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**CYNGOR SIR
YNYS MÔN
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, 1 RHAGFYR, 2021 am 1.00 o'r gloch yp	WEDNESDAY, 1 DECEMBER 2021 at 1.00 pm
CYFARFOD RHITHIOL WEDI'I FFRYDIO'N FYW	VIRTUAL LIVE STREAMED MEETING
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

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

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 - 10)

To submit, for confirmation, the minutes of the previous meeting of the Planning and Orders Committee held on 3 November, 2021.

4 SITE VISITS

None convened.

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5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED

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

7 APPLICATIONS ARISING_ (Pages 11 - 14)

7.1 - FPL/2021/106 – Neuadd, Cemaes

https://ioacc.force.com/s/papplication/a1G4H00000OKHJzUAP/fpl2021106?language=en_GB

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS_ (Pages 15 - 30)

11.1 – LUE/2021/19 – Bodlawen, Llanidan, Brynsiencyn

https://ioacc.force.com/s/papplication/a1G4H00000O2tOFUAZ/lue202119?language=en_GB

11.2 – FPL/2021/136 – Wylfa, Bangor Road, Benllech

https://ioacc.force.com/s/papplication/a1G4H00000OKf7JUAT/fpl2021136?language=en_GB

11.3 – FPL/2021/248 – Parciau, Llanddaniel

https://ioacc.force.com/s/papplication/a1G4H00000O3aEMUAZ/fpl2021248?language=en_GB

11.4 – MAH/2021/19 – Parciau, Llanddaniel

https://ioacc.force.com/s/papplication/a1G4H00000O3aOIUAZ/mah202119?language=en_GB

12 REMAINDER OF APPLICATIONS_ (Pages 31 - 44)

12.1 – LBC/2021/29 – Haulfre Gardens, Llangoed

https://ioacc.force.com/s/papplication/a1G4H00000O3pDqUAJ/lbc202129?language=en_GB

12.2 – FPL/2021/196 – Fron Heulog, Cemaes

https://ioacc.force.com/s/papplication/a1G4H00000OLKTOUA5/fpl2021196?language=en_GB

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12.3 – Former Heliport Site, Penrhos Industrial Estate, Holyhead

https://ioacc.force.com/s/papplication/a1G4H00000OL7YqUAL/fpl2021178?language=en_GB

13 OTHER MATTERS_(Pages 45 - 50)

13.1 – DEM/2021/3 – Thomas Close, Beaumaris

https://ioacc.force.com/s/papplication/a1G4H00000O5bBKUAZ/dem20213?language=en_GB

13.2 - DEM/2021/4 – Hampton Way, Llanfaes

https://ioacc.force.com/s/papplication/a1G4H00000O5bG3UAJ/dem20214?language=en_GB

PLANNING AND ORDERS COMMITTEE

Minutes of the virtual meeting held on 3 November, 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 Aled M. Jones (application 7.2), Bryan Owen (application 13.1), Margaret M. Roberts (applications 7.1 and 7.3)
- IN ATTENDANCE:** Chief Planning Officer (DFJ)
Development Management Manager (RLJ)
Planning Built and Natural Environment Manager (JIW)
Planning Enforcement Manager (SO)
Senior Planning Officer (CR)
Senior Planning Officer (JBR)
Development Management Engineer (Highways) (WIH)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** None received
- ALSO PRESENT:** Councillor Richard Dew (Portfolio Member for Planning and Public Protection), Councillors Carwyn Jones, R.G.Parry, OBE, FRAGS, Dafydd Rhys Thomas, Business Systems Manager (EW), Mr Gareth Williams (Local Democracy Reporter)
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1. APOLOGIES

There were no apologies for absence.

2. DECLARATION OF INTEREST

Councillor Robin Williams declared a personal and prejudicial interest with regard to application 11.1 on the agenda.

Councillors John Griffith and Richard Owain Jones both declared a personal and prejudicial interest with regard to application 12.1 on the agenda.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous virtual meeting of the Planning and Orders Committee held on 6 October, 2021 were presented and were confirmed as correct.

4. SITE VISITS

The minutes of the virtual site visit held on 20 October, 2021 were presented and were confirmed as correct.

5. PUBLIC SPEAKING

There was one Public Speaker in respect of application 7.2 on the agenda.

6. APPLICATIONS THAT WILL BE DEFERRED

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

7. APPLICATIONS ARISING

7.1 FPL/2021/145 – Full application for the siting of 2 shepherd huts at Rhosydd, Brynteg

The application was reported to the Planning and Orders having been called in at the request of a Local Member.

At its meeting held on 1 September, 2021 the Committee resolved to undertake a site visit. A virtual site visit was subsequently held on 15 September, 2021. At its 6 October, 2021 meeting the Committee resolved to approve the application contrary to the Officer's recommendation on the grounds that the scheme adjoins an existing static caravan site and will not be visually harmful due to its siting between a caravan site and an agricultural shed.

Councillor Margaret Roberts, speaking as a Local Member referred to her comments at the previous meeting about the proposal's proximity to a large caravan site, but unlike the caravan site the two shepherd huts will not be visible from any viewpoints. She did not believe that granting permission in this case would set a precedent in leading to a proliferation of such applications or allowing everyone to put a shepherd hut in their yard as was suggested at the last meeting. Given the number of caravans in the area, the addition of two shepherd huts is not likely to make a difference especially as they are on a much smaller scale than the caravans next door. She asked the Committee to keep to the decision made last month to approve the application.

The Planning Enforcement Manger confirmed that the Officer's recommendation remains one of refusal because it is considered that the proposal does not align with the definitions of a high quality development being a standalone development within a residential curtilage and as such it does not accord with the provisions of the adopted development plan or other material considerations as outlined within the report. The relatively rural location of the site will also mean that private transport will be a primary form of movement once guests have arrived at the site.

Councillor Ieuan Williams proposed that that Committee reaffirm its approval of the application for the reason stated at the last meeting that it is deemed to comply with Policy TWR3. Additionally, Strategic Policy PS14 which sets out how the Council will support the year round development of a local tourism industry states at paragraph 3 that that will include by "*managing and enhancing the provision of high quality in-services tourism accommodation in the form of self-catering cottages and apartments, camping, alternative luxury camping [which would cover shepherd huts] static or touring caravan or chalet parks*". He thought that the proposal does therefore comply with policy and, in being situated in an area in which there are a number of caravan parks, the development is not out of place or incongruous. Councillor Vaughan Hughes seconded the proposal to reaffirm approval.

It was resolved to reaffirm the Committee's previous decision to approve the application contrary to the Officer's recommendation for the reasons given and to authorise the Officers to apply conditions on the consent as appropriate.

7.2 FPL/2021/106 – Full application for the retention of a wooden hut to accommodate a milk vending machine (Use Class A1) together with hardstanding and parking area, alterations to the existing vehicular access and associated landscaping on land at Neuadd, Cemaes

The application was reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 6 October, 2021, the Committee resolved to visit the site. A virtual site visit took place on 20 October, 2021.

Public Speaker

Mr Gareth Jones addressed the Committee as the applicant and referred to some points of concern that had arisen with regard to the development. Firstly that the hut has been re-positioned since the original application was made. When the excavation work began, a pipe 2 feet in diameter was discovered which carried water from the marsh on the opposite side of the road in the direction of the sea. It was therefore decided to rotate the hut by 90 degrees and to move it slightly towards the top end of the field putting it clear of the pipe. Secondly, a point has been made about the hut not being located on the applicant's farm; the site at Neuadd is much more central being near to the A5025, a walking route, bus stop and part of a circular cycle path. A questionnaire that was shared with the local community back in December showed that many were concerned about driving along the narrow road to Nant y Fran and in any case additional traffic on that road would generate a lot more pollution as well as creating passing problems, the road being so narrow. At the end of the day the applicant holds land from the family at Neuadd in the same way as Nant y Fran is a piece of rented land along with the farm Carrog Ganol where the applicant and his family live. Setting up the venture as a shop in Cemaes would not have been appropriate due to the on street parking problems that come with loading and unloading several times a day. Additionally, customers have consistently said that buying milk straight from the farm is part of the experience and that buying from a shop would not provide the same interest or pleasure that is to be had from supporting the farm. The final point of concern has to do with the AONB. The hut is situated a stone's throw within the AONB next to the A5025; it is hardly visible from anywhere and is sheltered by trees at the side of the main road. The only lighting in the hut consists of two strip lights within.

Since starting the venture the support from the local community has been immense; no objections have been raised and 3,300 people have signed a petition in favour of it with many others having sent letters of support to the Council. The venture will enable the business to face the economic challenges that farmers are facing at present. The farm supports two families and employs 7 local Welsh people to which it is hoped a new member of staff can be added to help with the fresh milk business. The money spent on the venture has also supported a number of local tradespeople.

In questioning Mr Gareth Jones, the Committee sought to clarify why the hut was erected and the venture started without planning permission and whether there was any intention or opportunity to expand the hut. A question was also asked about pasteurisation and food hygiene ratings. Mr Gareth Jones clarified that having submitted an application at the beginning of the summer, he did not want to miss out on potentially the best months for sales especially as the year had been so difficult and he had been keen to take advantage of the summer and the influx of visitors to the area in order to give the business the best chance of succeeding. With regard to expansion Mr Jones said that he was satisfied with the hut as it is and would not be adding to it. Mr Jones also confirmed that the milk is

pasteurised with a small dairy and equipment having been set up at the farm. The hut has been inspected by Environmental Health a number of times and has been given a 5 star rating meaning that the hygiene standards are very good.

The Chief Planning Officer reported that the application is made retrospectively, the hut having already been erected. The Officer's recommendation is that the application be refused the reasoning being that it is essentially an application to create a shop in the middle of the countryside; it is not located on the farm and as such is not considered a subservient element of an existing business, neither is it considered to be a traditional diversification the expectation being that such a scheme would be run from the farm itself. It is also understood that there is an intention to sell other produce/goods from the hut and Officers are therefore concerned about how this retail unit would be controlled. The application site is a short distance away from Cemaes and in accordance with policies that seek to maintain the vitality and viability of town centres, Officers consider that the proposal would be more appropriately located within the village. The impact of the development on the AONB is also a factor in the recommendation to refuse the application.

Councillor Aled Morris Jones, a Local Member spoke in support of the application which is for the retention of a small hut which is neatly and appropriately situated in its location. The venture by a local family wishing to diversify provides a service for which the need is well evidenced there being a great amount of support for it locally, and it involves the local supply of milk of the highest standard. The business will help support the family and will create an additional job. He asked the Committee to approve the application.

Councillor Richard Owain Jones said that considering its location and scale, he personally did not think the proposal would cause any significant harm to the area. With regard to policy he believed that the development is justified under paragraph 4 of Policy PS13 of the JLDP which states that the Councils will facilitate economic growth by "*supporting economic prosperity and sustainability of rural communities by facilitating appropriately scaled growth of rural enterprises, extension of existing businesses and diversification.... and by encouraging the provision of sites and premises in appropriate accessible locations,*" and on this basis he proposed that the application be approved contrary to the Officer's recommendation.

Councillor Kenneth Hughes referred to the reference within the Officer's report to the LANDMAP guidance which details the landscape characteristics of the area including those features that detract from the integrity of the landscape in the form of the bungalows and holiday accommodation of Bull Bay, an adjacent golf course as well as glimpses of Wylfa power station. The report states that despite its proximity to the A5025 the site displays the qualities typical of the LANDMAP description and local character of the AONB. Councillor Hughes highlighted that LANDMAP is not a statutory document and given the detractions listed to which he felt the existence of wind turbines should be added he thought that a small wooden hut would not make any difference, and that its scale and design are appropriate for the location and consequently not harmful to the appearance and character of the area. He said that the volume of letters and signatories to the petition provide strong evidence of the need for the development in what is a safe, easy to use location that has no impact on the amenities of others. In seconding the proposal of approval Councillor Kenneth Hughes said that the application provides the Committee with an opportunity to support a local business.

The Chair referred to the fact that such proposals when they form part of an existing farm business are often subject to a legal agreement; given that the proposed hut is leasehold she queried whether it would be possible to attach a legal agreement to the hut to the effect that any planning permission runs for the length of the lease only.

The Legal Services Manager advised under a Section 106 agreement all parties with a legal interest in the land including the freeholder would need to sign the agreement. However, in this instance personal permission might better meet the question raised should the Committee deem it appropriate. In further clarification the Legal Services Manager said that in such circumstances the permission would run with the applicant rather than the land as is usually the case, and might be appropriate should the Committee determine to approve the application contrary to the Officer's recommendation.

The Chair suggested that limiting the permission in this way would provide the Committee with the assurance and/or safeguard that the development exists for the benefit of the applicant only and that anyone new wishing to continue with the proposed usage of the hut would need to re-apply for permission. As the proposer of approval, Councillor Richard Owain Jones confirmed that he was happy to accommodate the amendment.

In indicating their support for the proposal as a venture, some members of the Committee did express disappointment about its being another instance of a retrospective application with the hut having been erected without prior permission.

It was resolved to approve the application contrary to the Officer's recommendation for the following reasons –

- **As a rural enterprise that contributes to the economic prosperity and viability of the community;**
- **As it is not considered the development will result in any overly harmful effects on the AONB**
- **On condition that any permission granted limits the use of the hut to the applicant only.**

(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)

7.3 FPL/2021/108 – Full application for the conversion of the outbuilding into an affordable dwelling together with alterations and extensions at Fedw Uchaf, Brynrefail, Dulas

The application was reported to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 6 October, 2021 the Committee resolved to approve the application contrary to the Officer's recommendation on account that it was deemed to comply with Policy TAI7; that no alternative employment use had been shown and because the alterations were not considered to be extensive.

The Chief Planning Officer reported that additional information provided by the applicant's agent that morning had been circulated to Members and that it continues the discussion regarding how the building was marketed for commercial use and the extent of the alterations and extensions proposed which were also the subject of considerable discussion at the Committee's last meeting. Suffice it to say that there is a difference of opinion between Officers and Members on these points. The report addresses the reasons given by the Committee for approving the application and, should approval be reaffirmed a mechanism is required to ensure that the dwelling remains an affordable dwelling in perpetuity. This matter has been discussed with the applicant's agent this morning and the applicant accepts that a legal agreement for the same is needed. It is therefore recommended that if the Committee is minded to confirm approval of the application, it be conditional upon completing a section

106 agreement to ensure the dwelling remains an affordable property in perpetuity. The Officer's recommendation remains one of refusal.

Councillor John Griffith commented that he had been prepared to refuse the application at last month's meeting because of the scale of the extensions which were reported as amounting to a 74% increase in the building's floor space. Having received the update from the applicant's agent stating that the increase in floor space is much less, he wanted to know whether the Officers were still of the opinion that the alterations and extensions are excessive.

The Chief Planning Officer clarified that there is more than one way of measuring floor space depending for example on whether existing structures to be pulled down are taken into account. However, although the policy does not define what is acceptable as regards size, in terms of principle, it is the Officer's view that the proposed extensions and alterations are excessive. It is an issue which is subject to interpretation with the applicant's agent having a different viewpoint.

Councillor Trefor Lloyd Hughes, MBE spoke to say that he was disappointed that additional information had been made available a matter of hours before the meeting was due to begin.

Councillor Margaret Roberts, a Local Member reiterated the comments she had made to Committee when supporting the application the previous month about the applicant wanting to move closer to relatives to provide support and care for his mother with the proposal being the only way of doing so since open market properties in the area are unaffordable. She said that it is Members' duty to help local people and that bureaucracy should not get in the way of providing help where it is needed. The applicant's agent has provided the answers with regard to the scale and size of the proposal and has challenged the Officer's measurements. She felt that the correct decision had been reached the previous month and she asked the Committee to adhere to it.

Councillor Kenneth Hughes proposed that the Committee reaffirm its decision to approve the application contrary to the Officer's recommendation subject to a Section 106 agreement to ensure the dwelling remains an affordable property in perpetuity.

It was resolved to reaffirm the Committee's previous decision to approve the application contrary to the Officer's recommendation for the reasons given and to authorise the Officers to apply planning conditions to the consent as appropriate and to complete a section 106 agreement to ensure the dwelling remains an affordable property in perpetuity.

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 VAR/2021/70 – Application under Section 73A for the variation of condition (08) (Approved Plans) of planning permission reference 20C85F/DA (Erection of a dwelling) so as to allow amendments to the design at Plot adjacent to Bron Wylfa, Cemaes

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

The Planning Enforcement Manager reported that although the application is contrary to Policy PS17 of the Joint Local Development Plan and the provisions of Technical Advice Note 6 (Planning for Sustainable Rural Communities) a fall-back position exists as the site benefits from an extant permission which has been implemented. The proposed amended design as outlined in the report is considered acceptable and an overall improvement on the scheme previously improved. It is not considered that the development will have an unacceptable impact upon the character and appearance of the area nor on the amenities of neighbouring properties. The recommendation is therefore one of approval.

Councillor Robin Williams 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 contained therein.

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 HHP/2021/315 – Full application for alterations and extensions together with the demolition of the existing garage at 37 Penlon, Menai Bridge

The application was reported to the Planning and Orders Committee as the applicant is a "relevant person" as defined within paragraph 4.6.10.2 of the Council's Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Having declared a personal and prejudicial interest in the application, Councillor Robin Williams withdrew from the discussion and voting thereon.

The Planning Enforcement Manager reported that it is the Officer's view that the proposed development aligns with the aims and objectives of the JLDP's policies; the scale of the proposed extension is modest and there is sufficient land to accommodate the proposed scheme without resulting in the over-development of the site. The proposed design and materials are also acceptable and are of high quality. It is not considered that the proposed extension would unacceptably impact any neighbouring properties. There have been no objections to the proposal and the Town Council is supportive of it; the recommendation is therefore to approve the application.

Councillor Trefor Lloyd Hughes, MBE proposed, seconded by Councillor Eric Jones, 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 conditions contained therein.

11.2 FPL/2021/227 – Full application for a covered manure store and roof over existing yard at Plas Newydd, Llanddeusant

The application was reported to the Planning and Orders Committee as the applicant is related to a "relevant officer" as defined within paragraph 4.6.10.2 of the Council's

Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Planning Built and Natural Environment Manager reported that the proposal as described will improve the existing manure management system at the farm and allow the applicant to conform with the requirements of the Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. The proposal is located on the eastern fringes of the village with a distance of 150m between the nearest property and the closest point of the extension to the existing building. It is not considered that the development will have a detrimental impact on the character and appearance of the area nor on the amenities of nearby residential occupiers; nor is it considered that the proposal will give rise to an unacceptable visual effect on the local landscape as the proposal involves the erection of a bund and landscaping to the rear of the shed. There are no objections locally to the proposed development; neither has Natural Resources Wales raised any objections provided the proposal does not entail an increase in stock levels. The Officer clarified that whilst the intention originally had been to increase stock numbers over the course of time, the applicant has now confirmed that there had been no firm intention to do so. This being so the proposal is acceptable as regards design and compliance with the criteria contained within the relevant policies. The recommendation is to approve the application.

Councillor Kenneth Hughes proposed, seconded by Councillor Eric Jones 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 conditions contained therein.

12. REMAINDER OF APPLICATIONS

12.1 MAO/2021/26 – Minor amendments to the scheme previously approved under planning permission 20C310/EIA/RE (Full application for the construction of a 49.99MW solar array farm together with associated equipment, infrastructure and ancillary works) at Rhyd y Groes, Rhosgoch so as to amend the wording of conditions (05), (06) and (11) to allow the development to take place in two phases (phase 1 – enabling works and phase 2 – installation of panels) at Porth Wen Solar Farm, Cemaes

The application was reported to the Planning and Orders Committee as it seeks to amend conditions attached to application reference 20C310B/EIA/RE which was accompanied by an Environmental Impact Assessment (EIA). The application was approved by the Committee at its meeting on 6 December, 2017 in accordance with the Officer's recommendation and report subject to the conditions therein with delegated power to the Head of Planning Services to add, amend and delete conditions as necessary.

Having declared a personal and prejudicial interest in the application, Councillors John Griffith and Richard Owain Jones withdrew from the meeting during the discussion and voting thereon.

The Development Management Manager reported that the application is for minor amendments to the scheme approved under application 20C310B/EIA/RE so that the works can commence in a phased manner, with works including enabling works to take place under phase 1 and the deployment of solar panels and associated works and equipment to take place under phase 2. In order for the development to be a two phased development, amendments are required to conditions (05), (06), and (11). The application requests the following –

- The addition of a Phasing Plan to the list of approved plans under condition (05);

- that condition (06) is amended to allow for the approval of details in two phases – details required prior to implementing phase 1 of the development followed by the details required prior to implementing phase 2 of the development;
- That condition (11) is amended to allow the submission for approval of a Construction Environmental Management Plan (CEMP) (with a full Construction Traffic Management Plan (CTMP) for Phase 1 followed by a CEMP (and CTMP) for Phase 2.

The application does not change the nature of the development nor does it cause an impact different to that caused by the original approved development scheme. Whilst the proposal if approved would allow the developer to undertake the preparatory works without having to submit full details of the whole development for approval by the Local Planning Authority, the conditions attached to the original consent will still have to be discharged. For information, the Planning Authority is in receipt of correspondence from the neighbouring landowner at Buarth y Foel regarding the need to consult on the amendments; as the application seeks permission for what are considered to be non-material changes to an approved scheme, the requirement to consult does not apply. The owner of Buarth y Foel has been consulted directly with regard to a recently received application for a new access and bunding in accordance with requirements. Having assessed the application under Section 96A of the Town and Country Planning Act 1990 (as amended) and Welsh Government planning guidance, Officers are satisfied that the amendments sought to allow the approved development to take place in a phased approach are non-material and the recommendation is therefore to approve the application.

Councillor Robin Williams proposed, seconded by Councillor Eric Jones 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 conditions contained therein.

13. OTHER MATTERS

13.1 FPL/2020/101 – Full application for the erection of a dwelling together with the construction of a vehicular access on land at Rallt Gwta, Newborough, Llanfairpwllgwyngyll

The application was reported to the Planning and Orders Committee as the application was approved at the Committee's April, 2021 meeting subject to conditions and subject also to the completion of a legal agreement requesting the removal and cessation of use in connection with an existing caravan and containers on the site.

The Chief Planning Office reported that the caravan and containers were to be removed from the land as part of the permission to ensure that the development would not have an adverse impact upon the residential amenities of properties adjacent to the site or on the amenities of the wider area and AONB. The caravan and containers have now been removed from the site thereby eliminating the need for an agreement and as such, releasing the decision subject to conditions.

Councillor Bryan Owen, a Local Member in confirming the Officer's report, asked the Committee to approve the application.

In response to a query about how can the Authority be assured that the caravan and containers will not be brought back on site, the Chief Planning Officer advised that the scheme plan indicates that the proposed dwelling is to be sited where the caravan was located and the access to the site crosses where the containers used to stand. Therefore once the consent is implemented and the dwelling is constructed it will not be possible to bring the caravan and containers back on site. However, were they to reappear on site

without permission in the meantime, then the situation would be dealt with and steps considered at that time.

Councillor Eric Jones proposed, seconded by Councillor Trefor Lloyd Hughes, MBE 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 conditions as listed within the report.

**Councillor Nicola Roberts
Chair**

Planning Committee: 01/12/2021

7.1

Application Reference: FPL/2021/106

Applicant: Gareth Jones

Description: Full application for the retention of a wooden hut to accommodate a milk vending machine (Use Class A1) together with hardstanding and parking area, alterations to the existing vehicular access and associated landscaping on land at

Site Address: Neuadd, Cemaes



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

Recommendation: Refuse

Reason for Reporting to Committee

The application is presented to the Planning and Orders Committee at the request of the Local Member, Councillor Aled Morris Jones.

At the meeting held on the 6th October 2021, members resolved to visit the site. The virtual site visit took place on the 20th October 2021.

At its meeting held on the 3rd November, 2021 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

- As a rural enterprise that contributes to the economic prosperity and viability of the community;
- As it is not considered the development will result in any overly harmful effects on the AONB
- On condition that any permission granted limits the use of the hut to the applicant only.

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;

- As a rural enterprise that contributes to the economic prosperity and viability of the community;

Reference was made to criterion 4. of policy PS 13 of the JDLP which relates to Providing Opportunity for a Flourishing Economy which states that supporting economic prosperity and sustainability or rural communities by facilitating appropriately scaled growth of rural enterprises, extension of existing businesses and diversification.....and by encouraging the provision of sites and premises in appropriate accessible locations....

The application is for a retail outlet and therefore the most appropriate policies against which to assess the proposal is policies PS15: Town Centres and Retail and policy MAN 6: Retailing in the Countryside.

The proposal is considered to be contrary to criterion 4 of policy PS15 which seeks to resist development that detracts from the vitality and viability of town centres, criterion 6 which seeks to restrict the expansion of out-of-town retailing and leisure development and criterion 1 of policy MAN 6 which requires that the shop is a subservient element of an existing business on the site.

Notwithstanding that policy PS13 is therefore of limited, if any, relevance in the assessment of the application since there are other specific policies which are more relevant to the proposal under consideration, the key element is the requirement for proposals to be in 'appropriate' accessible locations. That the proposal is not in an 'appropriate' location is central to the Local Planning Authority's objection. As noted in the initial report, the LPA are generally supportive rural enterprises that contributes to the economic prosperity and viability of the communities, provided they are located in appropriate locations and otherwise accord with relevant development plan policies.

- As it is not considered the development will result in any overly harmful effects on the AONB

The site is located within the designated Area of Outstanding Natural Beauty in a locally prominent location adjacent to the A5025 at the junction with the minor road to Llanbadrig. The site has attractive views to the coast and Cemaes but influenced by detracting features such as the A5025, wind turbines and longer views to Wylfa.

LANDMAP describes the area *"to the east and west of Amlwch, extending from the coast 2km... inland, this is an intricate small scale landscape with winding lanes, glimpses of the coast, small craggy hillocks*

*and damp valleys... There are scattered houses and small fields... Within the area is the settlement of Bull Bay dominated by bungalows and holiday accommodation, and an adjacent golf course... These detract from the integrity of the nearby landscape, as do views glimpsed to Wylfa power station... Otherwise, this is an attractive varied landscape...' and of **High** value as an 'Attractive and distinctive intricate landscape with rocky parts, views to coast, sheltered valleys... Generally unspoilt, except around Bull Bay'*

Despite its proximity to the A5025, the site displays the qualities typical of the LANDMAP description and local character of the AONB.

Strategic policy PS 19 relates to conserving and where appropriate enhancing the natural environment and states that the Councils will manage development so as to conserve and where appropriate enhance the Plan area's distinctive natural environment, countryside and coastline, and proposals that have a significant adverse effect on them will be refused unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area in question.

Policy AMG 1 relates to Area of Outstanding Natural Beauty Management Plans and states that proposals within or affecting the setting and/or significant views into and out of the Areas of Outstanding Natural Beauty must, where appropriate, have regard to the relevant Area of Outstanding Natural Beauty Management Plan.

The Anglesey AONB Management Plan 2015-2020 notes:

CCC 3.1 All development proposals within and up to 2Km adjacent to the AONB will be rigorously assessed to minimise inappropriate development which might damage the special qualities and features of the AONB or the integrity of European designated sites.

CCC 3.2 All new developments and re-developments within and up to 2Km adjacent to the AONB will be expected to adopt the highest standard of design, materials and landscaping in order to enhance the special qualities and features of the AONB. Proposals of an appropriate scale and nature, embodying the principles of sustainable development, will be supported.

The details submitted with the application are of a timber hut located at the Southern end of the site, measuring 5m x 3m x 2.5m painted with a dark wood stain and roofed with corrugated metal.

However the hut has been erected in a different position and of a different design and colour to the submitted plans. The hut is closed to the elevation facing the A55 and internal lighting would be constant to the elevation facing the carpark. Some indicative planting is shown on the submitted plan, but no detailed specification is provided and in any case would not serve to adequately screen or landscape the development.

The hut together with the gravel hardstanding parking area are prominent and incongruous in the sensitive designated landscape and give rise to adverse effects, particularly as a result of the vehicular activity at the site, localised light spill from the open hut upon the special qualities of the AONB contrary to policy AMG 1 of the JLDP.

- On condition that any permission granted limits the use of the hut to the applicant only.

Whilst the imposition of restrictive conditions would serve to alleviate some of the Local Planning Authority's concerns in relation to the development, it would not overcome the fundamental objection in relation to the acceptability of the development in this prominent, sensitive location in the open countryside contrary to local and national policy & guidance or address concerns in relation to the range and nature of goods being and to be sold from the site. The goods currently being sold from the site include, milk, milkshake, glass bottles and cakes, while the submitted planning statement confirms the applicants desire to sell other local produce through the vending machines such as cheese, jam and

ground coffee. An article in the Daily Post on the 4th October 2021 stated that plans to add an extra vending machine for the sale of local produce had been put on ice pending a decision on the application.

Furthermore, the need to impose such conditions to justify approval of the application would appear to be an acknowledgement by Members of the inappropriateness of the development in this location.

Moreover, paragraph 5.83 of Welsh Government Circular WGC 016/2014: The Use of Planning Conditions for Development Management advises against the use of such conditions stating that since planning controls are concerned with the use of land rather than the identity of the user, the question of who is to occupy the premises for which permission is to be granted will normally be irrelevant. Conditions restricting occupancy to a particular occupier or class of occupier should only be used when sound planning grounds can be demonstrated, and where the alternative would normally be refusal of permission. A local planning authority who imposes such conditions may run the risk of contravening its duties under the Equality Act 2010 and care should be taken to avoid such conflict. Conditions should not be imposed which provide for a system of vetting by the local planning authority or the use of a vague test such as "needing to be located in the area".

Paragraph 5.84 goes on to state that commercial and industrial buildings in an area of open countryside will not become more acceptable because their occupancy is restricted. Similarly, the expansion of a local firm will not necessarily lead to less pressure for further development (e.g. housing) than the arrival of a firm from outside. Such conditions are therefore undesirable.

Put simply, the development of a retail shop in this location is either acceptable or it isn't, irrespective of what is being sold and by whom.

Approval of the development with such conditions, would therefore be contrary to the advice contained in the Circular.

The Local Planning Authority therefore remain of the opinion that the establishment of a retail outlet in the open countryside in a designated Area of Outstanding Natural Beauty is unacceptable and is contrary to policies PCYFF1, PCYFF2, PCYFF3, PCYFF4, PS15, MAN6, PS19, AMG1, the provisions of Planning Policy Wales (Edition 11) and Technical Advice Note 6: Planning for Sustainable Rural Communities.

Recommendation

That the application is refused for the following reasons:

(01) The Local Planning Authority considers that the development by virtue of not being a subservient element of an existing business on the site is contrary to the provisions of policy MAN 6 of the Anglesey and Gwynedd Joint Local Development Plan.

(02) The Local Planning Authority considers that the proposal would result in the unacceptable and unjustified development of an isolated A1 retail outlet in the open countryside contrary to the provisions of policies PCYFF1 and PS 15 of the Anglesey and Gwynedd Joint Local Development Plan and the advice contained within Technical Advice Note 6 'Planning for Sustainable Rural Communities' and Planning Policy Wales (Edition 11).

(03) The Local Planning Authority considers that the development neither conserves nor enhances the special qualities and features of the designated Area of Outstanding Natural Beauty to the detriment of the character and appearance of the area contrary to policies PCYFF1, PCYFF2, PCYFF3, PCYFF4, PS19 and AMG 1 of the Anglesey and Gwynedd Joint Local Development Plan.

Planning Committee: 01/12/2021

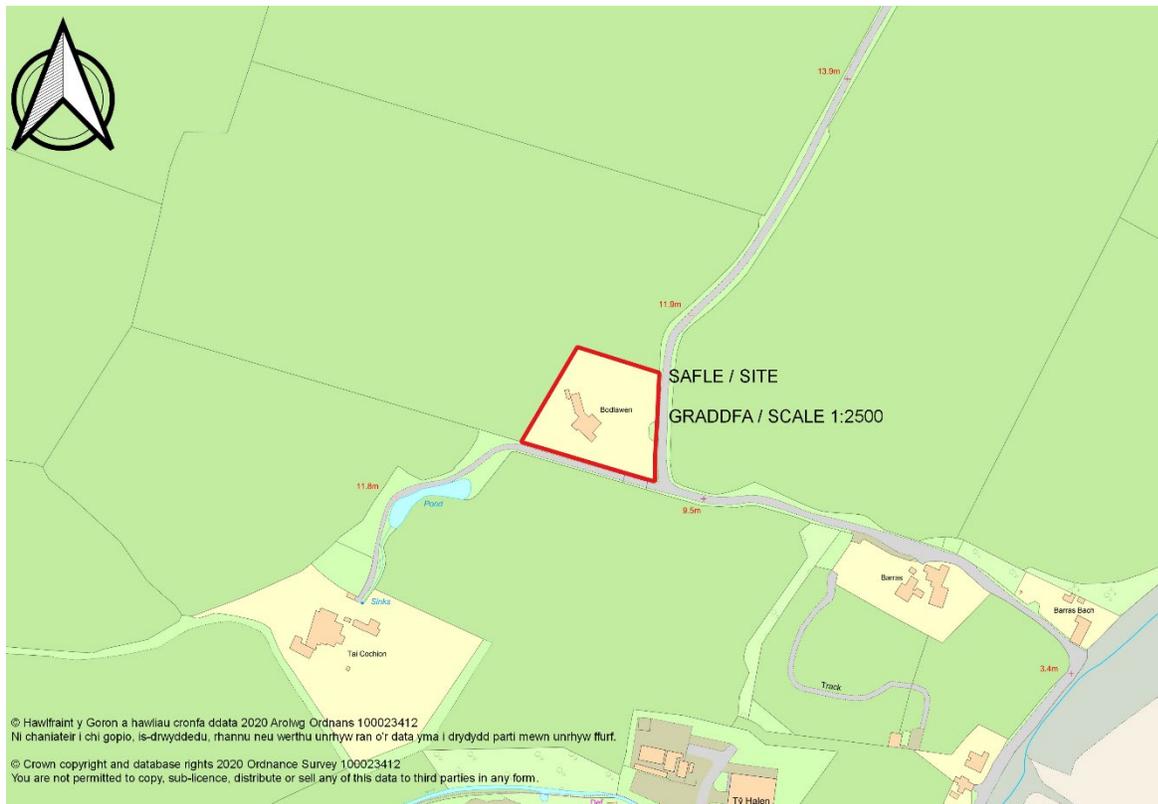
11.1

Application Reference: LUE/2021/19

Applicant: Mr J. & Mrs M. Roberts

Description: Application for a Lawful Development Certificate for the existing use of the dwelling approved under 37C53A/DA in breach of its planning permission and its pre-commencement and other conditions at

Site Address: Bodlawen, Llanidan, Brynsiencyn



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

Recommendation: Permit

Reason for Reporting to Committee

The applicant is related to Local Member Dafydd Roberts

Proposal and Site

The application is submitted under section 191(1) of the Town and Country Planning Act 1990 (as amended) for a Certificate of Lawfulness of Existing Use and Development (CLEUD).

The application seeks to establish the lawfulness of a dwelling in breach of its planning permission and several of its conditions on the reserved matters approval.

The two storey dwellinghouse is located within the open countryside near the village of Brynsiencyn. The property is located within its own extensive curtilage set away from the main highway.

Key Issues

Whether or not on the balance of probability the evidence submitted as part of the application is sufficient and that the burden of proof has been discharged.

Policies

Joint Local Development Plan

Not Applicable

Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Llanidan Community Council	No Response
Cynghorydd Dafydd Roberts	No Response
Cynghorydd Eric Wyn Jones	No Response
Council Solicitor	Conditions in question on the reserved matters approval could not now be enforced such that the applicant is entitled to a Certificate.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 16/09/2021. At the time of writing this report no representations had been received at the department.

Relevant Planning History

37C53 – Erection of dwelling on part of OS 7075 Trefarthen, Brynsiencyn – Approved 12/05/1989

37C53A/DA – Detailed Plans for the erection of an agricultural dwelling on part of OS1177, Trefarthen, Brynsiencyn – Approved 21/08/1990

Main Planning Considerations

Subsection (2) of section 171B of the Town and Country Planning Act 1990 provides that no enforcement action can be taken after the end of a period of four years from the date the operations were substantially completed. Subsection (3) of Section 171B of the act also provides that in the case of any other breach of planning control (other than operational development or a change of use of any building or use to a single dwelling house) no enforcement action may be taken at the end of a period of ten years beginning with the date of the breach.

Subsection (1) of section 191 of the above act provides that if any person wishes to ascertain whether any existing use of buildings or other land is lawful; any operations which have been carried out in, on, over or under land are lawful; or any other matter constituting a failure to comply with any conditions or limitation subject to which planning permission has been granted is lawful; he may apply to the Local Planning Authority specifying the land and describing the use, operations or other planning matter.

On such an application, planning policies are not material to the outcome of the application and as such the application should be determined upon evidence. The onus of proving lawfulness of an existing use or

development rests with the applicant in accordance with Case Law. Case law also indicates that the relevant test of the evidence on such matters is the “balance of probability”.

Analysis of Evidence:

Outline planning permission was granted on the 12/05/1989 for the erection of a dwelling under reference 37C53. Reserved matters approved was subsequently granted on the 21/08/1990 under reference 37C53A/DA subject to conditions. It is claimed that the development was not constructed in accordance with the approved permission and that conditions 1, 2, 3, 7 and 8 have been breached for in excess of 10 years continuously such that the applicants are entitled to a Certificate that the conditions are no longer enforceable.

The submitted evidence alleges that works commenced on the 01/11/1990 and the property was first occupied on the 09/10/2000.

The dwelling as built differs from that approved in terms of its position, size and design.

Following visiting the site and comparing the approved plans to that which has been erected, it was clear that the dwelling has not been constructed in its approved position. The dwelling is located further away from the public highway in comparison to the approved drawing. In addition, the curtilage area also exceeds the area which was approved, increasing the total site parameters by approximately 50 metres.

The design and appearance of the dwelling is also at variance to that which was approved. In particular, the design of the roof is altered and as such has increased the size of the dwelling. Other alterations include the removal / inclusion of windows and doors.

As noted, it is also alleged that several conditions have been breached. These are noted below:

Condition 1 - The type and colour of the facing bricks proposed to be used in construction of the buildings shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

Condition 2 - The site shall be landscaped and trees and shrubs shall be planted in accordance with a scheme to be agreed in writing within the Local Planning Authority before any development work is commenced on the site. This planting and landscaping work shall be carried out in full to the satisfaction of the Local Planning Authority during the first planting season following the occupation of the buildings) or the completion of the development, whichever is the sooner. The trees and shrubs shall be maintained for a period of five years from planting and any trees or shrubs that die, or become severely damaged or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority gives written consent to any variation.

Condition 3 – The access shall be constructed with:-

(a) Its gateway not exceeding 3 metres in width and set back a distance of 5 metres from the nearside edge of the adjoining carriageway with the gates opening inwards.

(b) A 45 degree splay wall or a 5 metre radius wall not exceeding 1 metre in height above the level of the adjoining highway shall be erected from the gate pillars to the highways boundary walls.

Condition 7 – The building shall be sited in the position(s) indicated on the position(s) indicated on the plan(s) submitted on the 05/07/1990 under planning application reference 37C53A/DA

Condition 8 – The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 05/07/1990 under planning application reference 37C53A/DA.

From assessing the planning history, it does not appear that information was submitted to the Local Planning Authority in an effort to discharge the conditions. In addition, it is considered that the development has been constructed not in accordance with the requirements of the conditions.

The Legal Section of the Authority have been consulted regarding the application and have concluded that on the balance of probability, it appears that the conditions have been breached for over 20 years, let alone the required 10 years. As such, the conditions in question on the reserved matters approval could not now be enforced such that the applicant is entitled to a Certificate to that effect.

Conclusion

It appears that, on the balance of probabilities, the development was not carried out in compliance with the permission and certain conditions. As the development was substantially completed some 20 years ago, it means that no enforcement action could now be taken in respect of the conditions. As such, the applicant is entitled to a Certificate that the development is lawful.

Recommendation

Approve the application for a Certificate of Lawfulness of Existing Use and Development.

Application Reference: FPL/2021/136

Applicant: Mr Meirion Roberts

Description: Full application for the conversion of the outbuilding into a holiday letting unit together with alterations and extensions thereto at

Site Address: Wylfa, Bangor Road, Benllech



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

Recommendation: Refuse

Reason for Reporting to Committee

The applicant is related to a 'relevant officer' as defined within paragraph 4.6.10 of the Constitution.

The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Proposal and Site

The application is for the conversion of the outbuilding into a holiday letting unit together with alterations and extensions thereto at Wylfa, Bangor Rd, Benllech.

The application site is located within the Local Service Centre of Benllech.

Key Issues

The key issues are whether the proposal complies with relevant local and national planning policies and whether the proposal is acceptable in terms of its location, design and appearance and impacts upon the amenities of the area and neighbouring properties.

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 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 5: Local Biodiversity Conservation
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)
Planning Policy Wales (Edition 11, February 2021)
Supplementary Planning Guidance Tourism Facilities and Accommodation (2021)
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)
Building Better Places: Placemaking and the Covid-19 Recovery (July 2020)

Response to Consultation and Publicity

Consultee	Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection/advice.
Ymgynghorydd Tirwedd / Landscape Advisor	Comments.
Dwr Cymru Welsh Water	CommentsCondition.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response at the time of writing the report.
Draenio Gwynedd / Gwynedd Drainage	The unit has no observations to offer in terms of land drainage or local flood risk
Priffyrdd a Trafnidiaeth / Highways and Transportation	Comments/conditions
Iechyd yr Amgylchedd / Environmental Health	Comments.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments/advice.
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	No response at the time of writing the report.

Cynghorydd Margaret Murley Roberts	No response at the time of writing the report.
Cynghorydd Vaughan Hughes	No response at the time of writing the report.
Cynghorydd Ieuan Williams	No response at the time of writing the report.

The application was afforded statutory publicity. This was by the posting of personal notification letters to the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 10/11/2021.

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

Relevant Planning History

None.

Main Planning Considerations

Policy PCYFF 1 of the JLDP relates to development boundaries and states that proposals within Development Boundaries will be approved in accordance with other policies and proposals of this Plan, national planning policies and other material planning considerations.

The application site is located within the development boundary of the Local Service Centre of Benllech and therefore accords with policy PCYFF 1.

Policy PCYFF 2 relates to development criteria and requires that proposals comply with relevant plan policies and national planning policy and guidance.

Policy PCYFF 3 relates to design and place shaping and requires that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Proposals, including extensions and alterations to existing buildings and structures will only be permitted provided they conform, where relevant to the policy criteria.

Criterion 1 requires that it complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment.

Criterion 3 requires that it utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate, in line with policy PCYFF 4.

The existing outbuilding comprises a single storey pitch roof building with a timber frame flat roof addition to the side and a small mono-pitch outhouse to the rear/side.

The proposed conversion involves alterations to door/window openings, repair/renewal of the timber frame section with flat roof extended to the rear in lieu of the mono-pitch outhouse roof to form new shower room. No increase in the overall floor space of the existing building is proposed.

The proposed alterations to the building are considered to be acceptable in terms of their design and it is not considered that the proposal due to its scale would give rise to unacceptable impacts upon the character and appearance of the area or the privacy and amenities of neighbouring properties in accordance with policies PCYFF2 and PCYFF 3.

Strategic Policy PS 14 of the JLDP relates to the visitor economy and states that whilst ensuring compatibility with the local economy and communities and ensuring the protection of the natural, built and historic environment the Councils will support the development of a year-round tourism industry by:

3. Managing and enhancing the provision of high quality un-serviced tourism accommodation, in the form of self-catering cottages and apartments, camping, alternative luxury camping, static or touring caravan or chalet parks;

4. supporting appropriately scaled new tourist provision and initiatives in sustainable locations in the countryside through the re-use 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.

Policy TWR 2 relates to holiday accommodation and states that proposal will be permitted, provided they are of a high quality in terms of design, layout and appearance and conform with the relevant policy criteria.

Criterion ii. Requires that the proposed development is appropriate in scale considering the site, location and/or settlement in question.

Criterion iv. Requires that the proposal is not sited within a primarily residential area or does not significantly harm the residential character of an area.

Criterion v. requires that the proposal does not lead to an over-concentration of such accommodation within the area.

The design and scale of the proposal is considered to be acceptable in accordance with criterion ii. of policy TWR 2.

The proposal is not located within a primarily residential area and will not significantly harm the residential character of the area in accordance with criterion iv.

In terms of criteria (v) of policy TWR 2, paragraph 6.3.67 of the JLDP states that to judge whether the proposed development will not lead to an over-concentration of this type of holiday accommodation within a particular location, applicants will be required to submit a detailed business plan, which demonstrates the robustness of the proposed scheme. This would enable the Council to assess whether the scheme has a realistic chance of being viable and is not speculative in nature. It is noted that a business plan has been submitted with the planning application. However, the business plan does not provide the level of detail required to satisfy criterion (v) of policy TWR2 and whilst this has been highlighted to the agent, no response has been received in this regard.

Furthermore, section 4.6 of Supplementary Planning Guidance Tourism Accommodation and Facilities aims to define the issue of over-concentration with paragraph 4.6.1 stating that a high number of holiday accommodation or a concentration of holiday accommodation in a specific area can have a detrimental impact on the social fabric of communities.

Paragraph 4.6.5 states that when assessing whether or not there is an over-provision of holiday accommodation, the following should be considered:

- Whether or not there is an even distribution of holiday accommodation across the area - A provision of holiday accommodation that has been distributed evenly across the area is a way of ensuring that it does not lead to pockets of empty properties during the winter and ensures that excess pressure is not applied on local services and infrastructure at the peak of the season;
- Sociocultural impact – If holiday accommodation permeates into a traditionally residential area it can lead to a change in people's values and behaviour, and consequently, lead to them losing their cultural identity.
- Impact on the amenities of local residents, e.g. complaints regarding noise, disturbance, increase in traffic etc.

- Lack of community facilities and services - Local businesses providing for the needs of visitors more than the needs of local residents and only opening on a seasonal basis.
- Pressure on local infrastructure - The capability and capacity of local infrastructure to cope at the peak of the season.
- Quantity of holiday accommodation - Favourable consideration will not be given to applications for self-serviced holiday accommodation when the existing combination of holiday accommodation and second homes within the Community/Town/City Council area is higher than 15%. Council Tax information should be used as the information source in order to find this information.

The most recent council tax data shows that the population of second homes and self-catering holiday accommodation in the Llanfair Mathafarn-Eithaf community council area is 18.47%, which is above the 15% threshold. It is recognised that some exceptional circumstances can arise where there are clear advantages to allowing holiday accommodation in an area that already has a high number of holiday accommodation and second homes (beyond the 15% threshold). These exceptional cases include:

- An enterprise associated with rural diversification; and,
- A proposal that would involve preserving and making alternative use of a listed building of historical value.

Neither of these apply to this application, consequently it is therefore considered that the proposal would lead to an over-concentration of holiday accommodation in the area and consequently the proposal fails to accord with the provisions of policy TWR 2 of the JLDP.

The application is also accompanied by a Protected Species Report and Preliminary Bat Roost Assessment. The Report confirms that no bats were found to be using the building. It does however include recommendations in relation to bat and bird enhancement, mitigation and compensation in order to satisfy the Section 6 duty under the Environment Wales Act 2016. The report also identifies the presence of Three Cornered Garlic an Invasive Non Native Species (INNS) and makes recommendations in relation to biosecurity measures to be followed to prevent spread.

Strategic Policies PS4 and PS5 of the JLDP relate to sustainable development and transport and requires that development be located so as to minimise the need to travel and where it is demonstrated that they are consistent with the principles of sustainable development. These principles are also reiterated in PPW(11), TAN18 and the Welsh Government's Building Better Places: Placemaking and the Covid-19 Recovery (July 2020)

The application site is located within the development boundary of the Local Service Centre of Benllech and is well located in terms of access to services, facilities and public transport and is therefore consistent with the principles of sustainable development.

In accordance with the Planning (Wales) Act 2015 Local Planning Authorities have a duty when making a decision on a planning application to have regard to the Welsh language, where it is relevant to that application. This is further supported by para 3.28 of Planning Policy Wales (Edition 11, 2021) together with Technical Advice Note 20 and the Supplementary Planning Guidance: Maintaining Distinctive and Sustainable Communities.

Whilst the application does trigger a requirements for a Welsh Language Statement or Welsh Language Impact Assessment Report, it does nevertheless need to show how consideration has been given to the language and sufficient information has been provided as part of the planning application to satisfy the requirements of the policy.

Conclusion

Having regard to the above, it is considered that the proposal would lead to an over-concentration of such accommodation within the area contrary to the provisions of policy TWR 2 of the Joint Local Development Plan, the advice contained in the Supplementary Planning Guidance: Tourism Facilities and Accommodation (March 2021).

Recommendation

That the application is refused for the following reason:

(01) The Local Planning Authority considers that the proposal would lead to an over-concentration of holiday accommodation within the area contrary to the requirements of policy TWR 2 of the Anglesey and Gwynedd Joint Local Development Plan and the advice contained in the Supplementary Planning Guidance Tourism Facilities and Accommodation (March 2021).

Application Reference: FPL/2021/248

Applicant: B I, DP & N Jones

Description: Full application for the installation of a septic tank with soakaway on land adjacent to

Site Address: Parciau, Llanddaniel



Report of Head of Regulation and Economic Development Service (John Williams)

Recommendation: Permit

Reason for Reporting to Committee

Two of the three applicants were previously employed by the Authority but, at the time of the application's submission, one of the applicants was in-post and another had recently left the Authority's employ. Given these circumstances, it is prudent to report the application to this Committee for determination.

The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the constitution.

Proposal and Site

The proposal involves the installation of a septic tank with soakaway and associated pipework on land to the north west of Parciau.

Key Issues

Whether the works can be adequately accommodated within the application site without adversely impacting upon local amenity and the wider environment.

Policies

Joint Local Development Plan

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

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Dafydd Roberts	No response at the time of writing this report
Cynghorydd Eric Wyn Jones	No response at the time of writing this report
Ymgynghoriadau Cynllunio YGC	The unit has no observations to offer in terms of land drainage or local flood risk.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No comment to make on the proposed development
Cyngor Cymuned Llanddaniel Fab Community Council	No objection to the proposed development.

The application was publicised by means of neighbour notification letters distributed amongst the following properties:

- Bryn Awelon, Llanddaniel;
- Ty'n Pwll, Llanddaniel;
- Ty'n Lon, Llanddaniel; and
- Tir na Nog, Llanddaniel

In addition to the above, the application was publicised by means of displaying a site notice. The latest date for the receipt of observations was 7 October 2021. At the time of writing this report, no letters of representation had been received in relation to the application.

Relevant Planning History

21C162 - Outline application with some matters reserved for the erection of two dwellings together with full details of the access in lieu of the lawful use of land as a Coal Yard granted under full planning application reference A/2792 at Parciau, Llanddaniel - Refused 01/02/2016

FPL/2020/3 – Full application for alterations and extensions including annex together with extension to curtilage at Parciau, Llanddaniel – Permitted 04/03/2020

FPL/2020/73 - Full application for alterations and extensions including annex together with extension of curtilage and the creation of an agricultural access at Parciau, Llanddaniel – Permitted 07/08/2020

MAO/2020/29 - Minor amendments to scheme previously approved under planning permission FPL/2020/73 so as to amend design and remove condition (08) (drainage in relation to highways) at Parciau, Llanddaniel – Permitted 19/02/2021

Main Planning Considerations

Location and Design

The proposed development is appropriately designed and located in relation to its intended purpose. Its location will not adversely impact upon local amenity and there is no objection to the proposed development by any of the statutory consultees.

Visual impact

Although the installation work has the potential for minor visual impacts, it is unlikely that such impacts would affect neighbouring residents given the location of the proposal and the ample screening provided by hedgerows and trees that bound the application site. Such impacts would be negligible at worst and would only be short term in any event. As such, no lasting visual impacts will arise as a result of the proposed development.

Effect on amenities of neighbouring properties

No adverse impacts are predicted to affect the amenities of neighbouring residents as a result of the proposed development.

Conclusion

Having considered the above and all other material considerations it is recommended that the application be permitted.

Recommendation

That the application is permitted subject to the following conditions:

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

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

- **1749-A30-01 – Location and Block Plan Existing, dated September 2019 and received on 10 September 2021;**
- **1749-A3-02 A – Location/Block Plan Proposed, dated September 2019 and received on 10 September 2021; and**
- **DS0008 – 6000-9000 litre Spherical Tanks Septic/Silage & Cesspools, issue 10, dated 11 November 2005 and received on 10 September 2021.**

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.

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: MAH/2021/19

Applicant: B I Jones, D P Jones & N Jones

Description: Minor amendments to scheme previously approved under planning permission FPL/2020/73 so as to amend the annexes windows and to install solar panels at

Site Address: Parciau, Llanddaniel



Report of Head of Regulation and Economic Development Service (John Williams)

Recommendation: Permit

Reason for Reporting to Committee

Two of the three applicants were previously employed by the Authority but, at the time of the application's submission, one of the applicants was in-post and another had recently left the Authority's employ. Given these circumstances, it is prudent to report the application to this Committee for determination.

The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the constitution.

Proposal and Site

The proposal involves amendments to the extension's fenestration from that previously approved in addition to the installation of solar panels to the extension's roof.

Key Issues

Whether the works can be adequately accommodated within the application site without adversely impacting upon local amenity and the wider environment.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Response to Consultation and Publicity

Given the nature of the application, which does not constitute an application for planning permission, the existing provisions relating to statutory consultation and publicity do not apply. Consequently, local planning authorities have the discretion in whether and how they choose to inform other interested parties or seek their views.

As the amendments sought by this application are non-material in nature and, as explained in the following report, unlikely to affect residential and visual amenity, consultation and publicity are considered unnecessary.

Relevant Planning History

21C162 - Outline application with some matters reserved for the erection of two dwellings together with full details of the access in lieu of the lawful use of land as a Coal Yard granted under full planning application reference A/2792 at Parciau, Llanddaniel - Refused 01/02/2016

FPL/2020/3 – Full application for alterations and extensions including annex together with extension to curtilage at Parciau, Llanddaniel – Permitted 04/03/2020

FPL/2020/73 - Full application for alterations and extensions including annex together with extension of curtilage and the creation of an agricultural access at Parciau, Llanddaniel – Permitted 07/08/2020

MAO/2020/29 - Minor amendments to scheme previously approved under planning permission FPL/2020/73 so as to amend design and remove condition (08) (drainage in relation to highways) at Parciau, Llanddaniel – Permitted 19/02/2021

FPL/2021/248 - Full application for the installation of a septic tank with soakaway on land adjacent to Parciau, Llanddaniel – Undetermined

Main Planning Considerations

Design and visual impact

The proposed amendment to the fenestration includes the replacement of one of the first floor windows to the north-eastern part of the front elevation of the extension previously approved under planning permission FPL/2020/73 with an enlarged window opening and balconet together with the removal of a first floor window to the south-westerly facing elevation of the extension. The location of the enlarged window is such that it will not generate any additional impact in relation to overlooking given that the nearest residential properties that may be affected in this way are in excess of 150m from the application site and screened by mature trees/hedgerow. The style and materials will be of the same specification as the other windows to be installed and, as such, there will be a negligible visual impact over what was previously approved. Consequently, the amendment to the fenestration is considered acceptable from a design and visual impact perspective.

In relation to the solar panels, details are provided in commercial brochures and confirm that the panels will be 1690mm x 996mm in size and will project 35mm from the roof plane. The panels are proposed to be affixed to the roof planes of the extension facing and projecting towards the public highway.

As is the case in relation to the change in fenestration, the design and materials used in the construction of the solar panels are considered acceptable and their proposed siting on the front and projecting elevations' roof plane can be acceptably accommodated with negligible impact to visual amenity.

Effect on amenities of neighbouring properties

As discussed above, the impacts generated by the amendments to the previously approved scheme are considered negligible in terms of design and visual impact and this is true in relation to their potential impact upon the amenities of neighbouring residents also, given that the nearest dwellings are located in excess of 150m from the application site and screened by mature trees and hedgerow.

Conclusion

Having considered the above and all other material considerations it is recommended that the application be permitted.

Recommendation

That the application is permitted subject to the following conditions:

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

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

- 1749-A3-02 – Location/Block Plan Proposed, dated September 2019;
- 1749-A3-05-C – Proposed Elevations (1 of 2), dated November 2020;
- 1749-A3-05-D – Proposed Elevations (1 of 2), dated November 2020;
- 1749-A3-15-A – Proposed First Floor General Arrangement Plan, dated December 2019
- Solax data sheet received on 18 November 2021;
- Trinasolar Honey 120 Layout Module brochure received on 18 November 2021; and
- Triple Power brochures received on 18 November 2021

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: PCYFF2 & PCYFF3

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: 01/12/2021

12.1

Application Reference: LBC/2021/29

Applicant: Head of Highways, Waste and Property

Description: Listed Building Consent for the refurbishment of the male and female toilets at

Site Address: Haulfre Gardens Unit, Haulfre, Llangoed



Report of Head of Regulation and Economic Development Service (Keith Williams)

Recommendation: Permit

Reason for Reporting to Committee

The application relates to land in the ownership of the Council.

Proposal and Site

The Mid-late C19 stables complex of 3 parallel ranges comprising stables and tackroom, coach house and cowhouse, pigsties and outbuildings, stores and generator shed, along with and ornate clock tower is situated to East of the B 5109 road through Llangoed; reached from North end of the village along a lane and then short private track. The building is grade II listed as Haulfre Stables (Cadw Record No. 26761). The stables are listed for their interest as an unusually complete and well-detailed group of buildings which exemplify a planned service complex to an estate of the mid-late C19. The hierarchy of architectural detailing clearly reflects the hierarchy of use within the complex and many original details have been retained, both externally and internally.

The stables complex is of 3 parallel ranges with the listed building consent application relating to the South range only, which is a plainer lower range.

The proposal is for listed building consent for internal alterations for the refurbishment of the male and female toilet.

Key Issues

The application's key issues are:

- Whether the Proposal comply with relevant policies and policy considerations.
- Whether the Proposal significantly affect the character of the listed building.

Policies

Joint Local Development Plan

Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Technical Advice Note 12: Design (2016)

Technical Advice Note 24: The Historic Environment (2017)

Planning Policy Wales (Edition 11, February 2021)

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Legislative and Policy Requirements: Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Historic Environment (Wales) Act 2016 & Best Practice Guidance.

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Gary Pritchard	No response at the time of writing this report
Cynghorydd Carwyn Jones	Support
Cynghorydd Alun Roberts	No response at the time of writing this report
Cyngor Cymuned Llangoed Community Council	No observations / objections
Cadw Listed Building Consent Notificatio CADW	No response at the time of writing this report

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.

Representation Expiry Date: 27/10/2021.

Representations: Letters of full support received from Llangoed & Penmon Community Council and Councillor Carwyn Elias Jones.

Relevant Planning History

35LPA929A/CC - Change of use of former flat into restaurant/cafe at Haulfre

Main Planning Considerations

The listed building is in the ownership of the Council. The listed building consent application, received following initial pre-submission site meeting and discussions with the Planning Service, is for internal alterations for the refurbishment of the male and female toilets.

The proposed works include the careful taking down of a modern concrete block internal wall, replacement of modern ceramic wall tiles with hygienic wall cladding, laying of non-slip flooring, creation of new male toilet cubicles, and installation of new sanitary fittings.

The existing internal features are later additions that are of no historical or architectural interest. The proposed new internal layout has been carefully considered so as not to harm the character of the listed building and is easily reversible, without causing harm to the historic fabric, should circumstances change in the future.

The department has not, at the time of writing this report, received any letter of objection with regards to the listed building consent application.

The proposals are supported as they have considered the character and significance of the listed building, and its heritage features, and consists of a proposed design that both protects and enhances the listed building subject to specific listed building consent conditions.

Conclusion

The proposals have been carefully considered and would not harm the character of the listed building and would be easily reversible, without causing harm to the historic fabric, should circumstances change in the future.

The department has not, at the time of writing this report, received any letter of objection.

The proposals are supported as they have considered the character and significance of the listed building and its heritage features, and the proposed design both protects and enhances the listed building, subject to specific listed building consent conditions.

Recommendation

That the application is permitted subject to the following conditions:

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Site Location Plan / RS650/RCAP1323/10
Site Plan / RS650/RCAP1323/01
Existing Floor Layout / RS650/RCAP1323/02
Proposed Demolition Work / RS650/RCAP1323/03
Proposed Floor Layout / RS650/RCAP1323/04
Proposed New Flooring / RS650/RCAP1323/05
Proposed Wall Cladding / RS650/RCAP1323/06
Proposed New Heaters / RS650/RCAP1323/07
Proposed Drainage Connection Adjustments / RS650/RCAP1323/08
Design and Access Statement (Heritage Impact Statement) / Property Section, Isle of Anglesey
County Council

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

NOTE: This decision notice refers to the granting of Listed Building Consent only. Planning Permission may also be required and until such time as the necessary permission is granted no development may be carried out at the property.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 3, PCYFF 4, and 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/2021/196

Applicant: Mr Dyfed Williams

Description: Full application for the erection of new structure to provide roof over the existing farmyard manure store at

Site Address: Fron Heulog, Cemaes.



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

Recommendation: Permit

Reason for Reporting to Committee

The application site is Council owned land.

Proposal and Site

The application is for the erection of a new structure to provide a roof over the existing farmyard manure store.

The application site is located amongst existing agricultural buildings on an established farm on the outskirts of Cemaes.

Key Issues

The key issues are whether the proposal complies with relevant local and national planning policies.

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
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy AMG 5: Local Biodiversity Conservation
Planning Policy Wales (Edition 11, February 2021)
Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Griffiths	No response at the time of writing the report.
Cynghorydd Aled Morris Jones	No response at the time of writing the report.
Cynghorydd Richard Owain Jones	No response at the time of writing the report.
Cyngor Cymuned Llanbadrig Community Council	No objection.
Ymgynghorydd Tirwedd / Landscape Advisor	Comments.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response at the time of writing the report.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection.

The proposal has been advertised through the posting of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 03/11/2021. At the time of writing this report, no letter of representation had been received at the department.

Relevant Planning History

FPL/2021/196 - Cais llawn am godi strwythur newydd i ddarparu tŷ dros y storfa tail fferm presennol yn/
Full application for the erection of new structure to provide roof over the existing farmyard manure store at
- Fron Heulog, Cemaes. - - Heb Benderfyniad / Not yet determined

2011/151 - Conversion enquiry - Betws, Cemaes

Main Planning Considerations

The application is made for the erection of new structure to provide roof over the existing farmyard manure store at Fron Heulog, Cemaes.

The proposal is to improve the existing slurry management system on the farm to conform with the requirements of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021. The structure is not to accommodate an increase in stock numbers.

Policy PCYFF 1 of the JLDP states that outside the development boundaries development will be resisted unless it is in accordance with specific policies of this Plan or national planning policies or that the proposal demonstrates that a countryside location is essential.

The application site is located in the open countryside outside any defined development boundary, however the application site is an existing established agricultural farm. The nature of the development is such that a countryside location is essential and as such the proposal is considered to accord with the provisions of policy PCYFF 1 of the JLDP.

Policy PCYFF 2 of the JLDP requires that proposals demonstrate compliance with relevant Plan policies and national planning policy and guidance.

Policy PCYFF 3 of the Plan states that all proposals will be expected to demonstrate a high quality design which fully takes into account the natural, historic and built environment context and contributes to the creation of attractive, sustainable places. Proposals, including extensions and alterations to existing buildings and structures will only be permitted provided they conform to the relevant policy criteria:

1 it complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment.

3 it utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate in line with policy PCYFF4.

Given the context of other buildings and existing uses, it is not considered that the proposal would give rise to an unacceptable visual effect in the local landscape such that it would need to be mitigated either through colour or landscaping.

With the above in mind, it would be compliant with relevant landscape and visual criteria from PCYFF 3 and PCYFF4.

Conclusion

For the reasons set out above, the proposal is considered to be acceptable in terms of siting and design and it is not considered to be of a scale that would have a significant detrimental impact upon the character and appearance of the area or upon the amenities of nearby residential occupiers.

Recommendation

That the application is permitted subject to the following conditions:

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

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

(02) The building hereby approved shall be used solely for the purposes of Agriculture, as defined by Section 336(1) of the Town and Country Planning Act 1990 (as amended) and for no other commercial or business use whatsoever.

Reason: To ensure that the development will always be in the best interest of the agricultural industry.

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

- **Existing Site Plan & Location Plan: A3-02**
- **Proposed Drawings: A2-01**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF1, PCYFF2, PCYFF3, PCYFF4, PS19, AMG5.

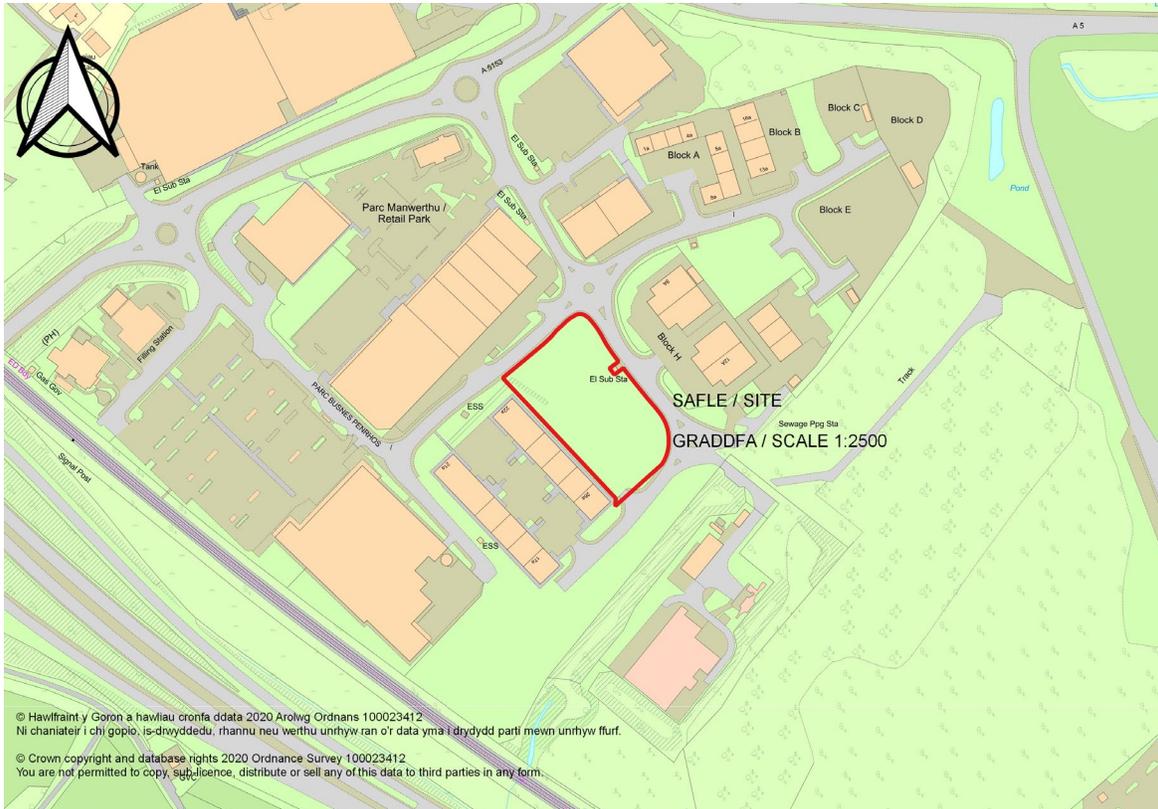
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2021/178

Applicant: Mr Nathan Burdett

Description: Full application for the erection of 7 business units together with landscaping and associated development at

Site Address: Former Heliport Site, Penrhos Industrial Estate, Penrhos, Holyhead



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

Recommendation: Permit

Reason for Reporting to Committee

The application is submitted on behalf of the Local Authority

Proposal and Site

The application is submitted for the erection of 7 business units together with landscape and associated development at the Former Heliport Site, Penrhos Industrial Estate, Holyhead. The proposed units will be used for the purposes of (Class B1), general industrial use (Class B2) and warehousing and distribution use (Class B8). The combined floor area of the proposed units is 982m².

The application site comprises of previously developed land which amounts to total area of 0.58 hectares.

Immediately to the west of the site are 10 business units which were completed in 2020. The proposed development will essentially form a phase 2 to that development. To the east there are existing industrial units forming part of the Penrhos Industrial Estate. To the south east there is the Welsh Water waste water treatment plant.

Access is from the south east from a mini roundabout off the Penrhos Industrial Estate. The proposals includes car parking spaces, cycle stores, bin stores and landscaping.

Key Issues

Whether or not the proposal complies with local and national polices, whether the proposal will have an impact upon the designated Area Of Outstanding Natural Beauty (AONB) and highway safety.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
 Policy PCYFF 4: Design and Landscaping
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 1: Development Boundaries
 Policy PCYFF 6: Water Conservation
 Policy PCYFF 5: Carbon Management
 Policy TRA 2: Parking Standards
 Policy TRA 4: Managing Transport Impacts
 Strategic Policy PS 1: Welsh Language and Culture
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
 Strategic Policy PS 5: Sustainable Development
 Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy
 Policy CYF 1: safeguarding, Allocating and Reserving Land and Uses for Employment Use
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
 Policy AMG 5: Local Biodiversity Conservation

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Jeff M. Evans	No Response
Cynghorydd Glyn Haynes	No Response
Cynghorydd Robert Llewelyn Jones	No Response
Cyngor Tref Caergybi / Holyhead Town Council	No Response
Uned Datblygu Economaidd / Economic Development Unit	No Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditions Proposed- Ensure that the mitigation measures included within the ecology report are carried out & Full lighting scheme is submitted and implemented before the use is operational.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditional Approval to ensure that the landscaping scheme is implemented as part of the development.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Main comments contained within core of response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objection
Iechyd yr Amgylchedd / Environmental Health	Condition proposed to ensure that any contamination is dealt with accordingly.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval to ensure that the mitigation measures included within the ecology report are carried out
Dwr Cymru Welsh Water	No Objection
Draenio Gwynedd / Gwynedd Drainage	No Objections
Llywodraeth Cymru (Priffyrdd/Highways)	No Objection
GCAG / GAPS	No Objection
North Wales Fire & Rescue Service	No Response
Cadw Scheduled Monuments	Proposed development will not have a detrimental impact upon nearby any Scheduled Monuments

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 11/08/2021. At the time of writing this report no representations had been received at the department.

Relevant Planning History

46LPA910/CC Demolition of heliport buildings, the change of use of land to a civic amenity site and waste transfer station together with the siting of two portable buildings and the installation of a weighbridge, conditionally approved 04.08.09.

19LPA1023/SCR/CC – Screening opinion for the erection of business units, EIA not required 30.09.15.

19LPA1023A/CC Full application for the erection of 10 flexible business units together with associated parking and service yard, landscaping, electrical vehicle charging point, solar panels and two bin/recycling and cycling stores, conditionally approved 07.12.15.

19LPA1023B/CC - Full application for the erection of 10 business units (Class B1, B2 and B8) on land at the former Safle Site, Penrhos Industrial Estate, Holyhead

Main Planning Considerations

Principle of Development:

The application site is located within the settlement boundary of Holyhead under the provisions of PCYFF 1 of the JLDP. Strategic policy PS 13 of the JLDP states that the council will facilitate economic growth by safeguarding and allocating sites and land for employment /business purposes under the provisions of CYF 1. The application site is allocated as proposal C10 under the provisions of CYF 1 which safeguards land for employment industrial purposes. The principle of the proposed development is therefore considered acceptable under policies of the JLDP.

New development on previously developed land is encouraged in PPW, on the grounds of sustainability to re-use such sites in existing settlements where there is vacant or under-used land for suitable uses such as that being applied for.

Given the considerations described above the principle is clearly acceptable.

Impact of the development on the Character and Appearance of the Area and the Area of Outstanding Natural Beauty:

The application site is essentially surrounded by existing commercial / industrial and developments and a waste water treatment plant. The boundary of the AONB at the nearest point runs along the railway line to the south west, and views from the AONB are available through the area to the rear of the Morrison's store. The AONB also borders the northern boundary of the Penrhos Industrial Estate near Penrhos Beach.

Whilst the application site is not within the AONB given the proximity of the AONB to the south west the impact on the setting of this landscape designation is a material consideration. PPW explains that the primary objective of designating AONB's is the conservation and enhancement of their natural beauty. Development Management decisions affecting AONB's should favour conservation of natural beauty, although it will be appropriate to have regard to the economic and social well-being of the areas.

As previously explained the application comprises previously developed land on an existing industrial estate where the principle of development has clearly been established by the allocation under CYF 1 of the JLDP which means that there is an expectation that the application site will come forward for industrial development. These are significant material considerations which not only establish the principle of development in proximity to the AONB but are also significant economic and social well-being considerations which are appropriate for the Local Planning Authority to assess under the provisions of PPW.

In terms of the objectives of enhancing and conserving the AONB the following considerations are material that the proposal will enhance previously developed land, as will the landscaping and external appearance subject to the considerations described below.

There is a statutory requirement for the Local Planning Authority to have regard to the AONB purposes. Regard has been taken of these statutory requirements in terms of the use of appropriate external materials, enhancing the application site via landscaping. The landscape specialist has assessed the application and is of the view that the proposed development would not affect natural beauty or affect AONB features or special qualities.

Welsh Language – The planning application is accompanied by information which gives due consideration to the impact upon the Welsh Language. It concludes that the business units will draw on the local employment market in both construction and operation and that overall minor beneficial effects on the Welsh language are likely and as well as providing enhancements via bi lingual signage and utilising the council's Economic Development Unit to support the local supply chain.

Effect upon the amenities of neighbouring properties:

The impact of the proposal, in particular upon the amenity of nearby land users should be considered in accordance with the criteria as set out in Policy PCYFF2 of the JLDP. Specific consideration should be given to criteria 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupier of local residence or other land and property users.

The application site is not located within a residential area of Holyhead. Given the nature of the proposal and distance to nearby residential properties and other land and property users, it is not considered the proposed development would have a detrimental effect upon the amenities of the properties.

Local Highway Authority:

The application will be accessed from the south east, linking the public highway to an internal road which will serve the units. Each unit which will have their own parking spaces. The Local Highway Authority and Welsh Government Highways have assessed the proposal and are satisfied with the application.

Other Material Considerations – In terms of ecology no objections are raised by the council's Ecological and Environmental Officer or NRW subject to the mitigation measures in submitted ecological report being adhered to and this has been regulated via a planning condition.

Conclusion

It is considered that the principle of the development aligns with National planning policy together with the Joint Local Development Plan.

The proposal is considered acceptable in technical terms and there will be no harm to the amenities of the locality nor nearby AONB. Conditions will be attached to the permission accordingly.

Recommendation

That the application is permitted subject to the following 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:

Location Plan

Soft Landscape Plan – 39696-XX-DR-LA-6011 Rev E
Proposed GA Site Plan – 39696-WOOD-XX-P2-DR-A-0002_S4_P01 Rev C
GA Floor Plan – 39696-WOOD-XX-PH2-DR-A-1001 Rev P02
General Plans and Elevations – 39696- WOOD-XX-P2-DR-A-0005_S4_P01
Vertical Alignment Site Section – 20264/402 P1
Site Sections – 20264/403 Rev P1
Elevations – 39696-WOOD-XXPH2-DR-DR-A-2001 RevP01
Drainage Layout – 20264/501 Rev P1
Hard Landscape Plan – 39696-XX-DR-LA-6010 Rev D
GA Sections – 39696-WOOD-XX-PH2-DR-A-3001 Rev P01
GA Roof Plan – 39C96-WOOD-XX-PH2-DR-A-1007 Rev P01
General Arrangement and Setting Out -0 20264/401 Rev P1
Surfacing Layout and Construction Details – 20264/404 Rev P1

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

(03) All construction, maintenance, repair work(s) in connection with the development hereby approved shall proceed strictly and entirely in accord with the Preliminary Ecological Appraisal (Barnes, S. 2021) and Habitat Suitability Index (HIS) and EDNA Survey for Great Crested Newts by Enfy Ecology V1

Reason: To safeguard any protected species present.

(04) No development shall commence until full details of a lighting scheme for the development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the scheme approved under the provisions of this condition and shall be operational before the use hereby permitted is commenced and then operated and maintained in accordance with the approved scheme for the lifetime of the development.

Reason: To conserve the Area of Outstanding Natural Beauty and safeguard ecology, highway safety and prevention of light pollution.

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

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

(06) In the event of any contamination being found, no further development shall be carried out until a suitable Remediation Strategy should be submitted and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of public health

(07) All planting in the approved details of landscaping contained in Wood Soft Landscape Plan 39696-XX-DR-LA-6011 Rev. 3 shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In order that the proposal integrates into the area as required in JLDP Policies PCYFF 3 and PCYFF 4.

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: 01/12/2021

13.1

Application Reference: DEM/2021/3

Applicant: Housing Services

Description: Application to determine whether prior approval is required for the demolition of garages at

Site Address: Thomas Close, Beaumaris



Report of Head of Regulation and Economic Development Service (Huw Rowlands)

Recommendation: Permitted Development

Reason for Reporting to Committee

The application relates to council owned land.

Proposal and Site

The application is made to demolish a row of 23 domestic type semi-dilapidated vehicular garages at the Thomas Close Residential Estate at Beaumaris. The application form states the use of the garages have become surplus to requirement, with several of the units being empty. The application form also states the construction of the garages themselves do not lend to re-development, have fragile asbestos roof and are an eye-sore in general. It is proposed the site to be left as an open area following demolition.

Key Issues

The acceptability of the method of demolition and any proposed restoration of the site.

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response at the time of writing this report
Priffyrdd a Trafnidiaeth / Highways and Transportation	No comments
Ymgynghorydd Tirwedd / Landscape Advisor	No objections
Cynghorydd Gary Pritchard	No response at the time of writing this report
Cynghorydd Carwyn Jones	No response at the time of writing this report
Cynghorydd Alun Roberts	No response at the time of writing this report
Cyngor Tref Biwmares / Beaumaris Town Council	Comments
Iechyd yr Amgylchedd / Environmental Health	Observations
Cyfoeth Naturiol Cymru / Natural Resources Wales	No comment

Relevant Planning History

DEM/2019/13 - Application to determine whether prior approval is required for the demolition of garages at - Thomas Close, Beaumaris, Withdrawn

PAMI/2019/53 - Pre-application advice for the demolition of existing garages and make good to affected surfaces and boundary treatment - garages at Thomas Close, Beaumaris - Advice Given

Main Planning Considerations

The application is made under the Town and Country Planning (General Permitted Development) Order 1995 "Order" for the demolition of the buildings described earlier in this report. Under the Order the demolition of buildings does not require planning permission (termed permitted development) subject to the developer first applying to the Local Planning to confirm whether their prior approval is required in respect of the method of demolition and any restoration of the site. Under this process the Local Planning Authority were afforded a 28 day period in respect of the demolition subject to this report and have confirmed within the 28 day period that the prior approval of the Local Planning Authority will not be required.

The proposed method of demolition has been noted in the application form with the following sequence for demolition:

- Internal clearance of remaining items and debris removed via skips
- Removal of garage doors and removal from site to recycling facility

- Careful and methodical removal of asbestos roofs by an Asbestos Removal Company and all waste transported from site in lockable skips marked as transporting asbestos waste.
- Demolition of remaining walls either by mechanical plant or by hand where the walls form a boundary with a neighbouring property
- All waste to be removed from site via suitable skips and recycled where possible.
- Concrete slabs will remain in situ and made good

A separate consent will also be required by the council's Building Control department in respect of the demolition of the buildings and it is understood that as part of this process will include consideration of any asbestos present and an informative on this has been recommended to be attached to the decision in respect of this and other matters listed.

Conclusion

The proposed method of demolition and the subsequent restoration of the site are anticipated to be considered acceptable subject to standard conditions in the Town and Country Planning (General Permitted Development) Order 1995. The 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 Part 31 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

Application Reference: DEM/2021/4

Applicant: Head of Highways, Waste and Property

Description: Prior Approval for proposed demolition of two garages at

Site Address: Hampton Way, Llanfaes



Report of Head of Regulation and Economic Development Service (Huw Rowlands)

Recommendation: Permitted Development

Reason for Reporting to Committee

The application relates to council owned land.

Proposal and Site

The application is made to demolish a row of 2 domestic type semi-dilapidated vehicular garages at the Hampton Way Residential Estate at Llanfaes. The application form states the use of the garages have become surplus to requirement and empty. The application form also states the construction of the garages themselves do not lend to re-development, have fragile asbestos roof and are an eye-sore in general. It is proposed the site to be left as an open area following demolition.

Key Issues

The acceptability of the method of demolition and any proposed restoration of the site

Policies

Joint Local Development Plan

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response at the time of writing this report
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Observations
Rheoli Adeiladu / Building Control	Comments
Iechyd yr Amgylchedd / Environmental Health	Observations
Cyngor Tref Beaumaris Town Council	No response at the time of writing this report
Cynghorydd Carwyn Jones	No response at the time of writing this report
Cynghorydd Gary Pritchard	No response at the time of writing this report
Cynghorydd Alun Roberts	No response at the time of writing this report

Relevant Planning History

DEM/2019/7 - Application to determine whether prior approval is required for the demolition of garages at Hampton Way, Llanfaes, - Withdrawn

Main Planning Considerations

The application is made under the Town and Country Planning (General Permitted Development) Order 1995 "Order" for the demolition of the buildings described earlier in this report. Under the Order the demolition of buildings does not require planning permission (termed permitted development) subject to the developer first applying to the Local Planning to confirm whether their prior approval is required in respect of the method of demolition and any restoration of the site. Under this process the Local Planning Authority were afforded a 28 day period in respect of the demolition subject to this report and have confirmed within the 28 day period that the prior approval of the Local Planning Authority will not be required.

The proposed method of demolition has been noted in the application form with the following sequence for demolition:

- Internal clearance of remaining items and debris removed via skips
- Removal of garage doors and removal from site to recycling facility
- Careful and methodical removal of asbestos roofs by an Asbestos Removal Company and all waste transported from site in lockable skips marked as transporting asbestos waste.
- Demolition of remaining walls either by mechanical plant or by hand where the walls form a boundary with a neighbouring property
- All waste to be removed from site via suitable skips and recycled where possible.

- Concrete slabs will remain in situ and made good

A separate consent will also be required by the council's Building Control department in respect of the demolition of the buildings and it is understood that as part of this process will include consideration of any asbestos present and an informative on this has been recommended to be attached to the decision in respect of this and other matters listed

Conclusion

The proposed method of demolition and the subsequent restoration of the site are anticipated to be considered acceptable subject to standard conditions in the Town and Country Planning (General Permitted Development) Order 1995. The 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 Part 31 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.