excessive overlooking between dwellings and into private garden areas and to provide an adequate outlook from windows. The distance from the rear elevations of some dwellings to the west and to the north of the development fall below those prescribed in the SPG Design Guide by a couple of metres. Given that these elevations and rear boundaries are adjacent to an agricultural field and a cemetery this would not harm residential amenity or the outlook of occupants of the development to a degree which would warrant refusal.

It is confirmed that the distances of the proposed dwellings to the nearest existing houses at Y Bryn comply with the guidance in the SPG Design Guide.

The council's landscape adviser has stated that the landscaping scheme is generally acceptable and meets the requirements of PCYFF 4.

Built Heritage & Archaeology

PPW states that that there is a general presumption in favour of the preservation of a listed building and its setting, further for development proposals affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building and its setting. Paragraph 1.26 of TAN 24 states that it is for the applicant to provide the local planning authority with sufficient information to allow the assessment of their proposal on listed buildings and their settings, and the type of information required for assessment is described.

The council's Heritage Adviser explains that the adjacent the proposed development site lies adjacent to three listed building situated directly to the north west at Ebenezer Chapel and that he agrees with the

findings of the supporting information that the proposed development would not lead to harm of the significance of these listed buildings and on this basis the aforementioned policy and statutory provisions are considered to be met.

GAPS do not raise any objections to the proposed development but given the potential for archaeology to be present they have recommended a planning condition requiring archaeological mitigation.

AONB

The AONB is located in proximity to the north where it encompasses part of the settlement. Policy AMG 1 states that proposals must where appropriate have regard to the relevant AONB Management Plan and there is also statutory requirements in this regard. The AONB Management Plan requires assessment of proposals within 2km of the AONB. The AONB encompasses part of the village in close proximity to the proposed development. No issues are raised by a consultees including NRW in terms of the impact of the development on the setting of the AONB. As explained previously the council's Landscape Adviser is generally satisfied with the landscaping scheme, this scheme includes the provision of hedges along perimeters of the development nearest the AONB. Taking all these matters into consideration it is considered that the material policy and statutory requirements in relation to the consideration of the impact of the development on the setting of the AONB adjacent are met.

Ecology and Biodiversity

The council's Ecological and Environmental Adviser is satisfied with the development subject to conditions recommended in relation control of invasive species and on this basis material policies and statutory provisions in the Environment Act Wales are considered to be met.

Foul and Surface Water Drainage

Foul drainage As part of the proposal foul and surface water drainage will be connected at points in the public highway adjacent at Y Bryn. The planning application is being reported back to the planning committee as the applicant has now submitted an amended certificate C giving notice to the highway authority as landowner of the aforementioned foul and surface water connections in the public highway. The submission of the amended certificate C meets the requirements of the planning act that applicant's notify owners of planning applications submitted on their land.

Welsh Water do not raise any objections to the disposal of foul drainage in this manner.

Significant objections have been received to the adequacy and means of surface water drainage arrangements as part of the proposals and additional information was received as a result of objections received on this basis. It is the applicant's contention that surface water runoff from the existing site and the proposed development will enter the same catchment, being the land drain to which Y Bryn estate discharges into. Further that the discharge from the proposed development will mimic greenfield run off as per the requirements of Suds Approval Body "SAB". A Suds approval will be required separately to the SAB and as such recent planning appeal decisions have indicated that given the need for a separate consent that the adequacy of these arrangements can be considered separate to the planning process. The SAB have previously confirmed that having reviewed the drainage strategy they expect that the applicable tests in this process can be met within the SAB application, they have also provided reassurance that no adverse impacts are expected upon neighbouring land. At the time of writing relevant officers are assessing the latest objection received in the latest notification period on surface water matters.

Other Matters

The track within the eastern area of the application site is a Public Right of Way "PROW". Comments are awaited from the council's Public Rights of Way Officer at the time of writing. Part of this access track is included within the red area of the application site in so far as it encompassed the highway and

pavements into the development. Ownership certificate C has been completed indicating that the applicants have served notice on all owners that are known. This meets the requirements of the planning act in terms of the notification of owners for planning applications submitted. Any consent required by any landowners to subsequently carry out works is a separate civil issue.

Given that there appears to be an extant planning permission for 6 units on the application and on the basis that since and having regard to the comments of the Welsh Government Agricultural Division no objections are raised on the basis that the development would result in the loss of grade agricultural land.

Notwithstanding that the development is a minor development in planning terms as the application site is accessed through Y Bryn, there are residential properties in proximity and taking into consideration to the comments of the council's Environmental Services a condition requiring a Construction Environmental Management Plan "CEMP" has been recommended. A CEMP will help safeguard the residential amenity of occupants of adjacent properties in the course of building and other operations.

Conclusion

The principle of developing the application for 6 residential units would appear to have been established since 2007 and it appears that there is an extant planning permission on the application site. Having regard to the development plans and all material considerations the proposal for 9 dwellings is considered acceptable subject to conditions recommended below. As explained in the committee report a separate SAB application will be required in relation to surface water drainage proposals.

Recommendation

That planning permission is GRANTED subject to the completion of a legal agreement requiring the provision of two affordable housing units.

Thereafter that planning permission is granted subject to the following planning conditions:

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

Reason To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990.

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the approved plans, and contained in the form of application and in any other documents accompanying such application as listed below, unless specified otherwise in any conditions of this planning permission:
Site Location Plan A-00-02

Site Topographic Survey A-00-01

Proposed Site Layout A-00-03 03

Proposed Plans and Elevations 3 bed Detached Dwelling plots 8 and 9 A-03-01

Proposed Plans and Elevations 3 bed detached dwelling plots 1-5 A-03-05

Proposed plans and elevations for 2/3 bed affordable dwellings plots 6 and 7 A-03-08

Proposed Drainage Arrangement 004820 CCE V1 XX 40:40:01 C 50:30 0001 S1 P02

Ecological Assessment & Reptile Surveys (5th January 2020 (V2) Cambrian Ecology

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

(07) Notwithstanding the landscaping plans hereby approved no development shall commence until plant density numbers are submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accord with the details approved under the provisions of this condition and the landscaping plans hereby approved "Landscaping Scheme".

Reason In the interests of the visual amenities of the area and to secure an ecological enhancement.

(03) If contamination is encountered in the implementation of the development hereby approved it shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the Local Planning Authority. The relevant parts of the application site shall thereafter be remediated in accordance with the scheme of remediation approved under the provisions of this planning condition.

Reason To ensure that any contaminants present have been remediated to safeguard occupants and users of the development.

(04) Notwithstanding the plans hereby approved 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 the surrounding land. The proposed development shall be constructed with the approved slab and ground levels.

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

(05) The means of enclosure (including walls and fencing) shown on the plans hereby approved shall be constructed or erected prior to the occupation of the dwelling(s) to which they relate and shall thereafter be retained in the lifetime of the development hereby approved and any replacement means of enclosure 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 the area.

06) No other part of the development hereby approved shall commence until full details of the measures implemented to eradicate "montbretia", which shall be in accord with the options in section 9 of the Ecological Assessment & Reptile Surveys (5th January 2020 (V2) Cambrian Ecology and include a report on the monitoring and the effectiveness of the measures implemented to eradicate "montbretia" has been submitted to and approved in writing by the Local Planning Authority.

Reason To ensure that non-native invasive species are eradicated in accord with the approved details.

(09) No development shall commence until a Construction Environmental Management Plan "CEMP" has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include general environmental provisions relating to the construction of the development hereby approved and, as a minimum, shall include detail of:

Full specification(s) of external lighting (if any)

Working hours during the construction

Dirt and dust control measures and mitigation

Noise, vibration and pollution control impacts and mitigation;

Water quality and drainage impacts and mitigation.

Height, specification and colour of safety all fencing and barriers to be erected in the construction of the development hereby approved.

The development hereby approved shall be undertaken in accordance with the approved CEMP.

Reason: To safeguard against any impact the construction of the development may have on the environment and local amenity.

(14) 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;
- (iv) Measures to minimise and mitigate the risk to road users in particular non-motorised users;
- (v) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;
- (vi) The arrangements for loading and unloading and the storage of plant and materials;
- (vii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

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.

(08) Any trees or shrub which forms part of the approved Landscaping Scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.

Reason In the interests of the visual amenities of the area and biodiversity.

(10)

a) No development (including trial pitting, topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development hereby shall be carried out and all archaeological work completed in strict accordance with the details as may be approved in writing by the Local Planning Authority.

b) A detailed report on the archaeological work, as required by condition 13 (a), shall be submitted to and approved in writing by the Local Planning Authority within twelve months of the completion of the archaeological fieldwork.

Reasons: 1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2016 and TAN24: The Historic Environment. 2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

(11) The estate road shall be paved to a completed binder course finish and the pedestrian footways shall be finally surfaced, before any of the dwellings hereby approved are occupied.

Reason: In the interests of safety and amenity to ensure there is safe and convenient access to occupied properties.

(12) No dwelling hereby approved shall be occupied until full design details for the lighting of the estate road have been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full to the written satisfaction of the Local Planning Authority.

Reason: In the interests of safety and security to ensure there is safe and convenient access to occupied properties.

(13) The car parking accommodation for each dwelling shall be completed in full accordance with the details as shown on the approved drawings before the use hereby permitted is commenced and thereafter retained solely for those purposes.

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

(15) No occupation of the dwellings shall take place until measures are in place to secure the future maintenance of the estate road in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To comply with the requirements of the Highway Authority, in the interests of safety and amenity to ensure there is safe and convenient access to occupied properties for the lifetime of the development.

Nid yw'r penderfyniad hwn yn gydsyniad o dan y Ddeddf Priffyrdd na'r Ddeddf Ffyrdd Newydd a Gwaith Stryd a dylai'r ymgeisydd sicrhau y ceir pob cymeradwyaeth priffyrdd angenrheidiol cyn dechrau ar unrhyw waith yn y briffordd neu ar y briffordd.

This decision is not a consent under the Highways Act or New Roads and Street Works Act and the applicant should ensure that all necessary highway approvals are obtained before commencing any work in or on the highway.

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.

Key Issues

The key issues are whether the design of the scheme is considered acceptable in respect of the design and scale of extensions and the location of the site within the Area Of Outstanding Natural Beauty

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
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)
Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

Response to Consultation and Publicity

Relevant Planning History

LUE/2020/5 - Application for a Lawful Development Certificate for the existing use of 4 properties as residential dwellings at - Lleineiog Cottages, Penmon, Biwmares/Beaumaris . Approved 20/8/2020

35C203E - Proposed alterations and reinstatement of existing building and associated works and demolition of part of building and erection of two storey extension at Lleineiog, Llangoed. 24/07/2008.

35C203F/LB - Listed building consent for Proposed alterations and reinstatement of existing building and associated works and demolition of part of building and erection of two storey extension at Lleineiog, Llangoed. 22/09/2008

Main Planning Considerations

The design of the property is considered to be in keeping with the surrounding area in consideration of its designation as being within the grounds of a Listed Building. The authority heritage advisor had no objection to the scheme and as the proposal incurs little additional footprint, it is not thought that the scheme would lead to a greater visual impact or be damaging to the appearance/character of the area. The proposal site is located on the south west edge of the outbuilding complex therefore is not considered that the proposal would impact the residential amenity of any surrounding properties and at the time of writing this report no letters of objection had been received. Concern had been raised by the Community Council that works had already begun on the scheme. The agent has confirmed that thus far the works completed have been reroofing works and stonework pointing.

Conclusion

The scheme is considered to be appropriately designed in respect of its Grade II Listed status and its location within the Anglesey Area of Outstanding Natural Beauty and no neighbouring properties will be negatively impacted as a result of the scheme therefore the proposal is recommended for approval.

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 Planning Act 1990 (as amended).

(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.

- **Plot H - Site Plans / 2019-22-203**
- **Plot H - Proposed Floor Plans and Elevations / 2019-22-202 F**

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: PCYFF 2, PCYFF 3, PS 20.

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: FPL/2020/165

Applicant: Amos Leisure

Description: Full application for the conversion of outbuilding into holiday let at

Site Address: Outbuilding 1, Lleiniog, Penmon



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the Local Member - Councillor Alun Roberts. At it's meeting that was held on the 2nd June, 2021 Members resolved to carry out a site visit prior to determining the application.

A virtual site inspection was carried out on 16th June, 2021 and Members will now be familiar with the site and its setting.

Proposal and Site

The application is made for the conversion of the outbuilding into a holiday unit together with alterations and extensions thereto at Plot I, Penmon.

The application site is located in the open countryside in a designated Area of Outstanding Natural Beauty. The subject outbuilding is listed by virtue of being a curtilage building located to the rear of the principal Listed Building, Lleiniog Manor.

Key Issues

The key issues are whether the proposal complies with relevant local development plan policies and whether the proposal is acceptable in terms of design and appearance having regard to its listed status and location in a designated Area of Outstanding Natural Beauty..

Policies

Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 14: The Visitor Economy
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets
Strategic Policy PS 1: Welsh Language and Culture
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy TWR 2: Holiday Accommodation
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
Policy AMG 5: Local Biodiversity Conservation
Policy AT 2: Enabling Development
Planning Policy Wales (Edition 11, February 2021)
Technical Advice Note 5: Nature Conservation and Planning (2009)
Technical Advice Note 12: Design (2016)
Technical Advice Note 18: Transport (2007)
Technical Advice Note 23: Economic Development (2014)
Supplementary Planning Guidance Holiday Accommodation (2007)
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)
Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

Response to Consultation and Publicity

Ymgynghorydd Tirwedd / Landscape Advisor: No response at the time of writing the report.

Cynghorydd Carwyn Jones: No response at the time of writing the report.

Cynghorydd Lewis Davies: No response at the time of writing the report.

Cynghorydd Alun Roberts: Request that the application be referred to the Committee for determination.

Cyngor Cymuned Llangoed Community Council: No response at the time of writing the report.

Prifffyrdd a Trafnidiaeth / Highways and Transportation: No response

Cyfoeth Naturiol Cymru / Natural Resources Wales: Comments/conditions.

Ymgynghoriadau Cynllunio YGC: No comments.

Dwr Cymru Welsh Water: No objection.

Ymgynghorydd Ecologol ac Amgylcheddol / Ecological and Environmental Advisor:
Comments/advice.

Ymgynghorydd Treftadaeth / Heritage Advisor: No response at the time of writing the report.

The application was afforded statutory publicity.. This was by the posting of personal notification letter to the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 06/01/2021.

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

Relevant Planning History

35C203B - Newid defnydd yr adeilad allanol i defnyddio fel llecyn gwyliau ynghyd a addasu ac ehangu yn / Change of use of existing outbuilding into a holiday cottage together with alterations and extensions thereto at Lleiniog, Llangoed - Gwrthod/Refused 15.01.03

35C203C/LB - Caniatad Adeilad Rhestredig ar gyfer addasu'r adeilad allannol presennol yn / Listed Building Consent for alterations to the existing outbuilding at Lleiniog, Llangoed - Caniatau/Granted 01.10.01

35C203D - Newid defnydd yr adeilad allanol i defnyddio fel llecyn gwyliau ynghyd a addasu ac ehangu yn /Change of use of existing outbuilding into a holiday cottage together with alterations and extensions thereto at Lleiniog, Llangoed - Caniatau/Granted 11.03.04

35C203G - Cais i adnewyddu caniatad cynllunio rhif 35C203D i newydd defnydd adeilad allanol i defnydd gwyliau ac addasu ace ehangu yn / Renewal of permission ref 35C203D for change of use of existing outbuilding into a holiday cottage and alterations and extensions at Lleiniog, Llangoed - Caniatau/Granted 20.07.11

35C203H/LB - Caniatad Adeilad Rhestredig ar gyfer newid defnydd yr adeilad allannol i ddefnydd gwyliau ynghyd a'i addasu a'i ehangu wedi ei ganiatau gynt dan caniatad cynllunio rhif 35C203C\LB yn/ Listed Building Consent for the change of use of outbuilding into a holiday cottage together with alterations and extensions thereto previously approved under planning permission ref 35C203C\LB at Lleiniog, Llangoed - Caniatau/Granted 04.02.11

LBC/2020/17 - Caniatâd Adeilad Rhestredig ar gyfer trosi yr adeilad allanol i fod yn uned gwyliau yn / Listed Building Consent for for the conversion of outbuilding into holiday let at Bwthyn Lleiniog, Penmon - Caniatau/Granted 21.01.2021

SCR/2020/48 - Barn sgrinio ar gyfer newid defnydd yr adeilad allanol i llety gwyliau ynghyd a'i addasu ac ehangu yn / Screening opinion for the conversion of an outbuilding into a holiday unit together with alterations and extensions thereto at Bwthyn Lleiniog, Penmon - Dim Angen AEA / EIA Not Required - 29.09.20

Main Planning Considerations

The principle of the conversion of outbuildings into holiday accommodation is established under policy TWR 2 of the Joint Local Development Plan. This policy presents criteria for proposals to comply with as following:

- i. In the case of new build accommodation, that the development is located within a development boundary, or makes use of a suitable previously developed site;
- ii. That the proposed development is appropriate in scale considering the site, location and/or settlement in question;
- iii. That the proposal will not result in a loss of permanent housing stock;
- iv. That the development is not sited within a primarily residential area or does not significantly harm the residential character of an area;
- v. That the development does not lead to an over-concentration of such accommodation within the area.

It is considered the proposal complies with the above criteria - it makes use of a suitable previously developed site; is appropriate in scale, and will not significantly harm the residential character of the area.

Strategic Policy PS4 of the JLDP relates to sustainable transport, development and accessibility and requires that development will be located so as to minimise the need to travel.

Strategic Policy PS5 of the JLDP relates to sustainable development and states that development will be supported where it is demonstrated that they are consistent with the principles of sustainable development.

Criterion 2 gives priority to the effective use of land and infrastructure, prioritising wherever possible the reuse of previously developed land and buildings within the development boundaries or in the most appropriate places outside them in accordance with strategic policies PS17, PS13 and PS14.

Criterion 12 requires that proposals reduce the need to travel by private transport and encourage the opportunities for all users to travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with strategic policy PS4.

Although proposals necessitating the use of private vehicles are not prohibited through the JLDP, Policy PS 5 promotes the application of sustainable development principles in all new developments, including directing development towards the most appropriate locations and reducing the need to travel by private transport.

Technical Advice Note 18: Transport states at 3.2 that where a development proposal is assessed as having relatively poor accessibility this may be sufficient grounds to refuse planning permission where this does not support the accessibility objectives set out in the development plan.

Paragraph 3.11 of TAN 18 states that development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.

The nearest bus stop is some 0.3km away from the proposal site and the nearest settlements with some level of services are Llangoed, 2.5km away and Beaumaris, 4.5km away. The site is also close to the Wales Coast path and other public rights of way which provide good connectivity with nearby settlements and the wider coast and countryside.

The site is therefore reasonably well located in terms of access to public transport, services and facilities and any concerns there may be in this regard would be outweighed by virtue of the fact that the proposal will bring an existing building back into use and therefore preserve and enhance a listed building.

Design is a primary consideration for the proposal in consideration of its siting within the Anglesey Coastal Area of Outstanding Natural Beauty and also within consideration of its Listed status. The proposal is relatively well screened from the public highway which lessens the potential for any visual impacts to the wider area. The subservient nature of the extension in terms of design and scale is considered to conserve the natural beauty of the area as is required by policy AMG 1 and also is to the satisfaction of the local authority Heritage advisor in terms of its congruity with the existing building and the other Heritage assets on site.

Conclusion

The proposal will ensure the preservation of a heritage asset and will also contribute positively to the island's tourism sector. Approval is therefore recommended for the scheme.

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 Planning Act 1990 (as amended).

(02) The development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason: To define the scope of this permission.

(03) 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;**
- (iv) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (v) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vi) The arrangements for loading and unloading and the storage of plant and materials;**
- (vii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

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.

(04) The access shall be laid out and constructed strictly in accordance with the submitted plan, Drawing No. 120-20-2 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.

(05) 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: 2019-22-40**
- **Plot B Site Plan: 2019-22-42 Rev A**
- **Plot B Proposed Floor Plans and Elevations: 2019-22-41 Rev C**
- **Proposed Visibility Splays: 120-20-2**
- **Structural Report, Datrys, July 2019**
- **Heritage Impact Assessment, Cadnant Planning, September 2020**
- **Preliminary Ecological Appraisal Report, WEDC, August 2019**
- **Bat Hibernation Survey Report, WEDC, January 2020**

- **Protected Species Survey, Version 3, York Associates Ecological Consultants, December 2020**

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: PS1, PS4, PS5, PS14, PS19, PS20, TRA2, TRA4, PCYFF1, PCYFF2, PCYFF3, TWR2, AMG1, AMG5, AT2.

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: 07/07/2021

11.1

Application Reference: DAG/2021/12

Applicant: Owain Hughes

Description: Application to determine whether prior approval is required for the erection of an agricultural shed on land at

Site Address:



Report of Head of Regulation and Economic Development Service (David Parr-Sturgess)

Recommendation: Permitted Development

Reason for Reporting to Committee

The applicant is an employee of the council's Planning Service.

Proposal and Site

The proposal is the erection of an agricultural shed to house livestock during the winter months and lambing season

Key Issues

The applications key issue is whether the works are permitted and if permitted whether the details such as design, siting and appearance need to be approved through a prior approval.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

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

Planning Policy Wales (Edition 11, February 2021)

Class A Development on units of 5 hectares or more and A.2.Conditions, Part 6 Agricultural Buildings and Operations, The Town and Country Planning (General Permitted Development) Order 1995

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Advice for applicant.
Iechyd yr Amgylchedd / Environmental Health	Advice for applicant.
Cyngor Cymuned Bodedern Community Council	No observations received to date.
Cynghorydd Llinos Medi Huws	No observations received to date.
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Confirmed no comments to be made in this instance.
Cynghorydd John Griffith	No observations received to date.
Draenio Gwynedd / Gwynedd Drainage	No observations received to date.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection and advice for applicant.
Ymgynghorydd Tirwedd / Landscape Advisor	No observations received to date.
Cynghorydd Kenneth P. Hughes	No observations received to date.

Consultations requested. Neighbour notifications not necessary.

Relevant Planning History

No planning history.

Main Planning Considerations

Class A Development on units of 5 hectares or more and A.2.Conditions, Part 6 Agricultural Buildings and Operations, The Town and Country Planning (General Permitted Development) Order 1995

The above order confirms applicants have permitted development rights if the works for the erection, extension or alteration of a building; or any excavation or engineering operations, complies with the guidance set out within sections A and A.1 but also the applicant complies with the conditions set out within section A.2.

Section 'A.2 Conditions requires the applicant to '(i)...before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be

required to the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;’.

The planning authority then need to confirm within 28 days of receiving the application whether the proposed works requires prior approval of the details of the permitted development. The request for prior approval can be made if the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank are considered necessary.

When considering whether the details of siting, design and external appearance of the building are reasonable consultee advice and the planning polices listed below are considered:

Joint Local Development Plan

- Policy PCYFF 3: Design and Place Shaping

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

Planning Policy Wales (11th edition)

No consultation responses raised concerns regarding the siting, design and appearance of the proposed shed.

The design and appearance of the shed is considered in keeping with the surrounding area and would not have a negative impact on the existing site or its surrounding area.

The siting of the shed would be located within a suitable location next to existing agricultural sheds of the farm. There is one dwelling which is not owned by the applicant within 400 metres of the proposed shed in which the applicant has confirmed in writing that the dwelling is a neighbouring agricultural dwelling. The siting is considered reasonable and would not have a negative impact on the existing site or the surrounding area.

The application was submitted on the 30/04/2021 and the 28 days to make a determination as to whether prior approval was required for the details of the siting, design and external appearance of the building was the 28/05/2021.

As there were no concerns raised from the consultees, the details of the siting, design and appearance of the building considered reasonable and therefore the proposed works are confirmed permitted by the order.

Conclusion

The works to erect the shed are considered permitted development by Class A Development on units of 5 hectares or more and A.2.Conditions, Part 6 Agricultural Buildings and Operations, The Town and Country Planning (General Permitted Development) Order 1995.

Recommendation

Your application has been considered by the Council in pursuance of its powers under the above mentioned Act and Regulations and it has been determined that the prior approval of the Local Planning Authority is NOT required as it is classed as permitted development within Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

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: 07/07/2021

12.1

Application Reference: FPL/2021/56

Applicant: Mr. Gwilym Rowlands

Description: Full application for an extension to the dwelling, the creation of an annexe, an extension to the curtilage and a diversion of a public footpath at

Site Address: Cae Llechwen, Llangristiolus, Bodorgan



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

Recommendation: Refuse

Reason for Reporting to Committee

The planning application has been called into the Planning and Orders Committee by the Local Member as the proposal fits into the area without having a negative impact upon the area or any neighbouring property.

Proposal and Site

This is a full application for an extension to the dwelling, the creation of an annexe, an extension to the curtilage and a diversion of a public footpath at Cae Llechwen, Llangristiolus.

Key Issues

The key issue is whether the development complies with policies of the Joint Local Development Plan.

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy AMG 2: Special Landscape Areas

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment

Policy AMG 5: Local Biodiversity Conservation

Response to Consultation and Publicity

Consultee	Response
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	The Footpath Officer is satisfied with the diversion of the public right of way. The applicant will need to complete a S257 'Diversion of Public Footpaths and Bridleway' Application with the Highways Authority.
Cynghorydd Eric Wyn Jones	Requested that the application be determined by the Planning and Orders Committee as the development fits into the area without having a negative impact upon the area or any neighbouring property.
Cynghorydd Dafydd Roberts	No response
Cyngor Cymuned Llangristiolus Community Council	No response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditional Approval
Dwr Cymru Welsh Water	Standard comments
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Ymgynghorydd Tirwedd / Landscape Advisor	Standard Comments
Cyfoeth Naturiol Cymru / Natural Resources Wales	No response

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 1/7/21. At the time of writing this report, no letter of representation had been received at the department.

Relevant Planning History

FPL/2020/268 - Full application for alterations and extension to the existing dwelling, creation of an annex together with an extension to the curtilage at - Cae Llechwen , Llangristiolus - Tynnwyd yn ôl / Withdrawn

Main Planning Considerations

Proposal

This is a full application for an extension to the dwelling, the creation of an annexe, an extension to the curtilage and a diversion of a public footpath at Cae Llechwen, Llangristiolus.

The existing property is a single storey cottage with a pitched roof. The proposal involves the erection of a large 2 storey extension to the main dwelling which consists of a large kitchen/dining room, sun room, pantry, family room, bedroom and en-suite, cloakroom, utility and study on the ground floor and a further 2 bedrooms and a bathroom on the first floor.

The description for the application states that the application is for extensions to the existing dwelling and the creation of an annexe; however, the extension is clearly of the scale of a new dwelling and it is the intention of the applicant to move from Rhostrehwfa to Cae Llechwen to continue with the running of the farm.

Paragraph 4.1 of the Design and Access statement states 'We propose to create one new dwelling and an Annexe' The design and access statement continues to state that the existing cottage is occupied by Mr Rowland's mother who has been running the farm until the last few years. The applicants live in Rhostrehwfa but need to attend to livestock on the farm.

It is assumed that the applicant's mother would continue to reside in the existing cottage and the applicant would live in the self-contained new extension proposed to the side of the existing cottage.

The application site is located in an open countryside location where new development is strictly controlled. Policy PCYFF1 clearly states:- 'Outside the development boundaries development will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential'.

Paragraph 6.2.3 states that 'The remainder of the Plan area which is outside the Development Boundaries are subject to more control and are mainly restricted to developments which require a location in the countryside or that meet a local rural need, support rural diversification or sustainability of the countryside'.

The existing dwelling has a floor area of 93.81 square metres whilst the proposed extension will have a floor area of approximately 185.23 square metres. The scale of the proposal and the level of accommodation within the extension is more akin to the erection of a new dwelling rather than an extension to the main dwelling. The proposal is not sub-servient to the main dwelling and the extension would have all the necessary facilities for independent living. The intention is to move the applicant's family from Rhostrehwfa to Cae Llechwen. As stated above, this is an open countryside location where development is strictly controlled. The erection of new residential dwellings will be refused in these locations unless they meet the exemptions for rural enterprise dwellings.

If the applicant wishes to take over the running of the existing farm and meets policy requirements, consideration should be given to submitting a planning application for an Agricultural workers dwelling under Technical Advice Note 6 Planning for Sustainable Rural Communities.

Special Landscape Area

The application site is within the Special Landscape Area (SLA) Malltraeth March and Surrounds. It is not considered that the proposal would adversely affect the special qualities or the character of the SLA.

Ecology

A Protected Species Survey was submitted with the planning application and no evidence of bats was found. The proposal includes the installation of two midi bat boxes on the South elevation and further landscaping work is proposed.

Affect on residential properties

There are no immediate neighbours close to the site and it is not considered that the proposal would have a negative impact upon any existing residential properties.

Highways

No response has been received by the Highways Authority; however, during the previous planning application that was withdrawn, the Highways Officer confirmed that there was no objection to the proposal on Highway grounds.

Footpath

There is an existing footpath that crosses the application site. The Footpath Officer has confirmed that the footpath would need to be diverted. This would be subject to approval of the Public Right of Way officer.

Conclusion

The proposal is located in an open countryside location where inappropriate development is strictly controlled. The proposal is not considered to be sub-servient to the main dwelling and is more akin to the erection of a new dwelling rather than an extension to the main dwelling. The proposal is therefore contrary to the provisions of Policy PCYFF1 of the Joint Local Development Plan.

Recommendation

(01) The Local Planning Authority considers that due to the size, scale and facilities proposed to be provided by the development it would amount to the erection of a new dwelling in the countryside for which no long term need is known to exist to serve a rural enterprise worker. The development is therefore contrary to Policy PCYFF1 of the Joint Local Development Plan as well as the advice contained within Planning Policy Wales (Edition 11) and Technical Advice Note 6.

Application Reference: FPL/2019/338

Applicant: Mr. Alan Hodari

Description: Full application for the part removal of the existing concrete sea defence wall and the erection of a replacement sea defence wall in its place on the boundary of

Site Address: Cerrig, Penmon



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the Local Members – Carwyn Elias Jones and Alun Roberts

Proposal and Site

The proposal is to repair and reinforce the retaining boundary sea wall between the property known as 'Cerrig', Penmon and the Menai Straits.

The proposed works comprise the removal and replacement of an existing concrete plinth which forms part of the boundary sea wall and its' replacement by a new steel reinforced concrete plinth. The current plinth is protected by "rock armour" located on its' seaward size. This will be removed during the construction works and replaced in a similar position at the end of the works. The works will be

undertaken in a single phase. The sea wall will be approximately 2 meters wide along approximately 50 meters of the coast. The developer proposes to use the nearby public car park as a compound during the construction works.

The application site is located with the designated Special Area of Conservation (SAC), the Anglesey Area of Outstanding Natural Beauty (AONB) Site of Special Scientific Interest (SSSI) and within a Schedule Monument Boundary. The site is also lies within the Anglesey Coastal Management Area and with the C2 Flood Zone. The Wales Costal Path adjoins the application site.

Key Issues

The key issues are whether or not the development is acceptable in terms of its impact character and appearance of the area, AONB and will have a detrimental negative impact upon the SAC, SSSI and Schedule Ancient Monument.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
 Policy PCYFF 4: Design and Landscaping
 Policy PCYFF 3: Design and Place Shaping
 Policy ARNA 1: Coastal Change Management Area
 Strategic Policy PS 1: Welsh Language and Culture
 Strategic Policy PS 3: Information and Communications Technology
 Policy TRA 4: Managing Transport Impacts
 Strategic Policy PS 5: Sustainable Development
 Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
 Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
 Policy AMG 4: Coastal Protection
 Policy AMG 5: Local Biodiversity Conservation
 Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	No Objection
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval
Cyngor Cymuned Llangoed Community Council	Concerns regarding the environment and the use of the car park as a compound
Cynghorydd Alun Roberts	Referred the application to the Planning and Orders Committee
Cynghorydd Lewis Davies	No Response
Cynghorydd Carwyn Jones	Referred the application to the Planning and Orders Committee
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No Objection

Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objection
Ymgynghorydd Treftadaeth / Heritage Advisor	No Objection
Iechyd yr Amgylchedd / Environmental Health	Conditional Approval
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No Objection
Crown Marine Estate	No Objection
Cadw Scheduled Monuments	No Objection

The proposal was advertised with the posting of notifications to adjacent properties. The expiration date in order to provide representations was the 17/03/2021.

Nine letters of representations was received as a result of the publicity afforded to the application. The main points raised are summarised below:

- Concerns that the proposed sea defence would lead to further sea defences along the coast.
- The works would have an impact upon the use of the public car park.
- Essential that the public footpath is maintained and remains open.
- Concerns regarding the impact upon the AONB, SAC and SSSI

Rocks have previously been deposited at the application site.

Relevant Planning History

FPL/2019/196 - Cais llawn ar gyfer tynnu rhan o'r morglawdd concriid presennol a chodi morglawdd newydd yn ei le ar y ffin yn / Full application for the part removal of the existing concrete sea defence wall and the erection of a replacement sea defence wall in its place on the boundary of - Cerrig, Penmon Tynnwyd yn ôl / Withdrawn

SCR/2019/44 - Barn sgrinio ar gyfer tynnu rhan o'r morglawdd concriid presennol a chodi morglawdd newydd yn ei le ar y ffin yn / Screening opinion for the part removal of the existing concrete sea defence wall and the erection of a replacement sea defence wall in its place on the boundary of - Cerrig, Penmon - Dim Angen AEA / EIA Not Required

Main Planning Considerations

Principle of the Proposed Development:

When considering such coastal developments specific reference should be given to the guidance provided in Policy AMG 4: Coastal protection. Due to the nature of the proposed development the proposal would satisfy the first criteria of the policy. Consideration should therefore be given to the second part of the policy which specifies that the development shouldn't have an unacceptable impact on:-

i. water quality

ii. public access consideration

iii. the built environment, or the landscape or seascape character

iv. The area's biodiversity interest (including European protected Areas such as marine Special Areas of Conservation and special protected Areas) due to their location, scale, form, appearance, materials, noise, or emissions or due to an unacceptable increase traffic."

Further criteria 5 of the policy states the requirement for the proposal to be consistent with other policies contained within the plan, specifically policy ARNA 1.

In reference to Policy ARNA 1, the site lies within Coastal Area F (Menai Strait and Conwy), Policy Development Zone 16 of the West of Wales Shoreline Management Plan 2 (November 2011). The overarching policy for the Beaumaris to Black Point section of PDZ16 is to 'Selectively Hold The Line', but

the specific Policy Plan for the site (PU16.25) is for 'No Active Intervention' (NAI) for all three epochs (2025, 2055 and 2105).

Due to the proposed developments location within the Coastal Change Management Area, careful consideration will have to be given to the guidance provided within Policy ARNA 1 (Coastal Change Management Areas) of the Joint Local Development Plan. Policy ARNA 1 under the heading 'New or Replacement Coastal Defence Scheme' states:-

"Proposals for new or replacement coastal defence schemes will only be permitted where it can be demonstrated that the works are consistent with the management approach for the frontage presented in the Shoreline Management Plan, and there will be no material adverse impact on the environment."

Due to the policy approach for the area being No Active Intervention, the proposed development would not accord with the management approach as set out within the Shoreline Management Plan. Natural Resources for Wales have recommended that the applicant discusses the scheme with the Local Authority in terms of seeking a sponsor to change the plan level policy for the stretch of coast under consideration. The applicant may need to apply for a policy change by informing the Local Authority and discussing a change from NAI to Hold The Line (HTL).

The paragraph below is included in the NAI policy description for the coastline to the east of Penmon in the Shoreline Management Plan (PDZ 16, page 44):

From where the road cuts in land, along the coast running to the east to Penmon, the policy would be for No Active Intervention, supporting the important natural values of the coastline. There are local private defences and there is some protection locally to the road. These defences might be maintained and there might be local management subject to normal approvals and subject to no significant impact on the natural development of the shoreline.

In view of this, it is considered that the plan does not conflict with the intention of the policy and that there is no need for the developer to seek to change the policy. The developer has demonstrated that there are no unacceptable environmental impacts associated with the plan throughout its lifetime, and so there is an obvious link with the environmental assessment submitted as part of the current application. The proposed development will also be privately funded and does not form part of the public or national defence works.

Landscape and Visual Effects:

The application site is located within the Area of Outstanding Natural Beauty (AONB). The site is on the coastal edge and adjoins the Wales Coastal Path.

The existing sea defence is a mix of concrete and stone wall with a damaged concrete haunch/apron, and rock armour as further protection. To the south-west there is an eroded cliff and to the north east rock gabions. Public views are from the Wales Coast Path and an inharmonious mix of concrete steps, walling and fencing which have weathered / discoloured. There is access to the foreshore when the tide is out but this is not part of the Wales Coast Path.

As previously noted, the works proposed entail replacement of the concrete haunch/apron for part of the sea wall defence, the removal and replacement and addition of rock. Over a 50 metres coastal section, these would not exceed the apron in size. Some repointing is proposed to the existing wall (a combination of mortared / pointed wall and concrete sections). The reinstated apron would appear larger than existing which is partly hidden by the armour or a mix of sloping and flat section and unlikely to be disguised completely by the rock armour. However, much of this would be invisible from the Wales Coast Path but would be visible to walkers along the foreshore and to a minor extent by sea borne traffic only.

Due to the exposed location of the application site, it is considered that the rocks and concrete which will be weathered / discoloured in the short to medium term. It does not appear that there would be a noticeable reduction of effects through colouration of concrete or pointing mortar.

It is considered that the works proposed would have a neutral effect on natural beauty, AONB features or special qualities related to landscape. The appearance (design and materials) of the proposed sea defence works would be compatible with the existing structure and surroundings and not significantly exceed it in scale.

Biodiversity & Ecology:

The application site is part of the Fenai a Bae Coney / Mean Strait and Conwy Bay Special Area of Conservation (SAC) and the Glannau Penmon – Biwmares Site of Special Scientific Interest (SSSI)

A Statement to Inform Habitat Regulations Appropriate Assessment and Construction Environmental Management Plan has been submitted as part of the application. These documents have outlined the impact the proposed development would have upon the local environment including mitigation measures being proposed as part of the development.

A Habitat Regulations Assessment has been undertaken by Natural Resources for Wales who have concluded that it is not likely that the proposed development will have significant effect upon the nearby designated areas with which the local planning authority concurs. Conditions will be attached any permission to safeguard against the SAC and SSSI.

Schedule Ancient Monument:

The application area is immediately adjacent to the boundary of scheduled monument AN142 Aberlleiniog Fish Weir I. The monument consists of the well-preserved remains of a post-medieval fish weir. It is rectilinear and defined by spread banks of stone. The inner wall runs at 90 degrees to the shore and is some 300m long. It comprises a stone bank some 8.0m wide and 0.2 m high with a well-defined line of stones along the top standing up to 0.4m in height. The outer wall runs to the south-west at a right angle and is some 220m in length.

CADW together with Gwynedd Archaeology Planning Service (GAPS) have been consulted as part of the application. CADW initially raised concerns that accidental damage may be caused to the scheduled monument during the proposed works by the movement of vehicles along the beach and also the possibility that rock armour could be stockpiled on the scheduled monument.

Although construction vehicular movement together with temporary stockpiling of Rock Armour will be within the Schedule Monument Boundary, the extent of the works does not cross the Schedule Monument Structure. Following receiving further details including a Construction Environmental Protection Plan which details mitigation measures being proposed to safeguard the scheduled monument, CADW together with GAPS are satisfied that the proposed development will not have a detrimental impact upon the Historic Asset.

Amenity:

The impact the development might have upon the residential amenity upon the surrounding properties and area is a key issue in the determination of the current proposal.

Other than Cerrig, the nearest residential properties are located to the north of the application site at the Pines. Other residential properties are located to the west across the main highway. Given the scale, location and distance from the development to these properties, it is not considered that the proposal will have any adverse impact upon residential amenity. A condition will be attached to any permission mitigating the impacts during the construction phase.

Flood Risk:

As previously noted the site lies within the C2 flood zone, therefore consideration needs to be given to the proposals conformity with Technical Advice Note 15: Development and Flood Risk. Due to the nature of the proposed development and its unavoidable coastal location, the proposed development is considered an exception to the first part of the justification test in section 6 of TAN 15, however consideration should be given to the acceptability of consequences of the test as outlined in section 7.

In accordance with section 7 of the TAN, whether a development should proceed or not will depend upon whether the consequences of flooding of that development can be managed down to a level which is acceptable for the nature/type of development being proposed, including its effects on existing development.

Natural Resources Wales have assessed the application and raised no objection, however has advised that the contractor should ensure that a suitable flood / environmental action plan is prepared.

Reasonable avoidance measures should be prepared detailing how the construction works are to be managed to safeguard both contractors and plant along with the environmental risks should high spring tides occur during storm conditions and flood the working area.

Highway and Site Compound:

The Local Highways Authority have assessed the application and have not raised any concerns with respect to highway safety.

Access for the proposed works will be from the Lleiniog Beach Picnic Site, located some 200m southwest of the application area. The Local Authority owned car park will be used as a compound during the construction works. As part of any permission a Grampian condition will be imposed in order that the compound will be operational prior any works being commenced on the proposed development.

The Wales Coastal Path is located to the north of the application site. The path cuts inland immediately before the application site and therefore will not cross the site without the need for a diversion.

Conclusion

Detailed consideration to the professional consultees comments has been given due consideration. It is not considered that the proposed development would have a negative impact upon the sensitive designations.

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 Planning Act 1990 (as amended).

(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.

- **Location Plan - 9317-SK-04A**
- **Detailed Plan Showing Footprint of Permanent works in relation to SAC boundary - EEL.7612.D03.001**
- **Sea Wall Protection Scheme - 9317-003 Rev P2**
- **Outline Method Statement - CSD-EWP-XX-ZZ-MS-Y-001**
- **Water Framework Directive Assessment**
- **Construction Environment Management Plan - EEL.76.R03.003**
- **Statement to Inform Habitat Regulations Appropriate Assessment - EEL.7612.R03.001**
- **Assessment of Coastal Squeeze - EEL.76.R03.002**

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 residential amenity

(04) No development shall commence until a compound as detailed within the Construction Environmental Management Plan is made available for use.

Reason: In the interest of highway safety and to safeguard 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.

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Planning Committee: 07/07/2021

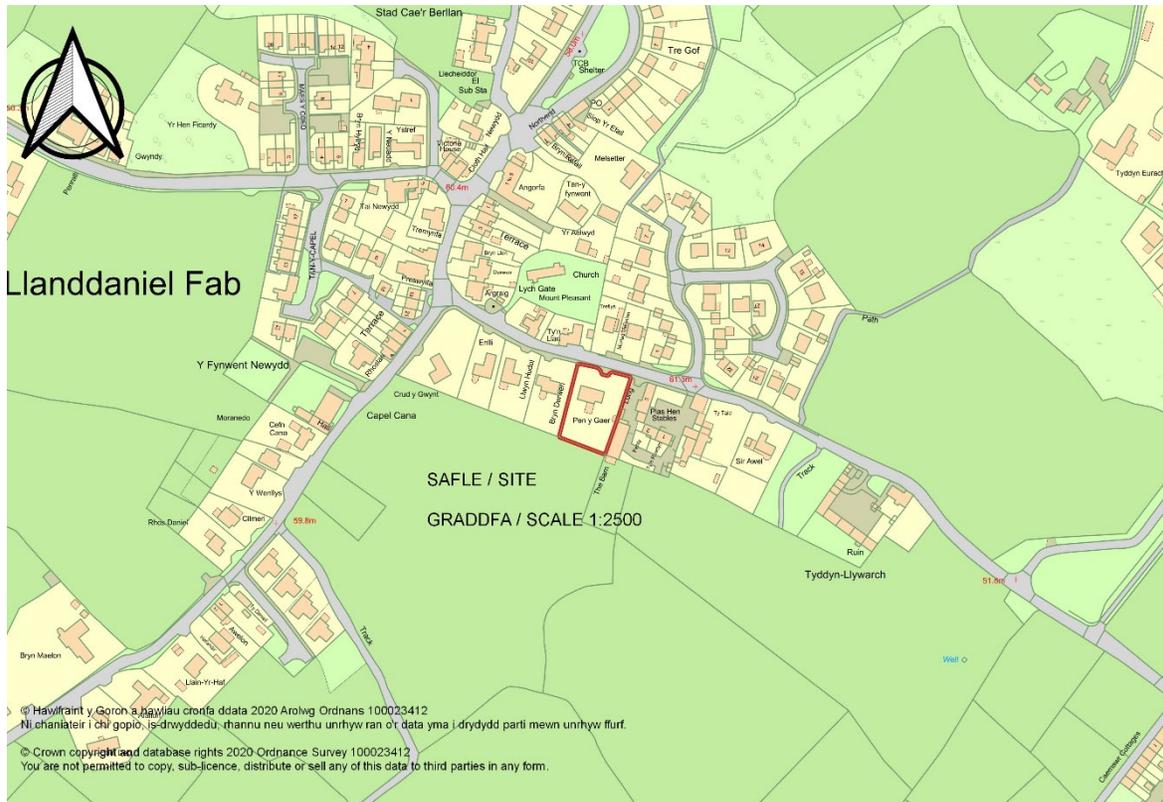
13.1

Application Reference: HHP/2020/278

Applicant: Mr. Dafydd Yaxley

Description: Full application for the erection of a double garage at

Site Address: Pen y Gaer, Llanddaniel



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

Reason for Reporting to Committee

To report for information that the above application was submitted on behalf of the applicant by his professional agent but the question on the standard form asking whether the applicant is or is related to an Authority employee or elected member was ticked negatively. Following the assessment of the application after the expiry of statutory consultations and publicity, the proposal was approved under delegated powers on 19th January 2021. No objections had been received from neighbouring occupiers and the Community Council confirmed it had no objection to the application.

In May 2021 it was brought to the Authority's attention that the applicant is the spouse of an Authority employee and the son in law of an elected member. In accordance with the Council's Constitution,

(vi) applications including Lawful Development Certificate applications submitted by serving Members of the Council or officers of the Council who may be seen to be involved in processing and / or determination of planning applications (ie staff employed in the Planning Service, Chief Executive, Deputy

Chief Executive, Directors, Heads of Service and other officers who regularly have an input into the planning system – eg highways and drainage, legal, environmental health, housing officers, economic development or their close relatives (defined as spouses / partners, parents, children, brothers and sisters)(or a close friend of a serving councillor or such officer)).

Albeit the Authority employee in this case is not named as the applicant, and is not herself involved in processing or determining planning applications, she was a beneficiary of the planning permission and as she is the daughter of an elected Member, the application ought to have been submitted to the Planning and Orders Committee for determination. The application form did not disclose the relationship and the planning officers were unaware of the relationship in determining the application. The Deputy Monitoring Officer has reviewed the file and confirmed the application has been determined in the usual manner.

He adds that no blame can be laid at the door of planning officers and they have acted reasonably in the matter. There appears to have been a misunderstanding on the wording of paragraph (vi) above but the applicants have gained no advantage in this matter and the application has, in all other respects, been processed in the normal way. He advises that paragraph (vi) be reworded to make it clearer and that publicity is given to the change amongst members and the officers to whom it applies.